



# Legislative Update

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## REGULAR SESSION ENDS!

The 2022 Regular Session of the General Assembly ended on May 13. The House convened on the final day of session and approved a number of bills. The Senate adjourned for the week on May 12 after adopting the new Congressional redistricting map in HB 2909 (Shaul).

Both chambers convened for technical sessions on May 18 to sign the final versions of approved bills and send them to the Governor for his signature or veto. The Governor has until July 14th (45 days following the official end of session on May 30) to decide whether to sign or veto each bill, though budget bills should be acted upon prior to July 1, 2022, when the new fiscal year begins.

The Association appreciates the support of the many members who participated in Missouri NEA's legislative advocacy throughout the session during this challenging time.

For more detailed information on other legislation, visit <https://www.mnea.org/Missouri/LegislativeActionCenter.aspx> to view legislative updates and other related information.

## SENATE ENDS SESSION EARLY AFTER PASSING CONGRESSIONAL MAP

The Senate adjourned for the session a day early on May 12 after adopting the new Congressional redistricting map in HB 2909 (Shaul). The Senate took the highly unusual step of voting to relieve the Senate Redistricting Committee of the bill and taking the bill up directly for passage. During debate on the bill, the term-limited Senators were allowed to offer parting comments. After voting on the bill, the Senate adjourned until May 18, effectively ending the session for the Senate one day early.

The emergency clause was adopted, so HB 2909 will be in effect for the August 2 primary if signed by the Governor. The HB 2909 map is different from the previous House map and more closely resembles the previous Senate map. The new House map makes CD 2 more Republican-leaning but is still regarded as a "6-2" map. The map also changes CD 3 significantly.

## BILLS THAT PASSED

### FUNDING INCREASES FOR K-12 AND HIGHER EDUCATION

The Association's top priority at the beginning of session was to pass an appropriation to allow schools and districts to spend the \$1.9 billion in federal ESSER III funds under the American Rescue Plan. Missouri faced the loss of those funds because the Missouri Legislature had yet to pass an

appropriations bill in the eleven months since Congress authorized the ARP. The ARP required states to move the funds to local schools within 12 months or risk losing those critical funds to help students and educators overcome the impacts of COVID-19. From the beginning of the legislative session, MNEA members communicated to their House and Senate members the need for ARP funds. Finally, in February, with only days left before Missouri students would have been denied help, the legislature passed HB 3014, appropriating the funds. HB 3014 also includes several provisions needed to fund Medicaid expansion this year as approved by voters.

As the session went on, the legislature took advantage of unprecedented state revenues and balances and made significant increases in education funding this session. The Association thanks the legislature for investing significant new resources in public education and encourages the legislature to maintain existing state revenue sources so that the state can maintain as much of this investment as possible in future years.

The K-12 education budget in HB 3002 includes an increase of \$214.5 million to fully fund K-12 pupil transportation for the first time in 30 years. This funding will provide general fund increases to all school districts. The budget also provides \$21.7 million targeted to increase teacher pay by providing matching funds to help low salary districts bring starting teacher salaries to \$38,000 and adds \$37 million to restore funding for the Career Ladder program.

Also included is \$25 million for literacy grants to schools to support district, school and teacher needs to implement SB 681 (O'Laughlin) on reading instruction and intervention and \$27 million to test for and eliminate lead from school drinking water.

The budget also provides significant funding increases for higher education students and our public colleges and universities. The budget includes increases to student aid programs, including \$3.5 million for Bright Flight, \$4.5 million to Access Missouri, \$6 million for A+ Schools and \$7 million for a revised Dual Credit scholarship program for low-income students.

The budget also includes additional maintenance and repair funding and a 5.4% CPI increase for state aid to all community colleges, four-year public institutions and the state technical college. HB 3020, a bill that appropriates nearly \$2.9 billion in federal ARPA funding, includes more than \$500 million in one-time funding for new capital projects at public higher education institutions around the state.

## **OMNIBUS READING BILL**

The legislature approved the conference committee version of SBs 681 & 662 (O'Laughlin). The bill became an omnibus K-12 education bill with the inclusion of many House amendments. The original Senate bill revises several provisions related to literacy and reading instruction and creates school innovation waivers. The Association supports the Senate version of the bill.

