

MSTA ACTION



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

MSTA activates Rapid Response program for first time in 2021 session

The creation of a voucher program to use public funds for private education continues to remain a focus of education legislation this session. **HB349 (Christofanelli)** was voted to pass out of the House Elementary and Secondary Education Committee. MSTA has activated Rapid Response for members to quickly contact legislators in the House of Representatives. Legislation could be placed on the House Calendar to be brought up for debate soon. The bill contains many provisions similar to what is awaiting debate in the Senate in **SB55 (O’Laughlin)**.

MSTA members are encouraged to email their representative and tell them they oppose the creation of a tax credit voucher system in Missouri that would use public funds for private education.

HB349 (Christofanelli) would allow any taxpayer who makes a qualifying contribution to the Missouri Empowerment Scholarship Accounts Program to claim a tax credit equal to 50 percent of the total contribution. The tax credit voucher program would begin at \$50 million per year and includes an escalator that would grow the program unchecked with no oversight by the Missouri General Assembly. Missouri can’t afford to pull further resources away from public education, especially at a time when the state is working to ensure that Missouri has the workforce necessary to continue to grow the state’s economy.

This new voucher program would allow for the creation of nonprofit organizations that would be allowed to defer state tax dollars that would normally go to the education of all students, steering resources away from the classroom toward bureaucratic administration.

HB349 would allow for the vouchers to be used for a number of services, including private school tuition, textbooks, tutoring services and summer education programs with no accountability or oversight from the Missouri Department of Elementary and Secondary Education. This new program would be under the state treasurer who is given very few tools to ensure that the programs are contributing to the success of Missouri students.

This legislation would impact every district in the state by limiting the amount of state revenue available to fund public education that serves all students across the state.

Public tax dollars used to support all students’ needs including mental health access, classroom supports and highly qualified teachers, must be a priority for the legislature before creating programs that would defer money away from public education.

MSTA opposes these measures based on the MSTA Adopted Resolutions. Education professionals believe that all students deserve equal access to a free public education. We believe that the continuation of our free nation and its strength and well-being depend on our free public schools.

Legislation to change accreditation moves to House floor

Wealthy, out-of-state, school choice groups are once again trying to influence education policy in Missouri by trying to place school accreditation standards into Missouri statutes. Currently the State Board of Education establishes an accountability system for schools. **HB942 (Haffner)** would dramatically change the system the State Board can use when establishing standards for schools. It would also require that 25 percent of all schools or attendance centers be classified as provisionally or unaccredited even if they are meeting standards for student achievement. This bill would place more emphasis on state standardized testing.

By placing these requirements into state law, any modifications to these standards would have to be passed by the General Assembly and signed by the governor in order to take effect. Currently the State Board of Education has the authority to modify the accreditation system.

The bill defines “attendance center” as an individual public elementary or secondary school or charter school and directs the State Board of Education to collect and disseminate

information on the attendance center level rather than the current overall district level.

Districts in the bottom 10 percent of the state distribution will be classified as unaccredited, the bottom 25 percent will be provisionally accredited or unaccredited, even if they are meeting student performance standards.

This bill expands on the State Board of Education rule-making authority for academic achievement and academic performances by requiring that academic growth account for no less than 40 percent of the total accreditation score and provides further instruction for the calculation of student performance.

Any attendance center that is classified as provisionally or unaccredited must develop and submit to the school board or governing agency a school improvement plan. The plan must be submitted to the school district or governing board within 60 days of receiving the designation and must include three-year goals for math and reading proficiency.

MSTA is opposed to this bill because it takes decisions on Missouri’s accreditation system out of the control of the State Board of Education. The standards established in the bill are not well thought out and will lead to classifications of schools that are arbitrary and not accurate.

House Elementary and Secondary Education holds hearing on two open enrollment bills

This week, two bills relating to open enrollment were presented to the House Committee on Elementary and Secondary Education. **HB303 (Wiemann)** and **HB543 (Pollitt)** would both allow students to attend school in any nonresident district. The nonresident district is not required to add teachers, staff, or classrooms to accommodate transfer applicants and the school may establish standards for transfer applications and post the information on the school website and in the student handbook.

The bills outline the process for students to transfer from district to district and place some limitations on how often students may transfer. Both bills allow districts to opt out of accepting students but allow resident students to leave the district if there is a local district that would accept their enrollment.

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(House Elementary and Secondary Education continued)

Any student that applies for a transfer may only accept one transfer per school year, although the student may return to their resident district and must complete a full year before applying for another transfer. Students may complete all remaining school years in their nonresident district and any sibling may enroll if the district has the capacity as provided by the bill.

HB543 (Pollitt) also contains a provision that would create a \$60 million fund to offset the additional costs to districts due to the open enrollment program. While this fund is created, there is no new revenue source ensuring money is appropriated or that the fund would remain solvent.

MSTA testified in opposition. The MSTA Adopted Resolutions oppose legislative actions involving the concept of inter-district choice and support each school district developing a written policy for transfer and assignment of students within a district and to any other school district. Many districts currently have locally approved agreements that address students' needs while maintaining the ability to educate all students in the community in which they live.

