

FIRST REGULAR SESSION

HOUSE BILL NO. 192

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEWIS (6).

0424H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 168, RSMo, by adding thereto one new section relating to a teacher bill of rights.

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

Section A. Chapter 168, RSMo, is amended by adding thereto one new section, to be known as section 168.781, to read as follows:

168.781. 1. This section shall be known and may be cited as the "Teacher Bill of Rights".

2. As used in this section, the term "parent" means a parent, guardian, or other person having control or custody of a child.

3. (1) The general assembly hereby recognizes that:

(a) Teachers have a profound effect on Missouri children, second only to parents;

(b) Considering the years of education and continuous updating of knowledge that teachers undertake and achieve, it is important and necessary for the success of society in this state that teachers be given the respect such teachers have earned and deserve;

(c) Teachers should not be viewed as responsible for all of society's ills but as individuals who are trying to cope with problems not of such teachers' own creation; and

(d) Teachers deal with societal changes and dysfunction that may exist in the homes of the children teachers are charged with serving.

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.

17 **(2) The general assembly hereby declares that it is the public policy of this state**
18 **that respecting the authority of teachers in public schools is essential to creating an**
19 **environment conducive to learning, effective instruction in the classroom, and proper**
20 **administration of public schools.**

21 **4. To maintain and protect the authority of teachers in public schools, each**
22 **teacher has the following rights under this section:**

23 **(1) To be free from physical abuse from a student or a parent of a student.**
24 **Physical abuse from a student or a parent of a student is grounds for permanent**
25 **expulsion of such student from the school at which such teacher has the right to work;**

26 **(2) To be protected from oral, written, or electronically generated abuse from**
27 **any student or parent. Such abuse is grounds for the suspension of the student as**
28 **provided in chapter 167 and subsequent abuse may result in expulsion of the student;**

29 **(3) To be evaluated for competency by an administrator. If such evaluation**
30 **becomes harassment, such teacher has the right to mediation of grievances by a**
31 **committee of such teacher's peers and another administrator;**

32 **(4) To exercise the freedom of speech, religion, and the expression of such**
33 **teacher's opinions through the media as is guaranteed by the Constitution of the United**
34 **States;**

35 **(5) To be free from any requirement to refer to a student by a name other than**
36 **such student's legal name and to use a reasonable pronoun when referring to a student**
37 **without threat of reprisal;**

38 **(6) To be treated with civility and respect as a professional and to be free from**
39 **any requirement by school administration to perform tasks unrelated to such teacher's**
40 **employment and that are onerous or result in an undue burden on such teacher;**

41 **(7) To be given classroom preparation time each day during the regular**
42 **classroom hours, with compensation from the school district to such teacher in an**
43 **amount equal to a full day's pay for a substitute teacher in such teacher's school district**
44 **for each day such teacher is not allowed such preparation time;**

45 **(8) To be free from coercion to participate in or promote a political, religious, or**
46 **moral position that violates such teacher's personal religious convictions;**

47 **(9) To be afforded all rights any other individual in such teacher's local**
48 **community has without making such teacher's classroom a hostile environment to**
49 **students of different philosophical, religious, or moral persuasion;**

50 **(10) To teach without the fear of frivolous lawsuits and to be entitled to qualified**
51 **immunity, a legal defense, and indemnification by such teacher's employing school**
52 **district for actions taken in the performance of duties of such teacher's employment, as**
53 **provided by state law;**

54 **(11) To appropriately discipline students in accordance with state law and**
55 **policies or procedures adopted by such teacher's school board;**

56 **(12) To remove any persistently disruptive student from such teacher's**
57 **classroom when the student's behavior prevents the orderly instruction of other**
58 **students or when the student displays impudent or defiant behavior and to place the**
59 **student in the custody of the principal or such principal's designee, as provided by state**
60 **law;**

61 **(13) To have such teacher's professional judgment and discretion respected by**
62 **school and school district administrators in any disciplinary action taken by such**
63 **teacher in accordance with state law and policies or procedures adopted by such**
64 **teacher's school board;**

65 **(14) To teach in a safe, secure, and orderly environment that is conducive to**
66 **learning and free from recognized dangers or hazards that are causing or likely to cause**
67 **serious injury, as provided by state law; and**

68 **(15) If such teacher is a beginning teacher, to receive leadership and support in**
69 **accordance with state law including, but not limited to, the assignment of a qualified,**
70 **experienced mentor who commits to helping such teacher become a competent,**
71 **confident professional in the classroom and who offers support and assistance as needed**
72 **to help such teacher meet performance standards and professional expectations.**

73 **5. No political subdivision of this state shall establish policies that prevent a**
74 **teacher from exercising the rights listed in this section or in any other provision of law.**

75 **6. No provision of this section shall be construed to supersede any other state**
76 **law, any regulation or policy adopted by the department of elementary and secondary**
77 **education or the state board of education, or any political subdivision's order,**
78 **ordinance, or policy relating to the discipline of students.**

79 **7. Teachers, school administrators, parents, and students shall be fully informed**
80 **of the rights conferred upon teachers under this section. Each school district shall**
81 **provide a copy of this section to each teacher at the beginning of each school year. Each**
82 **school district shall post the rights listed in this section in a prominent place in each**
83 **school and administrative building the school district operates and provide a copy to a**
84 **parent of each student who attends a school in such school district in a form and manner**
85 **approved by the school board. Each school district and school under such school**
86 **board's jurisdiction that maintains a website shall post the rights listed in this section on**
87 **such school district's or school's website.**

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