

MSTA ACTION



THE LEGISLATIVE BULLETIN OF THE MISSOURI STATE TEACHERS ASSOCIATION • PLEASE POST

House and Senate Committees Hear Open Enrollment Bills

This week, the House Elementary and Secondary Education Committee as well as the Senate Education and Workforce Development Committee heard bills that would create an open enrollment program.

HB253 (Pollitt) and **SB5 (Koenig)** are very similar, with the largest difference being that **SB5** would allow charter schools to participate in open enrollment while **HB253** does not.

The bills would allow any student already enrolled in a public school to attend any other nonresident public district participating in the open enrollment program. Districts must declare participation in the open enrollment program by December 1 for the following school year. While accepting transfer students would be optional, they may not limit students from leaving the resident district. Participating districts are not required to add teachers, staff or classrooms to accommodate transfer applicants. The bill includes a procedure for districts when transferring a student with special education needs, allowing districts to deny applications for special needs students. Schools may also establish standards for transfer applications and post the information on the school website and in the student handbook. Each school district is required to adopt a model policy for open enrollment from the Department of Elementary and Secondary Education or an entity skilled in policy development, even if the district is not going to participate, creating further state intrusion and bureaucracy.

Students who participate in open enrollment in high school may not participate in varsity sports during the first 365 days of enrollment in a nonresident district, with some exceptions. This program would begin in the 2024-25 school year. For school years 2024-25 through 2027-28, districts may restrict the number of transferring students to 4% of the previous school year's enrollment. In the following years, no limits on transfers will be in place.

Parents will be responsible for transportation to the nonresident school or to an existing bus stop location in the nonresident district. Students qualifying for free and reduced meals may have transportation expenses reimbursed quarterly.

The bills establish the **Parent Public School Choice Fund** with an \$80 million appropriation that is to be made outside of the foundation formula. These funds would pay for services that are already being provided by school districts and could otherwise be used to benefit all students by addressing education staff recruitment and retention efforts. The legislation allows districts to receive funding from the Parent Public School Choice Fund for special education services (up to three times the current expenditure per average daily attendance) and for transportation costs for students that qualify for free and reduced meals.

MSTA opposes these bills based on MSTAs Adopted Resolutions. MSTAs has many concerns regarding these bills. Open enrollment will leave districts that are already struggling financially to lose services and programs that would leave less opportunities for students who remain in the district. These harmful bills will lead to the consolidation of school districts, leaving students without vital education opportunities and communities without their local schools. Schools and communities will be pit against each other to compete for students and the funding associated with them. Funding that would normally go toward student achievement and enrichment will be spent on recruiting students and competing with neighboring districts, creating competition for the sake of competition. In the House Elementary and Secondary Education Committee, MSTAs joined local education officials and the Missouri Association of School Administrators in opposition to the bill. Testimony in support of the bill was limited to lobbyists representing special interest groups, mostly located outside of the state of Missouri.

Senate Committee Approves Parents Bill of Rights Legislation

The Senate Education Committee gave approval to a bill designed to add transparency within school curriculum. **SB4 (Koenig)** provides that local school boards and charter school governing boards shall be required to approve and adopt all curricula at least two months prior to implementation. They shall adopt policies to ensure that the approved and adopted curricula are properly implemented in the classroom. At least five years of data showing percentages of

students learning at or above grade level (based on state assessment scores) shall be posted in the same section as the curricula on the district's or charter school's website and the newly created Missouri Education Transparency and Accountability Portal.

The bill also creates the Parents' Bill of Rights Act of 2023, which shall be construed to empower parents to enforce rights to access records maintained by schools in which their children are enrolled. Each school shall allow parents, upon request, to make a copy of curriculum documents or to receive such documents in an electronic format, provided that no request would cause an infringement of copyright protections. No school shall collect any biometric data of a minor child without obtaining parental consent, except for biometric data necessary to create and issue appropriate school identification cards. Finally, each school shall notify parents of all reported incidents directly pertaining to their student's safety that result in any criminal charge against a teacher, school employee, or any visitor or guest.

The Commissioner of Education is required to establish the Missouri Education Transparency and Accountability Portal to provide citizens access to every school district's curriculum, textbooks, source materials and syllabi. The portal must include the cost associated with speakers and guests used by a school in professional development activities. It must include information about school board members and their terms of office and include an easy-to-search database of certain public school financial transactions.

No school or school employee may compel teachers to teach, or a student or teacher to personally adopt, adhere to, or profess a position or viewpoint that a reasonable person would conclude violates certain public policy outlined in the bill including but not limited to: the idea that individuals of any race, ethnicity, color, or national origin are inherently superior or inferior and that individuals, by virtue of their race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by others.

