



Legislative Update

By Otto Fajen
MNEA Legislative Director
Otto.Fajen@mnea.org

Number 8
March 1, 2019
www.mnea.org

ACTION ALERT - ASK YOUR LEGISLATORS TO OPPOSE CHARTER SCHOOL EXPANSION BILLS IN HOUSE AND SENATE

SCS/SB 292 (Eigel) is now on the Senate calendar and could be taken up soon by the Senate. HCS/HB 581 (Roeber) could also soon be on the House calendar for floor debate. The two bills are substantially the same and would allow charter schools to be sponsored by outside entities (other than the local school board) and operate in districts around the state. The Association strongly opposes both SCS/SB 292 and HCS/HB 581.

ACTION NEEDED: PLEASE CALL, WRITE OR USE THE LINK BELOW to send an e-mail to urge your State Senator and State Representative to oppose the charter school expansion bills.

The message can be edited, and your message will have GREATER IMPACT if you add your own comments. This message is hosted on Action Network, which the Association now uses for Legislative Forum registration and other advocacy actions.

https://actionnetwork.org/letters/hcshb-581-charter-school-campaign-feb-2019?source=direct_link&

Guided by the MNEA Position Paper on charter schools, the Association believes that charter schools should be sponsored by and accountable to the local community through the elected school board and approved only after an impact study is conducted by the district to consider the proposal. Existing charter schools should move to district sponsorship when their charters come up for renewal.

Charter schools should be subject to the same standards of accountability, transparency and respect for the rights of students, parents and staff as are applicable to traditional public schools. SCS/SB 292 and HCS/HB 581 do not enact these reforms, and the Association strongly opposes both bills.

REGISTER NOW TO ATTEND THE ST. LOUIS LEGISLATIVE FORUM!

Missouri NEA's regional legislative events for 2019 conclude with the St. Louis Legislative Forum on March 7. These free events provide a chance for members to build relationships with area legislators and support their understanding of MNEA priorities and education issues. Plan to attend and invite fellow members, administrators and school board members who would enjoy and benefit from a discussion regarding support for public education!

PLEASE REGISTER NOW for the St. Louis Legislative Forum at
<https://www.mnea.org/Missouri/PoliticalAction/5.aspx>

Be sure to click through the "RSVP now" link for your event and then "Send RSVP" to register. For additional information contact Sandy Smith (sandy.smith@mnea.org).

CAPITOL ACTION DAYS

MNEA Capitol Action Days allow planned, face-to-face contact with legislators throughout the session. Capitol Action Days continue March 6 with Governance Districts 7 & 8 and will continue through the end of session in May.

PLEASE NOTE THE LOCATION CHANGE: MEET AT MNEA HEADQUARTERS AT 10 A.M. FOR THE BRIEFING!

For details and contact information, please visit:
<http://www.mnea.org/Missouri/CapitolActionDays.aspx>

BUDGET

The House Budget Committee heard the recommendations from the subcommittee chairs on Feb. 27. House Appropriations - Education chair Rusty Black presented the subcommittee recommendations from HB 2 (Smith), the K-12 budget bill, and HB 3 (Smith), the higher education budget bill. The budget committee will next work to complete its markup of the full budget and construct the HCS versions of the bills that will go to the House floor.

CONCEALED WEAPONS ON CAMPUS

The Senate Transportation, Infrastructure and Public Safety Committee heard SB 121 (Burlison) on Feb. 28. The bill would take away local control of college and university governing boards to regulate concealed weapons on campus and allow any person, including students and staff, with a concealed carry permit to carry concealed weapons on campus. The Association believes that all students and education employees should be allowed to learn and work in a safe environment free of unauthorized guns and other deadly weapons and opposes the bill.

STUDENT NEWSPAPERS

The House approved HCS/HB 743 & 673 (Fishel) on Feb. 28 by a vote of 147-3. The bill grants greater freedom for student journalists. The bill includes anti-retaliation provisions to protect student communications sponsors and other staff from possible retaliation by boards or administration for granting students greater editorial latitude as provided by the bill. The Association supports the bill.

COLLEGE COMPLETION SCHOLARSHIPS

The House approved HCS/HB 225 (Swan) on Feb. 28 by a vote of 101-49. The HCS version clarifies program eligibility for students. The bill creates a new scholarship program to encourage adults to go back and complete college, a certification or an industry-recognized credential. The bill refers to the new scholarship as the Fast-Track Workforce Incentive Grant. Recipients must be at least 25 years of

age with income under \$80,000 per year. Scholarships last up to four semesters or until they complete the new degree or credential. The Association supports this effort to increase educational attainment for Missourians.

PRIMARY ELECTIONS

The House Elections Committee approved HCS/HBs 26 & HB 922 (Stacy) on Feb. 27. The committee had met and voted to approve HB 922 (Taylor) on Feb. 21, but that vote was later voided due to lack of proper and timely notice in advance of the meeting. The new HCS version of the bill would require established political parties to create a closed primary system where only voters registered for that party would be able to vote in a primary election. The Association is concerned that this change may create barriers that reduce access to voting and participation in the political process by all eligible citizens.

