

The Missouri General Assembly had an abbreviated week of legislative activity this week due to the Martin Luther King, Jr. celebration (Monday, January 20, 2020), the State of the Judiciary Address (Tuesday, January 21, 2020), and cancelled House and Senate sessions due to inclement weather (Thursday, January 23, 2020).

On Wednesday, January 22, 2020, the Chief Justice of the Missouri Supreme Court George W. Draper, III, delivered the annual State of the Judiciary Address. Only the second African-American to deliver the address (Hon. Ronnie White was in attendance), the Chief Justice gave a brief biographical background, and then outlined the status of 1) circuit court realignment due to be considered by the Missouri General Assembly this month, 2) court automation, requesting an additional \$2.8M, 3) criminal justice reform (treatment and veterans courts, misdemeanor and felony reforms, excessive bail, expungement, diversion programs, and the public defenders, and 4) the 21Century Workforce Plan, advocating for the 3,600 employees Missouri's state courts.

Meanwhile, both chambers continued to conduct committee hearings, including the:

(1) House Committee on Children and Families ((01.21.20) voted out HB 1411 (Rep. Solon) that removes the statute of limitations for certain actions to recover damages regarding child abuse and sexual offenses,

(2) Senate Committee on Ways and Means (01.21.20) heard SB 581 (Sen. Cierpoit) creating the "Show Me a Brighter Future Scholarship Act" and SB 583 (Sen. Arthur) allowing for an income tax deduction for educator expenses (primarily teacher paid expenses),

(3) House Committee on Election and Election Officials (01.22.20) cancelled hearings on initiative petition reform, announcing that the hearing will be rescheduled for next Wednesday (01.29.20),

(4) Senate Committee on Local Government and Elections (01.22.20) heard SB 522 (Sen. Sater) modifying the initiative referendum process by amending the signature page requirements, filing fees, increasing the number of words permissible on the ballot to 150, and penalty provisions. The committee also heard SJR 31 (Sen. Sater) that increases the number of congressional districts and the percent of signatures necessary to place an initiative petition on the ballot, and increases from a simple majority to two-thirds the vote necessary to pass such a petition.

Next week, the House of Representatives will conduct the following hearings: Special Committee on Career Readiness (01.29.20) will hear HB 1926 (Rep. Kelly) prohibiting public institutions of higher learning from discriminating against a religious student association,

Also, I had conversations with Rep. Deaton and Sen. Emery this week regarding the issues that we have with MSHAA, public schools, and infringement on our statute. Sen. Emery is certainly of like mind as it relates to protecting home educated students from government intrusion/oversight, but Rep. Deaton is apparently neither understanding nor sympathetic to our position. Nonetheless, Rep. Deaton said that he would offer Sen. Emery's bill (modified) in lieu of the statute that he filed last year.

Call when you have the opportunity to discuss next week.

David

David J. Klarich, Esq.

*Riezman Berger, PC
Partner
7700 Bonhomme Avenue
7th Floor
Clayton, Missouri 63105
314.727.0101 Office
314.727.6458 Facsimile*

*Citizens for Policy Reform, LLC
Managing Member
438 Gateford Drive
St. Louis, Missouri 63021
314.560.1616 Cell*

HB1275 - Changes the laws regarding school reporting requirements to law enforcement

Sponsor: Rep. Sarah Unsicker (D)

Summary: This bill removes the requirement that, when a student is believed to have committed an act, if committed by an adult, would be assault in the third degree or harassment on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal immediately report such incident to the appropriate law enforcement agency and the superintendent. The principal must still report to law enforcement, the superintendent, and the parents of any victim as soon as reasonably practical when a student commits any offense specified in Subsection 2 of Section 160.261, RSMo.

Currently, when a pupil is discovered to have on his or her person, among the pupil's possessions, or placed elsewhere on the school premises any controlled substance or any weapon, the principal is required to report the discovery to the appropriate law enforcement agency immediately. This bill changes the requirement to being reported as soon as reasonably practical. Furthermore, the bill specifies that, any time a teacher becomes aware of such possession, he or she shall report such incident to the principal as soon as reasonably practical.

The bill provides civil immunity for school employees, superintendents, or their designees who provide information to law enforcement or juvenile authorities regarding an instance in which a pupil is believed to have committed an act that, if committed by an adult, would be assault in the third degree or assault in the fourth degree.

This bill is similar to HCS HB 1803 (2018) and HB 62 (2019).