The original bill creates a comprehensive structure to support teachers and schools in providing evidence-based reading instruction and intervention that will provide opportunities for all students to become strong readers. The K-12 budget bill, HB 3002, includes \$25 million in new funding to help support implementation of the bill.

SB 681 sets the expectation that all students will receive high quality reading instruction, with appropriate evidence-based reading intervention, in the elementary grades. Careful assessment and intervention for struggling readers will begin in kindergarten. Students with characteristics of dyslexia will receive the systematic and explicit interventions they need.

The bill also includes specific requirements on DESE to support literacy and help train teachers and requires schools to provide in-service teachers with professional development opportunities in literacy and reading instruction. The bill also puts in place a structure to support teachers over the long term by improving the preparation of new teachers to teach students to read. The bill requires the teacher preparation programs in our colleges and universities to provide all the tools to adequately prepare teaching students to provide effective literacy and reading instruction and revises the Missouri Advisory Board for Educator Preparation to involve more classroom teachers in designing this training.

The omnibus House version added many more education-related provisions, mostly from bills that the House committee has considered and approved this session. Conferees agreed to remove about half of the provisions added by the House. The most notable change in the second report is the removal of working after retirement provisions tentatively included in the first version of the report.

In addition to the reading and innovation waiver provisions from the original Senate version, the conference committee substitute includes the following provisions:

HB 2095 (Hannah Kelley) regarding investigation of alleged child abuse related to spanking in schools, removing the provision for a school district to investigate itself on allegations relating to corporal punishment,

HB 2366 (Shields) to require districts to establish programs for gifted students,

HB 2652 (Haffner) to require public and parental notice for schools scoring in the bottom 5% on DESE APR scores,

HB 1804 (Veit) to allow a school district to choose to elect school board members from subdistricts,

HB 1928 (Pollitt) regarding teacher certification options, including an alternative certification route to obtaining a qualifying score on the Department's designated exam,

HB 2304 (Lewis) regarding substitute teaching provisions, including a 3-year waiver of the 550 hour limit for substitute teaching,

HB 2493 (Rusty Black) regarding teacher Career Ladder plans,

SB 710 (Beck) requiring individual health plans for students with epilepsy and other seizure disorders,

HB 2150 (Shields) regarding Braille instruction,

HB 1750 (Basye) regarding community engagement with school boards,

HB 2202 (Fitzwater) regarding coursework and instruction in computer science,

HB 1956 (Richey) regarding competency based education, including grants to districts and schools and an alternative pathway to graduation,

SB 1075 (Schupp) to create a grant program to provide funding to schools to mitigate lead in drinking water,

HB 1973 (Kurtis Gregory) to allow districts to use other, smaller vehicles than school buses for pupil transportation,

HB 2618 (Davidson) to revise provisions governing adult high schools,

HB 2000 (Schwadron) to create Holocaust Education Week,

HB 1469 (Pike) to exclude special education reimbursements from per ADA expenditure calculation for small districts,

HB 2445 (Sassmann) regarding state aid calculations for districts partly in metropolitan statistical areas,

HB 1753 (Basye) to allow for creation of up to four recovery high schools for students with a substance use disorder,

HB 1721 (Shields) to provide additional state aid for superintendent sharing,

HB 2136 (Ann Kelley) requiring student ID cards to have the suicide and crisis lifeline number,

HB 1471 (Pike) to ensure inclement weather requirements are proportional for half-day programs,

HB 2325 (Patterson) to establish the "Workforce Diploma Program",  
HB 2567 (Porter) to create the "Imagination Library of Missouri Program",  
HB 1683 (Chris Brown) regarding course credit for students scoring 3 or higher on AP exams,  
SB 1057 (May) regarding mental health awareness training in schools, and  
a provision to allow certain property owners to have their students attend a non-resident school district  
in which they own property and pay at least a certain amount of property.

## **CHARTER SCHOOL/VIRTUAL BILL**

SS/HCS/HB 1552 (Richey) would provide increased state funding for charter schools and revise virtual school law. The bill 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 bill also includes several additional requirements on charter schools, including a requirement that new charter board members shall be Missouri residents.

The bill 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.

## **HOUSE HIGHER EDUCATION OMNIBUS BILL**

SB 718 (Washington) designates the third week of September each year as the "Historically Black College and University Week" in Missouri. The House amended several higher education provisions onto the bill.

