

HCS#2 HB 2008, 1218 & 1062 -- SCHOOL SAFETY AND EFFICIENCY

SPONSOR: Cunningham, 86 (Muschany)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elementary and Secondary Education by a vote of 8 to 2.

This substitute changes the laws regarding school safety and efficiency, teacher certification, accredited school districts, and charter schools.

#### SAFETY

Currently, school districts are allowed to adopt emergency plans, but the substitute requires emergency planning and requires the plan to address the continuation of school services when person-to-person contact must be curtailed.

School districts must develop a policy by September 1, 2007, to prevent bullying. The policy must treat students equally, but may include age-appropriate differences. The policy must cover, among other issues, the consequences for bullying and the procedures for reporting it.

#### EFFICIENCY

The substitute restricts the members of the governing council of the St. Louis Special School District to four two-year terms. Members who have served for eight or more years cannot serve again until at least three other members of the board of education of their school district have served as governing council members or until a total of six years have been served by other members of their board of education. Governing council members must report the substance of each council meeting to their respective boards of education at the next meeting; and the minutes of council meetings must be provided to all member boards of education.

The fee for the State Auditor to register school bonds is changed to \$50 an hour. Beginning January 1, 2010, the fee will be adjusted by the inflation rate.

#### TEACHERS AND DISTRICTS

Teachers who have attained certification through the American Board for Certification of Teacher Excellence are allowed to acquire Missouri certification based on State Board of Education rules. The state board is permitted to recognize certification through other federally approved teacher certification organizations at its discretion, and districts may continue to impose district-level additional requirements for hiring.

The substitute changes the laws to prevent a school district from

moving back and forth between unaccredited and provisionally accredited status. If a school district that has been classified as unaccredited within the past five years and has become provisionally accredited should lose its provisional accreditation, it will lapse on June 30 or at a later date determined by the state board.

The required hearing on the plans for continuing educational programs after lapse must be held at least 60 days before the district lapses. A special administrative board, which may be appointed by the state board to monitor an unaccredited district, is also given standing to enjoin school board actions that might result in wastage of assets. The state board is given the option of permitting a lapsed district to continue to operate under its existing governance structure according to terms and conditions the board establishes. A prohibition on attaching a lapsed district with more than 5,000 students to another district without the approval of the board of the receiving school district is removed.

#### CHARTER SCHOOLS

The substitute clarifies that the sponsoring private college of a charter school in St. Louis must have its primary campus located in Missouri in the same standard metropolitan statistical area as the St. Louis City School District. The substitute also adds several accountability provisions that address charter schools going out of business; audit requirements; and provisions that clarify that for the purposes of charter school board members selling to or providing services for the charter school, the same restrictions that govern local school district board members apply.

#### MISCELLANEOUS PROVISIONS

References to Section 162.700, RSMo, regarding early childhood education were included in the sunset clause for the First Steps Program. The substitute removes these erroneous references from the sunset clause.

The substitute contains an emergency clause.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$853,001 to less than \$1,053,001 in FY 2007, \$1,023,601 to less than \$1,123,601 in FY 2008, and \$1,023,601 to less than \$1,123,601 in FY 2009. No impact on Other State Funds in FY 2007, FY 2008, and FY 2009.

PROPONENTS: Supporters of HB 2008 say that school districts need to be ready for emergencies other than weather-related disasters. For pandemic flu, school buildings may be used for community purposes, and it may be very difficult to provide continuity of education without a thorough plan.

Supporters of HB 1218 say that while school districts must have a discipline policy, bullying continues to be a problem. Schools need to address the problem of bullying, and the bill gives them a framework for doing that.

Supporters of HB 1062 say that some school districts do not get consistent reporting back from their representatives on the governing council. Ensuring rotation and reporting requirements should help component districts stay informed.

Testifying for HB 2008 were Representative Muschany; and Department of Health and Senior Services. Testifying for HB 1218 were Representative Kraus; and Kathy O'Loughlin, Missouri Parent Teacher Association. Testifying for HB 1062 was Representative Cunningham (86).

OPPONENTS: Those who oppose HB 1062 say that while the reporting provisions are a good idea, expertise is valuable. If the districts are happy to have one person specialize, that should be their decision.

Testifying against HB 1062 were Missouri School Boards' Association; and Missouri National Education Association.

OTHERS: Others testifying on HB 2008 say that a full-scale rehearsal is not defined and could result in a district not getting its state funding for average daily attendance. The legislature should be careful about creating a liability situation in requiring the means to deliver services without ensuring that the necessary services can be provided.

Others testifying on HB 1218 say that while the intent of the bullying bill is admirable, prohibiting a list of classes eliminates a valuable training tool for staff. Districts would be better served by less prescriptive guidelines with more flexibility.

Others testifying on HB 2008 was Missouri School Boards' Association. Others testifying on HB 1218 were Missouri School Boards' Association; Missouri School Administrators Coalition; and Missouri National Education Association.

Becky DeNeve, Senior Legislative Analyst