

FIRST REGULAR SESSION

HOUSE BILL NO. 961

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOKSON.

1683L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 168.500, RSMo, and to enact in lieu thereof one new section relating to the career ladder program.

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

Section A. Section 168.500, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 168.500, to read as follows:

168.500. 1. For the purpose of providing career pay, which shall be a salary supplement, for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include classroom teachers, librarians, guidance counselors and certificated teachers who hold positions as school psychological examiners, parents as teachers educators, school psychologists, special education diagnosticians and speech pathologists, and are on the district salary schedule, there is hereby created and established a career advancement program which shall be known as the "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career plan or program". Participation by local school districts in the career advancement program established under this section shall be voluntary **and, notwithstanding any other provision of law, shall be limited to districts designated as accredited pursuant to the state board of education's authority to classify the public schools of this state under section 161.092; school districts with provisional accreditation or unaccredited status shall not be eligible to participate in the program.** The career advancement program is a matching fund program. The general assembly may make an annual appropriation to the excellence in education fund established under section 160.268 for the purpose of providing the state's portion for the career advancement program. The "Career Ladder Forward Funding Fund" is hereby established in the state treasury. Beginning with fiscal year 1998 and until the career ladder forward funding fund

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

27 2. The department of elementary and secondary education, at the direction of the
28 commissioner of education, shall study and develop model career plans which shall be made
29 available to the local school districts. These state model career plans shall:

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

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

32 (3) Contain specific criteria for career step qualifications and attainment. These criteria
33 shall clearly describe the minimum number of professional responsibilities required of the
34 teacher at each stage of the plan and shall include reference to classroom performance
35 evaluations performed pursuant to section 168.128;

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

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

44 (6) Provide procedures for appealing decisions made under career plans established
45 under sections 168.500 to 168.515.

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

49 4. A participating local school district may have the option of implementing a career plan
50 developed by the department of elementary and secondary education or a local plan which has
51 been developed with advice from teachers employed by the district and which has met with the
52 approval of the department of elementary and secondary education. In approving local career
53 plans, the department of elementary and secondary education may consider provisions in the plan

54 of the local district for recognition of teacher mobility from one district to another within this
55 state.

56 5. The career plans of local school districts shall not discriminate on the basis of race,
57 sex, religion, national origin, color, creed, or age. Participation in the career plan of a local
58 school district is optional, and any teacher who declines to participate shall not be penalized in
59 any way.

60 6. In order to receive funds under this section, a school district which is not subject to
61 section 162.920 must have a total levy for operating purposes which is in excess of the amount
62 allowed in Section 11(b) of Article X of the Missouri Constitution; and a school district which
63 is subject to section 162.920 must have a total levy for operating purposes which is equal to or
64 in excess of twenty-five cents on each hundred dollars of assessed valuation.

65 7. The commissioner of education shall cause the department of elementary and
66 secondary education to regard a speech pathologist who holds both a valid certificate of license
67 to teach and a certificate of clinical competence to have fulfilled the standards required to be
68 placed on stage III of the career program, provided that such speech pathologist has been
69 employed by a public school in Missouri for at least five years and is approved for placement at
70 such stage III by the local school district.

71 8. Beginning in fiscal year 2012, the state portion of career ladder payments shall only
72 be made available to local school districts if the general assembly makes an appropriation for
73 such program. Payments authorized under sections 168.500 to 168.515 shall only be made
74 available in a year for which a state appropriation is made. Any state appropriation shall be
75 made prospectively in relation to the year in which work under the program is performed.

76 9. Nothing in this section shall be construed to prohibit a local school district from
77 funding the program for its teachers for work performed in years for which no state appropriation
78 is made available.

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