

# MSTA ACTION

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## Final Week to Pass Budget

This week the Senate completed its work on the \$35.1 billion spending plan for the fiscal year that begins July 1. Differences between the Senate version and House version of the budget will be worked out before final approval is given by each chamber. The constitutional deadline for approving the state budget is May 7.

Both the House and Senate approved an \$85 million increase to fully fund the school foundation formula. The House approved a \$2.5 million increase to fund school transportation while the Senate included a \$20 million increase.

The Senate added several provisions that were not included in the House version of the budget, including:

- \$25,000 for school board training.
- \$25,000 for Impact Centers to help homeless students.
- \$1.1 million for Hillyard Technical School to update equipment.
- \$2 million for a Workforce Development High School Diploma program.
- \$3 million for home screening.
- \$1 million for an innovative waiver program.
- \$1.36 million for continuous improvement program.

The Senate changed several provisions that were included in the House version of the budget.

- Public School Improvement money for the Opportunity Trust was reduced from the House version of \$2 million to \$500,000.
- Charter school deferred maintenance was reduced from the House version of \$5 million to \$1 million.
- Literacy Reading program for St. Louis City was reduced from the House version of \$2.5 million to \$1 million.
- Character education was increased from the House version of \$1 to \$160,000.
- School Turnaround program was reduced from House version of \$3.2 million to \$0.

The budget bills have been sent to a conference where members from the House Budget Committee and the Senate Appropriations Committee will work to negotiate the differences between each chamber's version of the bills. The bills will then be sent to the Governor for his consideration.

## Committees in Senate and House create omnibus education bills

The Senate Education Committee continued work on House bills this week voting out several pieces of legislation and creating their own omnibus education bill, although smaller than the House omnibus bill. The Senate expanded **HB306 (Griesheimer)**, including many of the provisions that are now part of **SB152 (Hoskins)**. The House Committee on Elementary and Secondary Education revisited and voted out a new version of **SB152**. With the end of session approaching, bills that have progressed through the legislative process will often be amended to include a large number of issues in an attempt to get them passed.

The Committee substitute for **HB306** was approved by the House and sent to the Senate containing three provisions. The underlying bill requires school districts and charter schools to establish a state-approved gifted program if 3% or more of the students are determined to be gifted. Districts and charter schools with an average daily attendance of more than 350 students are required to have a teacher certificated to teach gifted education. In districts with an average daily attendance of 350 or less, any teacher providing gifted instruction is not required to be certified to teach gifted education but must participate in six hours per year of professional development, paid for by the school district, regarding gifted services. Two amendments were added on the floor of the House to expand the bill to include an exemption from the minimum grade point average requirement to qualify for the A+ program for two years due to the impact of COVID-19. The other amendment makes changes to Missouri's 529 Savings Plan to align it with federal rules and regulations.

The Senate committee substitute for **HB306** now includes language that will change the funding and payment for charter schools in the state, shifting millions of dollars away from traditional public schools toward charter schools. Traditional public schools are responsible for educating all students that attend each day. The change in funding is proposed to even the distribution of funds between traditional public schools and charter schools, yet the scope and costs are not the same. When failed charter schools have closed, districts must be prepared to accept all students that are underserved immediately. While some charter schools provide transportation for students, school districts are required by state law to provide transportation services. Other provisions in the bill include the creation of a school accountability board that would work alongside the State Board of Education on matters pertaining to the development and implementation of the state's school improvement program, including presenting findings and recommendations related to school and district

accountability and improvement. The committee approved adding language that would authorize up to four pilot recovery high schools to serve as an alternative public high school setting and recovery program for students in recovery from substance use disorder or substance dependency, or such a condition along with co-occurring disorders who would academically and clinically benefit from placement in the recovery high school and who is committed to working on their recovery.

A new unvetted program called "Extended Learning Opportunities" is included in the bill as well. This language has not been included in any stand-alone bill and has not had a hearing in either the House or the Senate. This proposed program would allow DESE to grant high school credit towards graduation for students participating in work, volunteering, or programs outside of school.

