**RSAI Legislative Update
Feb. 28, 2019**

In this Feb. 28, 2019 RSAI Report of the 2019 Legislative Session, find information about:

* **SAVE Bills Status**
* **Snow Days Discussions and Other Bills in Subcommittee**
* **Committee action on key bills including WGS and Reorg incentives and Local Control**
* **Anti-Public Education Bills: Vouchers, Charters and Diversity Plan/Open Enrollment Status**
* **Advocacy Resources**
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**Find this week’s RSAI Capitol Recap Video here:** <https://www.youtube.com/watch?v=puI_lkVjLQ8&feature=youtu.be>

March 8 is the deadline by which House files must clear a House committee and Senate files must clear a Senate Committee to survive.  Tax bills, appropriations bills, and bills sponsored by leadership are exempt from the funnel deadlines. And any bill that died often comes back as an amendment to another bill, so our attention is still required. Expect emphasis on subcommittee and committee work again this week.

**SAVE Extension Bills** [**HF 425**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=HF%20425) **and** [**SF 74**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf74)

**SAVE in the Senate:** State Penny for School Infrastructure extension, SF 74, is still in the Senate Ways and Means Committee assigned to a Subcommittee of Sen. Feenstra, Dawson and Jochum. If you have a Senator on that committee (see list below), continue to reach out regularly and see how they are coming along.

**SAVE in the House:** HF 425 was approved by the House Ways and Means Committee with only a minor amendment to assist Department of Revenue is accurately estimating property tax fund percentages. The maximum amount of property tax relief in the bill remains the only sticking point that we know of between the House and Senate. Currently, 2.1% of SAVE revenue goes into the PTER (property tax equity and relief fund). The bill proposes a gradual increase to 12% if sales tax revenue annual growth triggers are met. There is some discussion about increasing that 12% to 15%. RSAI is registered in favor of the bill.

**Snow Days**

**Interim Study Committee:** [SF 353](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf353) would require an Interim study committee (committee of legislators from House and Senate and from both parties) to study the feasibility of virtual school days held during inclement weather and allowing those virtual days to count as instructional days. The study requires a look at school districts in Iowa offering virtual school days, other states’ practices, barriers to virtual school days, and how to overcome those barriers. The bill requires a report by December, 2019. RSAI is undecided on the bill. We would prefer local control and flexibility to implement rather than the delay of waiting on a legislative study.

**Snow-day Maximum:** [HF 492](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf492) would require schools to only make up a maximum of 5 missed snow days (or maximum of 30 hours). The bill is assigned to a subcommittee of Fry, Brink and Winckler. School leaders have mixed emotions about this. This bill gives school leaders some local control in determining whether to make up days beyond the first 5 snow days missed. Instructional time is critical for student learning. Some districts already have a very long day for students due to transportation time. Contracts with staff require a certain amount of work. We never have enough time with students. Yet with as many as 13 missed days (let us know if you have more than that) school may extend well into June. We will participate if they have a subcommittee meeting next week and ask for additional flexibility and local control in how to make up the time. Please provide feedback in how you feel about freezing the maximum number of snow days that must be made up locally.

**Other Subcommittee Action**

[**SF 371**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf371) **School Administrator Probationary Period: t**his bill would change the probationary period of school administrators from 3 to 2 years and allow a school board to waive the probationary period for an experienced administrator. RSAI is registered in favor. Sens. Cournoyer and Rozenboom recommended moving the bill forward.

[**SF 352**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf352) **Alternative School Licensing**: this bill requires BOEE and DE to develop alternative licensing paths for teachers and administrators. RSAI is registered undecided.

[**SSB 1214**](https://www.legis.iowa.gov/lobbyist/reports/declarations?ga=88&ba=SSB1214) **Fine Arts Study**: this bill would require an interim study committee to review the funding, staffing, professional development, course offerings, including arts integration courses, parental, family and community engagement measure, procurement of and access to instructional materials, and state priorities for fine arts education in broader school improvement efforts. The study encourages appointment of public members to the interim committee and specifies a long list of stakeholders to be included on an advisory group. RSAI is registered as undecided.

