**RSAI Legislative Update   
February 5, 2021**

In this RSAI Report of the fourth week of the 2021 Legislative Session, find information about:

* School Funding Proposals for SSA are Introduced
* Diversity Plan Bill approved in the House
* Update on Governor’s School Choice Omnibus
* Shared Operational Functions Action
* ELL Tiered Weighting Bill
* Action on Other Bills this week
* Senate and House Education Committee Members
* Advocacy Resources

**SSA School Funding Proposals Introduced:** [**SSB 1159**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=ssb1159) **was introduced in the Senate Thursday morning. Late in the day,** [**HSB 183**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hsb183) **was introduced in the House.**

SSB 1159 is scheduled for a subcommittee meeting at noon on Monday, Feb. 8 in the Senate. Subcommittee members are Sens. Sinclair, Goodwin and Quirmbach. Provisions include:

* Sets SSA at 2.2% for both SCPP and Categorical costs per pupil
* Transportation equity: sufficient funds to get to the average, applies SSA % in FY 2023 and beyond
* Adds $15 to SCPP to close formula equity gap to $140 per pupil from low to high
* Adjusts the Property Tax Replacement Payment as SAVE funds begin to bring up the floor (no longer an exact 87.5% state threshold) while also assuming what would otherwise be the property tax costs of the 2.2% increase.
* $65 per pupil misc. income for districts unless they were primarily online without waiver permission from DE (targeted at Des Moines but there could be other districts impacted).
* Total estimated cost for this package is around $45 million (less the $54.8 million in tuition and textbook tax credit expansion which primarily benefits private school parents). A fiscal note has not yet been written, so this number could change.
* RSAI is registered as opposed to the Senate proposal. It falls short of the 3.75% RSAI had requested, which we believe is affordable by the state and necessary for students. RSAI opposes the punitive nature of the one-time funding which essentially punishes students in one district for the decisions of adults which were made with good intentions.

HSB 183 is in the House Education Committee and is assigned a subcommittee of Reps. Dolecheck, Ehlert, Hite, Kerr and R. Smith. The Subcommittee meeting has not yet been scheduled as of this writing. Provisions include:

* Sets SSA at 2.5% for both SCPP and Categorical costs per pupil
* Transportation equity is not mentioned, which means it grows by the 2.5% SSA.
* Adds $10 to SCPP to close formula equity gap to $145 per pupil from low to high
* Adjusts the Property Tax Replacement Payment as SAVE funds begin to bring up the floor (no longer an exact 87.5% state threshold) while also assuming what would otherwise be the property tax costs of the 2.2% increase.
* Total estimated cost for this package is $30 million awaiting a fiscal note to confirm.
* RSAI is registered as undecided on the House proposal. Although it also falls short of the 3.75% requested by RSAI, a supplemental appropriations bill is expected to provide additional one-time funding. The House is also discussing ELL weighting and preschool, so we are awaiting those actions.

See the Jan. 15 RSAI weekly report for details about the Governor’s Recommendation for school funding, but in short, she recommended 2.5% SSA, one-time $20 million supplemental for districts that have offered full-time in-person learning, $667 thousand for transportation equity, no funding for formula equity, $3 million for vouchers, $1 million for JAG, and continuation of the $15 million cut to AEAs.

RSAI is advocating for the legislature to appropriate $95-100 million for school funding this year, as they have typically done over the last decade plus. Due to the drop in enrollment statewide of 5,935 last fall, next year’s budget costs the state less to adequately fund a reasonable increase. The $95-100 million could fund an increase of 3.9-4.0% in the state cost per pupil. Given how hard educators and all school staff have been working through this difficult year, and because it is affordable to the state, we encourage the legislature to reach this funding goal for FY 2022. As an added bonus for taxpayers, higher SSA reduces budget guarantee property taxes. At the Governor’s 2.5% recommendation, 137 districts are eligible for Budget Guarantee, costing local property taxpayers $25.9 million statewide (and only costing the state $20.1 million). The 4.0% SSA places 76 districts on the Budget Guarantee, at only $7.3 million paid by local property taxes. That is actually less than the current year’s $8.3 million Budget Guarantee.

Check out the difference for your district with the [ISFIS New Authority Calculator tool](https://www.iowaschoolfinance.com/system/files/members/Public/New%20Authority%20Report%20FY%202022-1.xlsx). Share this impact with your legislators. The SSA clock is ticking. Iowa Code requires the Legislature and Governor to set the SSA rate within 30 days of the release of the Governor’s budget, which is by Feb. 12, 2021.

