

SECOND REGULAR SESSION

HOUSE BILL NO. 2537

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEINHOFF.

4689H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 168.500, 168.510, 168.515, and 168.520, RSMo, and to enact in lieu thereof four new sections relating to the career development and teacher excellence plan.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 168.500, 168.510, 168.515, and 168.520, RSMo, are repealed
2 and four new sections enacted in lieu thereof, to be known as sections 168.500, 168.510,
3 168.515, and 168.520, to read as follows:

168.500. 1. For the purpose of providing career pay, which shall be a salary
2 supplement, for public school teachers, which for the purpose of sections 168.500 to 168.515
3 shall include classroom teachers, librarians, school counselors and certificated teachers who
4 hold positions as school psychological examiners, parents as teachers educators, school
5 psychologists, special education diagnosticians and speech pathologists, and are on the
6 district salary schedule, there is hereby created and established a career advancement program
7 which shall be known as the "Missouri Career Development and Teacher Excellence Plan",
8 hereinafter known as the "career plan or program". Participation by local school districts in
9 the career advancement program established under this section shall be voluntary. The career
10 advancement program is a matching fund program. The general assembly may make an
11 annual appropriation to the excellence in education fund established under section 160.268
12 for the purpose of providing the state's portion for the career advancement program. The
13 "Career Ladder Forward Funding Fund" is hereby established in the state treasury. Beginning
14 with fiscal year 1998 and until the career ladder forward funding fund is terminated pursuant
15 to this subsection, the general assembly may appropriate funds to the career ladder forward

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 funding fund. Notwithstanding the provisions of section 33.080 to the contrary, moneys in
17 the fund shall not be transferred to the credit of the general revenue fund at the end of the
18 biennium. All interest or other gain received from investment of moneys in the fund shall be
19 credited to the fund. All funds deposited in the fund shall be maintained in the fund until such
20 time as the balance in the fund at the end of the fiscal year is equal to or greater than the
21 appropriation for the career ladder program for the following year, at which time all such
22 revenues shall be used to fund, in advance, the career ladder program for such following year
23 and the career ladder forward funding fund shall thereafter be terminated.

24 2. ~~[The department of elementary and secondary education, at the direction of the~~
25 ~~commissioner of education, shall study and develop model career plans which shall be made~~
26 ~~available to the local school districts. These state model career plans shall:~~

27 ~~(1) Contain three steps or stages of career advancement;~~

28 ~~(2) Contain a detailed procedure for the admission of teachers to the career program;~~

29 ~~(3) Contain specific criteria for career step qualifications and attainment. These~~
30 ~~criteria shall clearly describe the minimum number of professional responsibilities required of~~
31 ~~the teacher at each stage of the plan and shall include reference to classroom performance~~
32 ~~evaluations performed pursuant to section 168.128. The criteria may include, but shall not be~~
33 ~~limited to, teacher externships as provided in section 168.025;~~

34 ~~(4) Be consistent with the teacher certification process recommended by the Missouri~~
35 ~~advisory council of certification for educators and adopted by the department of elementary~~
36 ~~and secondary education;~~

37 ~~(5) Provide that public school teachers in Missouri shall become eligible to apply for~~
38 ~~admission to the career plans adopted under sections 168.500 to 168.515 after two years of~~
39 ~~public school teaching in Missouri. All teachers seeking admission to any career plan shall,~~
40 ~~as a minimum, meet the requirements necessary to obtain the first renewable professional~~
41 ~~certificate as provided in section 168.021;~~

42 ~~(6) Provide procedures for appealing decisions made under career plans established~~
43 ~~under sections 168.500 to 168.515.~~

44 3. ~~School district career plans shall recognize additional responsibilities and volunteer~~
45 ~~efforts by teachers in formulating criteria for career ladder admission and stage achievement.~~
46 ~~Such additional responsibilities and volunteer efforts shall be required to occur outside of~~
47 ~~compensated hours and may include, but shall not be limited to:~~

48 ~~(1) Serving as a coach, supervisor, or organizer for any extracurricular activity for~~
49 ~~which the teacher does not already receive additional compensation;~~

