



# Legislative Update

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Number 14  
April 14, 2022  
[www.mnea.org](http://www.mnea.org)

## CAPITOL ACTION DAYS

Capitol Action Days continued April 13, when MNEA-R members came to the Capitol. Capitol Action Days take place on most Wednesdays during session, beginning in February. Members unable to attend on the Capitol Action Day for their Governance District can sign up to attend another Capitol Action Day.

For more information and to register for your Capitol Action Day, please visit <https://www.mnea.org/CAD>

## HONESTY IN EDUCATION

The House gave first round approval to HCS/HB 1858 (Baker) on April 12 after adopting many amendments. The original bill pertains to parental rights in education. An individual or the AG may seek an injunction to withhold state aid of a district in violation of the bill.

The House added the language of HB 2428 (Dogan) to impose restrictions relating to certain civil rights issues. This portion allows students, parents, and teachers to file complaints with DESE or the state AG regarding violations of this language.

The bill also adds requirements for posting board approved curriculum, professional development training materials, and staff salaries on DESE and district websites. The House did not adopt any amendment banning specific texts or curricula. The Association remains concerned that the bill could interfere with providing students the honest education they deserve and opposes the bill.

## PARENT ACCESS TO SCHOOL INFORMATION

The Senate adopted an amendment on parent access to student and school information on April 13. Sen. Onder offered SA 1 to SS#2/SB 761 (Brown), a bill pertaining to public records. The Association is concerned that the broad provisions of the amendment may interfere with existing policies respecting student medical privacy, the protection of children from child abuse and the confidentiality of school safety and response plans. The Association opposes the amendment.

## DISTRIBUTION OF EXPLICIT SEXUAL MATERIALS

The House Emerging Issues Committee heard SS/SB 775 (Rehder) on April 11 and voted to approve the bill on April 12. The bill creates new rights for sexual assault survivors and contains other

provisions regarding sexual offenses. The bill also includes Sen. Brattin's amendment that prohibits providing "explicit sexual material" to students. This largely symbolic amendment does not apply to texts, resembles the existing offense of providing material pornographic for minors, and will not significantly affect instruction or school libraries.

## **TRANSGENDER ATHLETIC PARTICIPATION**

The House adopted an amendment affecting transgender athletic participation on April 13. Rep. Bayse offered HA/2 to HB 2140 (McGaugh), a bill pertaining to elections. The amendment was adopted by a party-line vote of 89-40. The amendment is purported to allow individual school districts to vote to ban transgender athletes from participating in competitive girl's events in middle schools and high schools. Such an approach would disrupt the ability of MSHSAA to provide a statewide policy on this issue. Also, the amendment may block all transgender athlete participation, since the provision is written as a statewide law, not as suggested local ballot language. The Association believes that educators should continue to establish the policies and procedures that govern the activities of Missouri students who participate in school activities and opposes the amendment.

The House General Laws Committee voted a committee substitute for three bills affecting transgender athletic participation on April 11. HCS/HBs 2734, 2197 and 2461 (Basye) would restrict transgender athletes from participating in post-season games or playoffs of competitive girl's or women's events in middle schools, high schools, and colleges. Any school that violates the participation ban shall be ineligible for any type of state funding. The Association opposes the bill.

## **SENATE COMMITTEE CREATES TWO OMNIBUS EDUCATION BILLS**

The Senate Education Committee voted to approve two omnibus education bills on April 14, using two House bills as vehicles. Both omnibus bills contain several provisions supported by the Association.

**Omnibus bill #1:** HB 2202 (Fitzwater) would require district high schools and charter high schools to offer computer science courses or imbedded instruction.

The SCS for HB 2202 adds:

SB 660 (Arthur) pertaining to competency-based instruction;  
SB 957 (Bean) pertaining to the "Workforce Diploma Program" to assist students in obtaining a high school diploma and in developing employability and career and technical skills;  
SB 958 (Bean) to revise the definition of school bus and allow districts to use other motor vehicles with a capacity of ten persons or fewer for pupil transportation;  
SCS/SBs 681 & 662 (O'Laughlin) pertaining to reading instruction and interventions and school innovation waivers; and  
SB 702 (Eslinger) pertaining to high school student programs of study and student post-graduation plans.

