

HCS HB 2933 -- THE OPERATION OF SCHOOL DISTRICTS

SPONSOR: Christ

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 11 to 3.

The following is a summary of the House Committee Substitute for HB 2933.

The bill requires that beginning in the 2027-28 school year, school districts, charter schools, and publicly contracted private providers stop using seclusion on students as a form of punishment. The Department of Elementary and Secondary Education must update the model policy to incorporate the definition of seclusion and prohibit the confinement of a student in any room other than a classroom or sensory room.

This bill provides a withdrawal process for any school district that is part of a special school district. The bill requires that the school board of the school district that wants to withdraw approve a resolution for a public vote to withdraw and if so desired impose an additional levy to provide for services that the special school district has provided. Such proposed levy must not exceed the withdrawing school district's proportion of levy paid to the special school district.

The bill provides sample ballot language and the process for notification of the local election authority. If the majority at the next available day for school district elections vote to withdraw, the school board must notify the State Board of Education and the school board of the special school district and, beginning on July 1st of the second school year following the vote, the school district will no longer be included in the special school district. The special school district tax levy concludes June 30th of the school year before the withdrawal takes effect.

This bill requires that the county collector prorate the taxes imposed on each item or parcel of property so as to collect the proportional share for the school district and the special school district. The adjusted levy approved by voters will be used for special education, vocational education, and technical education programs and services. Additionally, the withdrawing school district must return property, facilities, equipment, and other assets and assume proportional bonded indebtedness.

If a majority of the vote is to remain within the special school district the question to withdraw may not be considered again for 12 months.

The State Board of Education will appoint a person to supervise the disposition of property and indebtedness and has rulemaking authority.

Any student receiving special education at a school operated by the special school district at the time of a withdrawal will be allowed to continue receiving such services as long as the student remains otherwise eligible to receive the services at said school. The district withdrawing will be responsible for the cost of such services.

A tenured teacher who is moving from a special school district as a result of withdrawal shall retain tenure status but will not be guaranteed to retain their salary.

This bill does not apply to Pemiscot County.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the intention of this bill is not to eliminate the special school district. This is about students, not institutions. There is a lot of support from both parents and school districts. Reform is needed; the lack of collaboration between a special school district and a school district restricts flexibility. Local priorities can't be met when the special school district doesn't share the same priorities. The special school district may have been created with good intent, but the structure has failed to deliver in practice. Local districts should have options. The special school district only needs students to maintain funding and there is no motivation to innovate.

Testifying in person for the bill were Representative Christ; Michelle Yopez; Diane Dragan; Tara Sparks, Lindbergh Schools; and Jennifer Miller.

OPPONENTS: Those who oppose the bill say that the special school district was designed as a county-wide partnership. It provides specialized expertise to schools within the local districts. It opens doors to teach in ways that wouldn't otherwise be possible.

The special school district isn't a redundancy, it is a lifeline. This bill will create fragmentation within our schools. This decision should be made by the county, not the State. Families of special needs students do not have the luxury to wait and see what happens. If pooled resources start to deplete, every district will leave the special school district. The special school district is not a luxury, it is often the only option for certain students.

Testifying in person against the bill were Missouri National Education Association; Tamico Jones; John Henderson; Paul Wegmann; Erin Taylor-Stone; Areeb Hasan; Sergei Marchenko; Krissy Wegmann; Julie Kauffman; Dr. Tim Dilg; and Kevin Andert, Special School District of St. Louis County.

OTHERS: Others testifying on the bill say the cost will create a bigger tax levy. Property taxes will have to increase to cover the costs. The special school district has the ability to service special needs students. This will potentially have a large fiscal impact and will require more full-time employees. This bill has the potential to be a win-win.

Testifying in person on the bill was Arnie Dienoff.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.