50 ~~(2) Serving as a mentor for students, whether in a formal or informal capacity;~~

51 ~~(3) Receiving additional teacher training or certification outside of that offered by the~~
52 ~~school district;~~

53 ~~(4) Serving as a tutor or providing additional learning opportunities to students; and~~

54 ~~(5) Assisting students with postsecondary education preparation including, but not~~
55 ~~limited to, teaching an ACT or SAT preparation course or assisting students with completing~~
56 ~~college or career school admission or financial assistance applications.~~

57 ~~4. The commissioner of education shall cause the department of elementary and~~
58 ~~secondary education to establish guidelines for all career plans established under this section,~~
59 ~~and criteria that must be met by any school district which seeks funding for its career plan.~~

60 ~~5. A participating local school district may have the option of implementing a career~~
61 ~~plan developed by the department of elementary and secondary education or a local plan~~
62 ~~which has been developed with advice from teachers employed by the district and which has~~
63 ~~met with the approval of the department of elementary and secondary education. In~~
64 ~~approving local career plans, the department of elementary and secondary education may~~
65 ~~consider provisions in the plan of the local district for recognition of teacher mobility from~~
66 ~~one district to another within this state.~~

67 ~~6. The career plans of local school districts shall not discriminate on the basis of race,~~
68 ~~sex, religion, national origin, color, creed, or age. Participation in the career plan of a local~~
69 ~~school district is optional, and any teacher who declines to participate shall not be penalized~~
70 ~~in any way.~~

71 ~~7.] In order to receive funds under this section, a school district which is not subject~~
72 ~~to section 162.920 must have a total levy for operating purposes which is in excess of the~~
73 ~~amount allowed in Section 11(b) of Article X of the Missouri Constitution; and a school~~
74 ~~district which is subject to section 162.920 must have a total levy for operating purposes~~
75 ~~which is equal to or in excess of twenty-five cents on each hundred dollars of assessed~~
76 ~~valuation.~~

77 ~~[8. The commissioner of education shall cause the department of elementary and~~
78 ~~secondary education to regard a speech pathologist who holds both a valid certificate of~~
79 ~~license to teach and a certificate of clinical competence to have fulfilled the standards~~
80 ~~required to be placed on stage III of the career program, provided that such speech pathologist~~
81 ~~has been employed by a public school in Missouri for at least two years and is approved for~~
82 ~~placement at such stage III by the local school district.~~

83 ~~9.] 3. Beginning in fiscal year 2012, the state portion of career ladder payments shall~~
84 ~~only be made available to local school districts if the general assembly makes an~~
85 ~~appropriation for such program. Payments authorized under sections 168.500 to 168.515~~
86 ~~shall only be made available in a year for which a state appropriation is made. Any state~~
87 ~~appropriation shall be made prospectively in relation to the year in which work under the~~
88 ~~program is performed.~~

89 ~~[10.]~~ 4. Nothing in this section shall be construed to prohibit a local school district
 90 from funding the program for its teachers for work performed in years for which no state
 91 appropriation is made available.

168.510. ~~[After]~~ A teacher who ~~[is duly employed by a district qualifies and is
 2 selected for participation under]~~ **meets the requirements of** a career plan established under
 3 sections 168.500 to 168.515~~[-, such teacher]~~ shall not be denied the career pay authorized by
 4 such plan unless ~~[he]~~ **such teacher:**

5 (1) Is dismissed for cause as established under section 168.114; ~~[or]~~

6 (2) Fails to maintain or renew any certificate required by the department of
 7 elementary and secondary education; ~~[or]~~

8 (3) Fails to maintain the performance level as required for the attainment of the career
 9 stage as set forth in the plan effective in the local district as provided in section 168.500; or

10 (4) Fails to complete professional responsibilities required for the attainment of each
 11 stage~~[-, and~~

12 ~~(5) Has exhausted all due process procedures provided by subdivision (6) of
 13 subsection 2 of section 168.500].~~

