

SECOND REGULAR SESSION

# HOUSE BILL NO. 2463

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DIECKHAUS (Sponsor), NIEVES, EMERY, JONES (89),  
KOENIG, McNARY, SCHARNHORST AND ALLEN (Co-sponsors).

5441L.03I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 160.045, 168.102, and 168.221, RSMo, and to enact in lieu thereof nineteen new sections relating to teacher continuing contracts.

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

Section A. Sections 160.045, 168.102 and 168.221, RSMo, are repealed and nineteen  
2 new sections enacted in lieu thereof, to be known as sections 160.045, 168.102, 168.221,  
3 168.1000, 168.1002, 168.1004, 168.1006, 168.1008, 168.1010, 168.1012, 168.1014, 168.1016,  
4 168.1018, 168.1020, 168.1022, 168.1024, 168.1026, 168.1028, and 168.1030, to read as follows:

160.045. 1. Each public school shall develop standards for teaching no later than June  
2 30, 2010. The standards shall be applicable to all public schools, including public charter  
3 schools operated by the board of a school district.

4 2. Teaching standards **for purposes of teacher evaluation under section 168.1026** shall  
5 [include, but not be limited to, the following:

6 (1) Students actively participate and are successful in the learning process;

7 (2) Various forms of assessment are used to monitor and manage student learning;

8 (3) The teacher is prepared and knowledgeable of the content and effectively maintains  
9 students' on-task behavior;

10 (4) The teacher uses professional communication and interaction with the school  
11 community;

12 (5) The teacher keeps current on instructional knowledge and seeks and explores changes  
13 in teaching behaviors that will improve student performance; and

14 (6) The teacher acts as a responsible professional in the overall mission of the school.

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           3. The department may provide assistance to public schools in developing these  
16 standards upon request] **be the Teacher Advancement Program standards contained in the**  
17 **"framework for teaching" rubric as developed by Charlotte Danielson.**

          168.102. Sections 168.102 to 168.130 shall be known and may be cited as the "Teacher  
2 Tenure Act" and shall become effective July 1, 1970, **and remain in effect until June 30, 2011.**

          168.221. 1. The first five years of employment of all teachers entering the employment  
2 of the metropolitan school district **for teachers hired prior to July 1, 2011,** shall be deemed a  
3 period of probation during which period all appointments of teachers shall expire at the end of  
4 each school year. During the probationary period any probationary teacher whose work is  
5 unsatisfactory shall be furnished by the superintendent of schools with a written statement setting  
6 forth the nature of his incompetency. If improvement satisfactory to the superintendent is not  
7 made within one semester after the receipt of the statement, the probationary teacher shall be  
8 dismissed. The semester granted the probationary teacher in which to improve shall not in any  
9 case be a means of prolonging the probationary period beyond five years and six months from  
10 the date on which the teacher entered the employ of the board of education. The superintendent  
11 of schools on or before the fifteenth day of April in each year shall notify probationary teachers  
12 who will not be retained by the school district of the termination of their services. Any  
13 probationary teacher who is not so notified shall be deemed to have been appointed for the next  
14 school year. Any principal who prior to becoming a principal had attained permanent employee  
15 status as a teacher shall upon ceasing to be a principal have a right to resume his or her  
16 permanent teacher position with the time served as a principal being treated as if such time had  
17 been served as a teacher for the purpose of calculating seniority and pay scale. The rights and  
18 duties and remuneration of a teacher who was formerly a principal shall be the same as any other  
19 teacher with the same level of qualifications and time of service.

20           2. After completion of satisfactory probationary services, appointments of teachers shall  
21 become permanent, subject to removal for any one or more causes herein described and to the  
22 right of the board to terminate the services of all who attain the age of compulsory retirement  
23 fixed by the retirement system. In determining the duration of the probationary period of  
24 employment in this section specified, the time of service rendered as a substitute teacher shall  
25 not be included.

