

# WVEA

Standing Together for Public Schools

## WEST VIRGINIA EDUCATION ASSOCIATION

AN NEA AFFILIATE

# LEGISLATIVE UPDATE

Update #5 - February 8, 2019

## Amendments offered to SB 451 in House Education

This week the Senate's Omnibus Education Bill (SB 451) went to the House and was assigned to the House Education Committee.

Unlike the Senate Education Committee's rush to move the bill, the House Education Committee has moved very deliberately. As this is written, they have discussed the bill during 5 separate committee meetings for over 15 hours.

As this is being written, they are still working on the bill and will be offering individual amendments to various sections of the bill.

**Already a different bill from the one the Senate passed.** They begin discussions by taking up a strike and insert amendment that made some significant changes and removed the Senates' provisions of non-severability and elimination of payroll deduction completely.

Their strike and insert amendment also made changes in the following sections:

- Added ESP to the \$250 tax credit
- Changed counselors from 75% to 80% of their day in direct time spent with students.
- Revised the work stoppage section to say if the days were made up that employees who worked those days would be paid
- Significantly altered the charter school section. Limiting them to 2 statewide (1 in Kanawha and 1 in Cabell). They must be an existing public school that is converted. The school opting to convert must have a majority vote of the faculty senate and be a Title 1 elementary school servicing low income students. It would also have to keep all students currently in the school's attendance zone who wish to remain. It also does away with the WV Charter School Commission.
- ESAs were limited to special needs students, other than gifted.
- Sick leave would be accrued with half the days given at the beginning of the first semester and the other half at the beginning of the 2nd semester as opposed to accruing them each pay period as the senate proposed.
- The sick leave incentive was extended to any full-time employee.
- Cost of tuition for the Underwood Smith Scholars was actual cost of tuition or a max of \$7,200 per year.

Those are the major items amended in the House Education Committee at this time. A number of additional amendments are also expected to be made once the discussion/Q&A has concluded.

The House Education committee is expected to continue their work on Friday afternoon, Friday evening and perhaps on Saturday morning. As amendments are made to the bill we will issue updates.

### **Continue to contact the Republican members of the House Education Committee.**

**Next steps for the bill.** After the House Education Committee had completed their work on the bill it will then be sent to the House Finance Committee. In House Finance it can still be amended and changed.

Once House Finance passes the bill it will go before the full House. On 2nd reading on the House floor amendments can be offered again.

The bill that emerges from the House will be radically different from the one passed in the Senate. Most likely the Senate will not accept the House amendments and the bill will end up in a conference committee in an attempt to work out the differences in the two versions.

If those differences are resolved, the bill goes back to each chamber and is voted on. If a compromise cannot be reached the bill will die.

If both chambers pass the agreed to bill it then goes to the Governor. The governor can allow the bill to become law or veto it.

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If the governor should veto the bill, his veto could be overridden by a simple majority vote of each chamber.

## **Two public hearings to be held Monday on SB 451**

On Thursday, Speaker of the House Roger Hanshaw requested a public hearing be held on SB 451. His initial request did not indicate a day and time. Eventually, the public hearing was set for Monday, February 11 at 8:00 am in the House Chamber.

The scheduling of the public hearing certainly is contrary to the intent given for the request – to get input from educators and parents on the bill. We sent a letter and made a request of the speaker to change the time to one that will allow more educators and parents to attend.

Friday morning on the House floor, Delegate Hornbuckle (D-Cabell) offered an amendment to change the time of the public hearing to 5:30 pm in order for school employees and parents to attend. Debate ensued with Democrats advocating for the change and many Republicans defending the 8:00 am scheduled time.

Eventually Delegate Kelly (R-Doddridge) amended the motion to hold both an 8:00 am and 5:30 pm public hearing. The motion passed on a 96-0 vote with 4 members absent.

There will now be 2 public hearings held Monday on SB 451. One will begin at 8:00 am and the second to begin at 5:30 pm. They will be held in the House chamber and you will sign up to speak and indicate whether you are speaking in opposition or in favor of the bill.

Your comments should be brief. The time allotted for testimony will be based on the number of individuals wanting to give testimony and you will be stopped when the time has expired. Get to your point quickly as the time may be limited to as little as 3 minutes.

Generally, they alternate speakers between those supporting and those against as long as there are speakers on the list with both views.

Thanks to all of you making plans to attend on Monday.

## **Other bills moving through the legislative process**

While SB 451 has consumed the majority of the news and time this session, other education bills have been moving. Listed below are some of those bills.

### **Bills that have passed the House**

**HB 2001 – Social Security Income Tax exemption.** The purpose of this bill is to create a partial state income tax exemption for Social Security benefits. The exemption would be phased in to a full exemption over 3 years.

**HB 2004 – Workforce Preparedness.** The purpose of this bill is to provide better communication to students and parents on career and technical programs of study that begin in high school and lead to industry-recognized credentials, certificates of applied science and associate degrees in high-demand, high wage occupations in the state.

**HB 2009 – Innovation in Education/Mastery-Based implementation grants.** The purpose of this bill is to provide a framework to support a network of not more than 20 schools that are interested in transitioning to an educational system wherein students' progress when they have mastered the subject matter content versus a required period of course time.

**HB 2095 – Assessing the college- and career-readiness of 11th and 12th grade student.** The purpose of this bill is to eliminate the requirement that a student placed in transitional education programs as a high school senior must re-take a college- and career-readiness examination or similar assessment of readiness if the student has already taken the examination or assessment as a junior.

**HB 2128 – Allowing state employees leave for parent-teacher conferences.** The purpose of this bill is to allow state employees to take paid leave to attend parent-teacher conferences for their children.

**HB 2422 – Celebrate Freedom Week flexibility.** The purpose of this bill is to allow each county board of education to select when "Celebrate Freedom Week" shall be observed.

**HB 2423 – Sex offender prohibition.** The purpose of this bill is to prohibit certain sex offenders from being in a supervisory position over children.

**HB 2492 – Mandatory reporting procedures for abuse and neglect.** The purpose of this bill is to direct all reports of abuse and neglect to the central office of DHHR via communications method established by the department.

## **Bills that have passed the Senate**

**SB 1 – Increasing access to career education.** The purpose of this bill is to increase the quality of the state’s workforce by increasing access to career education through the establishment of programs to provide for tuition costs.

**SB 154 – Using school facilities for funeral and memorial services.** The purpose of this bill is to ensure that certain community members of distinction who served in the military or as first responders may have a memorial service at a school.

**SB 256 – Computer Science instruction.** The purpose of this bill is to require the State Board of Education to adopt a policy detailing the appropriate level of computer science instruction available to students.

**SB 451 – Omnibus Education Bill.** Enough said!