

SECOND REGULAR SESSION

[CORRECTED]

# HOUSE BILL NO. 1601

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RUTH.

4530H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 161.072, RSMo, and to enact in lieu thereof two new sections relating to appointment of a teacher representative to the state board of education.

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

Section A. Section 161.072, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 161.026 and 161.072, to read as follows:

2           **161.026. 1. Notwithstanding the provisions of section 161.032 or any other**  
3 **provision of law, the governor shall, by and with the advice and consent of the senate,**  
4 **appoint a teacher representative to the state board of education, who shall attend all**  
5 **meetings and participate in all deliberations of the board. Such teacher representative**  
6 **shall not have the right to vote on any matter before the board or be counted in**  
7 **establishing a quorum under section 161.082.**

8           **2. Such teacher representative shall be an active classroom teacher. For purposes**  
9 **of this section, "active classroom teacher" means a resident of the state of Missouri who**  
10 **is a full-time teacher in the state of Missouri, who is certified to teach under the laws**  
11 **governing the certification of teachers in Missouri, and who is not on leave at the time of**  
12 **the appointment to the position of teacher representative.**

13           **3. The term of the teacher representative shall be four years and appointments**  
14 **made under this section shall be made in rotation from each congressional district**  
**beginning with the first congressional district and continuing in numerical order.**

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.

15           **4. If a vacancy occurs for any reason in the position of teacher representative, the**  
16 **governor shall appoint, by and with the advice and consent of the senate, a replacement for**  
17 **the unexpired term. Such replacement shall be a resident of the same congressional district**  
18 **as the teacher representative being replaced, shall meet the qualifications set forth in**  
19 **subsection 2 of this section, and shall serve until his or her successor is appointed and**  
20 **qualified. If the general assembly is not in session at the time for making an appointment,**  
21 **the governor shall make a temporary appointment until the next session of the general**  
22 **assembly, when the governor shall nominate a person to fill the position of teacher**  
23 **representative.**

24           **5. If the teacher representative ceases to be an active classroom teacher, as defined**  
25 **in subsection 2 of this section, or fails to follow the board's attendance policy, the teacher**  
26 **representative's position shall immediately become vacant unless an absence is caused by**  
27 **sickness or some accident preventing such representative's arrival at the time and place**  
28 **appointed for the meeting.**

29           **6. The teacher representative shall receive the same reimbursement for expenses**  
30 **as members of the state board of education receive under section 161.022.**

161.072. 1. The state board of education shall meet semiannually in December and in  
2 June in Jefferson City. Other meetings may be called by the president of the board on seven  
3 days' written notice to the members. In the absence of the president, the commissioner of  
4 education shall call a meeting on request of three members of the board, and if both the president  
5 and the commissioner of education are absent or refuse to call a meeting, any three members of  
6 the board may call a meeting by similar notices in writing. The business to come before the  
7 board shall be available by free electronic record at least seven business days prior to the start  
8 of each meeting. All records of any decisions, votes, exhibits, or outcomes shall be available by  
9 free electronic media within forty-eight hours following the conclusion of every meeting. Any  
10 materials prepared for the members of the board by the staff shall be delivered to the members  
11 at least five days before the meeting, and to the extent such materials are public records as  
12 defined in section 610.010 and are not permitted to be closed under section 610.021, shall be  
13 made available by free electronic media at least five business days in advance of the meeting.

14           **2. Upon a unanimous affirmative vote of the members of the board who are present**  
15 **and who are not teacher representatives, a given meeting closed under sections 610.021 and**  
16 **610.022 shall be closed to the teacher representative.**

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