26           3. No teacher whose appointment has become permanent may be removed except for one  
27 or more of the following causes: immorality, inefficiency in line of duty, violation of the  
28 published regulations of the school district, violation of the laws of Missouri governing the  
29 public schools of the state, or physical or mental condition which incapacitates him for  
30 instructing or associating with children, and then only by a vote of not less than a majority of all  
31 the members of the board, upon written charges presented by the superintendent of schools, to

32 be heard by the board after thirty days' notice, with copy of the charges served upon the person  
33 against whom they are preferred, who shall have the privilege of being present, together with  
34 counsel, offering evidence and making defense thereto. Notifications received by an employee  
35 during a vacation period shall be considered as received on the first day of the school term  
36 following. At the request of any person so charged the hearing shall be public. The action and  
37 decision of the board upon the charges shall be final. Pending the hearing of the charges, the  
38 person charged may be suspended if the rules of the board so prescribe, but in the event the board  
39 does not by a majority vote of all the members remove the teacher upon charges presented by the  
40 superintendent, the person shall not suffer any loss of salary by reason of the suspension.  
41 Inefficiency in line of duty is cause for dismissal only after the teacher has been notified in  
42 writing at least one semester prior to the presentment of charges against him by the  
43 superintendent. The notification shall specify the nature of the inefficiency with such  
44 particularity as to enable the teacher to be informed of the nature of his inefficiency.

45 4. No teacher whose appointment has become permanent shall be demoted nor shall his  
46 salary be reduced unless the same procedure is followed as herein stated for the removal of the  
47 teacher because of inefficiency in line of duty, and any teacher whose salary is reduced or who  
48 is demoted may waive the presentment of charges against him by the superintendent and a  
49 hearing thereon by the board. The foregoing provision shall apply only to permanent teachers  
50 prior to the compulsory retirement age under the retirement system. Nothing herein contained  
51 shall in any way restrict or limit the power of the board of education to make reductions in the  
52 number of teachers or principals, or both, because of insufficient funds, decrease in pupil  
53 enrollment, or abolition of particular subjects or courses of instruction, except that the abolition  
54 of particular subjects or courses of instruction shall not cause those teachers who have been  
55 teaching the subjects or giving the courses of instruction to be placed on leave of absence as  
56 herein provided who are qualified to teach other subjects or courses of instruction, if positions  
57 are available for the teachers in the other subjects or courses of instruction.

58 5. Whenever it is necessary to decrease the number of teachers because of insufficient  
59 funds or a substantial decrease of pupil population within the school district, the board of  
60 education upon recommendation of the superintendent of schools may cause the necessary  
61 number of teachers beginning with those serving probationary periods to be placed on leave of  
62 absence without pay, but only in the inverse order of their appointment. Nothing herein stated  
63 shall prevent a readjustment by the board of education of existing salary schedules. No teacher  
64 placed on a leave of absence shall be precluded from securing other employment during the  
65 period of the leave of absence. Each teacher placed on leave of absence shall be reinstated in  
66 inverse order of his placement on leave of absence. Such reemployment shall not result in a loss  
67 of status or credit for previous years of service. No new appointments shall be made while there

68 are available teachers on leave of absence who are seventy years of age or less and who are  
69 adequately qualified to fill the vacancy unless the teachers fail to advise the superintendent of  
70 schools within thirty days from the date of notification by the superintendent of schools that  
71 positions are available to them that they will return to employment and will assume the duties  
72 of the position to which appointed not later than the beginning of the school year next following  
73 the date of the notice by the superintendent of schools.

74 6. If any regulation which deals with the promotion of teachers is amended by increasing  
75 the qualifications necessary to be met before a teacher is eligible for promotion, the amendment  
76 shall fix an effective date which shall allow a reasonable length of time within which teachers  
77 may become qualified for promotion under the regulations.

78 7. A teacher whose appointment has become permanent may give up the right to a  
79 permanent appointment to participate in the teacher choice compensation package under sections  
80 168.745 to 168.750.

168.1000. Sections 168.1000 to 168.1030 shall be known and may be cited as the  
2 "Teacher Continuing Contract Act" and shall become effective July 1, 2011.