**Omnibus bill #2:** HCS/HB 2304 (Lewis) to create a state law establishing qualifications for substitute teachers that is similar to the State Board rule. The bill also includes a provision for DESE to establish an anonymous, online survey tool for substitute teachers that will help collect relevant data regarding the pay, support, and experiences of substitute teachers across the state. The bill also provides a three-

year waiver of the 550 hour/50% earnings limit for working after retirement to substitute teach on a part-time or temporary basis. The bill includes an emergency clause.

The SCS for HB 2304 adds all the provisions above in the SCS/HB 2202 along with:

SB 769 (O'Laughlin) to allow school districts to create recovery high schools;

SB 806 (Hoskins) to require districts and charter schools to identify and provide services and programs for gifted children; and

HB 2114 (Rusty Black) to extend the PSRS critical shortage working after retirement provision from 2 years to 4 years and to raise the annual earnings limit for PSRS retirees in working in PEERS positions from \$15,000 to the Social Security earnings limit.

## **CHARTER SCHOOL/VIRTUAL BILL HEARING POSTPONED**

The Senate Committee on Governmental Accountability and Fiscal Oversight (GAFO) canceled the scheduled hearing on the Senate Substitute (SS) version for HCS/HB 1552 (Richey) on April 11. If heard and approved by the GAFO committee, the bill could be taken up for final passage in the Senate.

The Senate version preserves existing local school district funds while providing additional state funds to charter schools. The extra funding will be based on the per pupil portion of local funds that remain with the district due to charter school payments based on 2004 property values. The state payments will apply to both Kansas City and St. Louis City charter schools.

The Senate version also includes new language to create a specific framework for full-time virtual schools. The process will consider opportunities for in-person instruction prior to moving a student to virtual/distance learning. The bill includes a process for enrollment based on meeting the needs for a student to be successful and providing all services required to ensure a free and appropriate public education. The partnering host school district will receive state aid for full-time virtual students and use the funds to provide the full-time virtual program and needed services. The virtual school and partnering district will be responsible for the education and academic performance of the virtual students.

## **EARLY CHILDHOOD EDUCATION**

The House gave first round approval to HB 2365 (Shields) on April 12. The bill would make the early learning quality assurance reporting program permanent and authorizes the program to provide continuous improvement and ongoing updated consumer education. The Association supports the bill.

The House also gave final approval to HB 2376 (Hannah Kelly) on April 14. The bill clarifies state aid provisions for students in state custody. The House included the language of HB 2365 (Shields) on early learning as an amendment on April 12.

## **EXTENDED LEARNING OPPORTUNITIES**

The Senate Education Committee approved an SCS version of HB 1856 (Baker) on April 14. The bill would create a policy that would allow students to receive credit for participation in out-of-classroom learning experiences as approved by the State Board of Education, a school board, or a charter school. The SCS clarifies how local schools choose programs that are approved to provide these opportunities.

## **GIFTED EDUCATION**

The House also included the language of HB 2366 (Shields) as an amendment in HB 2376. HB 2366 requires districts and charter schools to identify and provide services and programs for gifted children. The bill requires 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 HB 2366.

## **WORKFORCE DEVELOPMENT**

The House re-perfected HB 2325 (Patterson) on April 12. The bill would establish the "Workforce Diploma Program" that would create a new adult high school and industry credential program through DESE. The House also approved an amendment to add the provisions of HB 1856 (Baker). The amendment would create a policy that would allow students to receive credit for participation in out-of-classroom learning experiences as approved by the State Board of Education, a school board, or a charter school.

