

HB 2315 -- Termination of Teachers

Sponsor: Lampe

This bill changes the laws regarding the procedures for terminating a teacher and applies these procedures to all school districts uniformly by repealing specific teacher termination provisions for the St. Louis public school system.

Currently, a teacher receives a 30-day warning that charges of incompetency, inefficiency, or insubordination in the line of duty may be filed. The bill extends this meet-and-confer period to 60 days. The teacher may request a preliminary hearing with an impartial hearing officer or before the school board. If a preliminary hearing is requested, the superintendent must forward a notice to the Labor and Industrial Relations Commission, which has five days to provide a list of impartial hearing officers. The bill contains procedures for the selection of hearing officers from the list and requires the commission to develop rules which must contain witness discovery, written questions, and production of documents. Hearing procedures are specified in the bill including whether the hearing will be open or closed, right to counsel, witnesses under oath, subpoena power of the hearing officer, stenographic records, hearing costs, and a time line for the issuance of an advisory opinion. Within 30 days, the hearing officer must issue an advisory opinion, which may contain a recommendation of disciplinary procedures rather than dismissal or an extension of the 60-day meet-and-confer period.

Within 30 days after receipt of the advisory opinion, the school board must notify the teacher of its intention to accept or reject the opinion and give the teacher an opportunity to request a hearing with the school board before it makes a final decision. The hearing will be public unless the teacher requests that it be closed and must be held from 30 to 45 days from the teacher's request, unless both parties agree to a different time line.

The teacher may appeal the board's final decision to a circuit court. A teacher's salary and benefits may be suspended upon an advisory opinion from the hearing officer to terminate employment, but must be restored if an appeal reverses the decision.