Introduced 12/02/2019

Date:

Progress: Chamber 1: Referred to Committee

Last 01/16/2020

Action: H - Referred to House Special Committee on Student Accountability

HB1338 - Establishes a tax deduction for educator expenses

Sponsor: Rep. Ann Kelley (R)

Summary: For all tax years beginning on or after January 1, 2021, this bill authorizes a tax deduction in the amount of 100% of unreimbursed educator expenses incurred by an eligible educator, not to exceed \$500. An eligible educator is defined as an individual who is a K12 teacher, instructor, counselor, principal, or aide in a school for at least 900 hours during a school year.

Educator expenses are expenses incurred as a result of the participation by the educator in professional development courses related to the curriculum in which the educator provides instruction, and expenses in connection with books, supplies, computer equipment and other equipment, and supplementary materials used by the eligible educator in the classroom.

This bill is the same as HB 299, HB 364, and SB 61 (2019).

Introduced 12/02/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HB1575 - Requires children in the City of St. Louis and Kansas City school districts to enroll in a school by the age of five

Sponsor: Rep. Judy Morgan (D)

Summary: Beginning in the 2021-22school year, this bill requires a parent or guardian in the City of St. Louis and the Kansas City school districts who chooses to enroll a child in a public, private, parochial, or parish school or full-time equivalent attendance in a combination of schools to do so by the time the child is age five. These provisions do not apply to home-schooled children.

This bill is similar to HB 538 (2019) and HB 1770 (2018).

Introduced 12/03/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HB1581 - Modifies provisions relating to parental consent for vaccinations

Sponsor: Rep. Keri Ingle (D)

Summary: This bill allows a minor to give consent for vaccinations, without needing a parent to give consent.

This bill is the same as HB 1075 (2019).

Introduced 12/03/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HB1717 - Requires any legislation originating in the House that adds a new requirement for public schools to include provisions that reduce an existing requirement for public schools

Sponsor: Rep. Herman Morse (R)

Summary: This bill prohibits representatives from requesting, or any legislative employee from drafting, any legislation in the form of an act or joint resolution that expands or creates a new duty,

mandate, or requirement, for public schools unless it is accompanied with a provision reducing or eliminating an existing duty, mandate, or requirement for public schools.

Introduced 12/12/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HB1732 - Modifies provisions relating to elementary and secondary education

Sponsor: Rep. Phil Christofanelli (R)

Summary: This bill requires every superintendent and assistant superintendent to enter into a written employment contract with a school district before beginning employment. The requirements of the contract are described within the bill and only apply to contracts executed on or after the effective date of the bill.

This bill is the same as HCB 7 (2019).

Introduced 12/12/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HB1733 - Establishes the "Missouri Empowerment Scholarship Accounts Program."

Sponsor: Rep. Phil Christofanelli (R)

Summary: This bill creates the "Missouri Empowerment Scholarship Accounts Program" and specifies that any taxpayer may claim a tax credit, not to exceed 50% of the taxpayer's state tax liability, for any qualifying contribution to an educational assistance organization for all tax years beginning on or after January 1, 2021. The cumulative amount of tax credits issued in any one calendar year shall not exceed \$50 million. Each educational assistance organization shall meet certain requirements and provide specified information during an annual audit.

The State Treasurer shall provide a standardized format for a receipt to be issued by the educational assistance organization to indicate the value of a contribution received as well as a standardized format for educational assistance organizations to report the information. The State Treasurer or State Auditor may conduct an investigation if he or she possesses evidence of fraud committed by the educational assistance organization. The educational assistance organization may be barred from participating in the program if it is found to have intentionally and substantially failed to comply with certain requirements. In addition, the State Treasurer shall issue a report on the Missouri Empowerment Scholarship Accounts program five years after its effective date. Each educational assistance organization shall also annually administer tests to measure learning gains in math and English, and report these results along with graduation rates, college attendance, and a parental survey as specified in the bill. The state treasurer shall provide this data to the public via a state website after the 3rd year of collection.

A qualified student may receive a grant to be deposited in the student's Missouri Empowerment Scholarship Account if he or she is an elementary or secondary student, a resident of Missouri, and has attended a public school as specified in the bill, is entering Kindergarten or first grade, or is attending school for the first time. Missouri Empowerment Scholarship Accounts are renewable on an annual basis. Moneys deposited into the account shall be used for specified services and fees. If a qualified student withdraws from the program, is disqualified from the program, or graduates, the student's account shall be closed

and remaining funds shall be returned to the educational assistance organization for redistribution to other qualified students.

