

FIRST REGULAR SESSION

# SENATE BILL NO. 260

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR O'LAUGHLIN.

1084S.01I

ADRIANE D. CROUSE, Secretary

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2 168.211, RSMo, are repealed and four new sections enacted in  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

168.191. **1. As used in this section and sections**  
2 **168.201, 168.205, and 168.211, the term "total compensation"**  
3 **means, as calculated for the most recently completed full**  
4 **school year, all amounts of any salary, wages, and fringe**  
5 **benefits provided by a school district to a superintendent**  
6 **or a teacher, as applicable, except that "total**  
7 **compensation" shall not include any additional salary,**  
8 **wages, or other monetary compensation provided by a school**  
9 **district to a school district teacher for service performed**  
10 **on behalf of a school district as a coach, advisor, sponsor,**  
11 **or other similar service.**

12 **2. In all counties [of the first class except counties**  
13 **of the first class not] having a charter form of government,**  
14 **any board of education, other than boards in urban**  
15 **districts, in charge of a public school system maintaining a**  
16 **classified high school, previously approved by the state**  
17 **board of education, and employing a superintendent [devoting**

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

18 his] **devoted** full time to supervisory and administrative  
19 work, may employ and enter into contract with a  
20 superintendent of schools for the school district for a  
21 period of not to exceed three years. This law shall not  
22 invalidate or repeal any other law of this state relating to  
23 the employment of teachers, principals or superintendents of  
24 public schools.

25 **3. In all contracts or employment agreements with a**  
26 **superintendent entered into after the effective date of this**  
27 **act, the total compensation provided to a superintendent**  
28 **under this section shall not exceed three and one-half times**  
29 **the average total compensation provided to all teachers who**  
30 **are certified under section 168.021 and employed full time**  
31 **by the school district.**

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

9 **2. In all contracts or employment agreements with a**  
10 **superintendent entered into after the effective date of this**  
11 **act, the total compensation provided to a superintendent**  
12 **under this section shall not exceed three and one-half times**  
13 **the average total compensation provided to all teachers who**  
14 **are certified under section 168.021 and employed full time**  
15 **by the school district.**

168.205. 1. Notwithstanding any provision of law to  
2 the contrary, two or more school districts may share a  
3 superintendent who possesses a valid Missouri

4 superintendent's license. If any school districts choose to  
5 share a superintendent, they shall not be required to  
6 receive approval from the department of elementary and  
7 secondary education but may notify the department.

8 **2. In all contracts or employment agreements with a**  
9 **superintendent entered into after the effective date of this**  
10 **act, the total compensation provided to a superintendent**  
11 **under this section shall not exceed three and one-half times**  
12 **the average total compensation provided to all teachers who**  
13 **are certified under section 168.021 and employed full time**  
14 **by the school district.**

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

15 **(2) In all contracts or employment agreements with a**  
16 **superintendent entered into after the effective date of this**  
17 **act, the total compensation provided to a superintendent**  
18 **under this section shall not exceed three and one-half times**  
19 **the average total compensation provided to all teachers who**  
20 **are certified under section 168.021 and employed full time**  
21 **by the school district.**

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

39           3. The superintendent of schools shall have general  
40 supervision, subject to policies established by the board,  
41 of all school buildings, apparatus, equipment and school  
42 grounds and of their construction, installation, operation,  
43 repair, care and maintenance; the purchasing of all supplies  
44 and equipment; the operation of the school lunchrooms; the  
45 administration of examinations for the appointment and  
46 promotion of all employees of the school system; and the  
47 preparation and administration of the annual budget for the  
48 school system. Subject to the approval of the board of  
49 education as to number and salaries, the superintendent may  
50 appoint as many employees as are necessary for the proper  
51 performance of [his] **the superintendent's** duties.

52           4. The board may grant a leave of absence to the  
53 superintendent of schools, and may remove [him] **the**

54 **superintendent** from office by vote of a majority of its  
55 members.

56 5. [Should] **If** the superintendent [hire] **hires** a  
57 commissioner of school buildings, [said] **such** person shall  
58 be a person qualified by reason of education, experience and  
59 general familiarity with buildings and personnel to assume  
60 the following responsibilities and duties. Subject to the  
61 control of the superintendent of schools, [he] **the**  
62 **commissioner** shall exercise supervision over all school  
63 buildings, machinery, heating systems, equipment, school  
64 grounds and other buildings and premises of the board of  
65 education and the construction, installation, operation,  
66 repair, care and maintenance related thereto and the  
67 personnel connected therewith[;] **and over** the purchasing of  
68 building supplies and equipment and such other duties as may  
69 be assigned to [him] **the commissioner** by board rules or  
70 regulations.

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