

## HOUSE COMMITTEE BILL NO. 7

## AN ACT

To amend chapter 168, RSMo, by adding thereto one new section relating to elementary and secondary education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

Section A. Chapter 168, RSMo, is amended by adding thereto one new section, to be known as section 168.202, to read as follows:

168.202. 1. Notwithstanding any other provision of law to the contrary, no individual shall be employed as a superintendent or assistant superintendent by a school district except in accordance with a contract of employment expressly stating the terms and conditions of employment.

2. A contract for the employment of a superintendent or assistant superintendent shall:

(1) Incorporate all provisions relating to compensation and benefits to be paid to or on behalf of the superintendent or assistant superintendent;

(2) Specify the termination, buyout, and severance process;

(3) State that any modification to the contract shall be in writing and approved by a majority vote of the board members; and

(4) Be posted on the school district website.

3. No agreement between the school district and superintendent or assistant superintendent for a negotiated severance of employment prior to the end of the specified

contract term shall provide for severance compensation, including the reasonable value of any noncash severance benefits or postemployment benefits not otherwise accruing under the contract or under the law, to the superintendent or assistant superintendent that exceeds the lesser of:

(1) The equivalent of one year's compensation due under the contract, including payment for unused leave, but excluding any other benefit; or

(2) The total of all compensation due under the contract, excluding benefits other than unused leave, for the remainder of the term of the contract.

4. School districts and superintendents or assistant superintendents may enter into severance agreements for consideration less than the limits stated in subsection 3 by mutual agreement. In addition, the limitations in subsection 3 may be exceeded by mutual agreement in such cases as the school board terminates the contract for reasons other than those listed below:

(1) Any of the grounds upon which a contract teacher may be dismissed under Missouri law;

(2) For failure to comply with reasonable requirements to improve written job performance;

(3) For misuse of district funds; or

(4) For breach of contract.

If the school board terminates the contract of the superintendent or assistant superintendent for any of the reasons listed above,

1 the board may end the contract with no additional compensation  
2 beyond the date of the severance agreement, as long as it is does  
3 not exceed the limits in subsection 3.

4 5. For purposes of this section, the term "severance" or  
5 "severance of employment" means when a school district and a  
6 superintendent or assistant superintendent enter into a written  
7 contract to mutually end the employment of the term of the  
8 employment contract.

9 6. This section applies only to a contract for employment  
10 executed on or after the effective date of this section.