**Bans Diversity Plan Open Enrollment Regulation:** The House approved [**HF 228**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf228) **Voluntary Diversity Plans**, 56:32, sending the bill to the Senate. The bill bans the ability of five districts with voluntary diversity plans (Davenport, Des Moines, Postville, Waterloo and West Liberty) from regulating open enrollment out of the district based on their plans, which currently review socioeconomic status (income) or English-language learner classification as metrics to consider. (None of these districts uses race as a metric, which was banned as a sole measure of consideration by a Supreme Court decision in 2007.) See the Jan. 29 RSAI weekly report for background information on Diversity Plans. RSAI is opposed to this bill.

**Governor’s Omnibus School Choice Bill**: [SF](https://www.legis.iowa.gov/docs/publications/LGI/89/SSB1065.pdf) 159, is currently assigned to the House Education Committee. We are hearing that House will consider some of the bill’s provisions in separate pieces of legislation (such as Diversity Plans above) and not all of the provisions will likely have sufficient support in the House to move forward, at least in their present form, as long as advocacy continues to resist them. [**See the RSAI Call to Action, updated Feb. 4 for changes made to the Charter Schools talking points.**](https://nebula.wsimg.com/7036bead0b953b62a7620e74bcf8ecff?AccessKeyId=D081CCCCA2DCE3941176&disposition=0&alloworigin=1)See the Jan. 29 RSAI weekly report for details of the bill. The tuition and textbook tax credit expansion in SF 159 alone will reduce state revenues by about $52 million. That exceeds the total amount of funding is the Senate’s package for public schools (SSB 1159.) RSAI is opposed to SF 159.

**New on Vouchers this week:** some school choice advocates claim that local money stays with the school district as only $5,025 goes with the voucher. Although the voucher is based on some of the revenue associated with schools, each student leaving the public school will take all of the funds generated by counting them in the public school enrollment. There is no funding that remains with the district if the student is enrolled in the private school. Any individual weightings such as special education, ELL, concurrent enrollment, etc., are also lost. This total comes from the sum of the following based on state averages, so a local district’s impact could vary. The district will also lose the SAVE per pupil allocation, currently at just over $1,000 per pupil, and any federal funds, such as Title funds and REAP that are distributed on a per student basis.

School district funds lost per voucher

$7,048 regular program

$1,100 per pupil supplements

$ 350 dropout prevention authority

$ 538 Instructional Support Authority

**$9,036 per pupil lost revenue**

Plus weightings, SAVE and federal funds

**Operational Sharing and English-language Learner Bills**

[**SF 156**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=SF%20156) **Operational Sharing for Tech Position** by Sweeney: this bill had a subcommittee conversation in the Senate, with subcommittee members Sens. Sweeney, Kraayenbrink and J. Smith. The bill would add an information technology position to operational sharing, qualifying for the weighting of 3 students, effective for the budget year beginning July 1, 2021. The bill does not address the 21 student cap for operational sharing. RSAI supports the bill. The subcommittee recommended moving it forward to the full committee.

[**HSB 148**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hsb148) **English-Language Learner Tiered Weighting:** this bill establishes two categories for weighting to support students with limited English proficiency based on students’ scores on the state ELL test. The bill defines both categories (intensive and intermediate) and assigns a supplementary weighting of 0.3 to the English-language learners in the intensive category and a supplementary weighting of 0.25 to those in the intermediate category. The current weighting for all ELL students is .22. The bill does not change the 5-year limitation of state aid, but also does not limit the ability of districts to request SBRC authority for excess ELL costs above the weighting or for additional time beyond the 5 years. The bill was assigned to the House Education Committee. A subcommittee of Reps. Dolecheck, Ehlert and Stone met and approved the bill, sending it to the full House Education Committee. A new [fiscal note](https://www.legis.iowa.gov/docs/publications/FN/1130434.pdf) on the identical bill last year estimated the impact of increased weighting over time, beginning with $6.5 million in FY 2022 (which in this case would first apply in FY 2023). RSAI is registered in support.

**Bills on the Move:**

**Senate Education Committee Action:**

[**SF 258**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf258) **School Resource Officer Funding** by Education: this bill allows a school district to raise additional money for school resources officers through an increase in instructional support authority limited to the costs of one school resource officer necessary equipment. The bill moves to the Senate Calendar. RSAI is registered in support.

[**SF 259**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf259) **At-risk Children Programs** by Education: this bill allows AEAs to use certain appropriated funds related to early childhood programs to use the funds for other child development programs. Strikes outdated language. Companion bill in the House, see HF 315. RSAI is registered as undecided.

[**SF 260**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf260) **Medicaid Reimbursements for Special Ed** by Education: this bill requires a receiving school district to send the paperwork necessary for Medicaid reimbursement to the district of residence when a student with special education is provided services in the receiving district and the student is Medicaid eligible. The bill moves to the Senate Calendar. RSAI is registered in support.

