

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 1928, Page 2, Section 161.1005, Line 23,  
2 by inserting after all of said line and section the following:

3  
4 "167.265. 1. A program to provide [guidance] school counselors in grades kindergarten  
5 through nine is established. Any public elementary school, middle school, junior high school, or  
6 combination of such schools, containing such grades which meet the criteria pursuant to this section  
7 shall be eligible for a state financial supplement to employ a [guidance] school counselor.

8 Eligibility criteria are: the school shall have a minimum enrollment of one hundred twenty-five  
9 pupils per school site, shall have a breakfast program, and shall serve at least forty percent of its  
10 lunches to pupils who are eligible for free or reduced price meals according to federal guidelines.

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

21 3. The state board of education shall promulgate rules and regulations for the  
22 implementation of this section. Such rules shall include identifying any qualifications for  
23 [guidance] school counselors which may be in addition to those promulgated pursuant to section  
24 168.021, establishing application procedures for school districts, determining a method of awarding  
25 state financial supplements in the event that the number of applications exceeds the amounts  
26 appropriated therefor, and establishing an amount of state financial supplement per [guidance]  
27 school counselor based upon the salary schedule of the district.

28 167.266. 1. Beginning with the 2016-17 school year, the board of education of a school  
29 district or a charter school that is a local educational agency may establish an academic and career  
30 counseling program in cooperation with parents and the local community that is in the best interest  
31 of and meets the needs of students in the community. School districts and local educational  
32 agencies may use the Missouri comprehensive guidance and counseling program as a resource for  
33 the development of a district's or local educational agency's program. The department of  
34 elementary and secondary education shall develop a process for recognition of a school district's  
35 academic and career counseling program established in cooperation with parents and the local  
36 community no later than January 1, 2017.

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           2. The state board of education shall promulgate rules and regulations for the  
 2 implementation of this section. Any rule or portion of a rule, as that term is defined in section  
 3 536.010, that is created under the authority delegated in this section shall become effective only if it  
 4 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
 5 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the  
 6 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
 7 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
 8 rule proposed or adopted after August 28, 2016, shall be invalid and void.

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

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

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

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

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

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

1 (2) Contain a detailed procedure for the admission of teachers to the career program;  
2 (3) Contain specific criteria for career step qualifications and attainment. These criteria  
3 shall clearly describe the minimum number of professional responsibilities required of the teacher at  
4 each stage of the plan and shall include reference to classroom performance evaluations performed  
5 pursuant to section 168.128;

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

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

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

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

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

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

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

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

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

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

47 168.520. 1. For the purpose of providing career pay, which shall be a salary supplement for  
48 teachers, librarians, [guidance] school counselors and certificated teachers who hold positions as

1 school psychological examiners, parents-as-teachers educators, school psychologists, special  
2 education diagnosticians or speech pathologists in Missouri schools for the severely disabled, the  
3 Missouri School for the Blind and the Missouri School for the Deaf, there is hereby established a  
4 career advancement program which shall become effective no later than September 1, 1986.  
5 Participation in the career advancement program by teachers shall be voluntary.

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

10 3. After a teacher who is duly employed by a state school qualifies and is selected for  
11 participation in the state career plan established under this section, such a teacher shall not be denied  
12 the career pay authorized by such plan except as provided in subdivisions (1), (2), and (3) of section  
13 168.510.

14 4. Each teacher selected to participate in the career plan established under this section who  
15 meets the requirements of such plan shall receive a salary supplement as provided in subdivisions  
16 (1), (2), and (3) of subsection 1 of section 168.515.

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

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

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

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

33 (2) Community forums; and

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

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

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

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