**House Education Committee Action Approving 3 bills**

* [HSB 130](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hsb130) **Whole Grade Sharing/Reorganization Incentives** extension for five years. RSAI supports.
* [HF 184](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf184) **Preschool Eligibility,** which changes the statewide preschool program for four-year-old children to the statewide preschool program for young children and allows both four-year-olds and five-year-olds to attend. RSAI supports preschool expansion, but without either on-time funding or another source of start-up funds, little expansion is likely to happen. The fiscal note estimates the cost of at least $50 million. RSAI is undecided.
* [HF 197](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf197) **Sibling Assignments:** this bill was amended to require school administrators, prior to assigning siblings who are enrolled in kindergarten through grade five and deemed by the school district to be at the same grade level academically to a classroom, to defer to parents in the placement of siblings in the same classroom. RSAI is opposed.

**Senate Education Committee Action Approving 4 bills**

* [SF 298](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf298) **DOE Rules**, which RSAI supports. This bill shifts the presumption on rule enforcement to the DE to prove they have explicit authority to require specific action, instead of on the school board to prove the DE rules are unreasonable or capricious. This should help Iowa transition to an operational Home Rule environment. Passed with 10 yes and 5 no votes.
* [SF 29](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf298) **ELL Weighting**, which RSAI supports. This bill increases the supplementary weighting for English Language Learner students, from .22 to .295. The bill was approved 15:0.
* [SF 287](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf287) **High School Eligibility**. This bill requires the athletic associations to develop and eligibility policy for HS students competing in extracurricular activities. The bill prohibits multiple suspensions for a single act. Approved 15:0. RSAI is registered as undecided.
* [SSB 1190](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=ssb1190) **Unfunded Mandates Repeal**. This bill, also known as the elimination of librarians and school nurses bill, was amended and passed 10:15. RSAI registered in favor of HSB 1190. Rationale: SSB 1190 is about local control and who decides what is best for children.  School boards in concert with good administrators, staff, and parents, make good decisions to educate students and protect their health. The state does not have to direct school boards to care about children. There have been an accumulated increasing number of reporting and administrative requirements that have created a collective burden on school districts. This bill helps to alleviate that burden.

Basically, many of these things that are good practice and schools will continue to do them. Schools are still required to have a library program and provide health services. Schools can't bill for Medicaid match for special education expenses without a certified health professional signing off (that's about $100 million annually that school nurses provide for special education services for children through Medicaid billing) and schools know that students need medications managed, nurses are the front line on mental health challenges, etc.

The goal for librarians in the current state law is one for every 750 students. The average district size is 650, which means about 0.8 FTE per district average.  For districts half that size, we are fortunate to find a certified librarian for a day and a half. Many rural districts are struggling to find applicants for both librarians and nurses, so there are challenges in meeting these requirements, even though every bit of research shows the benefit to students and the bottom line with good librarians and nurses on staff.

The health screening mandates in current law are across the board for all students, with significant reporting requirements on schools (vision, dental, lead blood testing). This bill doesn't eliminate health screenings, but changes the nexus. Parents will have to get students screened before enrollment, just like they do with immunizations. The health care providers (dentist, optometrist or pediatrician) are required in this bill to report to the Department of Public Health. Schools are just taken out of this record keeping business.  This action should free up our school nurses to provide health services for students. We could see a district depending more on parents to meet the requirements for some buildings and for others, still providing the screenings based on poverty or some other factor that might make enrollment or compliance for some parents a challenge. No district is prohibited from still providing the screenings and doing the reporting.  But the biggest deal here is that local leaders will decide what's best for students, instead of the state mandating explicit actions.

[SSB 1190](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=ssb1190) Bill provisions (comments in italics):

**Division I: regarding children's health**

1) Repeals the green cleaning mandate.  *Schools could still have green cleaning policies if they want to.  Many had green cleaning policies before the mandate. Amendment removed these provisions from community colleges, too.*

2) Repeals school districts ensuring that students have a dental screening.  Instead, requires parents to get a dental screening for students and the dentists have to report to Department of Public Health (eliminates school district reporting requirements) Allows school districts to provide access to a process to complete the screenings, but doesn't require it. Requires school districts to provide information to parents of children grades K-9 about dental screening requirements and resources. Repeals 135.17(3) that mandates every school district to assure that every child has a dental screening. *This may require additional staff at DPH to help provide forms and educate providers on the process, and likely some coordination with dentists or dental hygienists and DPH. We would expect some schools with many low income families to provide dental screenings at school and choose to do the reporting to make sure all students have access.*

3) Same process for vision screening - parents must get kids screened, schools refer parents to resources, schools are not prohibited from offering vision screening. Also strikes 280.7A vision card mandate. *Ditto on the school deciding to screen students in attendance centers where there might be barriers for parents. Coordination with United Way and other nonprofits to accomplish the screenings would likely continue.*

