

SENATE BILL NO. 1107

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

5443S.01I

ADRIANE D. CROUSE, Secretary

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.

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

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2 repealed and two new sections enacted in lieu thereof, to be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

168.500. 1. For the purpose of providing career pay,
2 which shall be a salary supplement, for public school
3 teachers, which for the purpose of sections 168.500 to
4 168.515 shall include classroom teachers, librarians, school
5 counselors and certificated teachers who hold positions as
6 school psychological examiners, parents as teachers
7 educators, school psychologists, special education
8 diagnosticians and speech pathologists, and are on the
9 district salary schedule, there is hereby created and
10 established a career advancement program which shall be
11 known as the "Missouri Career Development and Teacher
12 Excellence Plan", hereinafter known as the "career plan or
13 program". Participation by local school districts in the
14 career advancement program established under this section
15 shall be voluntary. The career advancement program is a
16 matching fund program. The general assembly may make an
17 annual appropriation to the excellence in education fund
18 established under section 160.268 for the purpose of

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 providing the state's portion for the career advancement
20 program. The "Career Ladder Forward Funding Fund" is hereby
21 established in the state treasury. Beginning with fiscal
22 year 1998 and until the career ladder forward funding fund
23 is terminated pursuant to this subsection, the general
24 assembly may appropriate funds to the career ladder forward
25 funding fund. Notwithstanding the provisions of section
26 33.080 to the contrary, moneys in the fund shall not be
27 transferred to the credit of the general revenue fund at the
28 end of the biennium. All interest or other gain received
29 from investment of moneys in the fund shall be credited to
30 the fund. All funds deposited in the fund shall be
31 maintained in the fund until such time as the balance in the
32 fund at the end of the fiscal year is equal to or greater
33 than the appropriation for the career ladder program for the
34 following year, at which time all such revenues shall be
35 used to fund, in advance, the career ladder program for such
36 following year and the career ladder forward funding fund
37 shall thereafter be terminated.

38 2. The department of elementary and secondary
39 education, at the direction of the commissioner of
40 education, shall study and develop model career plans which
41 shall be made available to the local school districts.
42 These state model career plans shall:

- 43 (1) Contain three steps or stages of career
44 advancement;
- 45 (2) Contain a detailed procedure for the admission of
46 teachers to the career program;
- 47 (3) Contain specific criteria for career step
48 qualifications and attainment. These criteria shall clearly
49 describe the minimum number of professional responsibilities
50 required of the teacher at each stage of the plan and shall

51 include reference to classroom performance evaluations
52 performed pursuant to section 168.128. **The criteria may**
53 **include, but shall not be limited to, teacher externships as**
54 **provided in section 168.025;**

55 (4) Be consistent with the teacher certification
56 process recommended by the Missouri advisory council of
57 certification for educators and adopted by the department of
58 elementary and secondary education;

59 (5) Provide that public school teachers in Missouri
60 shall become eligible to apply for admission to the career
61 plans adopted under sections 168.500 to 168.515 after [five]
62 **two** years of public school teaching in Missouri. All
63 teachers seeking admission to any career plan shall, as a
64 minimum, meet the requirements necessary to obtain the first
65 renewable professional certificate as provided in section
66 168.021;

67 (6) Provide procedures for appealing decisions made
68 under career plans established under sections 168.500 to
69 168.515.

70 **3. School district career plans shall recognize**
71 **additional responsibilities and volunteer efforts by**
72 **teachers in formulating criteria for career ladder admission**
73 **and stage achievement. Such additional responsibilities and**
74 **volunteer efforts shall be required to occur outside of**
75 **compensated hours and may include, but shall not be limited**
76 **to:**

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

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

- 82 (3) Receiving additional teacher training or
83 certification outside of that offered by the school district;
84 (4) Serving as a tutor or providing additional
85 learning opportunities to students; and
86 (5) Assisting students with postsecondary education
87 preparation including, but not limited to, teaching an ACT
88 or SAT preparation course or assisting students with
89 completing college or career school admission or financial
90 assistance applications.

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

96 [4.] 5. A participating local school district may
97 have the option of implementing a career plan developed by
98 the department of elementary and secondary education or a
99 local plan which has been developed with advice from
100 teachers employed by the district and which has met with the
101 approval of the department of elementary and secondary
102 education. In approving local career plans, the department
103 of elementary and secondary education may consider
104 provisions in the plan of the local district for recognition
105 of teacher mobility from one district to another within this
106 state.

107 [5.] 6. The career plans of local school districts
108 shall not discriminate on the basis of race, sex, religion,
109 national origin, color, creed, or age. Participation in the
110 career plan of a local school district is optional, and any
111 teacher who declines to participate shall not be penalized
112 in any way.

113 **[6.] 7.** In order to receive funds under this section,
114 a school district which is not subject to section 162.920
115 must have a total levy for operating purposes which is in
116 excess of the amount allowed in Section 11(b) of Article X
117 of the Missouri Constitution; and a school district which is
118 subject to section 162.920 must have a total levy for
119 operating purposes which is equal to or in excess of twenty-
120 five cents on each hundred dollars of assessed valuation.

121 **[7.] 8.** The commissioner of education shall cause the
122 department of elementary and secondary education to regard a
123 speech pathologist who holds both a valid certificate of
124 license to teach and a certificate of clinical competence to
125 have fulfilled the standards required to be placed on stage
126 III of the career program, provided that such speech
127 pathologist has been employed by a public school in Missouri
128 for at least **[five] two** years and is approved for placement
129 at such stage III by the local school district.

130 **[8.] 9.** Beginning in fiscal year 2012, the state
131 portion of career ladder payments shall only be made
132 available to local school districts if the general assembly
133 makes an appropriation for such program. Payments
134 authorized under sections 168.500 to 168.515 shall only be
135 made available in a year for which a state appropriation is
136 made. Any state appropriation shall be made prospectively
137 in relation to the year in which work under the program is
138 performed.

139 **[9.] 10.** Nothing in this section shall be construed
140 to prohibit a local school district from funding the program
141 for its teachers for work performed in years for which no
142 state appropriation is made available.

168.515. 1. Each teacher selected to participate in a
2 career plan established under sections 168.500 to 168.515,

3 who meets the requirements of such plan, may receive a
4 salary supplement, the state's share of which shall be
5 distributed under section 163.031, equal to the following
6 amounts applied to the career ladder entitlement of section
7 163.031:

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

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

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

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

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

32 4. To participate in the salary supplement program
33 established under this section, a school district may submit
34 to the voters of the district a proposition to increase

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

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

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