Beginning in the 2022-23 school year the bill requires the State Treasurer to conduct or contract for annual audits of empowerment scholarship accounts to ensure compliance. Any person who is found to have knowingly used moneys granted under the provisions of this bill other than the purposes provided, shall be guilty of a class A misdemeanor.

This bill is similar to HB 478 (2019).

Introduced 12/12/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HB1926 - Prohibits public institutions of higher learning from discriminating against a religious student association or denying a religious student association any benefit available to any other student association

Sponsor: Rep. Hannah Kelly (R)

Summary: This bill prohibits public institutions of higher learning from taking any action or enforcing any policy that denies a religious student association benefits available to other student associations. The bill also prohibits discrimination against a religious student association based on its requirement that leaders of the association adhere to its sincerely held religious beliefs, religious practice requirements, or religious standards of conduct.

The bill also authorizes aggrieved religious student associations to seek appropriate relief in a judicial or administrative proceeding against a public institution of higher learning that violates the requirements of the bill.

This bill is similar to HB 837 (2019) and HB 2074 (2018).

Introduced 01/02/2020

Date:

Progress: Chamber 1: Referred to Committee

Last 01/22/2020

Action: H - Scheduled for Committee Hearing
[01/29/2020 12:00 PM - House-Special Committee on Career Readiness, HR 6](#)
House-Special Committee on Career Readiness

HB2233 - Authorizes a tax deduction for certain families of children attending private school or a home school

Sponsor: Rep. Mike Haffner (R)

Introduced 01/21/2020

Date:

Progress: Chamber 1: Filed

Last 01/22/2020

Action: H - Read Second Time

HJR73 - Proposes a constitutional amendment entitling all students to an adequate and equitable education and increasing the percentage of state revenue set aside for public schools

Sponsor: Rep. Judy Morgan (D)

Summary: Upon voter approval, this proposed Constitutional amendment would increase the minimum

percentage of state revenue for public school education from 25% to 33% to help ensure adequate and equitable education.

This bill is the same as HJR 26 from (2019).

Introduced 12/03/2019

Date:

Progress: Chamber 1: Filed

Last 01/09/2020

Action: H - Read Second Time

HJR82 - Proposes a constitutional amendment to protect the integrity of interscholastic athletic contests

Sponsor: Rep. Robert Ross (R)

Summary: Upon voter approval this proposed Constitutional amendment requires that students who participate in sex-separated athletic contests only be allowed to participate in those for the biological sex found on the student's birth certificate.

Introduced 12/17/2019

Date:

Progress: Chamber 1: Referred to Committee

Last 01/23/2020

Action: H - Referred to House committee on General Laws

SB581 - Establishes the "Show Me a Brighter Future Scholarship Act"

Sponsor: Sen. Mike Cierpiot (R)

Summary: SB 581 - This act establishes the "Show Me a Brighter Future Scholarship Program".

For all fiscal years beginning on July 1, 2021, any taxpayer who makes a qualifying contribution to the Show Me a Brighter Future Scholarship Fund set forth in the act may claim a tax credit equal to 100% of the total contribution. The amount of the tax credit claimed by an individual taxpayer or a married couple filing jointly shall not exceed 50% of the taxpayer's state tax liability for the year in which the credit is claimed, nor shall a corporate taxpayer claim a tax credit in excess of 50% of such taxpayer's state tax liability for the year.

The State Treasurer shall certify the tax credit amount to the taxpayer. Such credit may be carried forward to any of the taxpayer's three subsequent tax years. No tax credits authorized under the program shall be transferred, sold, or assigned, and are not refundable.

The cumulative amount of tax credits that may be allocated to all taxpayers contributing to the scholarship fund in the first year of the program shall not exceed \$25 million. If the amount of the tax credits claimed in the first tax year exceeds 90% of the tax credits available, the amount of tax credits available shall increase by 10% in the subsequent year. Tax credits shall be allocated by the State Treasurer on a first come, first served basis.

A taxpayer who makes a contribution to the scholarship fund shall not designate the student who will receive a scholarship grant. (Section 135.732)

The State Treasurer shall adopt rules and procedures necessary to implement the provisions of this act, including rules setting forth the order of preference for scholarship awards, reporting requirements, responsibilities of a parent of an eligible student, and responsibilities of an eligible student's district of residence.

