



Legislative Update

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

Number 9
March 4, 2021
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SENATE RECONSIDERS APPROVAL OF SUBSTITUTE SB 55 ON VOUCHERS, CHARTERS AND VIRTUAL SCHOOLS

The Senate reconsidered the adoption of SS#2 for SCS/SBs 55, 23 and 25 (O'Laughlin) on March 1. The bill was laid over and could be taken back up at any time for further debate. Sen. Rowden is expected to withdraw SS#2 and offer a new substitute next week. The Association opposes the bill.

Senate Substitute #2 removed the provisions relating to full-time virtual schools but added several other provisions, including the "back door" charter expansion language of HB 942 (Haffner). SS#2 also contains tax credit style vouchers, charter school expansion, requirements for gifted education programs, revised provisions for reading interventions, increased diversion of district funds to charter schools and home school student participation in MSHSAA activities.

SENATE LOADS UP AND PERFECTS SMALLER EDUCATION BILL

The Senate debated and gave first round approval to a Senate Substitute version for SB 152 (Hoskins). The original bill renames the state's 529 education savings program to be the Missouri Education Program and Includes all eligible educational institutions allowed under federal law.

The Senate Substitute also adds the provisions of SB 151 (Hoskins) to require districts and charter schools to identify and provide services and programs for gifted children. The bill would require a district to establish a gifted education program if three percent or more are identified as gifted. Districts with an average daily attendance of 350 students or less will not be required to provide services by a teacher certified to teach gifted education. 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 Senate also approved several amendments to the bill that would:

- 1) include Sen. Luetkemeyer's SB 219 to revise the membership of the board of governors of Missouri Western State University.
- 2) revise the process by which a community college board of trustees places an annexation proposal before voters in a district. The amendment requires the county commission where the district is located to approve the ballot language for the annexation.
- 3) include Sen. Arthur's SB 33 and SB 34 pertaining to competency-based education and alternative graduation pathways for high school students. The Senate approved an amendment that would sunset the program after seven years.
- 4) include Sen. Rizzo's SB 457 to amend the definition of a Montessori school in the childcare statutes.

5) require DESE to publish on its website any data or report sent to the Department from any federal agency within thirty days.

6) include Sen. Beck's SB 187 to require school district nurses to develop individualized healthcare plans for students with epilepsy or seizure disorders.

LOCAL CONTROL OF PUBLIC HEALTH MEASURES

The House perfected HCS/HB (Murphy) on March 3. The bill could be taken up next week for final passage by the House. 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.

GOVERNOR RELEASES REMAINDER OF WITHHELD FUNDS

On March 1, Governor Parson released the remainder of the \$449 million in funds that he withheld at the beginning of the current fiscal year. Primary among this last round of funds to be released is the \$123 million in funds that he withheld from the K-12 school formula this fiscal year. The Governor had to release the funds because the state is now certain to reach and far exceed the revenue estimate upon which this year's budget was based. State revenues this year are abnormally high due to the delayed 2020 tax filing deadlines and the influx of federal stimulus funds into the Missouri economy. The Governor and legislature must commit to do more to invest wisely and meet the needs of all Missouri students.

EDUCATION APPROPRIATIONS

The House Subcommittee on Appropriations-Education did markup for the K-12 and higher education budgets on March 3. The subcommittee made several reductions to the DESE school broadband funding and moved funds to several other programs, including early literacy, independent living centers, and scholars and fine arts academy. The subcommittee also approved increases to institutional budgets for the University of Missouri, Missouri Western State University, Lincoln University and to community college core budgets. The subcommittee markup is just a set of recommendations that will be submitted to the House Budget Committee, but the subcommittee's recommendations are not binding on the Budget Committee.

STUDENT NEWSPAPERS

The Senate Progress and Development Committee heard SB 434 (Washington) on March 3. The bill would grant 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.

TRANSGENDER ATHLETE PARTICIPATION

The House Emerging Issues Committee heard HJR 53 (Basye) on March 3. The HJR would ask voters to approve a constitutional provision that specifically overrules current MSHSAA Board Policy

on Transgender Participation as taken from existing NCAA policy. The Association opposes the joint resolution. HJR 53 would require students participating in any single-gender event or activity organized by MSHSAA or another statewide organization to participate in the event corresponding to the student's biological sex at birth. The Association believes that educators should continue to establish the policies and procedures that govern the activities of Missouri students who participate in high school activities.

In addition, MSHSAA policy currently aligns with the transgender participation policies of the NCAA and the IOC. Adoption of HJR 53 would deny competitive high school athletics opportunities to otherwise eligible athletes who could advance to competitive sports in college and international venues. Not being able to compete in high school will create a significant disadvantage to many Missouri athletes.

