

HOUSE COMMITTEE ACTION

The House Elementary and Secondary Education Committee heard several bills on April 9 including two Senate bills. HB 1891 (Stream) requires all school districts to have physical education programs. HB 2070 (Casey) prohibits certain sexual offenders from being on school property or attending school activities without the consent of the principal or head administrator. SB 925 (Days) allows school districts to maintain permanent records digitally or electronically. SB 839 (Engler) was also heard and voted "Do Pass" Consent. The bill modifies adjustment to funds payable resulting from transfer of title to real property for certain school districts.

The Special Committee on Student Achievement voted "Do Pass" HCS for HB 2111 (Muschany) on April 9. The bill revises public charter school law. The Substitute was originally presented on March 12.

The House Special Committee on Retirement heard HB 1902 (Moore) on April 10. A Substitute was offered, which added the statewide teachers' salary schedule and incentive pay stipend language from HB 2040 (Jetton).

The House Elementary and Secondary Education Committee heard several bills on April 16. HB 1683 (Meiners) revises the definition of "bullying" to include communications over the Internet. HB 2281 (Jane Cunningham) prohibits school districts from using public funds to pay the voluntary professional association dues of any central office administrator, building principal or school district superintendent. HB 2489 (Funderburk) requires school districts to report the total compensation package of each school administrator to the Department of Elementary and Secondary Education, which would then be posted on the Department's website. HB 2537 (Robb) allows two or more adjacent school districts to share a superintendent when at least one of the districts' accreditation status is "accredited" or "provisionally accredited." HB 2547 (Flook) prohibits the use of school funds by public school administrators, teachers or other personnel to purchase alcohol. There was considerable discussion about the recent events in the Liberty school district. In light of these events, several committee members expressed their support for transparency legislation as is contained in HB 2489. Others indicated it is unfair to penalize or place a target so to speak on everyone else's back because of the actions of a few. Upon conclusion of testimony on the bills, Committee Chairman, Representative Jane Cunningham announced her intention to roll House Bills 2281, 2489, 2537 and 2547 into an HCS, which will be drafted and further discussed next week.

The Committee also voted "Do Pass" on a substitute for SB 925 (Days), which incorporates provisions from several House Bills including: HB 1726 (Robb), which requires twins or other multiple-birth siblings to be placed in the same classroom if the parent or legal guardian makes a request within 14 days after the first day of school or the date of the children's enrollment (an amendment is anticipated to provide the administration the ability to separate the twins as deemed necessary); and HB 1676 (Hoskins), which requires the Department of Elementary and Secondary Education to establish standards, which will be used by districts to determine whether they will accept students from unaccredited districts. It was noted that districts will be able to establish an appropriate class size standard as long as the standard is consistent across the board. The receiving district will also be held harmless.

HOUSE FLOOR ACTION

HCS for HB 1321(Sutherland) was Third Read and passed by a vote of 138-7 on April 10. The bill changes the qualifications for and the amount of credit allowed under the circuit breaker. The definition of "tax rate ceiling" is also revised to be the tax rate used by the taxing authority in the preceding year or the tax rate determined by a court. The revenue received from a voter-approved tax rate increase is limited to the amount determined by applying the levy increase to the prior year's assessed valuation.

SENATE COMMITTEE ACTION

The Senate Education Committee heard two House bills on April 9. HB 1305 (Day) allows school districts to exempt high school students transferring into the state from the requirement to pass certain government and constitution courses

and tests. An SCS was offered and voted "Do Pass" Consent. The substitute includes language creating a school-based flu vaccine pilot program, language regarding supplemental service materials and language allowing schools in unaccredited districts to participate in the A+ Schools Program. HB 1876 (Jane Cunningham) modifies provisions relating to special education due process hearings. An SCS was offered on HB 1876 and voted "Do Pass" Consent.