4) Eliminates requirement that children are tested for blood lead levels. Parents are to ensure test was done and school is to provide resources/information. Eliminates the reporting requirement that schools give kindergarten roster to DPH and they reply back who wasn't screened, etc. Requires parents who home school (CPI) to also ensure their children are tested for lead. *Same comments as above.*

5) Strikes mandate for a school nurse and strikes goal of one nurse for every 750 students. *The bill does not eliminate the requirement for schools to provide health services and good school nurses are worth their weight in gold. School boards will do their very best to provide school nurses.  It would be helpful if the state also provided adequate resources for school districts to avoid some tough funding decisions about what won’t be available for schools and students down the road.*

**Division II AEA budget publication**

1) Strikes mandate for AEA to publish their budget in the newspaper, but requires posting on the internet. *We would support even further provisions similar to this for school districts.*

**Division III Misc. Provisions**

1) Strikes mandate that district have a librarian. *Doesn't strike the requirement for districts to provide a library program for accreditation.*

2) Strikes mandate that the school board shall include in its rules provisions regulating loading and unloading of pupils from a school bus stop on the highway during a period of reduced visibility. *This requirement is duplicated in another code chapter. Again, we know that school boards and district administration would have rules about bus safety regardless.*

3) Allows proceeds of the disposal of property into a fund other than the PPEL/Capital projects fund following a public hearing.

4) Strikes requirement that boards have to have a separate public hearing and publish notice in the paper for an equipment loan agreement.

5) Strikes the PK data collection and reporting and DE report on PK. *We know that preschool investments yield a positive return on that investment in many ways and hope elimination of this data collection proves agreement.  This data was collected to help demonstrate that's the case for Iowa.  our only concern is that sometime down the road, we can't prove the benefit of PK that is Iowa specific.  Having said that, it is a relief to not collect and report this data.*

6) Clean up code language on background checks by taking out obsolete provisions and allows districts to charge school employees for background checks (does not mandate) *We can't imagine a district charging employees for background checks.*

7) Strikes old code language regarding energy audits that haven't been funded, so the mandate hasn't applied.

**New Bills of Concern: Vouchers, Charters and Diversity Plans/Open Enrollment**

**Diversity Plans and Open** **Enrollment**, [HF 6](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf6), popped up on the House Education Committee Calendar for Monday, March 4th, at 4:00. This bill would impact five school districts, Des Moines, Davenport, Waterloo, West Liberty and Postville, and prohibit their ability to regulate open enrollment out based on voluntary diversity plans. RSAI is registered opposed to the bill. Reach out to House Education Committee members and ask for their opposition. See list of Committee members below.

**Vouchers,** [SF 372](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf372), Sens. Behn and Zaun voting yes and Sen. Celsi declining to sign the report. This bill would provide the state share of school funding formula for nonpublic and home schooled students, about $4000 per student if just regular program, and they can bank anything not spent to use for college tuition later. There is not a level playing field, such as state testing or being required to accept all children, or required transparency of expenditures. Shifts to nonpublic schools is worrisome and would require significant resources taken off the table for public schools. The home school (competent private instruction) provision is potentially even worse for children with little oversight of funds, potentially creating an incentive for a few parents to keep kids home and use the money inappropriately. The bill is in the Senate Education Committee. Their members and contact information are listed below. RSAI is opposed.

**Charter Schools**, [HSB 213](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hsb213), would allow charters approved by school boards, some different charter models, or by private entities if approved by the State Board of Education. The bill has been assigned a subcommittee of Reps. Dolecheck, Staed, and Moore with a hearing scheduled at the Capitol for 1:30 P.M. in the House Lounge on the second floor. RSAI is opposed to this bill.

[**HSB213**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hsb213) **Charter Schools Explanation (the bill itself is 31 pages, so this is just a summary explanation):**

**Purpose Statement:** Improve student learning, increase learning opportunities for students, encourage innovative methods of teaching, measure learning outcomes and create new forms of measuring outcomes, establish new forms of accountability for schools, create new opportunities for teachers and other educators, including opportunity to be responsible for the learning program at the school, create different organizational structures for continuous learner progress; allow greater flexibility to meet the education needs of diverse and constantly changing student population, and allow for allocation of resources in innovative ways through implementation of specialized school budgets.