168.1002. The following words and phrases when used in sections 168.1000 to  
2 168.1030, except in those instances where the context indicates otherwise, mean:

3 (1) "Board of education", the school board or board of directors of a school district  
4 having general control of the affairs of the district;

5 (2) "Continuing contract", every contract heretofore or hereafter entered into  
6 between a school district and a permanent teacher;

7 (3) "Demotion", any reduction in salary or transfer to a position carrying a lower  
8 salary, except on request of a teacher, other than any change in salary applicable to all  
9 teachers or all teachers in a classification;

10 (4) "Permanent teacher", any teacher who has been employed or who is hereafter  
11 employed as a teacher in the same school district for four successive years after July 1,  
12 2011, and who has continued or who thereafter continues to be employed as a teacher by  
13 the school district or any supervisor of teachers who was employed as a teacher in the same  
14 school district for at least four successive years prior to becoming a supervisor of teachers  
15 and who continues thereafter to be employed as a certificated employee by the school  
16 district; except that, when a permanent teacher resigns or is permanently separated from  
17 employment by a school district, and is afterwards reemployed by the same school district,  
18 reemployment for the first school year does not constitute a continuing contract but if he  
19 or she is employed for the succeeding year, the employment constitutes a continuing  
20 contract; and except that any teacher employed under a part-time contract by a school  
21 district shall accrue credit toward permanent status on a prorated basis;

22           (5) "Probationary teacher", any teacher as herein defined who has been employed  
23 in the same school district for four successive years or less. In the case of any probationary  
24 teacher who has been employed in any other school system as a teacher for two or more  
25 years with a mentor teacher, the board of education shall waive one year of his or her  
26 remaining probationary period;

27           (6) "School district", every school district in this state;

28           (7) "Teacher", any employee of a school district regularly required to be certified  
29 under laws relating to the certification of teachers, except superintendents and assistant  
30 superintendents but including certified teachers who teach at the prekindergarten level in  
31 a seven-director or urban public school within a prekindergarten program in which no fees  
32 are charged to parents or guardians.

          168.1004. The contract between a school district and a permanent teacher shall be  
2 known as a continuing contract and shall continue in effect for a period of up to three  
3 years, subject only to:

4           (1) Compulsory or optional retirement when the teacher reaches the age of  
5 retirement provided by law, or regulation established by the local board of education;

6           (2) The death of the teacher;

7           (3) Resignation of the teacher with the written consent of the school board;

8           (4) Termination by the board of education after a hearing as hereinafter provided;

9 or

10          (5) The revocation of the teacher's certificate.

          168.1006. 1. Every continuing contract shall contain the following provisions in  
2 substantially the following form:

3           "It is hereby agreed by and between ....., the teacher, and the Board of Education  
4 of ..... School District, the employer, that the teacher, beginning on the .... day of .....,  
5 20..., shall serve in the employ of the Board of Education and its successors for a term of  
6 ..... months for an annual compensation of \$ ....., to be paid to the teacher in equal  
7 installments according to local school board regulations less the contributions required by  
8 law."

9           2. Every continuing contract shall be made by the order of the board of education,  
10 shall be in writing and shall be signed by the permanent teacher and the president of the  
11 board of education, or a facsimile signature of the president may be affixed at his or her  
12 direction, and the contract shall be attested by the secretary of the board of education by  
13 signature or facsimile.

14          3. Nothing in the terms of the continuing contract shall restrict the power of the  
15 board of education to terminate the contract for cause at any time.

**168.1008. 1. The board of education of a school district may modify a continuing contract annually on or before the fifteenth day of May in the following particulars:**

**(1) Determination of the date of beginning and length of the next school year;**

**(2) Fixing the amount of annual compensation for the following school year as provided by the salary schedule adopted by the board of education applicable to all teachers, which schedule may contain elements in addition to highest degree held and years of service as long as such elements are equitably compensated among teachers covered by those elements, which may include but are not limited to additional areas of certification, certification in high-need subjects, additional duty pay for serving as a mentor or master teacher, and demonstrated ability to improve student learning performance; and**

**(3) Utilizing information from teacher evaluations under section 168.1026, which may include longer contract lengths for teachers with higher scores.**

**2. The modifications shall be effective at the beginning of the next school year. All teachers affected by the modification shall be furnished written copies of the modifications within thirty days after their adoption by the board of education.**

**168.1010. A continuing contract between a permanent teacher and a board of education may be terminated or modified at any time by the mutual consent of the parties thereto. Any teacher who desires to terminate his or her continuing contract at the end of a school term shall give written notice of his or her intention to do so and the reasons therefor not later than June first of the year in which the term ends.**

**168.1012. 1. A continuing contract with a permanent teacher may be terminated by the board of education of a school district for one or more of the following causes:**

**(1) Unsatisfactory performance;**

**(2) Physical or mental condition unfitting him or her to instruct or associate with children;**

**(3) Immoral conduct;**

**(4) Incompetency, inefficiency or insubordination in line of duty;**

**(5) Willful or persistent violation of, or failure to obey, the school laws of the state or the published regulations of the board of education of the school district employing him or her;**

**(6) Excessive or unreasonable absence from performance of duties; or**

**(7) Conviction of a felony or a crime involving moral turpitude.**

**2. In determining the professional competency of or efficiency of a permanent teacher, consideration should be given to regular and special evaluation reports prepared in accordance with the policy of the employing school district and to any written standards**

16 of performance which may have been adopted by the school board under sections 160.045  
17 and 168.1026.