Several bills were presented in the Senate Pensions, Veterans' Affairs and General Laws Committee during executive session on April 15. Three of the bills, including HB 1972 (Franz), HB 1973 (Franz) and HB 2204 (Ervin) each dealing with the Public School Retirement System, were amended by Chairman Crowell and voted "Do Pass" Consent to include the administrator compensation package provision found in Representative Funderburk's HB 2489. All three bills were later taken off of Consent status due to the controversial language which was added

Two House bills were presented in the Senate Education hearing on April 16. HCS for HB 1722 (Wallace) changes the laws regarding school employee liability, safety practices and reporting acts of violence. Clarification was offered regarding a suspended student's involvement with other students during a school sponsored event both on and off campus. In the event that an event is scheduled off campus at a public place, school officials would be limited to preventing the suspended student from interacting with other students. The suspended student could not be asked to leave the premise by school officials. Several education groups testified in support of the legislation. There was also testimony in opposition to the bill, which was not heard on the House side, from the Fraternal Order of Police and the Missouri Police Chief's Association. Both groups feel the provision allowing school boards to commission certified law officers would essentially allow school districts to create their own police unit. The bill sponsor expressed frustration that the concern was not brought forth in the House, but indicated he was willing to adjust the language if needed.

HCS for HB 1314 (Jane Cunningham) was also heard in the Senate Education hearing. The bill, known as the "Amy Hestir Davis Student Protection Act," requires annual background checks on school employees, adds to the list offenses for which a teacher's certification may be revoked and removes the statute of limitations for certain sex crimes.

ABCTE - ALTERNATIVE CERTIFICATION

The House Truly Agreed and Finally Passed SB 1066 (Ridgeway) by a vote of 85-63 on April 16 with no amendments adopted during debate. Several Representatives opposing the bill attempted to offer amendments, but were not recognized before the Majority Floor Leader moved the Previous Question, which ends debate and forces a vote. Because the bill passed from the House in the same form that it passed the Senate it will now be sent to the Governor for approval or veto. Cooperating School Districts of Greater St. Louis and other education groups including the Missouri School Board Association have remained neutral on the issue in consideration that the decision to hire an ABCTE applicant stays with the hiring district. However, other groups such as Missouri National Education Association have remained in opposition to the bill. The provision requiring that the Commissioner's \$18 million for professional development be subject to the Joint Committee on Education oversight and approval was retained in the final version of the bill.

TAX CREDIT/VOUCHERS

SS for SCS for SB 993 (Crowell), which establishes the Missouri Special Needs Scholarship Tax Credit Program, was laid out for discussion once again in the Senate on April 7. Considerable discussion took place. However, the bill was laid over without coming to a vote.

The Education Omnibus Bill, HCS for HB 2040 (Jetton), which was amended in committee to include the tax credit language contained in HB 1886 (Scharnhorst), was debated on April 9 for nearly 5 hours. A total of 12 amendments were offered and debated of which 10 were adopted including:

- ♦ HA 1 (Jetton) – restored the MSTTA initiated statewide salary schedule
- ♦ HA 2 (Holsman) - restored the performance pay pilot program
- ♦ HA 3 (Holsman) - removed the retroactive teacher stipends from the bill
- ♦ HA 4 (Page) - raised the stipends for teachers in unaccredited districts
- ♦ HSA 1 for HA 5 (Silvey) – expanded the information to be disclosed regarding school administrator compensation packages
- ♦ HA 6 (Munzlinger) - removed the requirement that the Commissioner's \$18 million for professional development be subject to the Joint Committee on Education oversight and approval
- ♦ HA 8 (Corcoran) - clarified that the salary schedule stipends, bonus pay and other stipends are subject to Public School Retirement System deductions
- ♦ HSA 1 for HA 10 (Flook) – requires scholarship receiving schools using the tax credit voucher program to employ certified special education teachers