The House defeated HCS/HB 2171 (Francis) on final approval vote on April 14. The bill would have strengthened provisions intended to make sure that all students consider their future plans and design their high school program to support those plans and prepare them for what comes after graduation. The bill ensures that all students will be expected to complete an individual and career academic plan that includes planning a transition to post-secondary training or employment. The House approved an amendment to add HB 1940 (Mackey) to protect Section 529 education savings plan assets in bankruptcy proceedings. The Association believes that educational programs should be developed that offer career exploration on the secondary level and supports the bill.

## **PROPERTY ASSESSMENT CAPS**

The Senate gave first round approval to SJR 39 (Luetkemeyer) on April 12. if approved by voters, The joint resolution would allow the growth of property assessed values to be limited by law. The Association is concerned that this measure could cause certain properties to be artificially assessed below actual value. This would reduce local property tax revenues which help fund public schools and other essential local services.

## **INITIATIVE PETITION**

The Senate Committee on Local Government and Elections heard HJR 79 (Henderson) and HJR 91 (Eggleston) on April 13. Both measures would increase the number of signatures required and raise the approval requirements for constitutional amendments. The Association is concerned that these

measures will make it significantly more difficult for Missouri citizens to bring forward and gain approval on measures of interest brought by the initiative petition process. The Association opposes both HJR's.

## **HOUSE HIGHER EDUCATION COMMITTEE**

The committee approved HB 2731 (Shields) on April 11. The bill expands the existing Dual Credit Scholarship program by adding related provisions relating to dual enrollment courses. Participating students must meet current law requirements and enroll in a dual enrollment course offered by an approved higher education institution.

## **SENATE EDUCATION COMMITTEE**

In addition to creating omnibus bills, the committee approved the following bills on April 14:

SB 692 (Rehder) to ensure that make up day requirements for half-day preschool programs are proportional to the program's schedule. The Association supports the bill.

SB 770 (May) to require higher education institutions to give additional employment information to graduates of the institution.

SB 1055 (Arthur) to expand the existing Dual Credit Scholarship program by adding related provisions relating to dual enrollment courses. Participating students must meet current law requirements and enroll in a dual enrollment course offered by an approved higher education institution.

SB 1057 (May) to establish a mental health awareness training requirement for high school pupils in public schools and charter schools.

SB 1077 (Eslinger) to revise funding allocations for institutions of higher education by making a part of the allocation based on various student characteristics including annual earnings after graduation. As drafted, the bill would create incentives for institutions to emphasize programs leading to high-paying careers. This change could adversely affect programs leading to lower-paying careers, including teaching, social work, and law enforcement.

SCS/SB 1142 (Hough) to require public schools, including charter schools, and public institutions of higher education to post suicide prevention phone and text numbers on student identification cards. The Association supports the bill.

SB 1175 (Eslinger) to require DESE to develop a patriotic and civics training program for teachers. Teachers participating in the program would receive a stipend of \$3000 from the Department. The Association encourages the Senate to remove or revise the reference that the program will be based upon the principles of the 1776 Report.

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

The committee heard two bills on April 12:

HB 1836 (Wiemann) to require trauma-informed schools to keep incident records and provide notice of certain incidents.

HB 2844 (Travis Smith) to establish protections for school district employees and contractors who render medical services while in the service of the school district.

The committee also voted to approve three bills:

HCS/HB 1933 (Basye) to require DESE to establish a civil rights study curriculum. The Association believes curriculum should be developed at the local level and opposes the bill as filed.

HCS/HB 2211 (Hurlbert) to expand last year's tax credit voucher program to students in counties with a population of at least 100,000. The program is currently limited to students in charter counties and cities with a population of at least 30,000. The HCS excludes home school students from participation in the program. The Association is concerned that the program will reduce state funds that could fund public education and other vital services and would divert those funds to private and home schools that are not held to the same standards as public schools.

HB 2292 (Baker) to allow school districts to offer elective social studies courses on the Hebrew Scriptures and the New Testament. Existing state law already provides that books of a religious nature may be used in public schools as part of instruction in elective courses in literature and history, if such books are used in a manner consistent with the Establishment Clause of the First Amendment to the United States Constitution.

**Legislative Update 2022**

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