

MSTA ACTION

THE LEGISLATIVE BULLETIN OF THE MISSOURI STATE TEACHERS ASSOCIATION



Budget dominates session but more cuts to come

Ethics reform, autism insurance coverage, tax-credit reform, and a reboot of state government all had high profiles in the 2010 General Assembly, but they all took a back seat to the \$23.3 billion state budget.

Legislators appropriated \$5.4 billion for K-12 education in the state budget, but the overall state budget is still not final. Funds were tight as Missouri experienced a 12 percent drop in state revenue this year. In addition, lawmakers ended the session without approving many of their own money saving ideas.

About \$350 million must be cut to balance the budget by the start of fiscal year 2011, which falls on July 1, 2010, Gov. Jay Nixon said Tuesday. The governor will announce the specific cuts in June when he signs the appropriations bills.

The Department of Elementary and

Secondary Education budget holds flat the formula funding for school districts, but it would require a \$105 million increase for full funding. Legislators have not decided how to distribute the formula in years when it is not fully funded.

Career Ladder received full funding and will be paid for with state dollars. Lawmakers made clear this is the last time the program will be funded in arrears, or after the work has been done for each school year. In the future, Career Ladder funding will be approved before work begins. This means there will be no state funding for Career Ladder in the 2010-11 school year. Districts could pay for the program, though.

Special education and early-childhood education were the only areas to receive an increase, including \$11.6 million in new

funding for early-childhood special education.

Transportation and Parents as Teachers received large cuts for the next year. Both programs had funds withheld this year and those cuts will become permanent next year.

The budget eliminates state funding for the Missouri Scholars and Fine Arts academies. This program is funded in the critical needs line of the budget along with school board training and the Regional Professional Development Centers. The budget includes level funding for both programs. Funding for eMINTS and St. Louis City transportation were also eliminated for next year.

The virtual school, Missouri Assessment Program, character education, early-grade literacy and charter schools also received cuts. Funding for customized training and A+ was transferred from DESE into the departments of higher education and economic development.

DESE administration also received cuts of nearly \$600,000 and 7.5 full-time equivalent employees. These cuts could cause delays in services to school districts and possibly slow the certification process.

FY 2011 Education Budget			
Program	FY 2010 Appropriation	FY 2011 Conference Committee Report	Difference
Foundation Formula	\$3,004,388,410	\$3,004,388,410	\$0
Critical Needs	\$6,845,000	\$6,586,000	(\$259,000)
Transportation	\$183,603,843	\$152,797,713	(\$30,806,130)
Early Childhood Special Ed.	\$123,564,281	\$135,210,376	\$11,646,095
Career Ladder	\$37,467,000	\$37,467,000	\$0
Career Education	\$50,069,028	\$50,069,028	\$0
Parents as Teachers	\$30,874,186	\$13,000,000	(\$17,874,186)
Small Schools	\$15,000,000	\$15,000,000	\$0
Virtual School	\$4,800,000	\$715,000	(\$4,085,000)
High Needs	\$25,886,245	\$29,322,356	\$3,436,111
Transportation for St Louis City	\$750,000	\$0	(\$750,000)
Early Grade Literacy Program	\$145,000	\$1	(\$144,999)
MAP	\$15,013,039	\$14,845,039	(\$168,000)
Character Education	\$774,514	\$100,000	(\$674,514)
Advanced Placement	\$105,000	\$105,000	\$0
Early Childhood	\$16,106,600	\$16,179,800	\$73,200
Public Charter Schools	\$2,632,000	\$2,432,000	(\$200,000)
eMINTS	\$1,000,000	\$0	(\$1,000,000)
Special-Ed Excess Costs	\$25,886,245	\$29,322,356	\$3,436,111
First Steps	\$30,376,184	\$30,376,184	\$0
Special Education	\$235,315,211	\$235,315,211	\$0
Title I of NCLB	\$200,000,000	\$200,000,000	\$0

Inside

- Charters, open enrollment are non-factors.....2
- No changes to formula, summer school2
- Bills passed this session2
- Ed. departments to remain separate....3
- School safety measure passes after several years3
- Parents as Teachers changes3
- Career Ladder survives.....4

Charters, open enrollment are non-factors

School-choice supporters touted charter school expansion and passing an open enrollment law as their top priorities at the start of the 2010 legislative session, but neither idea had much support.

The Senate version of the open enrollment bill received a hearing in February, but the Senate Education Committee never voted on it. Open enrollment surfaced as an amendment in the House. Despite a few hours of debate in the House, members defeated it by

a 122-34 vote.