Scholarship grants shall be provided to eligible students with a qualified tuition savings

account or an Achieving a Better Life Experience (ABLE) account.

Under this act, an eligible student is any student who is a member of a household whose total annual income does not exceed an amount equal to two times the income standard used to qualify for free and reduced price lunch, who has attended a public school in the preceding semester or is starting school in the state for the first time, or who is starting school in Missouri for the first time and is a sibling of a student already enrolled in the program.

The amount of scholarship grants awarded to eligible students shall be equal to the state adequacy target, and the amount of scholarship grants awarded to a special education eligible student shall be in an amount equal to the state adequacy target multiplied by 1.75.

Scholarship funds in a qualified tuition savings account shall only be used for payment of tuition at a qualifying school. Scholarship funds in an ABLE account shall only be used for tuition at a qualifying school, special education services, therapies, and transportation.

The State Treasurer may bar a parent from future participation in the program if the State Treasurer establishes that the parent has intentionally spent scholarship grant funds for a purpose other than that allowed under the act or by rule.

(Section 135.734)

JOSIE BUTLER

Introduced 12/02/2019

Date:

Progress: Chamber 1: Referred to Committee

Last 01/21/2020

Action: S - Hearing Conducted

SB583 - Allows for an income tax deduction for educator expenses

Sponsor: Sen. Lauren Arthur (D)

Summary: SB 583 - For all tax years beginning on or after January 1, 2021, this act establishes a tax deduction in the amount of 100% of unreimbursed educator expenses incurred by an eligible educator, not to exceed \$500.

An eligible educator is defined as an individual who is a kindergarten through grade twelve teacher, instructor, counselor, principal, or aide in a school for at least 900 hours during a school year.

Educator expenses are defined as expenses incurred as a result of the participation by the educator in professional development courses related to the curriculum in which the educator provides instruction, and expenses in connection with books, supplies, computer equipment and other equipment, and supplementary materials used by the eligible educator in the classroom.

This act is identical to SB 61 (2019) and HCS/HBs 299 & 364 (2019).

JOSH NORBERG

Introduced 12/02/2019

Date:

Progress: Chamber 1: Filed

Last 01/21/2020
Action: S - Hearing Conducted

SB707 - Establishes the Missouri Empowerment Scholarship Accounts Program

Sponsor: Sen. Andrew Koenig (R)

Summary: SB 707 - This act establishes the Missouri Empowerment Scholarship Accounts Program.

For all fiscal years beginning on or after July 1, 2021, a taxpayer may make a qualifying contribution to an educational assistance organization and claim a tax credit equal to 85% of the amount of the contribution. The amount of the tax credit claimed shall not exceed 50% of the taxpayer's state tax liability for the tax year for which the credit is claimed, and a taxpayer may carry the credit forward to any of the next four tax years. Tax credits authorized under the program may not be transferred, sold, or assigned, and are not refundable.

The annual cumulative amount of tax credits that may be allocated shall not exceed \$50 million. The State Treasurer shall establish a procedure to allocate the tax credits to the educational assistance organizations on a first come, first served basis. (Section 135.713)

An educational assistance organization shall meet certain requirements set forth in the act, including notifying the State Treasurer of its intent to provide scholarship accounts; being a 501(c)(3) organization; providing a receipt to taxpayers for contributions; ensuring that funds are used as specified in the act; distributing scholarship payments four times per year in an amount not to exceed the state adequacy target; carry forward no more than 25% of the revenue from contributions into the following fiscal year; providing the State Treasurer, upon request, with criminal background checks on all employees and board members; annually administer either the state achievement tests or nationally norm-referenced tests and provide such results to the parents of participating students and to the State Treasurer; conduct an annual parental satisfaction survey; and demonstrate financial accountability and viability, as described in the act.

Each educational assistance organization shall publicly report to the State Treasurer, by June first annually, the name and address of the organization, the total number and dollar amount of contributions during the previous calendar year, and the total number and dollar amount of scholarship accounts opened during the previous calendar year. (Section 135.714)

The State Treasurer shall provide standardized forms for program participants, and shall require a taxpayer to provide a copy of such receipt if claiming a tax credit under the program.

The State Treasurer or State Auditor may conduct an investigation of any educational assistance organization if it possesses evidence of fraud. In addition, the State Treasurer may bar an educational assistance organization from participating if the organization has failed to comply with program requirements.