VOTER ACCESSIBILITY

The House Elections and Elected Officials Committee heard several bills on March 3, including HB 738 (Rone) and HB 842 (Hill). Both bills would change the law to eventually disallow electronic voting machines and other emerging technologies that can help disabled and visually impaired voters. HB 783 would also eliminate non-photo ID options currently allowed for registered voters. The committee met again on March 4 and voted to approve an HCS version of HB 738. The Association believes that the human and civil rights of individuals with disabilities must be protected. Missouri NEA also opposes barriers that keep eligible citizens from voting and being politically active and thus opposes both bills.

CAMPUS CARRY

The House General Laws Committee heard HB 86 (Taylor) on March 1. The bill would reduce local control of college and university governing boards to regulate 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.

HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE

The committee heard four bills on March 1:

HB 320 (Fitzwater) to require computer science courses in elementary and secondary schools.

HB 494 (Hurlbert) to allow home school student participation in MSHSAA activities.

HB 541 (Lewis) to mandate closure, charter conversion or transfer for district schools that are identified by DESE in the bottom 5% of schools for more than three years. The Association believes that any intervention in these schools should focus on positive steps to identify and remedy issues of achievement and equity of opportunity and opposes the bill as filed.

HB 1071 (Shields) to make the early learning quality assurance report program within DESE a permanent program.

The committee also approved several bills heard previously:

HCS/HB 164 (Veit) to allow school districts to change from at-large to subdistrict school board elections.

HCS/HB 229 (Basye) to establish a process for school board member recall elections. The bill lists many possible grounds for seeking a recall. Some of the listed grounds reflect a form of official misconduct while others appear to reflect a disagreement on policy or process.

HB 253 (Fishel) to change school board elections for Springfield school district from seven at-large board members to two at-large members and five subdistrict members.

HJR 47 (Bailey) to propose a constitutional amendment changing the membership of the State Board of Education to a nine-member board with eight members elected from each of Missouri's Congressional districts and one at-large member elected statewide.

HCS/HB 754 (Christofanelli) regarding virtual instruction. The bill contains similar full-time virtual school provisions as contained in SB 95 (Onder), SCS/SB 55 (O'Laughlin) and HB 729 (O'Donnell). The Association opposes the bill.

The committee postponed action on HB 1133 (Rusty Black) to change the Career Ladder law by adding plan recognition for certain additional responsibilities and volunteer activities, such as coaching and mentoring. This program is not currently being funded by the state.

SENATE EDUCATION COMMITTEE

The committee heard four bills on March 2:

SB 133 (O'Laughlin) to mandate closure, charter conversion or transfer for district schools that are identified by DESE in the bottom 5% of schools for more than three years. The Association believes that any intervention in these schools should focus on positive steps to identify and remedy issues of achievement and equity of opportunity.

SB 204 (Cierpiot) to require computer science courses in elementary and secondary schools.

SB 219 (Luetkemeyer) to modify the board of governors for Missouri Western State University.

SB 400 (Onder) to create the same "back door" charter expansion contained in HB 942 (Haffner). The bill requires accreditation to be based at least 70% on state tests. The bill mandates a minimum percentage of both districts and schools to annually be labeled at the lower two levels of unaccredited and provisionally accredited and thus eventually subject to charter schools approved by outside entities. This bill hearkens back to the now-abandoned "test, blame and punish" mindset of the former, federal NCLB Act. The Association opposes the bill.

The committee also approved six bills on March 2:

SB 30 (Cierpiot) to create a tax credit style voucher that puts some program administration under the control of the State Treasurer.

SCS/SB 95 (Onder) contains essentially the same full-time virtual school provisions as are in SCS/SB 55 and HB 729.

SB 134 (O'Laughlin) to allow parents of special education students to make audio recordings of IEP meetings and 504 plan meetings with prior notice.

SB 139 (Bean) to create a workforce diploma program that assists students who are 21 years of age or older to obtain a high school diploma and develop employability and career and technical skills.

SCS/SB 151 (Hoskins) to require districts and charter schools to identify and provide services and programs for gifted children. The bill would require a district to establish a gifted education program if three percent or more are identified as gifted. Districts with an average daily attendance of 350 students or less will not be required to provide services by a teacher certified to teach gifted education. 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.

SCS/SB 296 (Brattin) to create a school voucher program that allocates the full state and local funding from the district to fund a private school voucher for any eligible resident student. Eligible students are students from households with incomes not more than twice the income level to qualify for free or reduced-price lunch.

HOUSE HIGHER EDUCATION COMMITTEE

The committee was scheduled to hear HB 233 (Basye) on March 1, but the hearing was postponed. The bill requires institutions of higher education to provide additional career and cost-related information to incoming students.

The committee also approved several measures heard in prior meetings:

HB 908 (Andrews) to allow Northwest Missouri State University to develop a statewide mission in educator preparation, emergency and disaster management, and profession-based learning.

HCR 29 (Riggs) to approve the statewide mission designation in STEM for Harris-Stowe State University.

HB 856 (Richey) to suspend the caps on tuition increases at public institutions of higher education for five years.

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

Phil Murray, President
DeeAnn Aull, Executive Director
Otto Fajen, Legislative Director
Sandy Smith, Administrative Assistant