Missouri allows charter schools only in the St. Louis and Kansas City school districts. School-choice supporters attempted to expand charters, although the academic achievement of these schools has been mixed, and a charter school in St. Louis recently closed due to financial mismanagement.

Supporters proposed to expand charter schools in districts that have been classified as unaccredited by the State Board of Education,

or those that have a Title I school in level three, four, or five of the Missouri School Improvement Program. They would also expand sponsorships for charter schools to community colleges and the mayor of St. Louis.

School-choice supporters failed in promoting their agenda this session, but we can expect these issues to resurface next year.

Bills passed this session

The following bills were truly agreed to and finally passed in the 2010 General Assembly:

HB1311 (Scharnhorst) establishes provisions regarding health insurance coverage for individuals diagnosed with autism spectrum disorders.

HB1543 (Wallace) changes laws regarding school safety, Career Ladder, Parents as Teachers, and allows schools financial flexibility.

HB1831 (K. Jones) allows the board of a school district that has acquired real property by donation to sell the property as surplus after 10 years, provided the school board first offers to return the property to the previous owner. If the previous owner refuses the return of the property, the school board may sell it as surplus.

HB1892 (Nasheed) allows work certificates to be issued by one of the following: the chief executive officer of a charter school; a person holding a student services certificate authorized in writing by the school superintendent or chief executive officer; and the principal of a public or private school. Any student solely enrolled in a course of education for which the parent, guardian or designated private tutor is the student's primary education provider and is also responsible for the student's education program and schedule can be issued a work certificate by such primary education provider.

HB1893 (Kelly) changes the laws regarding the distribution of gaming funds that govern

the administration of early childhood education and veterans' programs.

HB1903 (Icet) creates the Federal Budget Stabilization Extension Fund to receive money from federal job creation legislation enacted by the 111th U.S. Congress, and the Race to the Top Fund to receive money from the federal Race to the Top grant. The commissioner of education must present a distribution proposal to the Joint Committee on Education before school districts could receive Race to the Top money. The joint committee would have to approve the distribution plan by a majority vote.

HB2002 (Icet) appropriates money for the Department of Elementary and Secondary Education.

HB2147 (D. Brown) allows a student who is a dependent of a retired military member who relocates to Missouri within one year of his or her parent's retirement from active duty to be exempt from the attendance requirement.

HB2262 (Day) requires the adjutant general to establish the Missouri Youth Challenge Academy for at-risk high school age youth. The residential military-based academy will provide work experience and training in life skills, citizenship, coping and academic skills, among other things. The Missouri Youth Challenge Foundation Fund is paid for by gifts, donations, appropriations, transfers and bequests. The adjutant general is authorized to make grants from the fund to support the academy.

No changes to formula, summer school

Legislators' lack of action on changes to the foundation formula will place schools and the Department of Elementary and Secondary Education in a difficult position.

State laws do not explain how school funding should be distributed in years when there is not enough money to fully fund the phase-in of the foundation formula. Many education officials had hoped the legislature would provide leadership on this issue and consider the lack of action one of the most disappointing results of the 2010 legislative session.

As a result, DESE will have to establish its own procedure to distribute formula money without statutory authority, which could result in a lawsuit. Until DESE formally announces a plan to distribute money, schools will be uncertain on setting a budget.

Legislators also could not agree on limiting summer school, meaning that districts can move forward with summer school. Legislators considered many plans, but the House and the Senate could not agree on a change.

Ed. departments to remain separate

Voters will not be asked to consider constitutional changes that would merge the Department of Elementary and Secondary Education with the Department of Higher Education.

The proposal, contained in **SJR44 and 45 (Shields)** was proposed as a way to streamline education from early-childhood to post-secondary education. Voters would have had to approve a merger because the state constitution establishes both departments.

The plan would have combined DESE with DHE, and produced a new State Board of Education that would oversee all levels of public education in Missouri. Under the plan approved by the Senate, the new state board would have six members serving six-year terms.

Members of the House of Representatives asked many questions and did not receive the answers necessary to move the proposal forward. The bill never made it out of the House Higher Education Committee.

Committee members became concerned about the duties and powers a new board would have. Many of these would not be defined in the constitution, but in state statutes that would have to be developed upon voter approval. The merger would not have made dramatic changes to K-12 education, but committee members were uneasy about its potential impact to higher education.

Rep. Gayle Kingery, the House Higher Education chairman, announced he intends to send a letter to the speaker of the house requesting the Joint Committee on Education discuss this issue, and make a report available before the next legislative session.