168.1014. 1. The continuing contract of a permanent teacher may not be  
2 terminated by the board of education until after service upon the teacher of written  
3 charges specifying with particularity the grounds alleged to exist for termination of such  
4 contract, notice of a hearing on charges and a hearing by the board of education on  
5 charges if requested by the teacher.

6 2. At least thirty days before service of notice of charges, the teacher shall be given  
7 by the school board or the superintendent of schools warning in writing, stating specifically  
8 the causes which, if not removed, may result in charges. Thereafter, both the  
9 superintendent, or his or her designated representative, and the teacher shall meet and  
10 confer in an effort to resolve the matter.

11 3. Notice of a hearing upon charges, together with a copy of charges, shall be served  
12 on the permanent teacher at least fifteen days prior to the date of the hearing but no later  
13 than April fifteen for a termination to take effect the next school year. The notice and copy  
14 of the charges shall be served upon the teacher by certified mail with personal delivery  
15 addressed to him at his or her last known address. If the teacher or his or her agent does  
16 not request a hearing on the charges within five days after receipt of the notice, the board  
17 of education may, by a majority vote, order the contract of the teacher terminated. If a  
18 hearing is requested by either the teacher or the board of education, it shall take place not  
19 less than twenty nor more than thirty days after notice of a hearing has been furnished the  
20 permanent teacher.

21 4. On the filing of charges in accordance with this section, the board of education  
22 may suspend the teacher from active performance of duty until a decision is rendered by  
23 the board of education but the teacher's salary shall be continued during such suspension.  
24 If a decision to terminate a teacher's employment by the board of education is appealed,  
25 and the decision is reversed, the teacher shall be paid his or her salary lost during the  
26 pending of the appeal.

168.1016. If a hearing is requested on the termination of a continuing contract it  
2 shall be conducted by the board of education in accordance with the following provisions:

3 (1) The hearing shall be public;

4 (2) Both the teacher and the person filing charges may be represented by counsel  
5 who may cross-examine witnesses;

6 (3) Testimony at hearings shall be on oath or affirmation administered by the  
7 president of the board of education, who for the purpose of hearings held under sections  
8 168.1000 to 168.1030 shall have the authority to administer oaths;

9           (4) The school board shall have the power to subpoena witnesses and documentary  
10 evidence as provided in section 536.077, and shall do so on its own motion or at the request  
11 of the teacher against whom charges have been made. The school board shall hear  
12 testimony of all witnesses named by the teacher; however, the school board may limit the  
13 number of witnesses to be subpoenaed on behalf of the teacher to not more than ten;

14           (5) The board of education shall employ a stenographer who shall make a full  
15 record of the proceedings of the hearings and who shall, within ten days after the  
16 conclusion thereof, furnish the board of education and the teacher, at no cost to the  
17 teacher, with a copy of the transcript of the record, which shall be certified by the  
18 stenographer to be complete and correct. The transcript shall not be open to public  
19 inspection, unless the hearing on the termination of the contract was an open hearing or  
20 if an appeal from the decision of the board is taken by the teacher;

21           (6) All costs of the hearing shall be paid by the school board except the cost of  
22 counsel for the teacher, and the school board may apply to the attorney general for  
23 reimbursement of such costs;

24           (7) The decision of the board of education resulting in the demotion of a permanent  
25 teacher or the termination of a continuing contract shall be by a majority vote of the  
26 members of the board of education and the decision shall be made within seven days after  
27 the transcript is furnished them. A written copy of the decision shall be furnished the  
28 teacher within three days thereafter.

