



# Legislative Update

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## ABBREVIATED WEEK FOR LEGISLATURE

The legislature convened on January 21 after observing the Martin Luther King, Jr. Holiday on January 20. Inclement weather caused both chambers to cancel the scheduled full session on January 23.

## CHARTER SCHOOL EXPANSION

Several charter school expansion bills will be heard next week. The Senate Government Reform Committee will hear SB 603 (O'Laughlin) and the Senate General Laws Committee will hear SB 649 (Eigel). Both hearings will take place on January 28. The bills have roughly similar provisions regarding expansion of charter schools. Both bills would allow charter schools to be sponsored by outside entities (other than the local school board) and operate in districts around the state.

Guided by the revised 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. SB 603 and SB 649 do not enact these reforms, and the Association opposes both bills.

## ATTACKS ON THE REFORMS OF CLEAN MISSOURI

The House is likely to debate a measure to reverse the redistricting reforms contained in Amendment 1, also known as CLEAN Missouri, as soon as next week. The House General Laws Committee heard HJR 76 (Trent) and HJR 101 (Plocher) on January 22 and these measures are scheduled for committee vote on January 27. Both measures would reverse the redistricting reforms of Amendment 1. The Association opposes both HJRs.

The Senate Rules, Joint Rules, Resolutions, and Ethics Committee approved SJR 38 (Hegeman) on January 22. SJR 38 is similar to HJR 76 and HJR 101 and would reverse the redistricting reforms of Amendment 1. The Association opposes SJR 38.

## **FUNDING FOR CHARTER SCHOOLS**

The House Budget Committee heard HB 1664 (Richey) on January 22. The bill revises the law specifying payments to charter schools. Currently, charter schools receive 100% of the per pupil formula calculation of state and local aid under the funding formula, plus the per pupil share of local property tax based on a tax rate higher than the \$3.43 "performance levy". This funding is taken by DESE out of the state aid entitlement for the district in which the charter is located. For Kansas City, the total amount of charter school per pupil funding is now exceeding the amount of state aid under the formula for the district. The bill completely rewrites this law, but the Association is concerned that wording of the bill is profoundly flawed and would give a substantially larger amount of per pupil funding to charter school students than would remain for district school students.

## **SENATE EDUCATION COMMITTEE**

The committee heard SB 528 (Cunningham) on January 21. The bill requires DESE to transfer any excess foundation formula funding to fund pupil transportation. Currently, excess formula funding reverts to general revenue and does not benefit public schools. The Association supports this as a step to improve funding for public schools. Pupil transportation is only funded by the state at about 15% of districts' allowed costs, while the law calls for up to 75% state funding of allowed cost, leaving schools about \$200 million short in state reimbursement.

## **HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE**

The committee heard several bills on January 22:

HB 1317 (Sommer) to require districts to identify and provide services and programs for gifted children. The Association supports the bill.

HB 1347 (Baker) to change the restrictions on expenditure of public funds to support or oppose candidates and certain measures. The bill actually purports to restrict the ability of school employees and other public employees to testify for or against a bill pending before the legislature, even when doing so on their own time as a citizen. The Association believes this bill clearly violates the free speech rights of school employees and other public employees and opposes the bill.

HB 1568 (Bailey) regarding seclusion and restraint policies in public schools. The hearing is held over from last week.

HB 1636 (Porter) to allow schools with a four-day school week to set an opening date more than fourteen days before the first Monday in September. The Association believes that all schools should have local control to set the school calendar that best serves the educational needs of their students.

The committee also voted to approve two bills on January 22:

1) HCS/HB 1540 (Basye) to require all school districts to permit audio recording of IEP or Section 504 meetings by a student's parent or legal guardian. The bill allows district policies to require up to 24-hour notice from parents prior to making such recordings. The HCS version contains language offered

by Rep. Judy Morgan that clarifies the whistleblower provisions of the bill designed to protect staff involved in IEP meetings.

2) HB 1559 (Remole) to exempt private religious schools from the state minimum wage law requirements. Public schools are currently exempt from the state minimum wage law.

## **HOUSE PENSIONS COMMITTEE**

The committee voted to approve HB 1934 (Wiemann) on January 21. The bill would revise law pertaining to PSRS/PEERS by allowing the salaries and benefits of the PSRS/PEERS System Executive Director and staff to become public information.

## **SENATE WAYS AND MEANS COMMITTEE**

The committee heard three bills on January 21:

SB 581 (Cierpiot) to create a tax credit voucher program for low- and middle-income students that would be housed in the State Treasurer's Office. The bill has relatively few details about how the program would operate and contains essentially no requirements on the private schools that might receive funding under the measure. The Association believes that private school option plans compromise free, equitable, universal and quality public education for every student and opposes the bill.

