

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1611, Page 1, In the Title, Lines 2 and 3, by deleting the phrase "the
2 establishment of developmental guidance and counseling programs in schools" and inserting in lieu
3 thereof the following:

4
5 "elementary and secondary education"; and

6
7 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line
8 the following:

9
10 "167.265. 1. A program to provide [guidance] school counselors in grades kindergarten
11 through nine is established. Any public elementary school, middle school, junior high school, or
12 combination of such schools, containing such grades which meet the criteria pursuant to this section
13 shall be eligible for a state financial supplement to employ a [guidance] school counselor.
14 Eligibility criteria are: the school shall have a minimum enrollment of one hundred twenty-five
15 pupils per school site, shall have a breakfast program, and shall serve at least forty percent of its
16 lunches to pupils who are eligible for free or reduced price meals according to federal guidelines.

17 2. A school district which contains such eligible schools may apply to the department of
18 elementary and secondary education for a state financial supplement to employ a [guidance] school
19 counselor in those schools named in the application and in no other schools of the district. The state
20 financial supplement shall not exceed ten thousand dollars per [guidance] school counselor. No
21 more than one [guidance] school counselor per school shall be supplemented by the state pursuant to
22 this section, except that a district may apply for an additional [guidance] school counselor if the
23 enrollment at the school equals four hundred or more pupils. [Guidance] School counselors thus
24 employed pursuant to this section shall at a minimum engage in direct counseling activities with the
25 pupils of the school during a portion of the school day which represents that portion of the
26 [guidance] school counselor's salary which is supplemented by the state pursuant to this section.

27 3. The state board of education shall promulgate rules and regulations for the
28 implementation of this section. Such rules shall include identifying any qualifications for
29 [guidance] school counselors which may be in addition to those promulgated pursuant to section
30 168.021, establishing application procedures for school districts, determining a method of awarding
31 state financial supplements in the event that the number of applications exceeds the amounts
32 appropriated therefor, and establishing an amount of state financial supplement per [guidance]
33 school counselor based upon the salary schedule of the district."; and

34
35 Further amend said bill, Page 2, Section 167.266, Line 19, by inserting after all of said line and
36 section the following:

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1
2 "167.267. Certified music therapists who have completed the education and clinical training
3 requirements established by the American Music Therapy Association and passed the Certification
4 Board for Music Therapists certification examination shall be deemed as certified by the department
5 of elementary and secondary education for the purposes of providing services identified in an
6 individualized family service plan in the first steps program under sections 160.900 to 160.925.

7 168.303. The state board of education shall adopt rules to facilitate job-sharing positions for
8 classroom teachers, as the term "job-sharing" is defined in this section. These rules shall provide
9 that a classroom teacher in a job-sharing position shall receive paid legal holidays, annual vacation
10 leave, sick leave, and personal leave on a pro rata basis. "Job-sharing position" shall mean any
11 position:

- 12 (1) Shared with one other employee;
13 (2) Requiring employment of at least seventeen hours per week but not more than twenty
14 hours per week on a regular basis; and
15 (3) Requiring at least seventy percent of all time spent in classroom instruction as
16 determined by the employer;

17
18 provided that, job-sharing position shall not include instructional support or school services
19 positions including, but not limited to, [guidance] school counselor, media coordinator,
20 psychologist, social worker, audiologist, speech and language pathologist, and nursing positions.

21 168.500. 1. For the purpose of providing career pay, which shall be a salary supplement,
22 for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include
23 classroom teachers, librarians, [guidance] school counselors and certificated teachers who hold
24 positions as school psychological examiners, parents as teachers educators, school psychologists,
25 special education diagnosticians and speech pathologists, and are on the district salary schedule,
26 there is hereby created and established a career advancement program which shall be known as the
27 "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career plan
28 or program". Participation by local school districts in the career advancement program established
29 under this section shall be voluntary. The career advancement program is a matching fund program.
30 The general assembly may make an annual appropriation to the excellence in education fund
31 established under section 160.268 for the purpose of providing the state's portion for the career
32 advancement program. The "Career Ladder Forward Funding Fund" is hereby established in the
33 state treasury. Beginning with fiscal year 1998 and until the career ladder forward funding fund is
34 terminated pursuant to this subsection, the general assembly may appropriate funds to the career
35 ladder forward funding fund. Notwithstanding the provisions of section 33.080 to the contrary,
36 moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the
37 biennium. All interest or other gain received from investment of moneys in the fund shall be
38 credited to the fund. All funds deposited in the fund shall be maintained in the fund until such time
39 as the balance in the fund at the end of the fiscal year is equal to or greater than the appropriation
40 for the career ladder program for the following year, at which time all such revenues shall be used to
41 fund, in advance, the career ladder program for such following year and the career ladder
42 [forwarding] forward funding fund shall thereafter be terminated.