- ♦ HA 11 (Hughes) - Allows school districts to receive state funding for “phantom kids” who use the tax credit voucher scholarships to attend other schools (identical to Senator Crowell’s amendment offered and adopted in the Senate on SB 993).
- ♦ **HA 12 (Wallace) – this amendment removed the entire section dealing with the special education tax credit voucher program from the bill.** The amendment passed by a vote of 80-58. Upon conclusion of this vote, the bill was laid over. Two amendments were also defeated during debate including:
 - ♦ HA 7 (Aull) - would have removed the language dealing with differential pay
 - ♦ HA 9 (Schieffer) - would have removed the language restricting political contributions by teachers

It is hard to tell at this point if House leadership will bring the bill back up for discussion. There seems to be conflicting rumors on whether or not the legislation is dead. Although the tax credit language was removed from the bill, most education groups remain concerned with several of the remaining provisions including administrator salary reporting and differential pay.

HB 2458 (Timothy Jones) was heard in the Special Committee on Student Achievement on April 9 and was later voted “Do Pass” on April 16. The bill establishes the Children’s Education Freedom Act, which authorizes a 50 percent tax credit for taxpayers who donate to a scholarship granting organization under certain circumstances. Eligibility standards for students receiving scholarships include residence in a provisionally accredited, unaccredited, or interim accredited school district; attendance at a public school for the semester before a scholarship is granted or starting school in the state for the first time; and a family income of 185% of the level, which qualifies the student for the federal reduced-price school lunch program. Opposition to the bill once again told committee members the bill diverts public tax dollars and focuses on tax credits rather than addressing the needs of the students by improving special education services offered in the public school system. Cooperating School Districts of Greater St. Louis, Missouri State Teachers Association, Missouri School Boards Association, Missouri National Education Association and School Administrators Coalition were among those that testified in opposition.

HCS for HB 2207 (Hoskins) was voted “Do Pass” in the House Rules Committee on April 19. The bill establishes the HCH Scholarship Program, which authorizes a tax credit for contributing to an educational assistance organization.

COLLECTIVE BARGAINING

HCS for HB 2059 (Kevin Wilson), which establishes the “Professional Relationships Between Teachers and School Districts Act,” was voted “Do Pass” from the House Rules Committee on April 9.

BUDGET

The Senate Third Read and passed HB 2002 (Icet), which contains the K-12 budget. One of the changes made in the Senate was the elimination of the \$20 million for professional development. The Department of Elementary and Secondary Education has been vocal in the past several weeks in opposition to the proposed oversight of the funds, which was offered as an amendment and later adopted on the Senate Floor on the ABCTE legislation. The budget bills will now be presented in conference sometime next week where discussion will take place to discuss the differences between the House and Senate version of the bills.

PROPERTY TAX REFORM

SB 711 (Gibbons), which modifies provisions regarding property taxation, was voted “Do Pass” in the House Rules Committee on April 16.

SCHOOL BUS MOTOR FUEL TAX EXEMPTION

SB 761 (Stouffer) was presented to the House Transportation Committee on April 15. The bill contains a school bus motor fuel tax exemption provision.

TABOR

The House Third Read and Passed HJR 70 (Allen Icet) on April 10 by a vote of 84-64. The resolution creates a spending limit similar to the Colorado provision known as “TABOR,” the “Taxpayer Bill of Rights.” The resolution would impose

a permanent, constitutional spending limit on state government and would limit annual growth in state appropriations to a cost-of-living-adjustment factor plus a population growth factor.

BOMBARDIER LEGISLATION - ENHANCED ENTERPRISE ZONES

HCS for HB 2393 (Richard), which authorizes an income tax credit for mega-projects and changes the manner in which property taxes are assessed on property located near the Kansas City International Airport, was Perfected in the House on April 15 by a vote of 140-8. One of the amendments adopted includes the language from Representative Flook's HCS for HB 1836, which deals with real property around the KCI airport. An amendment to Rep. Flook's amendment was also offered and adopted, which addresses the concern that this may be retroactive by adding the following language pertaining to property: "completed after January 1, 2008." The Bombardier proposal is expected to create more than 2,000 jobs and includes approximately \$800 million worth of tax credits over the next 20 years. The project does include a pay-back mechanism to the state as projects are completed.



