

SECOND REGULAR SESSION

# HOUSE BILL NO. 2493

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BLACK (7).

5079H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal sections 168.500 and 168.515, RSMo, and to enact in lieu thereof two new sections relating to teacher career plans.

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

Section A. Sections 168.500 and 168.515, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 168.500 and 168.515, 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  
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

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.

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**  
33 **be 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 [~~five~~] **two**  
39 years of public school teaching in Missouri. All teachers seeking admission to any career  
40 plan shall, as a minimum, meet the requirements necessary to obtain the first renewable  
41 professional 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**  
45 **volunteer efforts by teachers in formulating criteria for career ladder admission and**  
46 **stage achievement. Such additional responsibilities and volunteer efforts shall be**  
47 **required to occur outside of compensated hours and may include, but shall not be**  
48 **limited to:**

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

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

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

54           **(4) Serving as a tutor or providing additional learning opportunities to students;**  
55 **and**

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

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

62           ~~[4-]~~ **5.** A participating local school district may have the option of implementing a  
63 career plan developed by the department of elementary and secondary education or a local  
64 plan which has been developed with advice from teachers employed by the district and which  
65 has met with the approval of the department of elementary and secondary education. In  
66 approving local career plans, the department of elementary and secondary education may  
67 consider provisions in the plan of the local district for recognition of teacher mobility from  
68 one district to another within this state.

69           ~~[5-]~~ **6.** The career plans of local school districts shall not discriminate on the basis of  
70 race, sex, religion, national origin, color, creed, or age. Participation in the career plan of a  
71 local school district is optional, and any teacher who declines to participate shall not be  
72 penalized in any way.

73           ~~[6-]~~ **7.** In order to receive funds under this section, a school district which is not  
74 subject to section 162.920 must have a total levy for operating purposes which is in excess of  
75 the amount allowed in Section 11(b) of Article X of the Missouri Constitution; and a school  
76 district which is subject to section 162.920 must have a total levy for operating purposes  
77 which is equal to or in excess of twenty-five cents on each hundred dollars of assessed  
78 valuation.

79           ~~[7-]~~ **8.** The commissioner of education shall cause the department of elementary and  
80 secondary education to regard a speech pathologist who holds both a valid certificate of  
81 license to teach and a certificate of clinical competence to have fulfilled the standards  
82 required to be placed on stage III of the career program, provided that such speech pathologist  
83 has been employed by a public school in Missouri for at least ~~[five]~~ **two** years and is approved  
84 for placement at such stage III by the local school district.

85           ~~[8-]~~ **9.** Beginning in fiscal year 2012, the state portion of career ladder payments shall  
86 only be made available to local school districts if the general assembly makes an  
87 appropriation for such program. Payments authorized under sections 168.500 to 168.515  
88 shall only be made available in a year for which a state appropriation is made. Any state  
89 appropriation shall be made prospectively in relation to the year in which work under the  
90 program is performed.

91           ~~[9-]~~ **10.** Nothing in this section shall be construed to prohibit a local school district  
92 from funding the program for its teachers for work performed in years for which no state  
93 appropriation is made available.

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

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

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

9           (3) Career stage III teachers may receive up to an additional five thousand dollars per  
10 school year. All teachers within each stage within the same school district shall receive equal  
11 salary supplements.

12           2. The state may make payments pursuant to section 163.031 to the local school  
13 district for the purpose of providing funding to the local school district for the payment of any  
14 salary supplements provided for in this section, subject to the availability of funds as  
15 appropriated each year and distributed on a matching basis where the percentage of state  
16 funding shall be ~~[forty]~~ **sixty** percent and the percentage of local funding shall be ~~[sixty]~~ **forty**  
17 percent.

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

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

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