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April 22, 2013

OPINION LETTER NO. 23-2013

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:

This opinion letter responds to your request dated April 11, 2013, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Marc Ellinger regarding a proposed constitutional amendment to amend Article IX of the Missouri Constitution (2014-024). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- require teachers to be evaluated by a standards based performance evaluation system for which each local school district must receive state approval to continue receiving state and local funding;
- require teachers to be dismissed, retained, demoted, promoted and paid primarily using quantifiable student performance data as part of the evaluation system;
- require teachers to enter into contracts of three years or fewer with public school districts; and

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- prohibit teachers from organizing or collectively bargaining regarding the design and implementation of the teacher evaluation system?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General