The new House Committee Substitute for **SB152 (Hoskins)** was mentioned in last week's MSTa Action, slight changes were made to the bill and still includes a large number of bills that have been put together to form one piece of legislation. The filed version of **SB152** would align Missouri's 529 Savings Plan to align with federal rules and regulations and was amended by the Senate to include a mandate for gifted education, competency-based education, the creation of the Show Me Success Diploma program, and training for emergency situations relating to epilepsy or seizure disorders. The House Committee Substitute includes language from 17 bills relating to K-12 education as well as other sections relating to higher education.

## House Committee Substitute for SB152 includes language from the following bills

**HB387 (Bailey)** creating guidelines for restraint and seclusion for school districts.

**HB1071 (Shields)** extends the sunset on the Early Learning Quality Assurance program.

**HB228 (Basye)** prevents any school district or charter school from prohibiting a parent or guardian from recording any IEP or 504 plan meeting.

**HB608 (E. Lewis)** changes the law regarding substitute teacher certificates.

**HB108 (Bangert)** requires the teaching of cursive writing.

**HB101 (Pollitt)** creates school innovation waivers and allows critical shortage to be used for superintendent positions for up to two years and extends the critical shortage provision for teaching positions from two years to four years.

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**HB896 (R. Black)** creates requirements for career and technical education certificates.

**HB1133 (R. Black)** modifies the career ladder program.

**HB64 (Pike)** changes funding regarding the cost of serving high-needs students.

**HB465 (Pike)** changes professional development relating to stress management.

**HB872 (Pike)** allows half-day education programs to account for make-up days or hours lost or cancelled because of inclement weather.

**HB743 (Wiemann)** requires trauma-informed schools to keep a record of specific incidents and to inform parents within 48 hours of a child's removal from a classroom due to an outburst.

**HB254 (P. Brown)** requires school districts to implement policies requiring accommodations for breast-feeding mothers.

**SB448 (Rowden)** modifies the visiting scholar certificate to teach.

**HB368 (Gregory)** changes reading success plans for districts and provides further law relating to student literacy.

Sections from **SB55 (O'Laughlin)** requires DESE to maintain and publish on its website any data or report sent from any federal agency.

Sections from **SB400 (Onder)** that create a school accountability board responsible for advising DESE and the state board on accountability and improvement.

While these two omnibus bills encompass a large number of education issues, there are still other bills on the House and Senate calendars that could be brought up for debate and amended. With two weeks of the legislative session remaining, MSTa remains committed to advocating for and empowering public educators so they can teach.

## Bill Summaries

### House

#### *Elementary and Secondary Education*

**HB421 (Proudie)** creates subdistricts within certain school districts. **Voted do pass with substitute.**

**HB480 (Christofanelli)** establishes the Cronkite New Voices Act which provides that in both public high schools and public institutions of higher education a student journalist has the right to exercise freedom of speech and of the press in school-sponsored media. The bill permits school districts and student-media advisors to regulate the number, length, frequency, and format of school sponsored media. School districts must adopt a written freedom of the press policy that includes reasonable provisions for the time, place, and manner of student expression. The policy may also restrict speech that is offensive or threatening. The bill forbids school districts from prior restraint of school sponsored media except in circumstances specified in the bill. **Voted do pass.**

**HB528 (Haffner)** authorizes a tax deduction in the amount of 100% of unreimbursed educator expenses incurred by an eligible educator, not to exceed \$1,000. The bill also authorizes a tax deduction of up to \$1,000 for qualified education and tuition expenditures for a dependent in a private school or home school. **Voted do pass with substitute.**

**SB86 (Hegeman)** prohibits the contribution or expenditure of public funds by any school district or by any officer, employee, or agent of any school district. Any purposeful violation of this act is punishable as a class four election offense. The bill also contains two sections relating to school boards. The first section allows voters in any school district to petition a school board to place an item on the board's agenda and take a vote on that item. The petition must be signed by at least 5% of the registered voters in the school district who voted in the most recent school board election. The second section sets a procedure in law that would allow for a recall election of school board members. **Voted do pass with substitute.**