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

- 46 (1) Contain three steps or stages of career advancement;
47 (2) Contain a detailed procedure for the admission of teachers to the career program;
48 (3) Contain specific criteria for career step qualifications and attainment. These criteria

1 shall clearly describe the minimum number of professional responsibilities required of the teacher at
2 each stage of the plan and shall include reference to classroom performance evaluations performed
3 pursuant to section 168.128;

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

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

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

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

17 4. A participating local school district may have the option of implementing a career plan
18 developed by the department of elementary and secondary education or a local plan which has been
19 developed with advice from teachers employed by the district and which has met with the approval
20 of the department of elementary and secondary education. In approving local career plans, the
21 department of elementary and secondary education may consider provisions in the plan of the local
22 district for recognition of teacher mobility from one district to another within this state.

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

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

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

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

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

45 168.520. 1. For the purpose of providing career pay, which shall be a salary supplement for
46 teachers, librarians, [guidance] school counselors and certificated teachers who hold positions as
47 school psychological examiners, parents-as-teachers educators, school psychologists, special
48 education diagnosticians or speech pathologists in Missouri schools for the severely disabled, the

1 Missouri School for the Blind and the Missouri School for the Deaf, there is hereby established a
2 career advancement program which shall become effective no later than September 1, 1986.
3 Participation in the career advancement program by teachers shall be voluntary.

4 2. The department of elementary and secondary education with the recommendation of
5 teachers from the state schools, shall develop a career plan. This state career plan shall include, but
6 need not be limited to, the provisions of state model career plans as contained in subsection 2 of
7 section 168.500.

8 3. After a teacher who is duly employed by a state school qualifies and is selected for
9 participation in the state career plan established under this section, such a teacher shall not be denied
10 the career pay authorized by such plan except as provided in subdivisions (1), (2), and (3) of section
11 168.510.

12 4. Each teacher selected to participate in the career plan established under this section who
13 meets the requirements of such plan shall receive a salary supplement as provided in subdivisions
14 (1), (2), and (3) of subsection 1 of section 168.515.

15 5. The department of elementary and secondary education shall annually include within its
16 budget request to the general assembly sufficient funds for the purpose of providing career pay as
17 established under this section to those eligible teachers employed in Missouri schools for the
18 severely disabled, the Missouri School for the Deaf, and the Missouri School for the Blind.

19 192.915. 1. To increase awareness of the risks associated with use of over-the-counter
20 weight loss pills by persons under the age of eighteen, the department of health and senior services
21 shall implement an education and awareness program. Such program shall provide accurate
22 information regarding weight loss and the dangers of using over-the-counter weight loss pills by the
23 teenage population without the consultation of a licensed physician. Such program shall focus on
24 education and awareness programs for teenagers, parents, siblings and other family members of
25 teenagers, teachers, [guidance] school counselors, superintendents and principals.

26 2. The department of health and senior services may use the following strategies for raising
27 public awareness of the risks associated with use of over-the-counter weight loss pills by persons
28 under the age of eighteen:

29 (1) An outreach campaign utilizing print, radio, and television public service
30 announcements, advertisements, posters, and other materials;

31 (2) Community forums; and

32 (3) Health information and risk-factor assessment at public events.

33 3. The department of elementary and secondary education, in conjunction with the
34 department of health and senior services, shall distribute information pursuant to this program.

35 4. The department may promulgate rules and regulations to implement the provisions of this
36 section. No rule or portion of a rule promulgated pursuant to the authority of this section shall
37 become effective unless it has been promulgated pursuant to chapter 536."; and

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

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