The final version of the bill includes the following provisions:

HB 2171 (Francis) to require 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, but the HCS does not include the more controversial provision from HB 2171 that would require all high school students to complete the Free Application for Federal Student Aid (FAFSA) as a requirement to graduate,

HB 2202 (Fitzwater) regarding coursework and instruction in computer science,

HB 2136 (Ann Kelley) requiring student ID cards to have the suicide and crisis lifeline number,

HB 1683 (Chris Brown) to require in-state public educational institutions to grant undergraduate course credit for students who score 3 or higher on advance placement examinations,

HB 2731 (Shields) to revise the Dual Credit Scholarship program by adding related provisions relating to dual enrollment courses,

HB 1940 (Mackey) to protect Section 529 education savings plan assets in bankruptcy proceedings, and

a provision allowing a college or university to help a student athlete to earn compensation from a third party for the use of the student athlete's name, image, likeness rights, or athletic reputation, with safeguards to protect the student athlete's interests.

## **DRINKING WATER IN SCHOOLS**

SB 1075 (Schupp) regarding safe drinking water in schools is one of many provisions enacted in SB 681 (O'Laughlin). The Association believes school districts should conduct periodic testing for harmful water and airborne particles and agents that are detrimental to the health of students and education employees and report the results publicly. School districts should also complete corrective actions to eliminate the problems and report results in a timely manner. The Association supports the bill.

Financial support for this legislation got a big boost when Rep. Paula Brown amended HB 3020 (Smith) to provide \$27 million in federal ARPA funds for the testing, filtration, and remediation of lead in drinking water sources within public school buildings as provided in the bill.

## **HEALTHCARE IN SCHOOLS**

SB 710 (Beck) requires nurses in school districts and charter schools to develop individualized healthcare plans for students with epilepsy or seizure disorders. The final version also includes SB 1210 (May) to allow school contracted agents trained by a nurse to administer an epinephrine auto syringe on any student who is having a life-threatening anaphylactic reaction. This provision also provides that trained contracted agents shall be immune from civil liability in the administration of a prefilled auto syringe.

## **EARLY CHILDHOOD EDUCATION**

HB 2365 (Shields) will make the early learning quality assurance reporting program within DESE a permanent program and authorize the program to provide continuous improvement and ongoing updated consumer education. The Association supports the bill.

## **OFFENSE REGARDING EXPLICIT SEXUAL MATERIALS**

SS/SB 775 (Rehder) creates new rights for sexual assault survivors and contains other provisions regarding sexual offenses. The bill also includes a provision that prohibits providing "explicit sexual material" to students. The resembles the existing offense of providing material to minors that is considered "pornographic for minors".

## **PHOTO ID AND EARLY VOTING**

HB 1878 (Simmons) will require registered voters to provide a government-issued photo identification. The Senate added a provision to create an early voting window that would allow no-excuse absentee voting during the two weeks prior to an election. The Association encourages the legislature to remove barriers that keep eligible citizens from voting and being politically active. The Association supports the no-excuse absentee option and opposes the strict photo ID requirement.

## **BILLS THAT DID NOT PASS**

### **HONESTY IN EDUCATION/PARENT RIGHTS/TRANSGENDER ATHLETE BAN**

Despite the many bills filed on these topics, the legislature did not enact new law this session pertaining to honesty in education, parent access to school information or a ban on transgender athletic participation. Those bills included HB 1474 (Schroer), HB 1995 (Richey), HB 1669 (Seitz), HB 2428 (Dogan), HB 1858 (Baker), HB 2132 (Haley), HB 1484 (Ann Kelley), HB 1835 (Wiemann), HB 2189 (Mary Elizabeth Coleman), HB 1908 (Shaul), HB 2008 (Schwadron) HJR 110 (Christofanelli), SB 638 (Onder), SB 676 (Brown), SB 734 (Hoskins), SB 1184 (Rehder), SB 645 (Koenig), SB 694 (Brattin), SB 781 (Moon), SB 740 (Eigel), HB 2197 (Cook), HB 2461 (Burger) and HB 2734 (Basye).