SB 583 (Arthur) to allow for a state income tax deduction for educator expenses. The vast majority of public school teachers purchase school supplies for students out of their personal funds and these purchases are not typically reimbursed by the district. The Association supports the bill.

SB 573 (Eigel) to impose a petroleum products surcharge and reduce the state income tax rate an additional 0.3%, resulting in an eventual top rate of 4.8%. This income tax cut will ultimately reduce state revenues by \$281 million per year. The Association is concerned that this cut will further reduce state revenues and leave the state without the capacity to adequately invest in public education and other vital services.

## **PROPERTY ASSESSMENTS**

The House Ways and Means Committee heard two measures on the topic of property assessments on January 22:

HJR 85 (Coleman) to ask voters to remove the requirement for uniformity of assessments and allow the legislature to restrict assessment below true value based on the amount of increase from the previous assessment. The Association is concerned that HJR 85 overturns longstanding constitutional principles of uniformity and fairness of assessment and would adversely affect local school revenues in the long run. The Association opposes HJR 85.

HB 1860 (Coleman) to automatically define the assessed value of residential properties as the prior value plus the current inflation adjustment or the sale price if the property was sold since the last assessment. The Association opposes the bill.

## **INITIATIVE PETITION PROCESS**

The Senate Local Government and Elections Committee heard two measures regarding the initiative petition process on January 22:

1) SJR 31 (Sater) to require petitions to amend the Constitution to be signed by 15% of the legal voters in each of all eight Congressional districts. SJR 31 also requires a two-thirds majority for issues brought by petition to be adopted, except for petitions to repeal an amendment adopted through the initiative petition process prior to December 2020. The Association is concerned that the joint resolution will effectively make it impossible for citizens to bring forward policies via petition. The Association opposes SJR 31.

2) SB 522 (Sater) to modify laws pertaining to the initiative and referendum process. The bill imposes a \$500 filing fee on every filed proposal, along with a surcharge of \$25 per page over ten pages. The fee is refunded if the measure is certified for distribution. The bill also provides that all previously collected signatures are invalidated if a court orders a change to the ballot title. The Association is concerned that the bill will create barriers that make it harder for citizens to bring forward policies via petition.

The House Elections and Elected Officials Committee was scheduled to hear the following measures regarding initiative petitions, but the hearings were cancelled:

HJR 63 (Remole) to require signature collection for initiative petitions to meet signature thresholds in every county of the state, rather than the current requirement of at least six of eight Congressional Districts. This requirement would make an already difficult task much harder to complete. The Association opposes HJR 63 and believes the measure would make it harder and more costly for citizens to bring forward relevant policies through the initiative process.

HJR 79 (Schnelting) to change the percentage of votes required to approve Constitutional amendments from a simple majority to a 60% supermajority. Again, the Association believes that this makes it harder for citizens to bring forward and enact relevant policies. Since the formation of the state nearly 200 years ago, each of Missouri's four Constitutions and all amendments thereto have been adopted by simple majority vote.

## **REGISTER NOW TO ATTEND YOUR MNEA LEGISLATIVE FORUM!**

Missouri NEA's regional legislative events will continue in 2020. These free events will be legislative discussion panels. As in previous years, these 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!

### **LEGISLATIVE FORUM SCHEDULE:**

|  |             |
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| Kansas City Regional Legislative Forum       | January 30  |
| St. Louis Legislative Forum                  | February 13 |
| Jefferson County/Southeast Legislative Forum | February 27 |
| Mid-Missouri Legislative Forum               | March 5     |

**PLEASE REGISTER NOW** for your regional MNEA 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](mailto:sandy.smith@mnea.org)).

## USEFUL LINKS

MNEA Issues and Action: <http://www.mnea.org/Missouri/Issues-Action.aspx>

MNEA Legislative Action Center: <http://www.mnea.org/Missouri/LegislativeActionCenter.aspx>

MNEA Education Advocates Program (includes signup):  
<https://www.mnea.org/Missouri/PoliticalActionProgram.aspx>

MNEA Legislative Forums (includes signup):  
<https://www.mnea.org/Missouri/PoliticalAction/5.aspx>

MNEA Capitol Action Days (includes signup):  
<http://www.mnea.org/Missouri/CapitolActionDays.aspx>

MNEA Legislative Updates (includes signup):  
<https://www.mnea.org/Missouri/StateLegislativeUpdates.aspx>

MNEA Legislative Platform and Priorities: <https://www.mnea.org/Missouri/PlatformPriorities.aspx>

MNEA App: <http://www.mnea.org/Missouri/News/Download-the-Missouri-NEA-Mobile-App-Today-413.aspx>

### **Legislative Update 2020**

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