

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1060, Page 8, Section 115.761, Line 31, by
2 inserting after all of said section the following:

3 “162.102. 1. Beginning July 1, 2013, no school district shall retain the authority to hire or
4 contract with a superintendent of schools, except as provided in sections 162.102 to 162.104, and sections
5 162.083 and 162.1100.

6 2. The office of superintendent of schools shall become an elective office as of the opening date
7 of the candidate filing period for school board elections scheduled for calendar year 2013. Any person
8 who holds a valid contract as superintendent or who is appointed as an interim superintendent as of the
9 opening date of the candidate filing period for school board elections scheduled for calendar year 2013
10 shall, unless elected to the office of the superintendent as provided in sections 162.102 to 162.104, forfeit
11 the office as of noon on July 1, 2013.

12 3. In the event that no person files to become a candidate for superintendent of schools, a
13 majority of the members of the board of education may appoint an interim superintendent who shall serve
14 until July first after the next available election cycle that produces a candidate for superintendent.

15 162.103. 1. A superintendent of schools elected under sections 162.102 to 162.104 shall have the
16 following qualifications:

17 (1) Be a resident of the state at the time of filing for election;

18 (2) Hold a valid Missouri administrator's certificate; and

19 (3) Have five years of school administrative experience.

20 2. A superintendent elected under sections 162.102 to 162.104 shall take office at noon on July
21 first and shall serve a term of three years or until his or her successor takes office.

22 3. Any vacancy occurring in the office of superintendent shall be filled by a person appointed by
23 a majority of the members of the board of education. The person appointed shall hold office until the next
24 municipal election, when a superintendent shall be elected for the unexpired term.

25 162.104. The board of education of the district shall set the salary of the superintendent of
26 schools on the following basis:

27 (1) In a school district that has had an average daily attendance of three hundred fifty or less for
28 three of the last four school years, the salary for the superintendent shall not exceed one hundred ten
29 percent of the average salary of the district's certificated staff; or

30 (2) In a school district that has had an average daily attendance of more than three hundred fifty

1 for three of the last four school years, the salary for the superintendent shall not be less than sixty percent
2 and shall not exceed one hundred twenty percent of the average salary of the district's certificated staff.

3 162.083. 1. The state board of education may appoint additional members to any special
4 administrative board appointed under section 162.081.

5 2. The state board of education may set a final term of office for any member of a special
6 administrative board, after which a successor member shall be elected by the voters of the district.

7 (1) All final terms of office for members of the special administrative board established under this section
8 shall expire on June thirtieth.

9 (2) The election of a successor member shall occur on the general municipal election day
10 immediately prior to the expiration of the final term of office.

11 (3) The election shall be conducted in a manner consistent with the election laws applicable to
12 the school district.

13 3. Nothing in this section shall be construed as barring an otherwise qualified member of the
14 special administrative board from standing for an elected term on the board.

15 4. Notwithstanding any other provision of law, if the state board of education appoints a
16 successor member to replace the chair of the special administrative board, the serving members of the
17 special administrative board shall be authorized to appoint a superintendent of schools and contract for his
18 or her services.

19 5. On a date set by the state board of education, any district operating under the governance of a
20 special administrative board shall return to local governance, and continue operation as a school district as
21 otherwise authorized by law.

22 162.591. 1. The board shall organize by electing a president, vice president, and secretary from
23 its members. [The board of education, as soon as practicable after its organization, shall appoint a
24 superintendent of schools.]

25 2. On an annual basis, the board of education shall reorganize by electing a president, vice
26 president, and secretary from its members.

27 3. If [the board determines, by vote of a majority of its members, that the superintendent of
28 schools is unable to perform his duties as required by section 168.211 or if] the office of the
29 superintendent is vacant, the board shall appoint an acting superintendent to serve during the period of the
30 [disability of the superintendent or the] vacancy in the office thereof.

31 168.201. The board of education in all districts except metropolitan districts may employ [and
32 contract with a superintendent for a term not to exceed three years from the time of making the contract,
33 and may employ] such [other] servants and agents as it deems necessary, and prescribe their powers,
34 duties, compensation and term of office or employment which shall not exceed three years. It shall
35 provide and keep a corporate seal.

36 168.211. 1. In metropolitan districts the superintendent of schools [shall be appointed by the
37 board of education for a term of one to five years, during which term his compensation shall not be
38 reduced. The superintendent of schools] may appoint, with the approval of the board, a treasurer, a
39 commissioner of school buildings and he shall serve at the pleasure of the superintendent of schools and

1 as many associate and assistant superintendents as he deems necessary, whose compensation shall be
2 fixed by the board. The superintendent of schools shall give bond in the sum that the board requires but
3 not less than fifty thousand dollars. No employee or agent of the board shall be a member of the board.

4 2. The superintendent of schools shall have general supervision, subject to policies established by
5 the board, of the school system, including its various departments and physical properties, courses of
6 instruction, discipline and conduct of the schools, textbooks and studies. All appointments, promotions
7 and transfers of teachers and all other employees, and introduction and changes of textbooks and
8 apparatus, shall be made by the superintendent with the approval of the board. All appointments and
9 promotions of teachers and all other employees shall be made upon the basis of merit, to be ascertained, as
10 far as practicable, in cases of appointment, by examination, and in cases of promotion, by length and
11 character of service. Examinations for appointment shall be conducted by the superintendent under
12 regulations to be made by the board. He shall make such reports to the board that it directs or the rules
13 provide.

14 3. The superintendent of schools shall have general supervision, subject to policies established by
15 the board, of all school buildings, apparatus, equipment and school grounds and of their construction,
16 installation, operation, repair, care and maintenance; the purchasing of all supplies and equipment; the
17 operation of the school lunchrooms; the administration of examinations for the appointment and
18 promotion of all employees of the school system; and the preparation and administration of the annual
19 budget for the school system. Subject to the approval of the board of education as to number and salaries,
20 the superintendent may appoint as many employees as are necessary for the proper performance of his
21 duties.

22 4. [The board may grant a leave of absence to the superintendent of schools, and may remove him
23 from office by vote of a majority of its members.

24 5.] Should the superintendent hire a commissioner of school buildings, said person shall be a
25 person qualified by reason of education, experience and general familiarity with buildings and personnel
26 to assume the following responsibilities and duties. Subject to the control of the superintendent of
27 schools, he shall exercise supervision over all school buildings, machinery, heating systems, equipment,
28 school grounds and other buildings and premises of the board of education and the construction,
29 installation, operation, repair, care and maintenance related thereto and the personnel connected therewith;
30 the purchasing of building supplies and equipment and such other duties as may be assigned to him by
31 board rules or regulations.

32 [168.191. In all counties of the first class except counties of the first class not having a
33 charter form of government, any board of education, other than boards in urban districts,
34 in charge of a public school system maintaining a classified high school, previously
35 approved by the state board of education, and employing a superintendent devoting his
36 full time to supervisory and administrative work, may employ and enter into contract with
37 a superintendent of schools for the school district for a period of not to exceed three years.
38 This law shall not invalidate or repeal any other law of this state relating to the
39 employment of teachers, principals or superintendents of public schools.]"; and

40 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.