**SB152 (Hoskins)** See earlier story. **Voted do pass with substitute.**

### Senate

#### *Education*

**HB137 (Richey)** requires charter schools and each school district to include an annual independent audit to verify pupil residency. The bill requires school districts to pay for each pupil attending a charter school in that district based on the formula established in the bill which includes all state aid and local aid received by the school district divided by the total weighted average daily attendance of the school district and all charter schools within the school

district. School districts must calculate the amount of local aid owed to a charter school monthly and make timely payments to the charter school as outlined in the bill. The bill has a delayed application date of July 1, 2022 for most school districts and July 1, 2024 for school districts and charters within St. Louis City and replaces the current funding mechanism for charter schools which will no longer apply after June 30, 2022 for most districts and June 30, 2024 for St. Louis City. The bill also allows any person who owns residential or agricultural real property in any school district and pays a school tax in that district for the two most recent tax years, to send children to that district, upon notification to the district at least 30 days prior to enrollment, and the district shall count that child for the districts average daily attendance.

**HB320 (Fitzwater)** allows registered voters to file a petition with the school board to add specified agenda items to any monthly school board meeting. Any agenda item petitioned must be added to the board agenda for the next meeting, taken up by the board following all relevant board policies, and voted on by the board within three meetings. The bill will require public schools and charter schools to offer at least one computer science course in high school, instruction in exploratory computer science in middle school, and the basics of computer science and computational thinking in elementary schools. The bill requires DESE to appoint a computer science supervisor to be responsible for the posting of information to the department's website.

**HB151 (Shields)** allows a school district that enters into an agreement with another district to share a superintendent to receive an additional \$30,000 per year in state aid for up to five years. The bill directs districts to spend the additional compensation and half of the savings from sharing a superintendent on teacher salaries or counseling services. The bill allows school innovation teams to submit a plan to the State Board of Education for a state innovation waiver. Plans submitted must include the provision of law for which the waiver is being requested, as well as demonstrate the necessity of the waiver, provide measurable performance targets and goals, and demonstrate support for the plan, along with additional requirements as provided in the bill. School innovation waivers are only effective for three years beginning the school year following the approval and may be renewed. Only one waiver may be in effect per school at a time, and specific restrictions to statutory requirements relating to school start date, teacher certification, teacher tenure, or any requirement imposed by federal law, are applicable.

**HB733 (Patterson)** expands adult high schools and contains provisions that establish school innovations waivers that allows school innovation teams to submit a plan to the State Board of Education for a state innovation waiver for a variety of purposes. Plans submitted to the state board must include the provision of law for which the waiver is being requested, as well as demonstrate the necessity of the waiver, provide measurable performance targets and

goals, and demonstrate support for the plan. School innovation waivers are only effective for three years beginning the school year following the approval and may be renewed. Only one waiver may be in effect per school at a time, and specific restrictions to statutory requirements relating to school start date, teacher certification, teacher tenure, or any requirement imposed by federal law, are applicable. This bill also requires the State Board of Education, in consultation with the Career and Technical Advisory Council to develop a statewide plan establishing the minimum requirements for a Career and Technical Education Certificate. The bill also establishes the Workforce Diploma program.

#### *Executive Session*

**HB228 (Basye)** requires each school district to have a policy on seclusion and restraint. Each school district's written policy addressing restrictive behavioral interventions shall be updated to be consistent with the bills prohibitions and limitations related to restraint techniques. The policy shall require students to be removed from seclusion or restraint as soon as the student is determined to no longer be an imminent danger of physical harm, shall require all personnel to annually review policies and procedures related to seclusion and restraint, and to require personnel who use seclusion or restraint to complete an annual training on permitted techniques. Under this bill, no school district or charter school is allowed to prohibit a parent or legal guardian of a student from audio recording any IEP or 504 plan meeting. **Voted do pass with substitute.**

**HB387 (Bailey)** defines restraint and seclusion and requires school districts, charter schools, or publicly contracted private providers to include in policy the use of restraint and seclusion, including a prohibition on prone restraint for any purpose other than situations or conditions in which there is imminent danger of physical harm to self or others. Any incident requiring restraint or seclusion shall be monitored by school personnel with written observation. The policy must include guidelines for use, training, reporting and parental notification. The bill also contains protections for individuals that report or provide information about violations of these policies. **Voted do pass.**

**HB137 (Richey)** see earlier summary. **Voted do pass with substitute.**

**HB733 (Patterson)** see earlier summary. **Voted do pass.**

**HB306 (Griesheimer)** see earlier story. **Voted do pass with substitute.**