TEACHER EXTERNSHIPS

The House gave first round approval (Perfection vote) to HCS/HB 462 (Shields) on Feb. 27. The bill would increase opportunities for teacher externships. The bill creates a 50% tax credit for business costs incurred for supporting teacher externships and gives teachers credit for externships on teacher salary schedules. The HCS requires the teacher to still be employed with a school district in December of the first year the tax credit is claimed and sunsets the program after five years. The House adopted HA 1 (Shields) that makes the tax credit subject to appropriation. The Association believes the bill would support and respect teacher participation in business externships that can have a beneficial impact for students.

ABSENTEE VOTING

The House Elections Committee heard HB 368 (McGaugh) on Feb. 27. The bill allows voters to vote by absentee ballot without giving a reason. The Association supports this "no-fault" approach to absentee voting that will help encourage and support voter participation.

WORKING AFTER RETIREMENT

The House Pensions Committee approved SB 17 (Romine) on Feb. 26. The bill would restore the 550-hour working after retirement (WAR) limit for community college teachers who are PSRS retirees. The Association supports the bill to correct this unintended change from SB 892 in 2018.

REDISTRICTING

The House General Laws Committee heard HB 973 (Trent) on Feb. 25. The bill requires the nonpartisan state demographer to establish the Redistricting Public Comment Portal for the purpose of publicly accepting any comments, records, documents, maps, data files, communication, or information of any kind relating to the redistricting process. Any such submissions shall be accompanied by a disclosure that indicates whether the person making the submission was responsible in whole or in part for the submission or another person contributed money that was intended to fund

preparation of the submission and, if so, the disclosure shall additionally identify each such contributor. The Association believes the bill creates additional openness in the redistricting process and supports the bill.

ELIMINATION OF PERSONAL PROPERTY TAX

The House Ways and Means Committee heard HJR 23 (Lovasco) on Feb. 27. The joint resolution would eliminate property taxes on personal property. The fiscal note estimates that 2,800 local governments, including all school districts, would lose a total of up to \$1.5 billion in revenue, with up to \$1 billion of this loss affecting school districts. The Association opposes this resolution that would significantly reduce local school funding.

MORE TAX CUTS

The Senate Ways and Means Committee heard SB 188 (Eigel) on Feb. 26. The bill establishes a tax on endowments of certain private colleges and universities and reduces the top rate of income tax. The Association opposes this harmful state tax cut that will further reduce the state's capacity to invest in public education and other vital services.

HOUSE ELECTIONS AND ELECTED OFFICIALS COMMITTEE

The committee voted to approve HCS/HB 363 (Roeber) to place additional limitations on use of public funds and resources by local officials in support of candidates or ballot measures. The bill would prohibit board members, administrators and employees of school districts and other local governments from using public funds or public property to support or opposes a ballot measure or candidate. The bill also prevents board members, administrators and staff from speaking publicly or issuing press releases concerning a ballot issue in their official capacity and on paid work time.

The bill also purports to restrict board members, administrators and staff from testifying in favor or opposition to legislation, even outside of their official capacity. The Association is concerned that the bill may effectively prevent school officials and employees from providing the essential information that district voters need to know to make informed decisions on ballot issues. The restriction on speaking on legislation in a non-official capacity also appears to be an impermissible infringement of protected speech under the First Amendment.

HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE

The committee heard two bills on Feb. 26:

1) HB 485 (Dogan) to require the State Board of Education to modify accreditation standards for special school districts. The bill attempts to ensure that accreditation standards applied to special school districts are those that are applicable to a student population consisting entirely of students with an identified disability.

2) HB 924 (Razer) to revise certain specifications relating to charter schools. The bill does not expand charter schools, nor does it shift sponsorship solely to the local school board, as proposed by the

MNEA Position Paper. The bill makes some revisions to the specific circumstances when a charter school should be closed. The Association continues to urge that the charter school law be revised in the manner described in the MNEA Position Paper on Charter Schools.

The committee also approved two bills on Feb. 26:

1) HCS/HB 604 (Henderson) to authorize appropriations to fund consultants that would help support instructional improvements in a set of schools identified for improvement. This program could overlap with DESE identification of schools in need of comprehensive or targeted intervention as required under the federal Every Student Succeeds Act (ESSA). The HCS clarifies that DESE has flexibility in defining how that overlap will occur for schools identified in the bill. The HCS also ensures that an intervention consultant will be paid proportionally for the support given to an identified school over the three years of the grant, rather than being paid half of the funding up front.

2) HCS/HB 763 (Remole) to exempt private schools from certain state minimum wage law requirements. The HCS expanded the exemption from religious schools to all private schools. Public employers, including public schools, are already exempt from this set of minimum wage requirements.

The committee postponed action on HB 739 (Miller) until next week. The bill modifies provisions relating to preventing sexual misconduct in schools. The bill requires school districts to check with prior school employers regarding employee conduct. The Association is seeking to ensure that any determination of an employee violation of board policy referenced in the bill would be made after the opportunity for a contested case hearing where the employee could present their side of the story.

