

# HOUSE BILL NO. 1413

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY.

3018H.011

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal section 161.026 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 161.026 as enacted by senate bill no. 743, ninety-ninth general assembly, second regular session, and to enact in lieu thereof one new section relating to teacher representatives on the state board of education.

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

Section A. Section 161.026 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 161.026 as enacted by senate bill no. 743, ninety-ninth general assembly, second regular session, are repealed and one new section enacted in lieu thereof, to be known as section 161.026, to read as follows:

~~2 [161.026. 1. Notwithstanding the provisions of section 161.032 or any  
3 other provision of law, the governor shall, by and with the advice and consent  
4 of the senate, appoint a teacher representative to the state board of education,  
5 who shall attend all meetings and participate in all deliberations of the board.  
6 The teacher representative shall not have the right to vote on any matter before  
7 the board or be counted in establishing a quorum under section 161.082.~~

~~8 2. The teacher representative shall be an active classroom teacher. For  
9 purposes of this section, "active classroom teacher" means a resident of the  
10 state of Missouri who is a full-time teacher with at least five years of teaching  
11 experience in the state of Missouri, who is certified to teach under the laws  
12 governing the certification of teachers in Missouri, and who is not on leave at  
13 the time of the appointment to the position of teacher representative. The  
14 teacher representative shall have the written support of the local school board  
15 prior to accepting the appointment.~~

~~16 3. The term of the teacher representative shall be four years, and  
appointments made under this section shall be made in rotation from each~~

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.

17 ~~congressional district beginning with the first congressional district and~~  
 18 ~~continuing in numerical order.~~

19 ~~4. If a vacancy occurs for any reason in the position of teacher~~  
 20 ~~representative, the governor shall appoint, by and with the advice and consent~~  
 21 ~~of the senate, a replacement for the unexpired term. Such replacement shall be~~  
 22 ~~a resident of the same congressional district as the teacher representative being~~  
 23 ~~replaced, shall meet the qualifications set forth under subsection 2 of this~~  
 24 ~~section, and shall serve until his or her successor is appointed and qualified.~~

25 ~~5. If the teacher representative ceases to be an active classroom~~  
 26 ~~teacher, as defined under subsection 2 of this section, or fails to follow the~~  
 27 ~~board's attendance policy, the teacher representative's position shall~~  
 28 ~~immediately become vacant unless an absence is caused by sickness or~~  
 29 ~~some accident preventing the representative's arrival at the time and place~~  
 30 ~~appointed for the meeting.~~

31 ~~6. The teacher representative shall receive the same reimbursement for~~  
 32 ~~expenses as members of the state board of education receive under section~~  
 33 ~~161.022.~~

34 ~~7. At no time shall more than one nonvoting member serve on the state~~  
 35 ~~board of education.~~

36 ~~8. The provisions of this section shall expire on August 28, 2026.]~~

161.026. 1. Notwithstanding the provisions of section 161.032 or any other provision  
 2 of law, the governor shall, by and with the advice and consent of the senate, appoint a teacher  
 3 representative to the state board of education who shall attend all meetings and participate in  
 4 all deliberations of the board. The teacher representative shall not have the right to vote on  
 5 any matter before the board or be counted in establishing a quorum under section 161.082.

6 2. The teacher representative shall be an active classroom teacher. For purposes of  
 7 this section, "active classroom teacher" means a resident of the state of Missouri who is a full-  
 8 time teacher with at least five years of teaching experience in the state of Missouri, who is  
 9 certified to teach under the laws governing the certification of teachers in Missouri, and who  
 10 is not on leave at the time of the appointment to the position of teacher representative. The  
 11 teacher representative shall have the written support of the local school board prior to  
 12 accepting the appointment.

13 3. The term of the teacher representative shall be four years, and ~~[appointments made~~  
 14 ~~under this section shall be made in rotation from each congressional district beginning with~~  
 15 ~~the first congressional district and continuing in numerical order]~~ **for the second and**  
 16 **succeeding appointments, the newly appointed teacher representative shall not be**  
 17 **appointed from the same congressional district as the immediately preceding teacher**  
 18 **representative.**

19 4. If a vacancy occurs for any reason in the position of teacher representative, the  
 20 governor shall appoint, by and with the advice and consent of the senate, a replacement for  
 21 the unexpired term. Such replacement ~~[shall be a resident of the same congressional district~~

22 ~~as the teacher representative being replaced,]~~ shall meet the qualifications set forth under  
23 subsection 2 of this section, and shall serve until his or her successor is appointed and  
24 qualified. ~~[If the general assembly is not in session at the time for making an appointment,~~  
25 ~~the governor shall make a temporary appointment until the next session of the general~~  
26 ~~assembly, when the governor shall nominate a person to fill the position of teacher~~  
27 ~~representative.]~~

28         5. If the teacher representative ceases to be an active classroom teacher, as defined  
29 under subsection 2 of this section, or fails to follow the board's attendance policy, the teacher  
30 representative's position shall immediately become vacant unless an absence is caused by  
31 sickness or some accident preventing the teacher representative's arrival at the time and place  
32 appointed for the meeting.

33         6. The teacher representative shall receive the same reimbursement for expenses as  
34 members of the state board of education receive under section 161.022.

35         7. At no time shall more than one nonvoting member serve on the state board of  
36 education.

37         8. The provisions of this section shall expire on August 28, ~~[2025]~~ **2031**.

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