168.515. 1. **(1)** Each teacher ~~[selected to participate in a career plan established
 2 under sections 168.500 to 168.515,]~~ who meets the requirements of such plan~~[-]~~ may receive a
 3 salary supplement, the state's share of which shall be distributed under section 163.031, equal
 4 to the following amounts applied to the career ladder entitlement of section 163.031:

5 ~~[(1)]~~ **(a)** Career stage I teachers may receive up to an additional one thousand five
 6 hundred dollars per school year;

7 ~~[(2)]~~ **(b)** Career stage II teachers may receive up to an additional three thousand
 8 dollars per school year;

9 ~~[(3)]~~ **(c)** Career stage III teachers may receive up to an additional five thousand
 10 dollars per school year.

11 **(2)** All teachers within each stage within the same school district shall receive equal
 12 salary supplements.

13 **(3) For the purposes of paragraphs (a) to (c) of subdivision (1) of this subsection,
 14 a teacher qualifies for the following career stages after the designated number of years
 15 of teaching in a public school in this state and meeting the requirements necessary to
 16 obtain the first renewable professional certificate as provided in section 168.021:**

17 **(a) For career stage I, two years;**

18 **(b) For career stage II, five years; and**

19 **(c) For career stage III, ten years.**

20 2. The state may make payments pursuant to section 163.031 to the local school
 21 district for the purpose of providing funding to the local school district for the payment of any

22 salary supplements provided for in this section, subject to the availability of funds as
23 appropriated each year and distributed on a matching basis where the percentage of state
24 funding shall be sixty percent and the percentage of local funding shall be forty percent.

25 3. Not less than every fourth year, beginning with calendar year 1988, the general
26 assembly, through the joint committee established under section 160.254, shall review the
27 amount of the career pay provided for in this section to determine if any increases are
28 necessary to reflect the increases in the cost of living which have occurred since the salary
29 supplements were last reviewed or set.

30 4. To participate in the salary supplement program established under this section, a
31 school district may submit to the voters of the district a proposition to increase taxes for this
32 purpose. If a school district's current tax rate ceiling is at or above the rate from which an
33 increase would require a two-thirds majority, the school board may submit to the voters of the
34 district a proposition to reduce or eliminate the amount of the levy reduction resulting from
35 section 164.013. If a majority of the voters voting thereon vote in favor of the proposition,
36 the board may certify that seventy-five percent of the revenue generated from this source shall
37 be used to implement the salary supplement program established under this section.

38 5. In no case shall a school district use state funds received under this section nor
39 local revenue generated from a tax established under subsection 4 of this section to comply
40 with the minimum salary requirements for teachers established pursuant to section 163.172.

168.520. 1. For the purpose of providing career pay, which shall be a salary
2 supplement for teachers, librarians, school counselors and certificated teachers who hold
3 positions as school psychological examiners, parents-as-teachers educators, school
4 psychologists, special education diagnosticians or speech pathologists in Missouri schools
5 for the severely disabled, the Missouri School for the Blind and the Missouri School for the
6 Deaf, there is hereby established a career advancement program which shall become effective
7 no later than September 1, 1986. Participation in the career advancement program by
8 teachers shall be voluntary.

9 2. The department of elementary and secondary education with the recommendation
10 of teachers from the state schools, shall develop a career plan. [~~This state career plan shall
11 include, but need not be limited to, the provisions of state model career plans as contained in
12 subsection 2 of section 168.500.~~]

13 3. After a teacher who is duly employed by a state school qualifies and is selected for
14 participation in the state career plan established under this section, such a teacher shall not be
15 denied the career pay authorized by such plan except as provided in subdivisions (1), (2), and
16 (3) of section 168.510.

17 4. Each teacher selected to participate in the career plan established under this section
18 who meets the requirements of such plan shall receive a salary supplement as provided in
19 [~~subdivisions (1), (2), and (3) of~~] subsection 1 of section 168.515.

20 5. The department of elementary and secondary education shall annually include
21 within its budget request to the general assembly sufficient funds for the purpose of providing
22 career pay as established under this section to those eligible teachers employed in Missouri
23 schools for the severely disabled, the Missouri School for the Deaf, and the Missouri School
24 for the Blind.

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