

HCS SCS SB 1225 & 1226 -- ELEMENTARY AND SECONDARY EDUCATION

SPONSOR: Mayer (Muschany)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Student Achievement by a vote of 5 to 0.

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

(1) Removes an exception for expedited hearings making a five-day notice applicable to all special education due process hearings and clarifies that the designee of the responsible public agency must sign any placement agreement reached at a resolution session or preliminary meeting and that the agency, usually the local school district, must identify a designee who has the authority to bind the agency;

(2) Revises the procedure for filling vacancies on a school board to require a special election, rather than the selection of a replacement by the school board or county commission;

(3) Requires school districts to publish detailed financial information on the total compensation package of their superintendents and assistant superintendents;

(4) Requires the educational needs of a child under the jurisdiction of the juvenile or family court to be considered by the child's family support team and to assume that a full six-hour school day is warranted. The substitute contains provisions regarding referrals for special education services and covers three different scenarios for the education of children in licensed residential care facilities. Children who do not have an individualized education program whose plan of treatment supports attendance at a public school will be provided a full day of school through the residential treatment facility if they are suspended from school or otherwise demonstrate educational failure. School districts and treatment facilities that expect the local schools to provide education to their clients are required to work together to develop a general plan to provide services under a variety of circumstances and to verify their support of the plan annually;

(5) Specifies the circumstances under which differential pay for teachers may be permitted; and

(6) Establishes the Teacher Bill of Rights Act which requires teacher associations to get written consent for payroll deduction for political purposes. The substitute specifies the consent form, the records that must be kept, and restrictions on dues or

fees. Copies of the records are not subject to the Open Meetings and Records Law, commonly known as the Sunshine Law, and a teacher's rights may not be waived.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that the federal regulations on due process for the Individuals with Disabilities Education Act have been revised, so the state laws must also be revised to correspond to the changes.

Testifying for the bill were Representative Muschany; and Missouri National Education Association.

OPPOSERS: There was no opposition voiced to the committee.