

SECOND REGULAR SESSION

HOUSE BILL NO. 2050

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TERRY.

4237H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 168.191, 168.201, 168.205, and 168.211, RSMo, and to enact in lieu thereof four new sections relating to school superintendents.

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

Section A. Sections 168.191, 168.201, 168.205, and 168.211, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 168.191, 168.201, 168.205,
3 and 168.211, to read as follows:

168.191. 1. In all counties ~~[of the first class except counties of the first class not]~~
2 having a charter form of government, any board of education, other than boards in urban
3 districts, in charge of a public school system maintaining a classified high school, previously
4 approved by the state board of education, and employing a superintendent ~~[devoting his]~~
5 **devoted** full time to supervisory and administrative work, may employ and enter into contract
6 with a superintendent of schools for the school district for a period of not to exceed three
7 years. This law shall not invalidate or repeal any other law of this state relating to the
8 employment of teachers, principals or superintendents of public schools.

9 2. (1) **A superintendent employed by a school district shall reside within the**
10 **boundaries of the school district if such school district or a school within such district is:**

- 11 (a) **Classified as unaccredited;**
12 (b) **Facing the loss of accredited status; or**
13 (c) **Experiencing a funding deficit.**

14 (2) **This subsection shall apply to all contracts or employment agreements with a**
15 **superintendent entered into after the effective date of this subsection.**

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.

168.201. 1. The board of education in all districts except metropolitan districts may
2 employ and contract with a superintendent for a term not to exceed three years from the time
3 of making the contract, and may employ such other servants and agents as it deems necessary,
4 and prescribe their powers, duties, compensation and term of office or employment which
5 shall not exceed three years. It shall provide and keep a corporate seal.

6 **2. (1) A superintendent employed by a school district shall reside within the**
7 **boundaries of the school district if such school district or a school within such district is:**

8 **(a) Classified as unaccredited;**

9 **(b) Facing the loss of accredited status; or**

10 **(c) Experiencing a funding deficit.**

11 **(2) This subsection shall apply to all contracts or employment agreements with a**
12 **superintendent entered into after the effective date of this subsection.**

168.205. 1. Notwithstanding any provision of law to the contrary, two or more school
2 districts may share a superintendent who possesses a valid Missouri superintendent's license.
3 If any school districts choose to share a superintendent, they shall not be required to receive
4 approval from the department of elementary and secondary education but may notify the
5 department.

6 2. (1) Beginning July 1, 2023, subject to appropriation, a school district that enters
7 into an agreement with another school district to share a superintendent shall receive
8 additional state aid under this subsection.

9 (2) The department of elementary and secondary education shall annually distribute
10 thirty thousand dollars to any school district that shares a superintendent under this
11 subsection. Any such amount distributed to a school district shall be in addition to and shall
12 not be included in any calculation of state aid under chapter 163.

13 (3) To receive the additional thirty thousand dollars under this subsection, the school
14 district shall provide proof to the department of elementary and secondary education that the
15 school district will use all of the additional thirty thousand dollars received under this
16 subsection and at least half of the amount saved as a result of participating in sharing a
17 superintendent under this subsection to compensate teachers or to provide counseling
18 services.

19 (4) No school district that receives additional funding under this subsection shall
20 receive such funding for more than five years.

21 **3. (1) A superintendent employed by school districts sharing a superintendent**
22 **shall reside within the boundaries of one of the school districts sharing the**
23 **superintendent if one of the school districts or a school within one of such districts is:**

24 **(a) Classified as unaccredited;**

25 **(b) Facing the loss of accredited status; or**

26 **(c) Experiencing a funding deficit.**

27 **(2) This subsection shall apply to all contracts or employment agreements with a**
28 **superintendent entered into after the effective date of this subsection.**

168.211. 1. **(1)** In metropolitan districts the superintendent of schools shall be
2 appointed by the board of education for a term of one to five years, during which term ~~his~~
3 **the superintendent's** compensation shall not be reduced. The superintendent of schools may
4 appoint, with the approval of the board, a treasurer, a commissioner of school buildings and
5 ~~he~~ **such commissioner** shall serve at the pleasure of the superintendent of schools and as
6 many associate and assistant superintendents as ~~he~~ **the superintendent** deems necessary,
7 whose compensation shall be fixed by the board. The superintendent of schools shall give
8 bond in the sum that the board requires but not less than fifty thousand dollars. No employee
9 or agent of the board shall be a member of the board.

10 **(2) (a) A superintendent employed by a school district shall reside within the**
11 **boundaries of the school district if such school district or a school within such district is:**

12 **a. Classified as unaccredited;**

13 **b. Facing the loss of accredited status; or**

14 **c. Experiencing a funding deficit.**

15 **(b) This subsection shall apply to all contracts or employment agreements with a**
16 **superintendent entered into after the effective date of this subsection.**

17 2. The superintendent of schools shall have general supervision, subject to policies
18 established by the board, of the school system, including its various departments and physical
19 properties, courses of instruction, discipline and conduct of the schools, textbooks and
20 studies. All appointments, promotions and transfers of teachers and all other employees, and
21 introduction and changes of textbooks and apparatus, shall be made by the superintendent
22 with the approval of the board. All appointments and promotions of teachers and all other
23 employees shall be made upon the basis of merit, to be ascertained, as far as practicable, in
24 cases of appointment, by examination, and in cases of promotion, by length and character of
25 service. Examinations for appointment shall be conducted by the superintendent under
26 regulations to be made by the board. ~~He~~ **The superintendent** shall make such reports to the
27 board that it directs or the rules provide.

28 3. The superintendent of schools shall have general supervision, subject to policies
29 established by the board, of all school buildings, apparatus, equipment and school grounds
30 and of their construction, installation, operation, repair, care and maintenance; the purchasing
31 of all supplies and equipment; the operation of the school lunchrooms; the administration of
32 examinations for the appointment and promotion of all employees of the school system; and
33 the preparation and administration of the annual budget for the school system. Subject to the
34 approval of the board of education as to number and salaries, the superintendent may appoint

35 as many employees as are necessary for the proper performance of ~~[his]~~ **the superintendent's**
36 duties.

37 4. The board may grant a leave of absence to the superintendent of schools, and may
38 remove ~~[him]~~ **the superintendent** from office by vote of a majority of its members.

39 5. ~~[Should]~~ **If** the superintendent ~~[hire]~~ **hires** a commissioner of school buildings,
40 ~~[said]~~ **such** person shall be a person qualified by reason of education, experience and general
41 familiarity with buildings and personnel to assume the following responsibilities and duties.
42 Subject to the control of the superintendent of schools, ~~[he]~~ **the commissioner** shall exercise
43 supervision over all school buildings, machinery, heating systems, equipment, school grounds
44 and other buildings and premises of the board of education and the construction, installation,
45 operation, repair, care and maintenance related thereto and the personnel connected therewith
46 ~~[;]~~ **and over** the purchasing of building supplies and equipment and such other duties as may
47 be assigned to ~~[him]~~ **the commissioner** by board rules or regulations.

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