The Association had concerns that those bills would adversely affect the freedom of teachers to provide the honest education our students deserve, interfere with existing policies respecting student and school privacy and overrule inclusive MSHSAA policy on trans student participation. The Association opposed the various bills filed and appreciates the advocacy of MNEA members in opposing the legislation.

### **EXPANSION OF TAX CREDIT VOUCHER BILL**

HB 2211 (Hurlburt) would have expanded geographic eligibility for the tax credit voucher approved last year in HCS/HB 349 (Christofanelli). HB 349 limits participation to students in first class charter counties and cities over 30,000 population. HB 2211 would have expanded the bill to students living in counties with a population over 100,000 but the bill did not pass.

### **CHARTER SCHOOL EXPANSION**

The Association vigorously opposed charter school expansion bills this session. SB 650 (Eigel) would have allowed charter schools to be sponsored by outside entities (other than the local school board) and operate in many districts around the state. The bill did not pass.

Guided by the revised MNEA Position Paper on charter schools, the Association opposed these bills and put forward alternative language to realize the goals of the Position Paper. Missouri NEA 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. The Association also believes that all 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.

## **BACK DOOR CHARTER EXPANSION**

HB 2652 (Haffner) would have required district accreditation to be based at least seventy percent on student scores on standardized tests, but the bill did not pass. The bills would have created a similar accreditation process for individual school buildings and automatically require significant percentages of both districts and schools to annually be labeled at the lower two levels of unaccredited and provisionally accredited. This bill hearkens back to the now-abandoned "test, blame and punish" mindset of the former, federal NCLB Act. Moreover, this arbitrary lowering of accreditation status would create a "back door" charter school expansion by radically expanding the number of districts where charter schools could be sponsored by outside entities without approval of the local school board. The Association opposed the bill.

HB 1591 (Lewis) would identify schools scoring in the bottom five percent under the state's ESSA plan and specify a NCLB-like sequence of consequences that will ultimately require a district to close the school, create a charter school, pay to transfer the students to other schools or participate in the school turnaround program. However, the bill did not pass. The Association opposes the bill.

## **ACCREDITATION AND ASSESSMENT REFORMS**

HB 1467 (Paula Brown) pertains to accreditation and pupil assessment, but the bill did not pass. The bill would require the State Board of Education to recognize at least two national school accreditation organizations and allow districts to choose to gain accreditation by approval of such a group. The bill also directs the State Board to revise the MAP assessment based on improvements being implemented in other states under ESSA assessment waivers. The bill requires that the assessment system should be student-centered and use assessments across the schoolyear that support teaching, learning, and program improvement, so that a summative profile is developed of the students learning. The Association supports the bill.

## **OPEN ENROLLMENT**

HB 1814 (Pollitt) would have created a public school open enrollment program, but the bill did not pass. The bill would not transfer local funds from the sending district. The bill does not authorize transfers to charter schools or to full-time virtual schools. School districts would have the option to specify the number of transfer students they are willing to receive. A district may adopt a diversity plan that could limit student transfers out of the district for transfers that would work against the diversity plan. The Association remains concerned that some students may be left behind in such a transfer plan, particularly if funding is not provided to support participation of students with special needs and at-risk students. Ongoing appropriations to the state fund created to support those transportation and special education expenses will be needed to implement the bill.

## **PAYCHECK DECEPTION**

SB 728 (Onder) would have enacted onerous and intrusive restrictions on certain public employees regarding payroll deductions for dues and deductions for political action, but the bill did not pass. 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. The Association strongly opposed the bill.

## **INITIATIVE PETITION**

Many joint resolutions were filed to change the initiative petition process, but none were approved. HJR 79 (Henderson) would increase the number of signatures required and raise the approval requirements for constitutional amendments. However, the measure did not pass. The Association is concerned that HJR 79 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 the HJR.

## **ONE-TIME TAX CREDIT FOR INCOME TAXPAYERS**

Many bills were filed to create permanent tax cuts, but none were enacted. However, the legislature approved SCS/HB 2090 (Griffith). The bill would grant a one-time tax credit for eligible taxpayers filing a Missouri income tax return by October 17, 2022. To be eligible, a taxpayer must not be claimed as a dependent and must be a Missouri resident. A single taxpayer must have adjusted gross income (AGI) under \$150,000 and a couple filing jointly must have an AGI under \$300,000. The amount of the tax credit is capped at \$500 for individuals and \$1000 for couples filing jointly and will not exceed the taxpayer's total tax liability for the 2021 tax year.

