



Legislative Update

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SESSION AFFECTED BY WINTER WEATHER

Inclement weather across the state caused the Senate to cancel floor action and committee hearings for the week. The House held many committee hearings on February 17 and will hold session and additional committee meetings on February 18.

TAX CREDIT VOUCHERS, CHARTER SCHOOL EXPANSION AND VIRTUAL EXPANSION

The House and Senate are considering numerous bills that include one or more of these three issues. Each proposal would divert valuable resources from Missouri's public schools and students and the Association opposes all these bills.

Senate debate on SCS/SBs 55, 23 and 25 (O'Laughlin) has been delayed again this week due to inclement weather. The bill includes tax credit style vouchers, charter school expansion, and full-time virtual school expansion. The SCS also includes school board recall provisions, term limits for members of the State Board of Education and home school student participation in MSHSAA activities.

During this shortened week, the House Elementary and Secondary Education Committee heard HB 754 (Christofanelli) on February 17. HB 754 contains essentially the same full-time virtual school provisions as are in SB 95 (Onder), SCS/SB 55 (O'Laughlin) and HB 729 (O'Donnell). The Association opposes the bill.

PUBLIC SCHOOL OPEN ENROLLMENT

The House Elementary and Secondary Education Committee approved two bills on February 17 that would create open enrollment in Missouri public schools: HCS/HB 303 (Wiemann) and HCS/HB 543 (Pollitt). The Association opposes both bills.

These bills contain mostly similar provisions to allow students to request a transfer to attend another public school district. School districts would have the option to specify the number of transfer students they are willing to receive, but there would be no general limitation on the number of students who chose to leave the district. HB 543 includes the option for a district to adopt a diversity plan that could limit student transfers out of the district for transfers that would work against the diversity plan. Both bills contain complex funding provisions for transferring funds from the sending district to the receiving district.

The Association is concerned that many students may be left behind in such a transfer plan. Usually, the students with means and parental and family support will be the most likely to take advantage of

such an option. Those likely to be left behind are the neediest, most at-risk and those most in need of special support services. Because Missouri relies heavily on local funding for public schools, issues will inevitably arise regarding equitable access to at-risk students, childcare, health problems, transportation, student athletics and activities recruitment, low incidence special education needs and other factors.

PAYCHECK DECEPTION HEARING POSTPONED

The Senate General Laws Committee cancelled the hearing scheduled for SB 244 (Onder) on February 16. The bill is now scheduled to be heard in committee on February 23.

SB 244 would enact onerous and intrusive restrictions on certain public employees regarding payroll deductions for dues and deductions for political action. HB 1413 from 2018, the anti-bargaining bill, was blocked by permanent court injunction resulting from a lawsuit filed by the Association and other public labor organizations. This permanent injunction strongly affirms public employees' constitutional right to bargain and their right to join the association of their choosing. An appeal of the court ruling is currently pending before the Missouri Supreme Court and a final decision is expected during this year's court term. The Association strongly opposes SB 244.

POLICIES ON SECLUSION AND RESTRAINT

The House Elementary and Secondary Education Committee also approved HB 387 (Bailey). The bill would revise the requirements for seclusion and restraint policies in public schools. The bill defines seclusion and restraint, requires parental notice if either seclusion or restraint is used on a student and contains reporting requirements on the incident. The Association will continue to monitor legislation on this issue to ensure that it allows school boards to maintain a policy that respects the safety and dignity of both students and staff.

HOUSE HIGHER EDUCATION COMMITTEE

The committee met on February 17 to hear HB 297 (Wallingford). The bill would allow Southeast Missouri State University to develop a statewide mission in visual and performing arts, computer science, and cybersecurity.

WORKING AFTER RETIREMENT

The House Pensions Committee heard several bills on February 17, including:

1) HB 811 (Rusty Black) to increase the earnings limit for PSRS retirees working in PEERS covered employment from the current value of \$15,000 to the Social Security earnings limit. That earnings limit will be \$18,960 for 2021. The Association supports the bill.

2) HB 812 (Rusty Black) to extend the critical shortage working after retirement option for teachers from two years to four years. The Association supports the bill.

GIFTED EDUCATION

The House Elementary and Secondary Education Committee heard HB 306 (Griesheimer) on February 17. The bill would require districts and charter schools to identify and provide services and programs for gifted children. The bill would require a district to establish a gifted education program if three percent or more are identified as gifted. Districts with an average daily attendance of 350 students or less will not be required to provide services by a teacher certified to teach gifted education. The Association believes that gifted and talented students need a challenging curriculum and a program that identifies and supports their unique needs. The Association supports the bill.

RESTRICTING ADVOCACY OF PUBLIC OFFICIALS AND PUBLIC EMPLOYEES

The House Downsizing State Government Committee heard HB 512 (Lovasco) and HB 515 (Baker) on February 17. HB 512 would limit the ability of schools and other local governments to provide any printed matter regarding a ballot measure or any matter before the legislature, including even information for the purpose of educating the public. HB 515 would attempt to limit the ability of local public officials and school employees and other public employees to testify for or against or even provide education on any matter pending before the legislature. The Association opposes both bills.

VOTER ACCESSIBILITY

The House Elections and Elected Officials Committee heard several bills on February 17, including HB 324 (Young) and HB 423 (Proudie). Both bills would require election authorities to have at least one electronic voting machine per polling location for blind or visually impaired voters. The Association supports efforts to remove barriers and allow all eligible citizens to vote and to participate in the political process. The Association supports both bills.

INITIATIVE PETITIONS

The House Elections Committee voted on February 17 to approve ten HJRs affecting the initiative petition process. The committee created a combined measure, HCS/HJRs 20, 2, 9 & 27 (Henderson) that:

- 1) increases the initiative petition signature percentage for constitutional amendments from 8% to 10% of the legal voters in each Congressional district,
- 2) requires collection of the required percentage of signatures in all eight Congressional districts, rather than the current requirement of six districts, and
- 3) requires a two-thirds majority for the approval of any future constitutional amendment, regardless of whether submitted by the legislature or the initiative petition.

The committee approved the remaining HJRs separately. HJR 15 (Lewis) would increase the signature requirement for initiative petitions to amend the Constitution to be twelve percent of the legal voters in each of two-thirds of the Congressional districts in the state. The remaining HJRS would require a supermajority vote for approval of Constitutional amendments brought forward by the initiative: HJR 5 (Schnelting), HJR 14 (Lewis), HCS/HJR 22 (Eggleston), HJR 25 (Davidson) and HJR 26 (Falkner).

These HJR's would make it harder for citizens to use the initiative petition process to address issues of interest in the future. Missouri NEA opposes barriers that keep eligible citizens from voting and being politically active and opposes the HJR's.

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