HOUSE SPECIAL COMMITTEE ON STUDENT ACCOUNTABILITY

The committee heard three bills on Feb. 26:

HB 112 (Sommer) to require a district to establish a gifted education program if three percent or more are identified as gifted. The Association believes that gifted and talented students need a challenging curriculum and a program that identifies and supports their unique needs. The Association supports the bill.

HB 281 (Ann Kelley) to allow school districts to implement alternative instruction plans to avoid make-up days.

HB 476 (Bailey) to authorize state appropriations of state general revenue to fund special education scholarships to non-public schools for K-12 students. The Association continues to oppose diversion of public funds to third-party bureaucracies or to private and home schools that are not subject to public school standards.

The committee also approved several measures on Feb. 26:

1) HCS/HB 572 (Dinkins) to require schools to include hunter safety instruction as a part of middle school physical education courses. The HCS version requires schools to also provide a basic gun safety instructional component, such as the Eddie Eagle program created by the NRA, for first grade students.

2) HCR 13 (Trent) to encourage schools to include courses on the Bible in education curriculum.

3) HCS/HB 456 (Neely) regarding a high school diploma endorsement in the subjects of science, technology, engineering and mathematics (STEM). The HCS creates an advisory committee that is tasked with making recommendations for standards for such a STEM diploma endorsement.

SENATE EDUCATION COMMITTEE

The committee heard three bills on Feb. 26:

SB 265 (Luetkemeyer) to replace the student representative on the Board of Curators of the University of Missouri with a student curator.

SB 272 (Emery) to exclude special education high needs funds from the district average per pupil spending that determines the threshold for those funds. The bill would increase high needs funding eligibility for all districts receiving the funds, especially for small districts with students with very high needs.

SB 295 (Hough) to require school districts to conduct criminal background checks on all volunteers.

The committee approved three bills on Feb. 26:

1) SB 259 (Romine) to create a new procedure for due process proceedings in higher education institutions for complaints made under Title IX of the Federal Education Amendments, which protects people from discrimination based on sex in education programs. SB 259 revises Title IX procedures at higher education institutions. The Association is already concerned about the potential impact that related regulations put forward by Secretary of Education Betsy DeVos from the U.S. Dept. of Education would have on schools and the learning environment for all students. Additionally, differences between the new federal requirements and the process in SB 259 would force institutions to either be out of compliance with federal rules or state law, should the bill be enacted.

2) SB 206 (Arthur) regarding school district bid requirements. The bill raises the threshold for existing construction bidding requirements to apply to projects costing more than \$50,000. The bill was approved as a Consent Bill, meaning that the bill will not be subject to amendment during floor debate.

3) SCS/SB 168 (Wallingford) to revise requirements for school district bids requesting products or services. The bills states that a district may not specify a proprietary product or require action by specified individuals. The bill also requires a district to seek bids from at least three vendors.

HIGHER EDUCATION ISSUES

The House General Laws Committee heard HB 927 (Deaton) on Feb. 25. The bill creates new provisions relating to student freedom of association.

The House Higher Education Committee heard HB 575 (Dohrman) on Feb. 25. The bill describes a process by which institutions of higher education may designate one or more faculty or staff members as campus protection officers and allow them to carry concealed firearms. Public institutions already have authority to decide whether students, faculty, or both are allowed to carry weapons on campus.

The House Higher Education Committee also voted to approve HCS/HB 105 (Justus) on Feb. 25. The bill would allow private institutions of higher education to appoint persons to be members of a campus police department. The HCS version contains an amendment that would not allow a private institution in Springfield to have a campus police department.

HOUSE DOWNSIZING STATE GOVERNMENT COMMITTEE

The committee heard two bills on Feb. 25:

HB 343 (Baringer) to allow students to apply sunscreen at school with an authorizing note from a parent or guardian, rather than requiring a prescription or order from a doctor.

HJR 19 (Christofanelli) to create a minimum voter turnout threshold for tax increase elections. The joint resolution would nullify a state or local election to approve a new tax or increase an existing tax, even if it receives a qualifying majority of the those voting in favor, if fewer than 50% of all qualified voters vote in the election. The Association believes this provision is unfair to those citizens who do participate in elections and also serves to discourage citizens from participating in future elections if their past participation was nullified.

PROFESSIONAL LICENSES

The Senate Professional Registration Committee heard SB 318 (Koenig) on Feb. 25. The bill provides that state licensing authorities may only disqualify a person from a professional license for a prior conviction of a crime if the crime for which the person was convicted directly relates to the duties and responsibilities for the licensed occupation. Licensing boards could no longer use vague and general terms such as "moral turpitude" for disqualification, and disqualification for an offense shall not last longer than five years, except for violent or sexual offenses. The bill appears to pertain primarily to occupations and professions regulated by the Division of Professional Registration. The Association believes this policy could also benefit teacher recruitment and retention.

Legislative Update 2019

Missouri National Education Association
1810 East Elm Street
Jefferson City, MO 65101-4174
(573) 634-3202 or (800) 392-0236
www.mnea.org

Charles E. Smith, President
DeeAnn Aull, Executive Director
Otto Fajen, Legislative Director
Sandy Smith, Administrative Assistant