



# Legislative Update

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## READING INTERVENTION BILL ON FAST TRACK IN HOUSE

The Senate approved SS#2/SCS/SB 949 (Emery) on May 10. The bill has already been referred directly to the Rules - Administrative Oversight Committee, bypassing the normal process of referral to a subject matter committee, such as the House Elementary and Secondary Education Committee. The bill is already scheduled for a hearing on May 14. The Association opposes the bill in its current form.

SB 949 would repeal existing reading intervention programs and establish a new reading intervention program for students in kindergarten to third grade. The SCS removes the requirement that would make grade level promotion for certain students contingent on passing a reading examination. The Association opposed the mandated retention provision in the original bill and remains concerned that the bill is overly prescriptive regarding the interventions required to be in an intervention plan for every student identified with a reading deficiency.

The perfected SS#2 version of the bill also includes the language of SA 1, offered by Sen. Hummel, to add the provisions of the HCS version of his SB 681. SB 681 requires a visually-impaired student to receive instruction in Braille reading and writing as part of his or her individualized education plan unless instruction in Braille is determined not appropriate for the child. The Association supports the intent of SB 681 to ensure that all students receive the educational services they need. The HCS version revises the language to align the bill with the requirements of federal law regarding Braille instruction for blind and visually impaired students.

## BUDGET FINALLY PASSED

The House and Senate have finally approved the state budget and completed action on the K-12 education and higher education funding bills. Under the Missouri Constitution, the budget bills must be finally passed by the legislature no later than May 11. The final versions will now be prepared and delivered to the Governor for his approval or veto. The Governor has line item veto power over budget bills, except that the Constitution prohibits the Governor from reducing any appropriation for free public schools.

In HCS/HB 2002, the K-12 education budget bill, conferees agreed to the higher House funding level of a \$98M increase to reach full K-12 formula funding. Conferees also agreed to a compromise increase pupil transportation funding by \$10M over the House position of \$92M.

In HCS/HB 2003, the higher education funding bill, conferees added 60% of the requested funding amounts for the several UM coop programs in the budget core. The Senate had removed language

raising tuition levels for students without lawful immigration status but conferees agreed to keep the language, forcing affected students to pay tuition at the higher out-of-state rate.

### **SO-CALLED “RIGHT-TO-WORK”**

The House gave first round approval (Perfection vote) to HJR 79 (Brattin) on May 11. This joint resolution would enact a constitutional version of the so-called “Right to Work” restriction. This provision would remove the ability of labor unions to receive compensation for the costs of fulfilling their duties as exclusive representative. The Association opposes this measure to limit the constitutional collective bargaining rights of Missouri workers.

The Senate approved SCR 49 (Schatz) on May 10 after lengthy debate. The SCR now moves to the House for consideration. The SCR would change the election date for Prop A, the initiative petition submitted by the We Are MO campaign to repeal SS#2/SB 19 (2017), the bill passed last year to enact the so-called “Right to Work” provision. The SCR changes the date of the election on the referendum from the general election on November 6, 2018 to the primary election on August 7, 2018.

### **HOUSE PASSES REDISTRICTING CHANGES**

The House passed HCS/HJR 100 (Plocher) on May 11. The joint resolution now moves to the Senate for consideration. The HJR specifies that Missouri House and Senate district apportionment shall be based on a count of only U.S. citizens, rather than the current process that counts other legal residents. The language also seeks to revise the funding and process of the reapportionment commissions.

### **HOUSE PASSES VIRTUAL EDUCATION BILL**

The House approved an HCS version of SS/SCS/SBs 603, 576 & 898 (Onder) on May 10. The bill returned to the Senate for consideration of the House changes and the Senate has requested that the bill go to conference.

The bill would establish a new virtual course access program by revising the current MoVIP. The Association believes that virtual courses can play an important role for schools and students and supports the Senate version of the bill. The House committee changed several portions of the bill, revising the process for the review and approval of course requests, adding additional data reporting provisions, revising the course and learning platform approval process and course payment process.

The House adopted several amendments:

HA 1 (Spencer) to add language requiring that districts must provide “good cause” for any denial of a student’s virtual course request and adding details regarding appeals of such decisions.

HA 3 (Lichtenegger) to make technical revisions to certain scholarships for military personnel and their families.

HA 4 (Bahr) to grandfather existing school district virtual courses into the new state course access program.

## **OMNIBUS K-12 EDUCATION BILL (SB 743) IN CONFERENCE**

The House adopted 25 amendments to HCS/SB 743 (Sater) on May 8. The bill is now in conference. Conferees met on May 11 to reconcile the differences between the House and Senate positions and have approved a final conference committee version of the bill. The bill now awaits final floor action by the Senate and the House.

The original bill clarifies that school districts are only required to use one financial surety bond company for school bonds. The current law requires use of two surety companies. The HCS adds language offered by Sen. Wasson to make a technical correction to the early childhood pupil count in the school funding formula.

The House amendments added numerous provisions. Notable among these was HA 2 (Rhoads) to add HB 2200 regarding so-called “innovation schools”. The amendment would have profound and negative effects on teacher certification, tenure, retirement and salary schedules. The Association opposes this provision. The conferees agreed to remove this problematic provision from the final version of the bill.

