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OPINION LETTER NO. 83-2014

The Honorable Jason Kander
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Kander:

You have submitted a proposed fair ballot language statement for the initiative petition submitted by Marc Ellinger, relating to Teacher Performance Evaluation Systems (2014-0024). The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend the Missouri Constitution to require teachers to be evaluated by a standards based performance evaluation system. Each system must receive state approval in order for the local school district to continue receiving state and local funding. Teachers will be dismissed, retained, demoted, promoted and paid primarily using quantifiable student performance data as part of the evaluation system. The amendment further requires teachers to enter into contracts of three years or fewer with public school districts, with exceptions. The amendment also prohibits teachers from organizing or collectively bargaining regarding the design and implementation of the teacher evaluation system.

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A “no” vote will not amend the Missouri Constitution regarding teacher contracts and performance evaluation systems.

If passed, this measure will have no impact on taxes.

Pursuant to § 116.025, RSMo, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the initiative petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General