**RSAI Legislative Update
Mar. 3 2017**

**Funnel Week Survivors:** Today is the first funnel week, a deadline by which bills must be approved in their committee of origin in order to move forward. Appropriations, ways and means and leadership bills are exempt from the funnel deadline and ideas can be amended on to other bills, so nothing is truly dead until the legislature adjourns, but this deadline provides evidence of what priorities have a chance of making it to the Governor’s desk. School flexibility, formula equality and transportation equity, ELL, operational sharing and online learning bills all move on. Education savings accounts/vouchers bills have not been approved in a committee so are technically dead due to the funnel.

However, an increase in the cap on the school tuition organization tax credit or a new education savings account bill could be drafted as a ways and means or appropriations bill to escape the funnel deadline. Rep. Rogers, Chair of House Education, was quoted in the [Des Moines Register](http://www.desmoinesregister.com/story/news/politics/2017/03/01/lawmaker-240-million-cost-lagging-enthusiasm-delay-education-savings-accounts/98592772/), March 1, regarding Education Savings Accounts legislation, “It does have a costly price tag, so that’s why I think excitement for it is dwindling this session," Rogers said of the proposed ESAs. "There’s just a very limited amount of extra money."

[**HF 508**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=hf508) **Operational Sharing Incentives:** this bill removes the sunset of the operational sharing incentives and removes the 5-year limitation on the positions used to generated supplementary weighting. The 21-student cap on the weighting is not adjusted and no additional positions are added in the form of the bill approved in Committee. RSAI is registered in support.

[**HF 446**](https://www.legis.iowa.gov/legislation/BillBook?ba=HF446&ga=87) **Education Flex Fund:** this bill as amended allows schools to establish a flexibility fund for various dedicated categorical ending balances that are still unspent at the end of the school year. The categorical balances allowed to be transferred into the fund include professional development supplement, preschool, dropout prevention/at-risk, home school assistance program, and talented and gifted (although an amendment to remove TAG is anticipated during floor debate.). Allows school boards to spend the money as miscellaneous income after a public hearing on the funds. RSAI currently registered as undecided on the original bill will register in favor when the bill as amended by the committee comes out.

[**HSB 178**](https://www.legis.iowa.gov/legislation/BillBook?ba=HSB178&ga=87) **Categorical Flexibility**: this bill allows for categorical fund flexibility beginning July 1, 2017. Flexibility is specified in each of the following areas (including amendments which will not be public/verifiable until the bill is assigned a new number, presumably Monday):

* Allows funds for professional development to be spent on textbooks, curriculum used for classes and assessments, if they include professional development. Strikes the requirement that specific allocations of PD funds must be used for implementing the core curriculum.
* Strikes the 5% cap on the amount of dropout prevention/at-risk funds that can be used district-wide or building-wide programs. Allows the salaries and benefits of guidance counselors to be paid through at-risk funds and authorizes school districts to allocate a percentage of staff time to be spent on the program.
* Requires the DOE to give deference to the decisions of schools in regards to spending dedicated funding streams (professional development, categorical funding, early intervention, teacher leadership).
* Allows preschool funds to be used by local providers for any purpose approved by the school board as meeting the requirements for high-quality preschool and specifically allows for translators, snacks, playground equipment and repair.
* Strikes the requirement that a school vehicle repair exceed $2,500 before being an eligible PPEL expenditure.
* Allows the use of gifted and talented funds for students not designated as TAG if the needs of TAG students are met. RSAI supports this bill.
* The amendment approved in the House Education Committee also includes ability of school districts to pay for safety equipment out of general fund in addition to student activities fund.

[**SF 427**](https://www.legis.iowa.gov/legislation/BillBook?ba=SF427&ga=87) **ELL Eligibility**: this bill extends English Language Learner eligibility for students beginning ELL services in the 2017-18 school year to 6 years and for those beginning ELL services in the 2018-19 school year to 7 years. The bill states that the years need not be consecutive and eligibility can be transferred between school districts. RSAI supports the bill.

[**SSB 1124**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=ssb1124) **Formula and Transportation Equity:** the bill includes a 10-year phase-in to eliminate the $175 difference in the district and state costs per pupil (RSAI Priority):

* $5 per pupil beginning July 1, 2017
* $10 per pupil beginning July 1, 2018
* $20 per pupil beginning July 1, 2019 and annually until the gap is closed (by July 1, 2027, all districts will be at the same cost per pupil.)