          168.1018. 1. The teacher shall have the right to appeal from the decision of the  
2 board of education to the circuit court of the county where the employing school district's  
3 main office is located. The appeal shall be taken within fifteen days after service of a copy  
4 of the decision of the board of education upon the teacher, and if an appeal is not taken  
5 within the time, then the decision of the board of education shall become final.

6           2. The appeal may be taken by filing notice of appeal with the board of education,  
7 whereupon the board of education, under its certificate, shall forward to the court all  
8 documents and papers on file in the matter, together with a transcript of the evidence, the  
9 findings and the decision of the board of education, which shall thereupon become the  
10 record of the cause. Such appeal shall be heard as provided in chapter 536.

11           3. If the circuit court finds in favor of the teacher, the teacher shall be restored to  
12 permanent teacher status and shall receive compensation for the period during which he  
13 or she may have been suspended from work, and such other relief as may be granted by  
14 the court. No further appeal shall be permitted.

          168.1020. A board of education may establish policies for granting leave of absence  
2 including sabbatical leave, maternity leave, sick leave, and military leave. The board of



3 education of a school district may, upon the written request of a teacher, and for good  
4 cause shown, grant a leave of absence or place him or her on a part-time teaching schedule  
5 for a period of one year, subject to renewal from year to year. Leaves and military service  
6 shall not be counted as continuous full-time service in computing eligibility for a continuing  
7 contract but shall not impair the continuing contract previously acquired by a teacher  
8 under sections 168.1000 to 168.1030 nor affect any credit toward a continuing contract  
9 previously earned. Any teacher under sections 168.1000 to 168.1030 who is called into  
10 active military service with the armed forces of the United States is eligible for  
11 reinstatement upon his or her discharge from said service without loss of the teacher's  
12 continuing contract. Any permanent teacher employed on a part-time basis, whether at  
13 his or her request or not, shall retain permanent status. Any probationary teacher  
14 employed on a part-time basis, whether at his or her request or not, shall retain all credit  
15 earned toward permanent status and shall continue to earn credit on a pro rata basis  
16 toward permanent status.

168.1022. 1. The board of education of a school district may place on leave of  
2 absence as many teachers as may be necessary because of a decrease in pupil enrollment,  
3 school district reorganization or the financial condition of the school district. In placing  
4 teachers on leave, the board of education shall be governed by the following provisions:

5 (1) No permanent teacher shall be placed on leave of absence while probationary  
6 teachers are retained in positions for which a permanent teacher is qualified;

7 (2) Permanent teachers shall be retained on the basis of performance-based  
8 evaluations and seniority within the field of specialization; seniority shall not be  
9 controlling;

10 (3) Permanent teachers shall be reinstated to the positions from which they have  
11 been given leaves of absence, or if not available, to positions requiring like training and  
12 experience, or to other positions in the school system for which they are qualified by  
13 training and experience;

14 (4) No appointment of new teachers shall be made while there are available  
15 teachers on unrequested leave of absence who are properly qualified to fill such vacancies;

16 (5) A teacher placed on leave of absence may engage in teaching or another  
17 occupation during the period of such leave;

18 (6) The leave of absence shall not impair the continuing contract of a teacher;

19 (7) The leave of absence shall continue for a period of not more than two years  
20 unless extended by the board.

21 2. Should a board of education choose to utilize the mechanism for reducing teacher  
22 forces as provided in subsection 1 of this section in an attempt to manage adverse financial

23 conditions caused at least partially by a withholding of, or a decrease or less than expected  
24 increase in, education appropriations, then the district additionally shall follow the  
25 provisions of subsection 3 of this section.

26       3. If a school district has an unrestricted combined ending fund balance of more  
27 than ten percent of current expenditures in its teachers' and incidental funds, and in the  
28 subsequent fiscal year such district, because of state appropriations, places a contracted  
29 teacher on leave of absence after forty days subsequent to the governor signing the  
30 elementary and secondary education appropriation bill, the district shall pay the affected  
31 teacher the greater of his or her salary for any days worked under the contract, or a sum  
32 equal to three thousand dollars.

168.1024. 1. A board of education at a regular or special meeting may contract  
2 with and employ by a majority vote legally qualified probationary teachers for the school  
3 district. The contract shall be made by order of the board; shall specify the number of  
4 months school is to be taught and the wages per month to be paid; shall be signed by the  
5 probationary teacher and the president of the board, or a facsimile signature of the  
6 president may be affixed at his or her discretion; and the contract shall be attested by the  
7 secretary of the board by signature or facsimile. The board shall not employ one of its  
8 members as a teacher; nor shall any person be employed as a teacher who is related within  
9 the fourth degree to any board member, either by consanguinity or affinity, where the vote  
10 of the board member is necessary to the selection of the person.