**Charter Models:** the bill creates three models by which a charter school may be established:

(1) founding group-school board model, under which a founding group may apply to a school board for approval to establish and operate a charter school within and as a part of the school district either by establishing a new attendance center or converting an existing attendance center (conversion requires vote of teachers and parents in the attendance center)

(2) school board-state board model, under which a school board may create a founding group to apply to the State BOE for approval to establish and operate a charter school within and as a part of the school district by establishing a new attendance center, creating a new school within an existing attendance center, or converting an existing attendance center (conversion requires vote of teachers and parents in the attendance center); and

(3) founding group-state board model, under which a founding group may apply to the state board for approval to establish and operate a charter school within the boundaries of the state that operates independently from any public school district as a new attendance center.

**Founding and Governing:** the bill defines “founding group” to mean a person or group of persons that develops and submits an application for a charter school to an authorizing board. The bill defines “governing board” to mean the independent board of a charter school whose members are elected or selected pursuant to the charter school’s application and charter school contract.

**Applications:** The bill establishes requirements for charter school application contents and procedure, requires the State BOE to adopt rules to establish appropriate application timelines and deadlines for the submission of charter school applications, and establishes standards for reviewing charter school applications by the authorizing board, as specified in the bill. Each application review includes evaluation of the written application, an in-person interview with the applicant, and an opportunity in a public forum for local residents of the public school district within which the applicant proposes to locate the charter school to learn about and provide input on each application.

**Approval or Denial:** the bill establishes provisions governing the approval or denial of a charter school application and the timing of such a decision, including the prohibition on approving an application if the applicant has another pending charter school application. The decision of the school board or the state board as to a charter school application is not appealable. After approval of the charter school application, the applicant and the authorizing board must execute a charter school contract setting forth the operational performance expectations and measures by which the charter school will be evaluated. An initial charter school contract shall be granted for a term of five school budget years. The contract may provide for requirements or conditions to govern and monitor the start-up progress of an approved charter school prior to the opening of the charter school including but not limited to conditions to ensure that the charter school meets all building, health, safety, insurance, and other legal requirements.

**Charter Authority and Regulations:** A charter school established under the bill has all the powers necessary for carrying out the terms of the charter school contract including those powers specified in the bill. A charter school established under the bill is exempt from all state statutes and rules and any local rule, regulation, or policy applicable to a noncharter school, except that the charter school shall do all of the following:

1. meet all applicable federal, state, and local health and safety requirements and laws prohibiting discrimination on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry, or disability;
2. operate as a nonsectarian, nonreligious school;
3. be free of tuition and application fees to Iowa resident students between the ages of 5 and 21 years;
4. be subject to and comply with Code chapters 216 and 216A relating to civil and human rights;
5. provide special education services in accordance with Code chapter 256B;
6. be subject to the same financial audits, audit procedures, and audit requirements as a school district;
7. be subject to and comply with the provisions of Code chapter 285 relating to the transportation of students;
8. be subject to and comply with the education program and testing requirements of Code section 256.7(21) and the educational standards of Code section 256.11;
9. provide instruction for at least the number of days or required by Code section 279.10(1); and
10. be subject to the construction bidding requirements of Code chapter 26.

**Staff:** the bill requires a charter school to employ or contract with teachers who hold a valid license with an endorsement for the type of instruction or service for which the teacher is employed or under contract and establishes requirements for charter schools relating to enrollment and admissions policies.

**Enrollment:** Upon enrollment of an eligible student, the charter school is required to notify the public school district of residence. Each student enrolled in a charter school established under the bill shall be counted, for state school foundation purposes, in the student’s district of residence. The school district of residence is then required to pay to the charter school in which the student is enrolled an amount equal to the sum of the following:

(1) the regular program state cost per pupil for the previous school year;

(2) the teacher salary supplement state cost per pupil for the previous fiscal year;

(3) the professional development supplement state cost per pupil for the previous fiscal year;

(4) the early intervention supplement state cost per pupil for the previous fiscal year;

(5) the area education agency teacher salary supplement state cost per pupil for the previous fiscal year;

(6) the area education agency professional development supplement state cost per pupil for the previous fiscal year;

(7) the state media provisions services cost per pupil for the previous fiscal year;

(8) the special education support services state cost per pupil for the previous fiscal year;

(9) the state educational services cost per pupil for the previous fiscal year;

(10) any moneys the school district receives as a result of the student’s non-English speaking weighting for the previous fiscal year; and

(11) any moneys the school district receives as a result of the student’s enrollment in special education programs.

**Federal and State Transportation funds**: the bill establishes provisions relating to the distribution of eligible federal funds and disbursement of state transportation funding to charter schools. The bill also establishes provisions governing the payments to charter schools in the first year of operation.

