

# MSTA ACTION



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

## House passes bill to allow open enrollment in Missouri

**HB543 (Pollitt)** would allow open enrollment of students in Missouri public schools. The legislation would dramatically change Missouri's public school enrollment policies by allowing students beginning in kindergarten to grade 12 to attend a school in a nonresident district.

**HB543** creates a parent public school choice fund that would reimburse parents for the costs of transportation of the student enrolled in a nonresident district and reimburse districts for certain special education costs. The reimbursement rate for transportation costs would be calculated by the round-trip distance from the residence of the parent or guardian to the nearest nonresident districts bus stop location and calculated at 37 cents per mile. This fund would be created with a one-time \$30 million appropriation from the General Assembly.

In states where open enrollment has existed, including Iowa, there has been a trend toward consolidation of rural schools. The sponsor of the legislation admitted during debate that school consolidation is a possible outcome from this new program.

School districts would not be required to accept nonresident students into the program but would not have the ability to limit students leaving the resident district, except in the first two years, districts may limit the transfers to a maximum of 5 percent of the previous school year's enrollment for the district. The bill outlines the time frame for students to enroll in a nonresident district. Districts that accept transfer students are not required to provide special education services for children who do not reside in the school district if they determine that the school is unable to provide appropriate special education services. If a nonresident

student receives special education services at the transfer school, the nonresident school will receive reimbursement from the parent public school choice fund for the costs of the special educational services for a student with an IEP, if such funds are available.

Districts that participate in open enrollment may limit the number of students that they allow to transfer into the district by adopting a policy that outlines the standards for acceptance and rejection of transfer applications, including building capacity and class-size limitations. The program would begin in the 2022-23 school year.

**MSTA opposes this legislation.** The MSTA Adopted Resolutions support each local school district developing a written policy for transfer and assignment of students within a district and to any other school district.

## Superintendent-sharing bill passes House

**HB151 (Shields)** was brought up and passed by the House of Representatives this week. The legislation would allow 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. Districts that participate must spend the additional funds and half the savings from sharing a superintendent on teacher salaries or counseling services.

Amendments were added to the bill to include an expansion of the adult high school program established several years ago that would allow Missouri residents to obtain a high school diploma who are 21 or older. Language was also included in the bill that would allow for school innovation waivers that would be granted by the State Board of Education to exempt schools, school districts or groups of school districts from certain provisions of current law or administrative rule under the Department of Elementary and Secondary Education. The innovation plan may be submitted for purposes of improving student readiness for employment, higher education, vocational training, technical training, or any other form of career and job training. The plan may also be used to increase the compensation of teachers or improve the recruitment, retention, training, preparation or professional development of teachers. School innovation waivers are only effective for three years beginning the school year following the approval and may be renewed.

The waiver may not be used to allow for the waiving of the school start date, teacher certification, teacher tenure or any requirement imposed by federal law.

The bill now heads to the Senate for consideration.

## Public school retirement bill passes the House

The House voted to pass a retirement bill that makes improvements to the Public School Retirement System (PSRS) and the Public Education Employee Retirement System (PEERS).

**HB811 (R. Black)** would change the amount of earnings that a retiree of Public School Retirement System (PSRS) could make when working in a Public Education Employee Retirement System (PEERS) position.

Currently, any teacher retired from the PSRS can be employed in a position covered under the PEERS without stopping their retirement benefit. Such teacher may earn up to 60 percent of the minimum teacher's salary as set forth by law and will not contribute to the retirement system or earn creditable service. This bill will allow such teacher to earn up to the annual earnings limit applicable to a Social Security recipient which is currently \$18,960.

Two provisions were amended onto the bill when it was debated on the House floor including language from **HB812 (R. Black)**. This provision would expand the critical shortage statute that allows a retired teacher who is receiving a retirement benefit from PSRS or PEERS to work up to four years without losing their retirement benefit. Currently someone could only work for up to two years under the critical shortage provision.

The final amendment added to the bill was **HB828 (Dinkins)** that would allow a retiree who works 32 or more years to receive a 2.55 factor when calculating their retirement benefit. This would save the retirement system money and give more options to teachers who want to remain in the classroom and work more than 31 years.

The bill now heads to the Senate for consideration.



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## Senate Education Committee hears bill on breastfeeding guidelines

Sen. Doug Beck presented SB76 in the Senate Education Committee this week. The bill would require each local school district to adopt a written policy for each building in a district to provide accommodations to lactating employees and students relating to breastfeeding. The legislation outlines that the policy must include three opportunities during a school day, at two-hour intervals to meet the needs of expressing breast milk

or breastfeeding a child. District policies must include a suitable accommodation in the form of a room, other than a restroom, for the exclusive use of women to express breast milk or breastfeed a child, and must be close to a sink with running water, and a refrigerator for breast milk storage. DESE would also be required to develop a model policy for districts to use.

Shelly Parks, the 2019 Missouri Teacher of the Year, testified in support of the legislation noting the health and wellness issues regarding breastfeeding educators. She testified that these reasonable accommodations that should be made by school districts can help with teacher

recruitment and retention issues currently facing public education, by providing a higher quality work environment for all staff in Missouri schools.

**MSTA testified in support of the bill.** The MSTA Adopted Resolutions support districts adopting policies that allow for release time and appropriate accommodations for breastfeeding/pumping. Each building should be proactive in identifying an appropriate location and plan for a schedule that supports nursing mothers.

## Bill Summaries

### House

#### Elementary and Secondary Education

**HB108 (Bangert)** requires school districts to provide instruction in cursive writing by the end of the fifth grade, including a proficiency test of competency in reading and writing cursive.