11       2. If in the opinion of the board of education any probationary teacher has been  
12 doing unsatisfactory work, the board of education, through its authorized administrative  
13 representative, shall provide the teacher with a written statement definitely setting forth  
14 his or her alleged incompetency and specifying the nature thereof, in order to furnish the  
15 teacher an opportunity to correct his or her fault and overcome his or her incompetency.  
16 If improvement satisfactory to the board of education has not been made within ninety  
17 days of the receipt of the notification, the board of education may terminate the  
18 employment of the probationary teacher immediately or at the end of the school year. Any  
19 motion to terminate the employment of a probationary teacher shall include only one  
20 person and must be approved by a majority of the members of the board of education. A  
21 tie vote thereon constitutes termination. On or before the fifteenth day of April in each  
22 school year, the board of education shall notify in writing a probationary teacher who will  
23 not be retained by the school district of the termination of his or her employment. Upon  
24 request, the notice shall contain a concise statement of the reason or reasons the  
25 employment of the probationary teacher is being terminated. If the reason for the  
26 termination is due to a decrease in pupil enrollment, school district reorganization, or the

27 financial condition of the school district, then the district shall in all cases issue notice to  
28 the teacher expressly declaring such as the reason for such termination. Nothing contained  
29 in this section shall give rise to a cause of action not currently cognizant at law by a  
30 probationary teacher for any reason given in said writing so long as the board issues the  
31 letter in good faith without malice, but an action for actual damages may be maintained  
32 by any person for the deprivation of a right conferred by this act.

33 3. Any probationary teacher who is not notified of the termination of his or her  
34 employment shall be deemed to have been appointed for the next school year, under the  
35 terms of the contract for the preceding year. A probationary teacher who is informed of  
36 reemployment by written notice shall be tendered a contract on or before the fifteenth day  
37 of May, and shall within fifteen days thereafter present to the employing board of  
38 education a written acceptance or rejection of the employment tendered, and failure of  
39 such teachers to present the acceptance within such time constitutes a rejection of the  
40 board's offer. A contract between a probationary teacher and a board of education may  
41 be terminated or modified at any time by the mutual consent of the parties thereto.

168.1026. 1. The board of education of each school district shall maintain records  
2 showing periods of service, dates of appointment, and other necessary information for the  
3 enforcement of sections 168.1000 to 168.1030.

4 2. In addition, the board of education of each school district shall cause a  
5 comprehensive, performance-based evaluation for each teacher employed by the district.

6 3. All teachers shall be evaluated regularly and shall be evaluated twice annually  
7 in the final year of their continuing contract by a qualified administrator, who may be an  
8 employee of another accredited district. Advance notice of evaluations shall not be given.  
9 All evaluations shall be on a scale of 88, based on the four achievement levels of the twenty-  
10 two standards adopted in section 160.045 so that scores are comparable. No more than  
11 sixty percent of a building's teachers shall receive a score in the top two quartiles  
12 combined.

13 4. Teachers who are on a continuing contract who score in the top twenty-five  
14 percent in their final continuing contract year shall receive a subsequent continuing  
15 contract for a three-year period; those who score in the second quartile shall receive a two-  
16 year continuing contract; those who score in the lowest fifty percent shall receive a one-  
17 year contract.

18 5. All evaluations shall be maintained in the teacher's personnel file at the office of  
19 the board of education. A copy of each evaluation shall be provided to the teacher and  
20 appropriate administrator.

21           **6. The state department of elementary and secondary education shall provide**  
22 **suggested procedures for such an evaluation.**

**168.1028. No member of a board of education or duly designated administrative**  
2 **officer of a board of education shall be liable in a civil action based on a statement of**  
3 **charges against a school teacher.**

**168.1030. No teacher shall take part in the management of the campaign for the**  
2 **election or defeat of members of a board of education by which he or she is employed. Any**  
3 **teacher who violates the provisions of this section shall be subject to termination of his or**  
4 **her employment by the district with the right of a hearing as heretofore provided.**

✓