Courses on critical race theory or units of study on critical race theory within a course may not be offered by any public elementary or secondary school, nor by any preschool, early childhood education program or pre-kindergarten program in a public school district or charter

may require a student or employee to attend or participate in training, instruction or therapy that a reasonable person believes promotes these beliefs or concepts. This bill states that the proposed legislation may not be construed to prohibit constitutionally protected speech, access to research or study materials or the discussion or assignment of materials for educational purposes. Any employee of a school district that discloses a violation of this provision will be protected from any manner of retaliation as provided by current law.

If a parent learns that a teacher is in violation of the act occurring throughout the school district, the parent may file a complaint with the Department of Elementary and Secondary Education, which will then send the complaint to the State Board of Education. The Board must hold a hearing between the parent and the school district within 30 days of receiving a complaint. If a public school or public charter school knowingly violates any provision of this section, or if an employee of a public school or public charter school knowingly violates any provision of this section, the public school or public charter school where the violation occurred will be liable to the injured party in an action at law, suit in equity or other proper proceeding for redress, and subject to a civil penalty of five hundred dollars per occurrence.

MSTA remains concerned that this legislation will place further burdens on professional educators and lead to staff leaving the education profession, running contrary to efforts to address teacher recruitment and retention efforts.

MSTA Statewide Capitol Visit This Tuesday

The Missouri State Teachers Association advocates for and empowers public educators so they can teach. On Tuesday, January 31, MSTA will host a statewide capitol visit, to help connect educators with their elected officials. Visiting the Capitol or connecting with your legislator can be an intimidating experience, but MSTA is here to help you make a connection and provide some tips to be a successful advocate. Many members find after their first visit to the Capitol, they would like to return each year to advocate for their profession, their students and their communities.

Missouri representatives and senators are elected officials, but they are members of their community, just like you. They come from diverse backgrounds but are in Jefferson City to represent the citizens in the districts they represent. There are doctors, attorneys, entrepreneurs, business owners and many former educators. While some have backgrounds in education, their

experiences with public education are all different and they need to hear what is currently happening in their community schools with the students and families you serve.

If you are coming to the Capitol next week, please wear comfortable shoes and a shirt from your local school and try to arrive early. All visitors must enter through the south side of the building and pass through security. At times, this process can take some time to get into the Capitol. After clearing security, members can continue walking straight to the rotunda where MSTA's program will begin. MSTA State President Stacy Blakley will lead a program with addresses from Gov. Mike Parson and legislators from the House and Senate. MSTA lobbyists will then explain issues impacting public education. Members will then be released to visit with their legislators. If you are planning on attending and haven't made an appointment with your legislator's offices, it isn't too late. Some of the important issues that the legislature will be debating this session include funding for public schools, educator pay, vouchers, retirement, open enrollment and legislation regarding curriculum.

If you can't attend the MSTA Statewide Capitol Visit next week, you can still make a difference. Many MSTA members already have relationships with their elected officials or know them from service in the community, but there is always the opportunity to open a dialog and begin a relationship. We are all flooded with national stories and social media posts about what public education is and is not. Each day is different in your schools, and many legislators aren't connected to their local schools. You are a valuable voice to explain to them exactly what is happening in your community, in your school and in your class. Issues decided on the state level have repercussions for all students, but also affect the education profession.

Every MSTA member has real life situations working collaboratively with parents to meet the educational needs of students. Legislators may not be aware of the important services your schools provide to students with tremendous needs that aren't addressed at home and what schools mean to your community. We experienced an unprecedented pandemic in our country, yet Missouri educators went above and beyond to continue to serve the needs of all students. You each have a story to tell about the lives you impact while serving your community.

Don't be afraid to invite legislators to your school. Coordinate with your school district administration to bring in elected officials to read to a class, speak with your staff or lead the Pledge of Allegiance for the day. When elected officials are connected to their schools, they can understand the real impact of the decisions they make in Jefferson City and how they

will impact their local communities. While national groups and large sums of money continue to come into the state to change education policy, their impact can be limited by the connections that you make. You share a local connection with your elected officials that special interest groups can't replicate.

Stay up to date on issues that are making their way through this legislative session by reading MSTA Action each week and following MSTA's social media pages. To make sure you get urgent Action alerts, you can text "MSTA" to 52886 and enroll in the Rapid Response program. MSTA will only send text messages on the most important calls to action.

We look forward to a large turnout of Missouri educators on Tuesday and encourage every member to stay involved this year, even if it's a quick call or email to your legislator.