## **DIFFERENTIATED PAY SCHEDULES**

HB 1770 (Lewis) would allow school districts to create differentiated teacher salary schedules, but the bill did not pass. The Association is concerned that the bill allows for differentiated pay without requiring districts to first establish a strong salary schedule and negotiate fair and transparent stipends through a bargaining process and opposes the bill.

## **DISTRICT LEVEL ALTERNATIVE TEACHER CERTIFICATION**

HB 1998 (Davidson) would allow school districts to issue school district-specific teaching permits for persons without a certificate of license to teach granted by the state board of education. However, the bill did not pass. The Association believes this additional certification path is not needed. The Association is also concerned that the bill would lower the basic standards for teachers and opposes the bill as filed.

## **REPEAL OF PERSONAL PROPERTY TAX**

SB 649 (Eigel) would have permanently eliminated 99.997% of the taxes on personal property within a five year phase out period. The bill was revised in committee to apply only to St. Charles County and expanded by floor amendment to include the counties in Sen. Brattin's district. However, the bill did not pass. This change would reduce local school revenues in any affected county. The Association opposes the bill.



## **TAX ROLLBACK ON FEDERAL FUNDS**

SB 911 (Eigel) would require school districts and other local governments to reduce their property tax levies to offset their revenues by the total amount of federal ARPA funds received, but the bill did not pass. This requirement would completely undermine the purpose of the federal funding and significantly reduce the resources that schools would have to address student learning loss during the pandemic. The Association opposes the bill.

## **RESIDENTIAL PROPERTY ASSESSMENT CAPS**

SB 680 (Luetkemeyer) and SJR 39 (Luetkemeyer) would have attempted to restrict assessments below true value based on the amount of increase from the previous assessment, but the measures did not pass. This provision would have imposed a cap on the increase of assessment of any residential real property (except for new construction and improvements). The Association is concerned that this change would violate longstanding constitutional principles of uniformity and fairness of assessment and would adversely affect local school revenues in the long run.

## **MEDICAID EXPANSION**

HCS/HJR 117 (Smith) would have asked voters for permission for the legislature to not fund Medicaid expansion as approved by Missouri voters in 2020, but the measure did not pass. The Association support implementation of this important, voter-approved program and opposes the joint resolution.

## **COVID-19 AND VACCINES**

SB 1203 (Koenig) would have restricted the enactment of public health orders and COVID-19 school policies, but the bill did not pass. The bill would prohibit districts or charter schools from creating a dress code that requires wearing a face mask or requiring students to have a COVID-19 vaccine. The Association opposes the bill.

## **IN-STATE TUITION FOR MISSOURI RESIDENTS**

HB 3003 (Smith), the higher education budget bill, requires public institutions of higher education to charge the higher, international tuition rate to any undocumented student, including those who have attended and graduated from Missouri public schools. The Association believes that a Missouri high school diploma or high school equivalency credential should provide documentation for undocumented students for verification of in-state tuition status. The Association opposes this provision in HB 3003.

## **DRIVER'S EDUCATION COURSES**

SB 1113 (O'Laughlin) and HB 2745 (Reedy) would require public high schools, including charter high schools, to offer an approved driver's education course, taught by a qualified instructor, to students

each school year, but the bills did not pass. The bill creates a state fund to help fund driver education programs. The course is not required to graduate from high school. A student who successfully completes the course shall receive one-half credit as an elective. First-time driver's license applicants must complete an approved driver's education program. The bill contains a six-year sunset clause.

### **CURSIVE WRITING INSTRUCTION**

HB 2073 (Bangert) would have required students to receive instruction in cursive handwriting. However, the bill did not pass.

### **SOCIAL MEDIA INSTRUCTION**

HB 1585 (Murphy) would require public schools to teach students the responsible use of social media, but the bill did not pass.

### **STUDENT NEWSPAPERS**

HB 1668 (Christofanelli) and SB 855 (Washington) would have granted greater freedom for student journalists. Neither bill was passed. The bills include 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 bills. The Association supported the bills.