The State Treasurer shall issue a report on the state of the program five years after it goes into effect, including information regarding the finances of the educational assistance organization, and educational outcomes of qualified students. (Section 135.716)

The provisions of the Missouri Sunset Act shall not apply to the program. (Section 135.719)

A student is eligible to receive funds in a Missouri Empowerment Scholarship Account if he or she is identified as having a disability as set forth in the act, is a child of a parent in active military service, is a ward of the state, or can certify that he or she has been bullied. A high school student may be eligible to receive funds, if he or she is enrolled in a vocational

education program at his or her high school or at an area vocational school, or in any job training or educational program offered by a labor organization.

A qualified student shall also have attended a public school under circumstances set forth in the act or be eligible to begin kindergarten. (Section 166.700)

A parent of a qualified student shall only use the money in the account for certain expenses related to the qualified student's education, as described in the act.

The parent of a qualified student shall sign an agreement with an educational assistance organization to enroll the qualified student in a qualified school to receive an education for the student in certain subjects; not enroll the student, other than a student that is in the custody of the state, in a school operated by the qualified student's district of residence or in a charter school; release the district of residence from the obligation of educating the student while the student is enrolled in the program; use the Missouri Empowerment Scholarship Account money for only specified purposes; and not use the funds for consumable education supplies or tuition at a private school located outside of the state.

The scholarship accounts are renewable on an annual basis upon request of the parent of a qualified student. A qualified student shall remain eligible for renewal until the student completes high school. If a qualified student withdraws from the program by enrolling in a school other than a qualified school, or is disqualified from the program for violations specified in the act, the scholarship account shall be closed and any remaining funds shall be returned to the educational assistance organization for redistribution to other qualified students. When a student withdraws from the program, the responsibility for providing an education for that student transfers back to the student's district of residence.

The funds remaining in the scholarship account at the end of a school year shall remain in the account for the following school year. Any funds remaining in the account after graduation shall be returned to the educational assistance organization for redistribution to other qualified students. (Section 166.705)

Beginning in the 2022-2023 school year, the educational assistance organization shall conduct or contract for an annual audit of accounts to ensure compliance. A parent may be disqualified from program participation if the State Treasurer determines that the parent is found to have committed an intentional program violation. The State Treasurer may refer cases of substantial misuse of moneys to the Attorney General. (Section 166.710)

A person commits a Class A misdemeanor if he or she is found to have knowingly used moneys for any purposes other than those set forth in the act. (Section 166.715)

These provisions are substantially similar to SS/SCS/SB 160 (2019), and are similar to HB 34 (2019), HCS/HB 478 (2019), SB 612 (2018), SS#2/SCS/SB 313 (2017) and to provisions contained in SCS/SB 32 (2017), SB 609 (2016), SB 531 (2015), and HCS/HBs 1589 & 2307 (2016).

Introduced 12/02/2019

Date:

Progress: Chamber 1: Filed

Last 01/08/2020

Action: S - Read First Time

SB830 - Modifies provisions related to workforce development in elementary and secondary education

Sponsor: Sen. Mike Cunningham (R)

Summary: SB 830 - This act modifies provisions related to workforce development in elementary and secondary education.

SCHOOL INNOVATION WAIVERS (Section 161.214)

Under this act, any school intervention team, which shall mean a group of persons representing certain schools as set forth in the act, may submit a state innovation waiver plan to the State Board of Education for certain purposes, including improving student readiness for employment, higher education, vocational training, technical training, or any other form of career and job training, increasing the compensation of teachers, or improving the recruitment, retention, training, preparation, or professional development of teachers.

A school innovation waiver shall mean a waiver granted by the State Board to certain schools, set forth in the act, in which such schools are exempt from a specific requirement imposed by current law, or any regulations promulgated by the State Board or the Department of Elementary and Secondary Education. Any school innovation waiver granted to a school district or group of school districts shall be applicable to every elementary and secondary school within the school district or group of school districts unless the plan specifically provides otherwise.

Any plan for a school innovation waiver shall include certain information, including the specific provision of law for which a waiver is being requested, and an explanation for why such provision of law inhibits the ability of the school or school district to accomplish the goal stated in the plan. The plan shall also demonstrate that the intent of the law can be addressed in a more effective, efficient, or economical manner and that the waiver or modification is necessary to implement the plan.