**HB639 (Morse)** designates May 10 of each year as "School Bus Drivers' Appreciation Day" and encourages citizens to recognize the day with events and activities to express appreciation for the dedicated bus drivers who transport children safely to school every day.

**HB1314 (Bosley)** prohibits discrimination on the basis of hair texture and protective hairstyles in educational institutions that receive or benefit from state financial assistance or state student financial aid.

#### Executive Session

**HB320 (Fitzwater)** modifies the definition of computer science course to include both a stand-alone computer course in the elementary, middle, and high school levels or any course that embeds computer science content within other subjects. The bill will require public schools and charter schools in all school years after July 1, 2022 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. Beginning in school years after July 1, 2022 public institutions of higher education will allow a computer science course counted toward a science, or practical art state graduation credit to satisfy as an equivalent admission requirement. **Voted do pass with committee substitute.**

**HB494 (Hurlbert)** specifies that a school district shall not receive funding under the Foundation Formula if the district is a member of, or remits any funds to, any statewide activities association that prohibits a home school student from participating in any event or activity offered by the school district, or requires a home school student to attend the public school for any portion of a school day in order to participate in any event or activity. The Department of Elementary and Secondary Education is required to withhold payments to districts in violation of this bill until such district proves to the State Board of Education that the school district has ceased membership in the organization. **Voted do pass with committee substitute.**

**HB541 (Lewis)** requires the Department of Elementary and Secondary Education to publish each year on the department's website a list of schools in the state that have been performing within the bottom 5 percent of schools for more than three years, and shall designate any such school as a "persistently failing school." Any school district with

more than two schools falling into the bottom 5 percent of schools for more than two years shall be classified as provisionally accredited by the State Board of Education. School districts with any school falling in the bottom 5 percent of schools for three years over a five-year period beginning in 2018, shall: (1) Close the school and transfer students to a higher performing school in the district; (2) Develop a partnership with a nonprofit school operator to create an in-district charter school; or (3) Reimburse any district or charter school, that will allow students to transfer, an amount equal to the average per-pupil expenditure for the district. Any school district that has more than 20 percent of students attending persistently failing schools shall work with an external partner to develop a district plan to reduce the number of students in such schools by 5 percent each year, and shall establish a charter authorizing office, or partner with an eligible public four-year college or university to review any charter petitions for the district, approve such charter petitions, and submit such petitions to the Board of Education for a vote. **Voted do pass with committee substitute.**

### Senate

#### Education

**SB76 (Beck)** requires the Department of Elementary and Secondary Education to develop a model policy relating to accommodations for breastfeeding by January 1, 2022. Public school districts must adopt a written policy meeting the requirements of the bill. See earlier story. **MSTA testified in support.**

**SB323 (May)** allows a school district to offer an elective social studies unit on the Hebrew Scriptures, the Old Testament of the Bible, or the New Testament of the Bible. The course will include the contents, history, literary style and structure, and influences on society. No requirement shall be made by the district on the text translation students must use. This act requires that any course offered shall follow applicable laws maintaining religious neutrality, and shall not endorse, favor, promote, or show hostility to any particular religion, nonreligious faith, or religious perspective.

**SB54 (O'Laughlin)** modifies current law regarding reading success plans. Each local school district and charter school must have on file a policy for reading success plans for any pupils of the district in grades kindergarten through four. Each policy must be aligned with the guidelines developed by DESE for reading intervention plans. The bill outlines reading intervention timelines and new requirements for school districts. The bill requires the use of structured literacy instruction for all students not reading at grade level by the end of the second grade. **MSTA testified in opposition.**

#### Executive Session

**SB400 (Onder)** changes the accreditation system used by the state for public schools. The bill would accredit both attendance centers and school districts. Attendance centers performing in the bottom 10 percent based on total accreditation scores shall be classified as unaccredited unless the school has at least 50 percent proficiency in composite scores in math and reading. Attendance centers performing in the bottom 25 percent based on total accreditation scores would be classified as provisionally accredited or unaccredited unless the school has at least 60 percent proficiency in composite scores in math and reading. **Voted do pass with committee substitute.**

**SB204 (Cierpiot)** modifies the definition of "computer science course" by including any elementary, middle, or high school course that embeds computer science content within other subjects. The bill requires certain coursework and instruction in computer science and computational thinking in public and charter high schools, middle schools, and elementary schools. Computer science courses successfully completed and counted toward state graduation requirements shall be equivalent to one science or practical arts credit for the purpose of satisfying admission requirements at any public institution of higher education in the state. **Voted do pass with committee substitute.**

**SB33 (Arthur)** establishes the Competency-Based Education Grant Program. By application, DESE shall award grants from the fund to eligible school districts for the purpose of providing competency-based education programs. DESE shall facilitate the creation, sharing, and development of course assessments, curriculum, training and guidance for teachers, and best practices for the school districts that offer competency-based education courses and create a task force to study and develop competency-based education programs in public schools. **Voted do pass.**

**SB34 (Arthur)** establishes the Show Me Success Diploma Program as an alternative pathway to graduation for high school students. Students who earn a Show Me Success diploma may elect to remain in high school. Alternatively, a student having earned the diploma may instead enroll in a qualifying postsecondary educational institution. For each student enrolled in such an institution, an amount equal to 90 percent of the pupil's proportionate share of the state, local, and federal aid that the district or charter school receives for such pupil, shall be deposited into an account that lists the pupil as the beneficiary. **Voted do pass.**

**Due to the legislative Spring break, there will be no Action update on March 19, 2021.**