Below is a listing of additional bills of interest to CSD that has been introduced. For copies of any of the bills, please visit the General Assembly Web Site at www.moga.state.mo.us and click on Joint Bill Tracking. Just enter in the bill number and you will be able to bring up the actual text of the bill.

HOUSE BILLS

- HB 2430 Changes the laws regarding teacher incentives and retirement benefits for certain teachers and educational personnel. (Holsman)
- HB 2449 Requires revenue from a tax increase within a tax increment financing district to be used only for the taxing purpose. (Silvey)
- HB 2458 Establishes the Children's Education Freedom Act which authorizes a 50% tax credit for taxpayers who donate to a scholarship-granting organization under certain circumstances. (Jones, 89)
- HB 2467 Decreases the rates of individual income tax. (Baker, 123)
- HB 2470 Changes the laws regarding economic development and assistance including the establishment of the Community Assistance Program, the Small Business Incubators Act, and the Development Tax Credit Program. (Flook)
- HB 2474 Entitles certain public school districts to receive reimbursement from the tax increment financing district's special allocation fund. (Pratt)
- HB 2478 Prohibits school buses from sitting with engines idling while loading or unloading children at a school or while waiting for children to load or unload at a school. (Low)
- HB 2481 Establishes a procedure by which a school district or an initiative petition may place the issue of open enrollment by contract before the voters of the district. (Schoeller)
- HB 2482 Allows public school students to choose to attend a public school district other than the school district of his or her residence. (Schoeller)
- HB 2483 Changes the laws regarding neighborhood and community improvement districts. (Schoeller)
- HB 2489 Requires school districts to disclose the total compensation packages of school administrators. (Funderburk)
- HB 2520 Allows certain part-time teaches to opt out of membership in the Public School Retirement System. (Fallert, Jr.)

- HB 2521 Authorizes a state individual income tax credit equal to twenty percent of any earned income tax credit claimed by the taxpayer on the individual's federal income tax return. (Oxford)
- HB 2537 Allows two or more adjacent school districts to share a superintendent when at least one of the districts' accreditation status is "accredited" or "provisionally accredited". (Robb)
- HB 2542 Expands the information included on a school accountability report card to include whether the district has a state-approved gifted education program and if it has had one within the past three years. (Fares)
- HB 2547 Prohibits the use of school funds by public school administrators, teachers, or other personnel to purchase alcohol. (Flook)
- HB 2553 Amends laws relating to St. Louis School improvement. (Stream)
- HB 2554 Protects teacher academic freedom to teach scientific evidence regarding biological and chemical evolution. (Cooper, 155)
- HB 2556 Establishes the "Child Initiative Program" and creates a tax for certain taxpayers who participate in the program. (Hubbard)
- HB 2557 Provides that the school year shall be a minimum of one-hundred-eighty days in length in St. Louis County. (Chappelle Nadal)
- HB 2558 Changes provisions relating to the Missouri Sunshine Law. (Lampe)
- 2566 Establishes the "School Improvement District Act". (Hughes)
- HB 2573 Exempts personal and residential property owned by taxpayers 65 years of age or older from certain increases in assessed valuation. (Parkinson)
- HB 2576 Requires reports to school districts of certain property located within school district boundaries. (Cooper, 120)
- HB 2579 Imposes a fine when school officers and employees who are mandated reporters fail to report as required by law and subjects students who make false allegations to disciplinary action. (Cunningham, 86)
- HB 2580 Provides an income tax deduction for school supplies purchased for home schooling. (Parkinson)
- HB 2582 Establishes two renewable teacher preparation scholarships to the existing one-year nonrenewable award for certain individuals who commit to teach or currently work with special education students. (Grisamore)
- HB 2589 Prevents individuals from serving on the St. Louis City school board and the board of governors of the transitional school district at the same time. (Wright, 63)
- HB 2593 Conditions the receipt of state aid for schools on the establishment of alternative education programs. (Bland)
- HB 2596 Provides that no school make-up days shall be scheduled on dates legally declared federal holidays. (Johnson, 61)