The conference committee agreed to keep the following House amendments in the final version:

HA 1 (Black) to add HB 1348 regarding handling of career and technical student organization funds;  
HA 4 (Ruth) to add HB 1373 to require the Governor to appoint a non-voting active teacher representative to the State Board of Education;  
HA 6 (Redmon) to add HB 2169 regarding assessment of newly constructed utility property;  
HA 10 (Pike) to add HB 2411 regarding school librarians;  
HA 12 (Ruth) to add SB 681 regarding access to Braille instruction;  
HA 14 (Pfautsch) to add HB 1420 to extend the sunset date of the pre-K quality assurance report;  
HA 15 (Roeber) to allow charter schools to revise the enrollment process to increase enrollment of at-risk students;  
HA 16 (Swan) to allow Kansas City school district to contract with local bus companies to transport high school students, primarily for extracurricular activities;  
HA 17 (Korman) to increase funding for sheltered workshops;  
HA 18 (Lyle Rowland) to add HB 1573 to allow school calendars to be based solely on hours of attendance without a minimum number of school days;  
HA 19 (Sommer) to add HB 1371 to create an appeals process for students who are denied designation as a gifted student and allow for acceleration of students by course or grade level;  
HA 22 (Lauer) to require CTE council to identify occupations and careers with critical shortages and inform school districts and to allow students to take the ACT WorkKeys assessment in place of the ACT assessment when the state pays for the ACT; and  
HA 24 (Lyle Rowland) to change how DESE reports and assigns pupil performance data for students who are in the custody of a state agency and placed in residence in a facility in a school district.

## **SCHOOL RETIREMENT PROVISIONS FINALLY PASSED**

The Senate and House approved CCS/SCS/SB 892 (Walsh) on May 10. The Senate approved the House version on May 10. The bill is now Truly Agreed To and will go to the Governor for his

signature or veto. The bill pertains to various public retirement systems. Two amendments were added that affect school retirement were included in the final CCS version of the bill:

HA 2 (Bondon) to add HB 2184 to revise the contribution rate provisions for the Kansas City school retirement system to improve system funded status.

HA 5 (Black) to add HB 2335 to allow any PSRS retiree to work in a PEERS position while receiving their PSRS retirement benefit as long as the retiree earns no more than 60% of the minimum teacher's salary. The retiree shall not contribute to PEERS or earn creditable service, and the hiring employer will pay the employer's contribution rate. The Association supports this portion of the bill.

## **PROFESSIONAL DEVELOPMENT FUNDING BILL IN CONFERENCE**

The House approved HCS/SB 687 (Sater) on May 7, and the bill is now in conference. Conferees were scheduled to meet on May 11, but the meeting was cancelled. The HCS version of the bill that allows Kansas City school district to pay for high school students to use city buses for transportation to extra curricular activities. The bill returns to the Senate for consideration of the House changes.

The original Senate bill allows school districts to allocate less than 1.0% but no less than 0.5% of moneys received under the school foundation formula to the professional development committee of the district when certain requirements are met. The Association is concerned that the bill weakens the state's commitment to professional development for teachers and opposes the language of the original bill.

The House adopted two amendments to the bill:

HA 1 to add HB 1675 (Redmon) regarding medical endorsement requirements for school bus drivers; and

HA 2 to add HB 1366 (Basye) to allow school districts to contract with cities and other entities besides school bus companies to provide pupil transportation.

## **HOUSE PASSES HIGHER EDUCATION PROGRAM APPROVAL BILL**

The House gave final approval (Third Reading vote) to SB 807 (Wasson) to modify provisions relating to degree offerings at public institutions of higher education. The bill now returns to the Senate for consideration of the House changes to the bill. The House adopted the following amendments to the bill:

HA 1 (Lichtenegger) to make several technical changes to the program approval language.

HA 2 (Frederick) to require each public institution of higher education to measure its compliance with recognized counseling services standards relating to mental health services provided on campus.

HA 3 (Swan) to exempt all public higher education institutions from the requirements of purchasing law for state agencies. This change will allow all those institutions to participate together in combined institutional purchasing.

## **SENATE PASSES ORGAN DONATION BILL**

The Senate approved SS/HB 2129 (Cookson) on May 9. The original bill would require thirty minutes of instruction regarding decisions on organ donation during high school. The bill returns to the House for consideration of the House changes.

The SS version removes the instructional mandate on students, and provides that school boards shall allow qualified national organizations to present information to the board regarding organ, eye and tissue donation education. The board shall consider the information and decide whether to present the information to students and parents. Students will not be required to participate in such instruction. The Association supports the bill.

## **SENATE PASSES OMNIBUS K-12 EDUCATION BILL**

The Senate approved an expanded Senate Substitute (SS) version of HB 1606 (Gannon) on May 8. The bill now returns to the House for consideration of the Senate changes. The original HB 1606 would provide for the state to reimburse first-time test takers for the cost of the HiSET high school equivalency test. The SS version includes many other provisions already considered by the legislature during this session.

## **HOUSE COMMITTEE PASSES STATE MERIT SYSTEM REPEAL**

The House General Laws Committee heard SCS/SB 1007 (Kehoe) on May 8 and then voted to approve the bill by a party-line vote of 8-4. The bill state merit system law for most covered employees. This change affects hiring practices, promotion, salary and removes due process protections for most covered employees. The Association believes these changes could adversely affect hiring decisions, make compensation more complex and less fair and allow arbitrary dismissal for reasons that are not for the good of the service. The Association opposes the bill.

## **SENATE PASSES CAREER AND TECHNICAL EDUCATION BILL**

The Senate approved SS/HB 1415 (Lauer) on May 8. The bill now returns to the House for consideration of the Senate changes. The bill allows students to take either the ACT or ACT WorkKeys assessment as part of the state-funded census administration of the ACT test to high school students. The bill also allows teachers to include business externships as professional development hours. The SS adds additional provisions regarding career and technical certifications, competencies and skills assessments. SA 1 (Romine) increases funding to sheltered workshops, while SA 2 (Schupp) creates a task force to work on a career readiness course.

### **Legislative Update 2018**

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