### **OPTIONAL COURSE IN THE BIBLE**

SB 684 (May) would have allowed schools to offer elective social studies courses on the Hebrew Scriptures and the New Testament in public schools. The bill is a largely symbolic piece of legislation stating that public schools may offer elective courses in the Hebrew and Christian scriptures. 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.

### **HIGHER EDUCATION FREE SPEECH ISSUES**

HB 1724 (Hudson) would have prevented a public college from limiting recognition to belief-based student associations that require leaders to adhere to its beliefs, practice requirements or standards of conduct, but the bill did not pass. The Association believes that organizations are strengthened by offering memberships on a nondiscriminatory basis. The Association opposed the bill.

### **HIGHER EDUCATION FUNDING FORMULA**

HB 2602 (Henderson) would 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, but the bill did not pass. 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. The Association opposes the bill.

### **EARLY CHILDHOOD EDUCATION FUNDING**

HB 2341 (Shields) would increase the fraction of pre-K pupils eligible for free or reduced price lunch (FRPL) that may be counted by a district or charter school for state aid under the school funding formula, but the bill did not pass. Currently the fraction of FRPL eligible pupils may not exceed 4% of the total FRPL eligible pupils in grades K-12 in the district. The bill raises the allowed percentage to 10%. The Association supports the bill.

### **SUMMER SCHOOL**

SB 661 (Arthur) would allow students to attend multiple public summer school programs non-concurrently, but the bill did not pass. The Association supports the bill.

### **EXTENDED LEARNING OPPORTUNITIES**

HB 1856 (Baker) 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, but the bill did not pass.

### **PARENT INVOLVEMENT IN IEP PROCESS**

Two new bills were filed this year that would revise parent involvement and parent rights in the IEP process, but neither bill passed. HB 2010 (Travis Smith) would place the burden of proof and production on school districts in due process hearings for children with a disability. HB 2011 (Travis Smith) would require parental consent for changes to individualized education programs (IEPs).

### **PARENT OR STUDENT GRIEVANCE PROCESS**

SB 647 (Koenig) would have created a grievance process for parents and guardians of elementary and secondary school students. However, the bill did not pass. The Association is concerned that the bill would undermine local school governance and create an appeal process to DESE with no standard for consideration of such an appeal.

### **PUPIL SUSPENSIONS**

HB 2533 (Bailey) requires school districts and charter schools to document school suspensions and report the information to DESE, but the bill did not pass. School districts will include disaggregated school discipline and suspension data on the district's annual report card. The bill also requires school boards to consider alternatives to suspension and prohibits the suspension of students for truancy,

absences, or prior offenses. Schools are prohibited from suspending students in preschool to 3rd grade.

### **LIABILITY IN WORK-BASED EDUCATION**

HB 2190 (Henderson) pertained to liability claims in work-based educational settings, but the bill did not pass. The bill would exempt participating businesses from claims regarding negligent acts of students, while providing that schools may provide insurance to cover claims relating to work-based programs.

### **SCHOOL IMMUNIZATIONS**

HB 2009 (Pollock) would have exempted private schools from immunization requirements applicable to public schools and created an exemption for students providing a written religious or conscientious belief statement regarding immunizations. However, the bill did not pass. The Association believes that waivers should minimize the numbers of unvaccinated students to those necessary due to documented medical conditions.

### **HOME SCHOOL ACTIVITY PARTICIPATION MANDATES**

SB 835 (O'Laughlin) and HB 2367 (Hurlbert) would have required MSHSAA to allow home school students to participate in activities or member schools will lose state funding, but the bills did not pass. The Association believes that educators should continue to establish the policies that govern student activities and opposed the bills.

### **PROTECTION AGAINST DISCRIMINATION**

SB 711 (Razer) would revise the Missouri Human Rights Act regarding employment, disability and housing to make discrimination based upon a person's sexual orientation or gender identity an unlawful discriminatory practice. The Association supported both bills.

### **BACKGROUND CHECKS AND HIRING OF COACHES**

HB 1955 (Richey) would require that MSHSAA staff shall be considered mandatory reporters of suspected child abuse or neglect and creating additional provisions regarding the hiring of staff of MSHSAA and of athletic coaches, but the bill did not pass.

### **BACKGROUND CHECKS**

SB 691 (Rehder) would require school districts to conduct criminal background checks on certain adults seeking enrollment in courses taught at public schools, but the bill did not pass.

