



# Legislative Update

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## CAPITOL ACTION DAYS

Capitol Action Days continued April 6, when MNEA members came to the Capitol. Capitol Action Days take place on most Wednesdays during session, beginning in February. Members unable to attend on the Capitol Action Day for their Governance District can sign up to attend another Capitol Action Day.

For more information and to register for your Capitol Action Day, please visit <https://www.mnea.org/CAD>

## BUDGET

The House gave final approval to the state budget bills for next fiscal year on April 7. Progress on the budget is several weeks behind the typical schedule. Only four weeks now remain for Senate consideration and conference committee action before the bills must be completed on May 6.

HB 3002 (Cody Smith) is the budget bill for DESE and K-12 education. Buoyed by over \$4.6 billion in federal funds, this year's K-12 budget bill totals over \$10.1 billion and represents the state's highest total K-12 funding level. Budget bills apply to only one fiscal year. The funding lines from the various federal COVID relief acts are reappropriated, since schools and other recipients have several years to expend those funds.

HB 3002 provides DESE with significant authority to use federal funds for department initiatives including: \$20M for a teacher recruitment and retention grant program; \$27M for literacy improvement, \$10.3M for mathematics improvement, \$19M for mental health programs, \$13M for redesign of the assessment system, \$9M for postsecondary advising, \$20M for summer learning programs and \$20M for afterschool programs.

The House version will meet DESE's recommendation for full funding of the formula. This recommendation is for flat funding, as DESE projects the same cost for next school year. With the reinstatement of formula cost limiting factors in SB 686 from 2016, the formula cost continues to grow very slowly, averaging only 0.3% per year since enacted in 2005, and far below the cost of inflation over that time.

The Governor also requested \$21.8M for state matching funds to school districts that increase starting teacher salary to at least \$38,000 per year. The House version removed the minimum salary provision and instead included \$37.4M for state funding to resurrect the Career Ladder program that was defunded in 2010.

Other key changes from the Governor's budget in K-12 were to pull apart the broad authorizations for ESSER II funds and DESE's state share of ESSER III funds. The HCS redirects a total of \$75 million to a proposed, new tutoring grant program through a third party selected by DESE. The Association is concerned that little is known about this proposed tutoring grant program that would receive a significant amount of state funds.

## **CHARTER SCHOOL FUNDING**

The Senate adopted the Senate Substitute (SS) for HCS/HB 1552 (Richey) on April 6. The bill has been referred to the Senate Committee on Governmental Accountability and Fiscal Oversight (GAFO). If heard and approved by GAFO, the bill could be taken up for final passage.

The SS version takes a different approach from the House version and does not shift more local school funds to charter schools. Instead, the bill provides for additional state funds to charter schools based on the per pupil portion of local funds that remain with the district due to distribution based on typically lower property values from 2004. The state payments will apply to both Kansas City and St. Louis City charter schools. The Association opposed the House version of the bill.

Missouri NEA believes that charter schools should be sponsored by and accountable to the local community through the elected school board and approved only after the district conducts an impact study on the proposal. The Association also believes that all charter schools should be subject to the same standards of accountability, transparency and respect for the rights of students, parents and staff as are applicable to traditional public schools.

## **FULL-TIME VIRTUAL SCHOOLS**

The SS version for HCS/HB 1552 (Richey) also includes new language to address virtual schools. This new language revises the enrollment process for full-time virtual schools partnered with school districts. The process will consider opportunities for in person instruction prior to moving a student to virtual/distance learning. The bill includes a process for enrollment based on meeting the needs for a student to be successful and providing all services required to ensure a free and appropriate public education. The partnering school district will receive state aid for full-time virtual students and use the funds to provide the full-time virtual program and needed services. The virtual school and partnering district will be responsible for the education and academic performance of the virtual students.

## **OPEN ENROLLMENT BILL**

The Senate Education Committee approved HCS/HB 1814 (Pollitt) on April 6. The bill would create a public school open enrollment program. The Association believes that a public school choice plan must state its purpose and intended outcomes at the outset, be designed primarily to improve the quality of instructional and educational programs in the public schools, promote equal educational opportunity for all students, and operate in ways that facilitate better racial, ethnic, and socioeconomic balances in the public schools. The House adopted an additional amendment granting open enrollment options to a district based on property ownership in the district. The Association opposes the bill.

## **HONESTY IN EDUCATION**

The Senate Education Committee also approved six bills relating to honesty in education on April 6. The Association is concerned that these bills will interfere with providing students the honest education they deserve. The Association opposes all the bills. Four similar bills, SB 638 (Onder), SB 676 (Brown), SB 734 (Hoskins) and SB 1184 (Rehder), would restrict "divisive concepts" in public school curricula or instruction. The committee also approved SB 645 (Koenig) and SB 694 (Brattin) which also affect issues of honesty in education.

## **COVID-19 AND VACCINES**

The Senate Education Committee also approved SB 1203 (Koenig) to restrict the enactment of public health orders and COVID-19 school policies. The bills would prohibit districts or charter schools from creating a dress code that requires wearing a face mask or requiring students to have a COVID-19 vaccine. The Association opposes the bill.

