

SECOND REGULAR SESSION

# HOUSE BILL NO. 2197

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JACOBS.

4137H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 168.410, RSMo, and to enact in lieu thereof two new sections relating to school building administrators.

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

Section A. Section 168.410, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 168.410 and 168.411, to read as follows:

168.410. 1. As used in this section and section 168.411, "building-level administrator" means a school official who supervises or evaluates other licensed staff. A building-level administrator may be a principal or an assistant principal.

2. School administrators ~~and~~, school district superintendents, and building-level administrators shall be evaluated in the following manner:

(1) The board of education of each school district shall cause a comprehensive performance-based evaluation for each administrator employed by the district. Such evaluation shall be ongoing, **specific**, and of sufficient specificity and frequency to provide for demonstrated standards of competency and academic ability;

(2) All evaluations shall be:

(a) Maintained in the respective administrator's personnel file at the office of the board of education of the school district. A copy of each evaluation shall be provided to the person being evaluated and to the appropriate administrator;

(b) Conducted using research-based evaluation tools that align with best practices; and

(c) Based on multiple rating categories that include student growth and assessment data as a factor in performance ratings; and

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.

18 (3) The state department of elementary and secondary education shall provide  
19 suggested procedures for the evaluations performed under this section.

**168.411. 1. As used in this section, "nonrenewal" or "nonrenewed" means, when  
2 referring to a contract of a building-level administrator, such contract is not extended  
3 beyond the current term provided for in such contract.**

**4 2. (1) Each school district employing a building-level administrator shall  
5 provide written notification of contract renewal or nonrenewal no later than February  
6 fifteenth in the year the contract expires. If written notice is not given by the deadline,  
7 such failure on the part of the school district constitutes reemployment on the same  
8 terms and in the same building-level administrator position as those provided in the  
9 contract of the current fiscal year for an additional one-year period.**

**10 (2) No building-level administrator's contract shall be nonrenewed without such  
11 building-level administrator being evaluated at least once in the contract year as  
12 required under section 168.410.**

**13 (3) A building-level administrator whose contract is nonrenewed shall be  
14 provided with written cause in accordance with subsection 3 of this section.**

**15 (4) (a) A school district shall present a contract to each building-level  
16 administrator whose contract has been renewed.**

**17 (b) The building-level administrator shall accept or reject such contract in  
18 writing within fifteen business days after receiving the contract.**

**19 3. (1) A building-level administrator's contract shall not be nonrenewed except  
20 for cause. For purposes of this subsection, "for cause" includes, but is not limited to:**

**21 (a) Unsatisfactory performance as determined through the annual evaluation  
22 process required in section 168.410;**

**23 (b) Violation of school district policies or state laws; or**

**24 (c) Conduct detrimental to the operation of the school district or a public school  
25 in such district.**

**26 (2) Any building-level administrator reemployed for five consecutive years  
27 within a school district shall have the right to request a written statement of reasons for  
28 nonrenewal of such building-level administrator's contract within ten business days  
29 after receiving such nonrenewal notice. The school district shall provide the reasons for  
30 such nonrenewal in writing within ten business days of receipt of the request.**

**31 (3) A building-level administrator who receives such nonrenewal notice has the  
32 right to:**

**33 (a) Request a closed-session hearing before the school board within ten business  
34 days of receiving the notice;**

**35 (b) Present evidence, testimony, and cross-examine witnesses; and**

36           (c) Be represented by counsel if desired.

37           (4) The school board shall issue a final decision within thirty business days after  
38 the hearing.

39           4. (1) A building-level administrator dismissed during an active contract term is  
40 entitled to due process including, but not limited to:

41           (a) Written notice of the reason for dismissal;

42           (b) The opportunity to present the building-level administrator's case before the  
43 school board; and

44           (c) A hearing conducted in compliance with state statutes and procedural due  
45 process rights.

46           (2) A building-level administrator may file an appeal if nonrenewal or dismissal  
47 violates:

48           (a) State law governing building-level administrator contracts; or

49           (b) School district policies regarding performance evaluations and contract  
50 renewals.

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