Missouri's strong public schools with local control of public education have been a bedrock of strong communities across the state for over a century. The education of all students must be a priority

for legislators. The potential impact of this legislation could result in unnecessary school consolidation that would hurt students, families and communities.

State Board of Education meets to discuss a variety of topics

The State Board of Education again had a full agenda discussing a variety of topics impacting public education across the state. The board approved a rule change supported by MSTA that would eliminate the cumulative GPA requirement for education students applying for teaching certificates. The 3.0 GPA requirement for education content and professional knowledge remains.

According to DESE, none of Missouri's neighboring states have a cumulative GPA requirement for teacher certification. Studies from Missouri's teacher preparation professionals have shown that this requirement disproportionately affects male and minority students entering education. MSTA supported the change based on the MSTA Adopted Resolutions. This rule change will allow Missouri teacher preparation programs to increase teacher recruitment while maintaining high-quality standards that stress professional basics.

This important change also addresses the need to streamline the multiple criteria in determining certification.

The board also received its monthly update on public education's response to the COVID-19 pandemic. DESE reported that 95 percent of Missouri schools currently have some form of in-person learning in their districts, continuing to adapt to the challenges of providing a quality education during a pandemic. Since January, there has been a sharp increase of districts shifting toward greater in-class time for all students. The department was also updated on additional funds that are provided to districts through the new federal Coronavirus relief bill. The department briefed the board on the availability of education professionals to receive the COVID-19 vaccine and urged all districts to have plans in place to administer the shots to their teachers as soon as they are available. There is still not a timeline for when educators will have the vaccine available, but MSTA continues to advocate that all education staff, if they choose to receive the vaccine, must be a priority in the distribution and administration in order to keep schools open. While most education employees will be qualified to receive a shot in the phase 1B tier 3 category, those 65 or older and with certain health conditions may currently qualify.

Bill Summaries

House

Elementary and Secondary Education

HB303 (Wiemann) creates the Public School Choice Act. See earlier story. **MSTA testified in opposition.**

HB543 (Pollitt) creates the Public School Open Enrollment Act. See earlier story. **MSTA testified in opposition.**

HB387 (Bailey) defines "restraint" and "seclusion" and requires school districts, charter schools, or publicly contracted private providers to include in policy a prohibition on the use of restraint and seclusion, including "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 must be monitored by school personnel with written observation. The bill requires that before July 1, 2022, each school district, and charter school, or publicly contracted private providers policy must include when to remove a child from restraint, seclusion, or isolation, requirement for annual mandatory training, reporting requirements for any occurrence of restraint, seclusion or isolation as outlined in the bill, including the reporting requirements for parental notification and providing a copy of each report to the Department of Elementary and Secondary Education. There is also a requirement for notification for each occurrence of a restraint, seclusion, or isolation incident to parents or guardians within one hour after the end of school on the day the incident occurs. The bill also contains protections for individuals that report or provide information about violations of policy under this section.

Executive Session

HB942 (Haffner) See earlier story.
Voted do pass.

HB349 (Christofanelli) See earlier story.
Voted do pass

Emerging Issues

HB 973 (Shields) beginning with the 2021-2022 school year, the legislation would change the total number of qualifying pupils, defined as ages 3 through 5, and eligible for free or reduced-price lunch that are included in the calculation of average daily attendance. Currently that number cannot exceed 4 percent of the total number of nonqualifying pupils ages 5 through 18 who are eligible for free and reduced price lunch and who are included in the calculation of average daily attendance. For the 2022-2023 school year, the percentage increases to 6 percent. For the 2023-2024 school year, the percentage increases to 8 percent. For the 2025-2026 school year, and for each school year thereafter, the percentage would be 10 percent. The bill expands the definition of "eligible program" to include and early childhood programs in full-day kindergarten districts or a recognized local education agency charter school, or a contracted entity.

Senate Education

SB136 (Rehder) requires criminal background checks to be conducted on any person who is 18 or older that is not counted by the district for purposes of average daily attendance, and who requests enrollment in a course that takes place on school property during regular school hours. A person shall be prohibited from enrolling in a course if he or she has pled guilty to, or been convicted of, any crime or

offense which would currently prevent the issuance of a teaching certificate. The background check shall be conducted before the person enrolls in the course.

SB151 (Hoskins) If 3 percent or more of students enrolled in a school district are determined to be gifted, the district is required to establish a state-approved gifted program for gifted children. If a school district has an average daily attendance of 350 students or less, the district's gifted program is not required to provide services by a teacher certified to teach gifted education. Any teacher who provides gifted services through the program, and is not certified, must annually participate in at least six hours of professional development focused on gifted development.

SB296 (Brattin) creates Education Savings accounts for students. The state would be required to deposit into each account the amount the resident school district receives from state and local resources for that student, which is subtracted from the state school aid payable to the school district. Eligibility for the program would be for elementary and secondary students eligible to attend public school the previous semester or starting school for the first time qualify for the program if their household income does not exceed two times the income level to qualify for free or reduced-price lunch. Students who qualify shall continue to qualify until they graduate high school or reach age 21. Parents participating in the program shall agree to use the funds in their child's account for certain qualifying expenses, as defined in the act. The department shall qualify private financial management firms to manage such accounts, shall conduct or contract for random annual audits, and may conduct or contract for further account audits. **MSTA testified in opposition.**