## **HOUSE PENSIONS COMMITTEE**

The committee approved two bills on April 6:

HB 2430 (Rusty Black) to create an increased retirement allowance multiplier of 2.55% for PSRS retirees with 32 or more years of service. The Association supports the bill.

HB 2799 (Pike) to extend the waiver of the 550 hour limit for PSRS members working after retirement in a teaching position for the next three school years. The Association believes this provision will help address current difficulties in finding part-time and substitute teachers and supports the bill.

## **SCHOOL RETIREMENT SURVIVOR POP-UP PROVISION**

The Senate Committee on Health and Pensions heard SB 712 (Razer) on April 6. The bill would extend the current survivor pop-up option for certain PSRS and PEERS retirees to include retirees who selected a reduced benefit to provide a survivor payment for his or her same-sex partner or before September 1, 2015. The bill provides similar provisions to protect the interest of the nominated beneficiary as apply to the current pop-up provision. The retiree must execute an affidavit, along with any supporting information and documentation required by the Systems, attesting to the existence of the domestic partnership at the time of the nomination and that the partnership has since ended. The nominated beneficiary must consent to the removal and disclaim all rights to future benefits in writing, or the parties must obtain a court order or judgment removing the nominated beneficiary. The Association supports the bill.

## **DRINKING WATER IN SCHOOLS**

The Senate Committee on Commerce, Consumer Protection, Energy and the Environment heard SB 1075 (Schupp) regarding safe drinking water in schools on April 6. The House Conservation and Natural Resources Committee approved HCS/HB 2532 (Bailey), a similar bill, on April 4. The

Association believes school districts should conduct periodic testing for harmful water and airborne particles and agents that are detrimental to the health of students and education employees and report the results publicly. School districts should also complete corrective actions to eliminate the problems and report results in a timely manner. The Association supports both bills.

Financial support for this legislation got a big boost on April 5 when Rep. Paula Brown amended HB 3020 (Smith) to provide \$27 million in federal ARPA funds for the testing, filtration, and remediation of lead in drinking water sources within public school buildings as provided in the bill.

## **PHOTO ID MANDATE**

The Senate Local Government and Elections Committee heard HB 1878 (Simmons) on April 6. The bill would require registered voters to provide a government-issued photo identification. The Association opposes barriers that keep eligible citizens from voting and being politically active and opposes all three bills.

## **SENATE EDUCATION COMMITTEE**

The committee met on April 5 to hear seven bills:

SB 692 (Rehder) to ensure that make up day requirements for half-day preschool programs are proportional to the program's schedule. The Association supports the bill.

SB 770 (May) to require higher education institutions to give additional employment information to graduates of the institution.

SB 1055 (Arthur) to expand the existing Dual Credit Scholarship program by adding related provisions relating to dual enrollment courses. Participating students must meet current law requirements and enroll in a dual enrollment course offered by an approved higher education institution.

SB 1142 (Hough) to require public schools, including charter schools, and public institutions of higher education to post suicide prevention phone and text numbers on student identification cards. The Association supports the bill.

SB 1175 (Eslinger) to require DESE to develop a patriotic and civics training program for teachers. Teachers participating in the program would receive a stipend of \$3000 from the Department. The Association encourages the committee to remove or revise the reference that the program will be based upon the principles of the 1776 Report.

SB 1203 (Koenig) and SB 1207 (Onder) are similar bills to restrict the enactment of public health orders and COVID-19 school policies. The bills would prohibit districts or charter schools from creating a dress code that requires wearing a face mask or requiring students to have a COVID-19 vaccine.

## **HOUSE-ELEMENTARY AND SECONDARY EDUCATION COMMITTEE**

The committee heard three bills on April 5:

HB 1933 (Basye) to require DESE to establish a civil rights study curriculum. The Association believes curriculum should be developed at the local level and opposes the bill as filed.

HB 2211 (Hurlbert) to expand last year's tax credit voucher program to students in counties with a population of at least 100,000. The program is currently limited to students in charter counties and cities with a population of at least 30,000. The Association is concerned that the program will reduce state funds that could fund public education and other vital services and would divert those funds to private and home schools that are not held to the same standards as public schools.

HB 2292 (Baker) to allow school districts to offer elective social studies courses on the Hebrew Scriptures and the New Testament. Existing state law already provides that books of a religious nature may be used in public schools as part of instruction in elective courses in literature and history, if such books are used in a manner consistent with the Establishment Clause of the First Amendment to the United States Constitution. In addition to hearing bills, the committee approved HCS/HB 1770 (Lewis) to allow school districts to create differentiated teacher salary schedules. The Association is concerned that the bill allows for differentiated pay without requiring districts to first establish a strong salary schedule and negotiate fair and transparent stipends through a bargaining process and opposes the bill as filed. The HCS also makes changes to minimum salary provisions, the visiting scholars teaching certificate, Career Ladder requirements and a provision to gradually eliminate state income tax on taxable income of teachers and paraprofessionals in public, private and charter schools.

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