In evaluating a plan submitted by a school innovation team, the State Board shall consider whether the plan meets certain criteria set forth in the act. The State Board may propose modifications to the plan in cooperation with the school innovation team.

Any waiver granted under this act shall be effective for no longer than three school years, but school innovation waivers may be renewed. No more than one school innovation waiver shall be in effect with respect to any one elementary or secondary school at one time.

The State Board shall not authorize the waiver of any statutory requirements relating to teacher certification, teacher tenure, or any requirement imposed by federal law.

VIRTUAL CLASS ATTENDANCE (Section 162.1250)

Under current law, for purposes of calculation and distribution of state school funding, attendance of a student enrolled in a district or charter school virtual class shall equal, upon course completion, 94% of the hours of attendance possible for such class delivered in the nonvirtual program in the student's

resident district or charter school.

Under this act, attendance of a student in such a virtual class shall equal 95% of the hours of attendance possible.

CALCULATION OF AVERAGE DAILY ATTENDANCE (Section 163.018)

Under this act, beginning in the 2020-2021 school year, the calculation of a school district or charter school's average daily attendance shall include the attendance hours of pupils that attend a half-day early childhood education program of the district or charter school in the current year.

This provision shall only apply to a district or charter school that did not offer an early childhood education program during the 2019-2020 school year.

STUDENT CAREER AND ACADEMIC PLANS (Section 167.903)

Current law allows any student, prior to his or her ninth grade year at a public or charter school, to develop a personal plan of study with help from the school's guidance counselors, which shall be reviewed regularly, as needed by school personnel and the student's parent or guardian and updated based upon the needs of the student.

Under this act, such students shall be required to develop an individual career and academic plan, rather than a personal plan of study, with his or her school's guidance counselors. Such plan shall be reviewed once per semester by school personnel and the student's parent or guardian.

Each student, prior to the completion of the second semester of his or her twelfth grade year, shall include, as part of such plan, a declaration as to his or her post-secondary plans.

FREE APPLICATION FOR FEDERAL STUDENT AID (Section 167.907)

Under this act, no student shall receive a certificate of graduation from any public or private school unless he or she has completed and submitted the Free Application for Federal Student Aid (FAFSA).

A student shall be exempt from such requirement if such student submits to the school a written confirmation of a commitment to enlist in the armed forces or a written document or form signed by the student's parent or guardian, attesting that they understand what the application is and have chosen not to file such application.

This provision is similar to HB 1349 (2020).

AID FOR CAREER AND TECHNICAL EDUCATION PROGRAMS (Section 167.908)

The Department of Higher Education and Workforce Development shall, by rule, establish a procedure for providing the means and capability for high school students enrolled in career and technical education (CTE) programs to complete an application for aid through the United States Department of Labor, Employment and Training Administration.

The Department shall work with school districts that deliver CTE programs to educate students on the value of the aid available to them through the federal Workforce Innovation and Opportunity Act, and shall meet certain thresholds set forth in the act.

CAREER PATHWAYS SYSTEMS (Section 168.021)

Under current law, certificates of license to teach in the public schools shall be granted by the State Board, which shall issue an initial visiting scholars certificate based on verification from the hiring school district that the applicant will be employed as part of a business-education partnership initiative designed to build career pathways systems for students in a grade or grades not lower than the ninth grade.

This act repeals the requirement that the hiring school district verify that the applicant will be employed as part of a business-education partnership initiative, but rather requires such district to verify that the applicant will be employed to build career pathways systems for students.

PUBLIC SCHOOL RETIREMENT SYSTEM OF MISSOURI (PSRS) and PUBLIC EDUCATION EMPLOYEE RETIREMENT SYSTEM OF MISSOURI (PEERS) (Section 169.596)

Current law provides that a retired certificated teacher receiving a retirement benefit from the Public School Retirement System of Missouri(PSRS) may, without losing his or her retirement benefit, teach full time for up to two years for a school district covered by PSRS, provided that no such retired teacher shall be employed as a superintendent. Current law also caps the total number of such teachers to the lesser of ten percent of the total teacher staff for that school district, or five certificated teachers.

Under this act, such teacher may be employed full time for up to four years for a school district covered by PSRS, without losing his or her retirement benefit. This act also repeals the provision prohibiting such teacher from being employed as a superintendent, and repeals the cap on the number of retired certificated teachers that may be employed.

Under this act, a retired certificated teacher receiving a retirement benefit from PSRS may only be employed as a superintendent if he or she has been retired for at least twelve months prior to such employment, unless immediate employment is necessary due to death, disability, or termination for cause of the superintendent who held the position being filled.

