



# Legislative Update

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## HOUSE PASSES BUDGET BILLS

The House gave final passage to House Bills 1-13 (Smith) on April 1. These are the operating budget bills for next fiscal year. The House budget removes a significant amount of General Revenue from various budget lines in anticipation of replacing that funding with federal fiscal relief funding.

The Association is concerned that HCS/HB 2 contains \$2M in new funding for a non-profit entity in St. Louis school district, which appears to be available for the pro-charter Opportunity Trust. That organization has been advancing legislation that seeks to change school accreditation in radical ways that would expand charter schools by labeling more districts unaccredited. The House rejected Rep. Merideth's amendment to shift this funding to a reading instruction program in the district. The House also rejected Rep. Windham's amendment to remove \$5M in state funding for charter school maintenance. HCS/HB also contains an increase of \$18M in pupil transportation, which is targeted to trigger corresponding funding requirements in HB 349 (Christofanelli) to create a tax credit voucher program that could fund private school costs.

The House also rejected Rep. Burnett's amendment to HB 3, the higher education budget, to allow state institutions to choose to offer the lower, in-state tuition rate to undocumented DACA or "dreamer" students who have graduated from Missouri high schools.

The House budget lacks the specific funding in various Medicaid programs required under the expanded Medicaid eligibility approved last year by Missouri voters as Amendment 2. Since the Constitution requires implementation of these services and the state has submitted a plan to the federal government to implement these services, the legislature is still expected to ultimately include this funding in the budget, either in one of the regular budget bills or in a supplemental appropriation. The Association supported Amendment 2 and urges the legislature to fulfill the intent of Missouri voters to provide these important healthcare services for services for low-income, working Missourians.

## GIFTED EDUCATION

The House took up and passed HCS/HB 306 (Griesheimer) on March 29. The bill would 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 this portion of the bill.

The House added an amendment to include HB 1067 (Shaul) to protect A+ scholarship eligibility for students who have a negative change to their GPA from 2019-20 or 2020-21 due to the impact of COVID-19. The House also added an amendment to include HB 478 (Christofanelli) to rename the

state's 529 education savings program to be the Missouri Education Program and Includes all eligible educational institutions allowed under federal law.

## **POLICIES ON SECLUSION AND RESTRAINT**

The House took up and passed HB 387 (Bailey) on March 29. The bill would revise the requirements for seclusion and restraint policies in public schools. The bill defines seclusion and restraint, requires parental notice if either seclusion or restraint is used on a student and contains reporting requirements on the incident. The Association will continue to monitor legislation on this issue to ensure that it allows school boards to maintain a policy that respects the safety and dignity of both students and staff.

## **CHARTER SCHOOL FUNDING**

The Senate Education Committee approved SCS/SB 218 (Luetkemeyer) on April 1. SB 218 would revise the law specifying payments to charter schools and shift more local school funds to charter schools. The Association opposes the bill.

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. 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.

The Association also urges the legislature to provide an allowance in the calculation of charter school funding for maintaining district capacity to serve all students. Even charter school students rely on the district to remain capable to serve all students, especially in the case that one or more charter or district schools close. District schools also typically have higher enrollments and higher costs for special education and transportation. Funding should also be provided to maintain the other functions needed at the district level and within district schools.

## **PAYCHECK DECEPTION HEARING**

The House Economic Development Committee heard HB 88 (Taylor) on April 1. HB 88 would enact onerous and intrusive restrictions on certain public employees regarding payroll deductions for dues and deductions for political action. The Association opposes HB 88.

HB 1413 from 2018, the anti-bargaining bill, was blocked by permanent court injunction resulting from a lawsuit filed by the Association and other public labor organizations. This permanent injunction strongly affirms public employees' constitutional right to bargain and their right to join the association of their choosing. An appeal of the court ruling is currently pending before the Missouri Supreme Court and a final decision is expected during this year's court term.

## **LOCAL CONTROL OF PUBLIC HEALTH MEASURES**

The Senate Health and Pensions Committee heard HCS/HB 75 (Murphy) on March 31. The bill pertains to local control of public health measures by city and county health agencies and limits the period that public health agencies may issue emergency orders without approval by the city or county governing body. The Association believes that every child should have a safe place to learn. The Association urges the General Assembly to ensure that any such legislation maintain a structure where local and state public health officials can take appropriate and timely action to adopt and enforce provisions to help ensure students have safe schools.

## **COMPUTER SCIENCE COURSES**

The House took up HCS/HB 320 (Fitzwater) on March 31 but laid the bill over without a perfection vote. The bill would require computer science courses or imbedded instruction in elementary and secondary schools.