**Performance and Accountability:** the bill establishes requirements for the performance provisions within the charter school contract that will guide the evaluation of the charter school by the authorizing board. The authorizing board is required to monitor the performance and compliance of each charter school it approves, including collecting and analyzing data according to the charter school contract in order to meet the requirements of the charter school contract and the bill. As part of the charter school contract, the charter school may be required to submit an annual report to assist the authorizing board in evaluating the charter school’s performance and compliance with the performance framework. The bill also establishes provisions to govern situations where a charter school’s performance under the charter school contract or compliance with applicable laws or rules is unsatisfactory, including the authority to take appropriate corrective actions, impose sanctions, or revoke the contract. A charter school contract may be renewed for periods of time not to exceed an additional five years. The bill also establishes provisions that govern the renewal process for a charter school contract, including standards under which the authorizing board must operate when reviewing a charter school contract renewal application.

**Closure:** the bill requires that, prior to any charter school closure decision, the authorizing board must develop a charter school closure protocol to ensure timely notice to parents, provide for the orderly transition of students and student records to new schools, and to provide proper disposition of school funds, property, and assets. The bill also specifies the priority to be used when satisfying obligations of a charter school after its closure.

**Annual Report:** each charter school is required to prepare and file an annual report with the DE, the contents of which shall be determined by the DE by rule. The State BOE is required to prepare and file with the general assembly by December 1, annually, a comprehensive report including items specified in the bill, along with findings and recommendations relating to the charter school program in the state and whether the charter school program is meeting the goals and purposes of the program.

**Advocacy Resources**

To find Advocacy Resources such as Calls to Action, Position Papers, RSAI Weekly Legislative Reports and video updates, RSAI Calls to Action when immediate advocacy action is required, testimony presented to the State Board of Education, the DE or any legislative committee or public hearing, and links to fiscal information that may inform your work, visit the RSAI legislative web page here: <http://www.rsaia.org/legislative.html>

Contact us with any questions, feedback or suggestions to better prepare your advocacy work:

Margaret Buckton, RSAI Professional Advocate

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515.201.3755 Cell

**Legislator Contact Information follows:** Find out who your legislators are through the interactive map or address search posted on the Legislative Website here: <https://www.legis.iowa.gov/legislators/find>

You can click on any legislator to find their office phone and email address or search the Iowa Secretary of State’s general election candidate list for all House members and those Senators who were elected in November of 2018 to see their home address, local phone or cell phone number and email address.

That list is found here: <https://sos.iowa.gov/elections/pdf/candidates/generalcandidatelist.pdf>

To call and leave a message at the statehouse during session, the House switchboard operator number is 515.281.3221 and the Senate switchboard operator number is 515.281.3371. You can ask if they are available or leave a message for them to call you back.

**Key Committee Contacts (every name is linked to their legislative email address within the table):**

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| --- | --- | --- |
| **Senate Education Committee Members:** [**Amy Sinclair**](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=10729)**(R, District**[**14**](https://www.legis.iowa.gov/docs/publications/DMP/925098.pdf)**), Chair**[**Chris Cournoyer**](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=27004)**(R, District**[**49**](https://www.legis.iowa.gov/docs/publications/DMP/925133.pdf)**), Vice Chair**[**Herman C. Quirmbach**](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=161)**(D, District**[**23**](https://www.legis.iowa.gov/docs/publications/DMP/925107.pdf)**), Ranking Member**[Jerry Behn](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=140) (R, District [24](https://www.legis.iowa.gov/docs/publications/DMP/925108.pdf))[Claire Celsi](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=27000) (D, District [21](https://www.legis.iowa.gov/docs/publications/DMP/925105.pdf))[Jeff Edler](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=18076) (R, District [36](https://www.legis.iowa.gov/docs/publications/DMP/925120.pdf))[Craig Johnson](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=18075) (R, District [32](https://www.legis.iowa.gov/docs/publications/DMP/925116.pdf))[Tim Kraayenbrink](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=14812) (R, District [5](https://www.legis.iowa.gov/docs/publications/DMP/925089.pdf))[Mark S. 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Dotzler Jr.](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=157) (D, District [31](https://www.legis.iowa.gov/docs/publications/DMP/925115.pdf))[Jeff Edler](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=18076) (R, District [36](https://www.legis.iowa.gov/docs/publications/DMP/925120.pdf))[Zach Nunn](https://www.legis.iowa.gov/legislators/legislator?ga=88&personID=14803) (R, District [15](https://www.legis.iowa.gov/docs/publications/DMP/925099.pdf))[Herman C. 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