Current law also provides that any person receiving a retirement benefit from the

Public Education Employee Retirement System of Missouri (PEERS) may, without losing his or her retirement benefit, be employed full time for up to two years for a school district covered by PEERS, provided that the school district has a shortage of noncertificated employees. The total number of retired noncertificated employees shall not exceed the lesser of ten percent of the total noncertificated staff of the school district, or five employees. This act permits such employee to be employed for up to four years, rather than two.

The total number of retired members working for a school district under PSRS or PEERS, including certificated and noncertificated employees, shall not exceed the lesser of ten percent of the total number of employees for that district or ten employees.

Introduced 01/08/2020

Date:

Progress: Chamber 1: Filed

Last 01/08/2020

Action: S - Introduced and Read First Time

SB875 - Provides that no public school shall be a member of a statewide activities association if such association prohibits a home school student from participating in any event or activity offered by a public school in the school district in which the student resides

Sponsor: Sen. Ed Emery (R)

Summary: SB 875 - Under this act, school districts shall not receive funding under the foundation formula if such district is a member of, or remits any funds to, any statewide activities association that prohibits a home school student from participating in any event or activity offered by the school district, or requires a home school student to attend the public school for any portion of a school day in order to participate in any event or activity.

The Department of Elementary and Secondary Education is required to withhold payments to districts in violation of this act until such district proves to the State Board of Education that the school district has ceased membership in the organization.

This act further provides that a statewide activities association shall not prohibit or restrict any school district that is a member of the association from participating in any events authorized or regulated by the association with any school that is not a member of the association.

This act is substantially similar to SB 130 (2019).

Introduced 01/14/2020

Date:

Progress: Chamber 1: Filed

Last 01/14/2020

Action: S - Introduced and Read First Time

SJR50 - Requires students participating in any single-gender event or activity organized by a statewide activity association to participate in the event corresponding to the student's biological sex

Sponsor: Sen. Cindy O'Laughlin (R)

Summary: SJR 50 - This proposed constitutional amendment, if approved by the voters, provides that

students participating in any event or activity, that is a single-gender event, organized by any statewide activity association shall be required to participate in the event corresponding to the student's biological sex.

Introduced 12/02/2019

Date:

Progress: Chamber 1: Filed

Last 01/08/2020

Action: S - Read First Time

SJR55 - Provides for parents' exclusive right to control the upbringing of their children

Sponsor: Sen. Bill Eigel (R)

Summary: SJR 55 - This constitutional amendment, if approved by the voters, declares that every parent has a fundamental right to exercise exclusive control over all aspects of their minor children's lives without governmental interference, including, but not limited to, decisions regarding their minor children's custody, upbringing, education, religious instruction, discipline, physical and mental health care, and place of habitation. This fundamental right does not extend to any action by the parent that threatens clear, immediate, and substantial physical injury to their minor child, nor permit a parent to compel a minor child to have an abortion.

This amendment also declares that every parent has a fundamental right to require government entities to obtain the parent's explicit permission before soliciting or sharing information obtained from a minor child about the child or the child's family, unless the information is obtained during a criminal investigation or, if enrolled in public school, the child's knowledge of academic subjects.

This amendment guarantees that every parent shall have the fundamental right to decide what educational settings in which to place their child.

This amendment lists several circumstances in which government interference with parental rights will be justified, including:

- (1) When protecting a child from a clear, immediate, and substantial threat of physical injury;
- (2) When a parent has been found by a court to have knowingly exposed a child to physical neglect, abandonment, reckless endangerment, or sexual or physical abuse;
- (3) When a parent has been found by a court to be incapacitated or mentally incompetent;
- (4) When a child has been emancipated by court order in accordance with state statutes;
- (5) When a court has assumed jurisdiction over a minor child charged with or convicted of violating a criminal statute; and
- (6) When a court of law has assigned parental rights to one parent or a non-biological parent as a result of mental incompetence, adoption, or marital dissolution.

Finally, this amendment permits any parent whose rights have been adversely affected to challenge the constitutionality of the infringing law, policy, or other government act and seek damages and attorney's fees.

This amendment is identical to SJR 38 (2016) and similar to HJR 56 (2014).

Introduced 12/18/2019

Date:

Progress: Chamber 1: Filed

Last 01/08/2020

Action: S - Read First Time