School safety measure finally passes

A plan to improve school safety and limit employee liability has been approved by the legislature and is awaiting the governor's signature.

The school safety proposals have appeared in numerous bills in the General Assembly for years, but the bills never passed. **HB1543 (Wallace)** became one of the most significant pieces of legislation during the legislative session. The bill started as a school-safety measure, but grew to include a wide range of topics.

HB1543 (Wallace) makes the following changes to school safety:

- Expanding the reporting of violent acts to include all teachers at the student's school and other employees who need to know.
- Specifying that a suspended student who is not allowed on school property without permission is also prohibited from attending school events occurring off school property.
- Requiring a notice of reportable offenses to be attached to an offending student's record and transcript.
- Allowing school districts to require a school uniform or restrict dress.
- Exempting unqualified employees who

refuse to administer medication or medical services from disciplinary action for their refusal.

- Exempting qualified employees from civil liability for administering medication or medical services, such as CPR, in good faith and according to standard practices.
- Requiring that if spanking is used it must be witnessed by an employee of the school district.
- Specifying that use of reasonable force by school employees to protect persons or property is not considered child abuse.
- Having districts change the definition of "bullying" to include cyberbullying or electronic communications.

The bill also requires contractors or subcontractors working on construction projects on public and charter schools to implement random drug and alcohol testing. St. Louis City schools will be allowed to use a hearing officer for employee termination hearings if they are under control of a Special Administrative Board.

During the session, the bill expanded to include changes to the Career Ladder and Parents as Teachers. See related articles for those stories.

Parents as Teachers changes due to cuts

Parents as Teachers is one of the hardest hit programs in the state this year, with cuts of \$17 million in fiscal year 2011.

The cuts bring state money for the program from \$30 million to \$13 million. The cuts passed in the state budget are in addition to \$3.4 million cut from the program in the fiscal year 2010 budget.

Legislators said they appreciate the benefits of Parents as Teachers, but were unable to fund it as they had in the past. As a result of the cut, lawmakers made changes to keep the program as strong as it can be on a tighter budget.

Families with high needs would get priority for services under legislation that has been sent to Gov. Jay Nixon for approval. Services include home visits, group meetings, screenings and service referrals.

School districts could establish cost-sharing strategies to supplement funding. The legislature also put a sunset provision on this section that would expire on Dec. 31, 2015, unless reauthorized by the General Assembly.



© 2010, Missouri State Teachers Association
P.O. Box 458, Columbia, MO 65205
800-392-0532 > www.msta.org

Permission to reprint gladly granted on condition that reprinted materials are credited to *MSTA Action*, the legislative bulletin of the Missouri State Teachers Association.

MSTA ACTION

Missouri State Teachers Association
P.O. Box 458
Columbia, MO 65205

NONPROFIT ORG.
U.S. POSTAGE PAID
COLUMBIA, MO
PERMIT NO. 220

Career Ladder survives tight budget

Career Ladder's future provoked much discussion this legislative session, but funding for the program prevailed.

The program's future looked uncertain throughout the session, as legislators from different houses volleyed funding for it. The House version of the K-12 education budget contained full funding for Career Ladder. State revenues continued to slide, though, and the Senate Appropriations Committee had the task of cutting \$500 million more from the budget. The committee removed Career Ladder funding from the budget it sent to the Senate floor.

When news of the elimination spread, Senate Appropriations Chairman Rob Mayer talked with teachers in his district about the benefits Career Ladder offers their students. As Mayer learned more about the program,

he worried the cut was unfair. Mayer also spent more than an hour discussing Career Ladder and other programs with MSTTA lobbyists. He said he wanted to support teachers for the work they had done this school year, but needed to find the money in an already devastated budget.

Many senators expressed support for Career Ladder. After three hours of discussion on the Senate floor, senators adopted a substitute bill from Mayer that restored the funding.

Teachers used their voices when the threat of cutting the funding for work they had already completed appeared. Legislators heard the message and approved funding for work that was completed during the 2009-10 school year. Lawmakers also clarified that, in the future, they will not fund this

program in arrears. Due to a change in the law, there will not be state funding for the program in 2010-11.

HB1543 (Wallace) cut the requirement that the General Assembly make an annual appropriation for the program. Beginning in fiscal year 2012, money will be appropriated before teachers start Career Ladder work for the school year. Districts could pay for Career Ladder in years when state funding is not available.

This legislation also removes the variable match portion of Career Ladder. In future years local funding would cover 60 percent of Career Ladder, with the state funding 40 percent.