[**SF 261**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf261) **CSAC NON-PROFIT** by Education: this bill allows the College Student Aid Commission to organize a 501C non-profit to receive funds to provide educational assistance. Establishes incorporators and board members, requirements for open meetings, limits on receiving appropriations from the state and does not allow the corporation to pledge the credit of the state. Requires the CSAC to give administrative support to the organization. The CSAC administers student loan repayment programs, some of which benefit new teachers with college loan debt. RSAI is registered as undecided.

[**SF 262**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf262) **Proficiency for Senior Year Plus Program Eligibility:** this bill defines processes for determining proficiency and when one of those doesn’t apply, allows school districts to jointly adopt rules with community colleges on alternative requirements to show proficiency for a student to qualify for a PSEO or concurrent enrollment (community college) course. The bill is effective on enactment. RSAI is registered in support.

[**SF 265**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf265) **School Promotions:** this bill allows a parent to request that a child not be promoted to the next grade if the parent feels the child did not make adequate progress in the 2020-21 school year. Requires the request to be made by Aug. 15, 2021. The bill was approved by the Senate Education Committee and moves to the House Calendar. RSAI is registered as undecided.

**House Education Committee Action:**

[**HF 371**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf371) **Teach Iowa Loans:** this bill allows the use of funds from discontinued teacher loan programs for the Teach Iowa loan program. Allows repayments for forgivable loans to be used for the program. House Education Committee approved the bill. The bill is on the House Calendar. RSAI is registered in support.

[**HF 385**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf385) **Open Enrollment Billing Clarification:** this bill changes the timing of determination of district responsibility for covering special education costs to the district of residence based on the count date, which aligns the responsibility for an open enrolled student to the district receiving the state aid for the student. Approved by the Committee 22-0. RSAI is registered in support.

[**HF 386**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf386) **Non-Profit Organization Reporting**: this bill strikes the requirement for schools to report information on the district’s membership in non-profit school organizations and strikes the requirement for DE to include such summary information in a report. This reporting has included reporting of dues or program participation for RSAI, UEN, IASBO and SAI. RSAI is registered in support.

[**HF 318**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf318) **PK Eligibility for Young 5-year-olds:** this bill allows children who turn age 5 between March 15 - September 15 to be eligible for the statewide preschool program and funding if the school enrolls such students. Applies to the 2022-23 school year through 2024-25 school years. A new fiscal note is assigned to the bill, estimating just over $400,000 impact to the state in FY 2024. The bill is on the House Calendar. RSAI is registered in support and advocating for funding to be provided for the 2021-22 school year for increased preschool enrollment.

[**HF 315**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf315) **At-risk Children:** the bill allows AEAs to use certain appropriated funds related to early childhood programs to use the funds for other child development programs and strikes outdated language. Approved by the Committee 22-0. RSAI is registered as undecided.

[**HF 317**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf317) **Education Funding Requests for Students in Placements**: this bill changes the methodology used by schools to calculate funding requests to the DE for providing education services to children in foster care, juvenile detention or residential treatment facilities based on days in the program instead of months in the program. This is the method that DE has been using, so aligns Code with current practice. Approved by the Committee 22-0. RSAI is registered as undecided.

**Approved by House State Government Committee**

[**HF 104**](https://www.legis.iowa.gov/legislation/BillBook?ba=HF%20104&ga=89) **Pledge in Schools:** requires schools to recite the pledge daily and must have a flag present. The bill establishes a religious exemption for private schools and prohibits compelling students to recite the pledge. The bill was approved by the committee 20:1 and has been assigned to the House Education Committee. RSAI is registered as undecided.

**Approved by Senate Transportation Committee**

[**SF 233**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf233) **School Permit Restrictions:** this bill changes the restrictions on minors with special permit who attend a public schools to student to drive to certain extracurricular events at other schools, similar to a special permit holder who attends a private schools. RSAI is registered as undecided.

**Senate and House Education Committee Members**

The following links will take you to each committee member’s legislative page, with email address and often home or cell phone number so you can easily connect with them. The Governor’s School Choice and in-person learning bills will be in the Senate Education Committee on Monday. The Diversity Plan bill will be in the House Education Committee as early as Monday.

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| Senate Members  * [**Amy Sinclair**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=10729)**(R, District**[**14**](https://www.legis.iowa.gov/docs/publications/DMP/925098.pdf)**), Chair** * [**Jeff Taylor**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30544)**(R, District**[**2**](https://www.legis.iowa.gov/docs/publications/DMP/925086.pdf)**), Vice Chair** * [**Herman C. 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