## **INITIATIVE PETITIONS**

The Senate Local Government and Elections Committee heard HCS/HJRs 20, 2, 9 & 27 (Henderson) on March 31. The HJR would revise initiative petitions and amending the constitution. The HJR increases the initiative petition signature percentage for constitutional amendments from 8% to 10% of the legal voters in each Congressional district, requires collection of the required percentage of signatures in all eight Congressional districts, rather than the current requirement of six districts, and requires a two-thirds majority for the approval of any future constitutional amendment, regardless of whether submitted by the legislature or the initiative petition. The Association opposes the HJR.

## **HEALTH INSURANCE**

The House Health and Mental Health Policy Committee heard HJR 51 (Shields) on March 29. This joint resolution would prevent health benefit plans from limiting or excluding benefits or charging higher premiums or other costs relating to preexisting conditions. Proper healthcare is critical to ensuring that all children come to school ready to learn. Missouri NEA believes that every student should have access to comprehensive health, social and psychological programs and services and supports the bill.

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

The committee met on March 30 to hear three bills:

HB 64 (Pike) to revise the calculation of aid relating to the cost of serving high-needs students. The bill ensures that a district's per pupil average used as a basis for the high-needs funding is not skewed by the high cost of serving those students. The Association supports the bill.

HB 465 (Pike) relating to suicide prevention education and information. The bill provides that the optional, professional development training in youth suicide awareness and prevention, contain a unit relating to stress management strategies for students and faculty. The Association supports the bill.

HB 872 (Pike) to ensure that make up day requirements for half-day preschool programs are proportional to the program's schedule. The Association supports the bill.

The committee hearing scheduled for HB 368 (Gregory) was postponed. The bill pertains to reading intervention in schools. The Association believes that reading instruction, with appropriate evidence-based reading intervention, especially in the early grades, is essential for learning and achieving high standards in all content areas. The Association also believes that key decisions regarding assessment, placement, additional instruction and advancement should be made at the local level with district, employee, parent and student input.

In addition to hearing bills, the committee voted to approve four bills on March 30:

HB 580 (Riggs) to require DESE to submit an annual report to the General Assembly listing the number of elementary and secondary students who do not have home internet access or who have limited home internet access.

HCS/HB 581 (Riggs) to establish the "21st-Century Missouri Education Task Force". The Task Force would conduct a study of a variety of education issues, including school funding and accountability. The HCS adds school board members and teachers to the task force.

HCS/HB 608 (Lewis) to create a state law establishing qualifications for substitute teachers. The bill would create a similar structure to the State Board rule that currently allows either 60 hours of college credit or completion of 20 hours of DESE training to qualify for certification. The HCS makes several changes, including requiring a high school grade level substitute to be at least 20 years of age and allowing a substitute to designate up to five districts to receive background check information from a single application with a maximum additional cost of \$10 beyond the basic cost for the background check. The Association supports high standards for substitute teachers and believes that professional development, including classroom management, should be required for all substitutes. The Association also suggests that substitutes should be regularly surveyed to better understand the challenges they face and improve working conditions and pay for substitutes.

HCS/HB 101 (Pollitt) to enact various provisions governing workforce development and education. Among these provisions, the bill creates the option for school districts to request waivers of certain regulations from the State Board of Education. The bill also changes state formula aid calculations to encourage districts that have not yet done so to establish early childhood programs. The bill also extends the maximum full-time retirement employment option under the critical shortage statute from two years to four years. The Association supports several provisions in the bills, including the funding changes to support early childhood education.

## **SENATE EDUCATION COMMITTEE**

The committee heard the following bills on March 30 and then voted to approve both bills on April 1:

SB 259 (O'Laughlin) would allow creation of recovery high schools for students in recovery from substance use issues. The original bill would authorize the creation of a charter school in Kansas City to serve as a recovery high school. The SCS version approved by the committee will instead allow school districts or groups of districts to apply to DESE for authority to create recovery high schools in regions around the state. The Association appreciates the committee's decision to avoid using the original approach that relies on the flawed charter school law.

SB 265 (Eslinger) containing various provisions governing workforce development programs. Among these provisions, the bill creates the option for school districts to request waivers of certain regulations from the State Board of Education. The bill also changes state formula aid calculations to encourage districts that have not yet done so to establish early childhood programs. The bill also extends the maximum full-time retirement employment option under the critical shortage statute from two years to four years. The Association supports several provisions in the bill, including the funding changes to support early childhood education.

**Legislative Update 2021**

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