

HCS SCS SB 815 -- ELEMENTARY AND SECONDARY EDUCATION

SPONSOR: Bartle (Wallace)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elementary and Secondary Education by a vote of 10 to 1.

This substitute changes the laws regarding elementary and secondary education. In its main provisions, the substitute:

(1) Removes the requirement that a school calendar have a minimum of 174 days but retains the required 1,044 hours of actual pupil attendance until, beginning in school year 2012-2013, the required hours are increased to 1,073 hours (Sections 160.011, 160.041, 163.021, 171.029, 171.031, and 171.033, RSMo);

(2) Allows any private university that meets certain requirements to sponsor a charter school in Kansas City; specifies the procedures for a school district to assume control of a failing charter school; and clarifies that a charter school serving dropouts or other high-risk students may use alternative methods to grant academic credit, requires the Department of Elementary and Secondary Education to conduct a study of those methods, and specifies when a nonresident student may be admitted to these schools (Sections 160.400, 160.405, 160.410, and 160.420);

(3) Removes the requirement that a school's A+ Schools Program coordinator be at least a half-time position and specifies that no minimum percentage of time will be required for the A+ coordination (Section 160.545);

(4) Specifies that in fiscal years 2011, 2012, and 2013 the department cannot penalize a school district on its accreditation review for failing to achieve resource standards if the school funding formula or transportation categorical is underfunded as specified. The district also cannot be penalized in the following fiscal year if the Governor withholds funds (Section 161.209);

(5) Requires a candidate for a school board to provide documentation to the election authority which demonstrates that he or she does not have any disqualifying information on the family care safety registry maintained by the Department of Health and Senior Services or on the central child abuse registry maintained by the Department of Social Services (Section 162.014);

(6) Specifies that in fiscal years 2011, 2012, and 2013 the requirement for school districts to dedicate 1% of their formula

funding to professional development and the 75% funding and fund placement requirements for teacher salaries will be suspended and 10% flexibility will be granted to use categorical funds as long as federal funds are not affected if the school funding formula or transportation categorical is underfunded as specified or will be suspended in the following fiscal year if the Governor withholds funds (Section 163.410);

(7) Allows, during fiscal years 2011 through 2013, a school district to transfer any unobligated capital projects funds to its incidental fund once each fiscal year under certain specified conditions (Section 165.011);

(8) Allows a student to attend a different school district if his or her travel time is more than one hour each way, if the receiving district agrees, and if the travel time to the school in the receiving district is one-half or less of the travel time to the school in the student's residence district. The state aid received for the student will be awarded to the receiving district, and the receiving district is obligated to provide transportation only within its boundaries (Section 167.128);

(9) Revises the definition of "teacher" to include a teacher not in the City of St. Louis School District who teaches prekindergarten and is paid on a school district salary schedule and removes the provision that requires no fees be charged in the prekindergarten program (Section 168.104);

(10) Expands the Teacher Choice Compensation Package from the City of St. Louis School District to any other district upon adoption by the school board. A teacher must opt out of his or her indefinite contract to take part in the compensation package. The substitute removes a requirement that stipends under the package be in increments of \$5,000, but the \$15,000 cap remains unchanged (Sections 168.106, 168.745, and 168.747);

(11) Allows elements other than years of service and highest degree held to be added to salary schedules including, but not limited to, additional certification areas, certification in high-need subjects, mentoring or master teacher, and demonstrated ability to improve student performance (Section 168.110);

(12) Allows the special administrative board when it has been granted governing powers for a district in the City of St. Louis School District to appoint a hearing officer to conduct a contested case of a teacher's dismissal (Section 168.221);

(13) Allows a school district to adopt a year-round schedule and offer two kindergarten start dates by a resolution of the board. Parents must be allowed to choose which date to have their child

start kindergarten (Sections 171.015 and 171.017);

(14) Increases from \$5,000 to \$15,000 in the City of St. Louis School District the amount of a contract for repairs or materials for school property that can be made without the required advertising or public bid letting process (Sections 177.161 and 177.171);

(15) Removes the provision which specifies that no fees can be charged for Parents as Teachers services, clarifies that families with children younger than the kindergarten entry age will be eligible to receive specified services, requires priority to be given to high-needs families according to department criteria, and allows school districts to establish cost-sharing strategies for these services (Section 178.697);

(16) Allows any school district that has levied a voter-approved separate tax rate for different subclasses of real property and personal property or a tax rate increase before August 28, 2010, to use those rates for the single rate calculation using the specified blended rate calculation method (Section 1); and

(17) Requires, beginning July 1, 2010, the Department of Social Services to provide all state licensed child-care providers who receive federal or state aid and all public school districts with written information regarding the eligibility criteria and application procedures for obtaining health insurance coverage through the State Children's Health Insurance Program (SCHIP). This information is to be distributed to the parents or guardian at the time of enrollment on a form indicating whether the child has health insurance. If the child does not have health insurance and the parent or guardian's income does not exceed the highest level established by federal law, the school district must provide a notice to the parent or guardian that the uninsured child may qualify for health insurance coverage under SCHIP. The Department of Elementary and Secondary Education, in collaboration with the Department of Social Services, must submit an annual report to the Governor and the committee chairs of the House of Representatives Budget Committee and the Senate Appropriations Committee on the number of families in each district receiving free or reduced lunches, the number of families that indicated the absence of health insurance coverage on the forms, the number of families that received information on SCHIP, and the number of families who applied for coverage under SCHIP because of the receipt of the information (Section 2).

The provisions of the substitute regarding the Parents as Teachers Program will expire December 31, 2015.

The provisions regarding the appointment of a hearing officer in

the City of St. Louis School District become effective July 1, 2011.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Unknown - Greater than \$512,637 in FY 2011, Unknown - Greater than \$627,917 in FY 2012, and Unknown - Greater than \$703,551 in FY 2013. No impact on Other State Funds in FY 2011, FY 2012, and FY 2013.

PROPONENTS: Supporters say that the bill provides some options for school districts, including year-round school and two kindergarten entry periods, to help student achievement. The bond provisions are more like the original federal distribution requirements than the method the Department of Elementary and Secondary Education used to distribute the first installment of moneys. The requirement for charter schools to undergo a Missouri School Improvement Review does not seem well-suited to charter schools.

Testifying for the bill were Senator Bartle; Dale Herl, Independence School District; Missouri School Boards Association; Aaron Butler, Construction Career Charter Schools; and Dawn Finley, University of Missouri, St. Louis.

OPPONENTS: Those who oppose the bill say that the bond provisions will send large amounts of money to a few school districts with a large attendance and will render the ballot description inaccurate that many districts have already voted on. The physical education credit guidance is problematic. If the Parents as Teachers Program is required to charge for its services, the program could be disqualified from receiving certain funding. The Teacher Choice provisions would be better if the performance standards were developed locally, and it is unlikely that many teachers would opt out of tenure when the economy is bad.

Testifying against the bill were Heather Mudd, L.J. Hart, Incorporated; Trish Burkeen, DeSoto School District; Missouri State Teachers Association; Missouri National Education Association; and Parents as Teachers National Center.

OTHERS: Others testifying on the bill say year-round school is currently not prohibited, but there is probably a financial disincentive to run a year-round program.

Testifying on the bill was Department of Elementary and Secondary Education.