



## **RSAI Testimony: Operational Sharing and Dropout Prevention Proposed Administrative Rules, Jan. 8, 2019**

Thank you for the opportunity to provide comment regarding proposed rules noticed to the Administrative Rules Review Committee, Jan. 8, 2019. In short, RSAI is supportive of the rules as proposed regarding Suicide prevention and ACES training, On-line learning, extracurricular open enrollment.

Regarding supplementary weighting proposal on page 1280 of the [Administrative Bulletin](#), we would offer the following suggestion to clarify that the inability to count students for concurrent enrollment only applies to those areas through which local district work with the community colleges regarding offer and teach requirements:

Our understanding of the legislative is that if the district is using the community college agreement to meet offer and teach requirements of CTE, then that course so offered can only count for concurrent enrollment for more than 5 students, for less than five students, no supplementary weighting. WE don't think this language is intended to limit other use of concurrent enrollment in areas of CTE not used to meet accreditation requirements. We suggest this clarification in the last sentence:

. . . may request supplementary weighting for any community college course within ~~one of the~~ four the service areas offered pursuant to subsection 256.11(5)(h) if the district's course enrollment exceeds five.

Item 12, page 1281 of the Bulletin, regarding operational sharing for social workers: We request deletion of subsection 3 which would prohibit shared weighting for social workers who provide services through contract rather than as employees. Nothing in statute prevents the social worker services from being contracted and that might be the only way to get them, especially in rural Iowa. We would support and assume that the social worker services under a shared contract would have to otherwise meet the requirement of at least 20% of an FTE for each district receiving supplementary weighting for sharing.

Item 15: DE Authority statement: Nothing in Iowa Code 257.11(5) gives DE exclusive authority to further regulate operational sharing in gray areas. This would be an appropriate time given Home Rule and broadened local DOP authority to delete the last sentence under 97.10 *weighting* that states: "The department shall reserve the authority to determine if an operational sharing arrangement constitutes a discrete arrangement or qualifying operational sharing arrangement if the circumstances have not been clearly described in the Iowa Code or the Iowa Administrative Code." If under DE's opinion local districts go beyond legislation in creativity, and assuming that a local auditor or attorney does not advise against such exercise of local authority, the DE could suggest additional legislation providing additional clarity.

Page 1284 Item 4 Drop Out Prevention (DoP): RSAI requests the DE to delete the transportation restriction which limits DoP transportation to programs offered in another district, especially in light of new subsection *j* that says DoP may be used for any purpose determined by the board that directly benefits students. We also request the DE to delete the parallel phrase about transportation in 98.21(3) regarding inappropriate uses of categorical funding which prohibits DoP for transportation costs with the exception of alternative programs outside the district.

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