## **COMPENSATION INFORMATION**

HB 2359 (Basye) would have required all school employee compensation information to be maintained on the Missouri Accountability Portal, but the bill did not pass.

## **EDUCATOR TAX DEDUCTION**

HB 1981 (Ann Kelley) would create a 100% state income tax deduction for K-12 educator expenses up to \$500 per year for professional development or classroom supplies and equipment, but the bill did not pass. The Association believes this is a helpful support to teachers who invest their own resources to advance their skills or support their students' needs in the classroom. The Association supports the bill.

## **WORKING AFTER RETIREMENT**

HB 2114 (Rusty Black) would have extended the critical shortage working after retirement option for teachers from two years to four years and increased the amount a PSRS retiree can earn annually from PEERS employment while receiving a pension from \$15,000 to the Social Security earnings limitation, but the bill did not pass. The Association supported the bill.

HB 2799 (Pike) would extend the waiver of the 550 hour limit for all PSRS members working after retirement in a teaching position for the next three school years, but the bill did not pass. A related provision from HB 2304 was passed in SB 681 to grant a three-year waiver of the 550 hour limit for part-time substitute teachers. The Association believes HB 2799 will help address current difficulties in finding part-time and substitute teachers and supported both versions of this provision.

HB 2787 (Rusty Black) would modify the current working after retirement provisions for PSRS retirees working in teaching positions, but the bill did not pass. Currently a PSRS retiree can work up to 550 hours per school year and receive up to 50% of the salary they would receive for full-time employment in that position. HB 2787 would remove the hours-based limit and reduce the pay limit down to 25% of the retiree's final average salary (FAS). This proposal would expand the number of hours that many teachers could work as substitute teachers on a daily rate, but the Association is concerned that it removes opportunities for important part-time positions where PSRS retirees work on a more regular schedule and could earn more than 25% of their full-time pay. The Association believes that the bill removes useful options for PSRS retirees to serve students and opposes the bill as filed.

## **2.55% PSRS FACTOR FOR 31+ YEARS OF SERVICE**

HB 2161 (Dinkins) would have reestablished the 2.55 percent benefit factor for PSRS members with 31 or more years of service. However, the bill did not pass. This bill would save the system money over the long term while still providing an incentive for experienced teachers to continue teaching for another year. The Association supports the bill.

## **SCHOOL RETIREMENT SURVIVOR POP-UP PROVISION**

SB 712 (Razer) would extend the current survivor pop-up option for certain PSRS and PEERS retirees to include retirees who selected a reduced benefit to provide a survivor payment for his or her same-sex partner or before September 1, 2015. However, the bill did not pass. The bill provides similar provisions to protect the interest of the nominated beneficiary as apply to the current pop-up provision. The retiree must execute an affidavit, along with any supporting information and documentation required by the Systems, attesting to the existence of the domestic partnership at the time of the nomination and that the partnership has since ended. The nominated beneficiary must consent to the removal and disclaim all rights to future benefits in writing, or the parties must obtain a court order or judgment after September 1, 2021, removing the nominated beneficiary. The Association supports the bill.

## **SCHOOL BOARD AND MUNICIPAL ELECTION DATE**

HB 2306 (Christofanelli) would have changed the general municipal election for schools and local governments from April to November, but the bill did not pass. This change would likely make it harder for school board candidates and school issues to receive as much attention during the November election cycle when attention will be taken up by partisan contests for federal, statewide and legislative offices and statewide ballot issues.

## **PARTISAN SCHOOL BOARD ELECTIONS**

HB 1611 (Sassman) would have required candidates for office in political subdivisions, including school boards, to declare a political party affiliation and for that affiliation to be printed on the ballot, but the bill did not pass. The Association is concerned that requiring party affiliation will create an unneeded focus on those issues that are of interest to political parties, even if those issues aren't relevant to the primary work of school boards. This change is unneeded and will distract school board candidates and the voting public from the most important functions for the school board to accomplish. The Association opposes the bill.

## **SCHOOL BOARD MEMBER RECALL**

HB 1747 (Basye) and SB 657 (Cierpiot) would have established a process for school board member recall elections, but the bills did not pass. 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.

### **Legislative Update 2022**

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