The bill also includes a transportation formula that creates a supplementary weighting to generate funds for all net operating costs for transportation (RSAI Priority):

* Sets up a transportation supplement per pupil based on three factors:
	+ 90% based on prior 3-year net operating transportation costs of getting students to and from school (excluding PPEL/SAVE expenditures)
	+ 5% based on enrollment
	+ 5% based on route miles per pupil
	+ Phases in over 10 years, at 10% per year, essentially providing $12.8 million in the first year and eventually covering $128 million in FY 2016 dollars when complete
* Specifies that transportation funds are miscellaneous income and deposited into the school’s general fund. (RSAI requested this provision)
* Requires the department of management and DE to estimate impact of reorganization on district transportation costs for purposes of calculating the supplement if the newly reorganized district does not have sufficient history for the formula. (RSAI requested this provision). RSAI is registered in favor.

**Please note:** [**SF 304**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF304) **and SF 305,** which would have provided short term flexibility to use cash reserves to immediately fund the different in the district and state cost per pupil, received a subcommittee but were not approved to move forward. SF 304 would require that a school district lower their maximum cash reserve cap from 20% to 15% in order to have a cash reserve levy to recoup the cash. SF 305 would have allowed interest earned on cash reserve balances to be accessed to pay for the difference in district and state cost per pupil. RSAI supports this flexibility.

[**SF 240**](https://www.legis.iowa.gov/legislation/BillBook?ba=SF240&ga=87) **Assessments:** the bill requires the DE to issue a new request for proposals (RFP) no later than April 30, 2017, for the selection of a statewide assessment to measure student growth and student achievement toward the Iowa core academic standards. The selected assessment will be available for grades three through eight and one high school level grade, and must cover English language arts, math, and science (although providers would be allowed to work together to submit a proposal.) The bill limits the DE to only consider the following in the RFP process:

* Feasibility of implementation by school districts
* Cost to the State and school districts.
* Alignment with the Iowa core academic standards.
* Compliance with federal law (Every Student Succeeds Act – ESSA).

The bill requires that the DE implement the selected assessment through administrative rule before the 2018-2019 school year. The bill allows but does not require private schools to use the assessment. The bill eliminates the Iowa code reference to the assessment task force.

A fiscal note for the bill was published this week indicating anticipated fiscal impact. It is found here <https://www.legis.iowa.gov/docs/publications/FN/853264.pdf> The fiscal note states, “A recent Dear Colleague letter from the federal DOE indicates that the current assessment in use in Iowa is noncompliant with requirements, and continued use could result in loss of federal education funding. If there are no changes made to current law, the Department will continue with implementation of the recommendation of the Assessment Task Force. The LSA wrote that the cost of the bill depends on the assessment chosen, but the total cost could range between $2.1 million to $7.1 million, depending on the assessment for the costs of statewide assessments, and between $5.7 and $11.3 million for the costs of all assessments. The bill is on the Senate Calendar. RSAI is registered as undecided on the bill.

[**HF 507**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF507) **Computer Science Education:** this bill requires the state BOE to adopt computer science education standards. Requires the BOEE to establish a computer science teacher endorsement. Makes findings on the importance of computer education and states the intent to appropriate for an incentive fund for the 2018-19 school year. Requires the state BOE to adopt rules on high-quality computer standards for schools that receive money from the incentive fund. Requires the DE to establishes a computer science education workgroup to develop incentives for schools to offer high-quality computer courses and specifies members of the workgroup. Participation in the program is voluntary. RSAI is monitoring the bill.

[**HF 515**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF515) **School Security Plans**: this bill requires school boards to develop school security plans for each school building by December 31, 2018. The bill requires the school board to consider the recommendations of the school security task force, and to consult with law enforcement and emergency management. Requires that the plans be updated at least every four years, be available to all school employees and that students and parents be notified annually. Requires the DE to establish the school security task force, and for the task force to make recommendations on school security by December 2017. RSAI is monitoring this bill.

[**HF 230**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF230) **SAVE Extension:**  this bill would extend the SAVE sunset from 2029 to Jan .1 2050. There are no proposed changes to the process or the use of the funds in this bill. RSAI is registered in support. This is a ways and means committee bill, exempt from the funnel date. There is a subcommittee meeting schedule in the House at 4:00 on Monday, March 6. See the RSAI web site for a position statement regarding the priority of extending the sunset and talk to House members about moving this bill forward. [Position paper found here.](http://nebula.wsimg.com/c6f25fa52d9da14421dfe628662fe880?AccessKeyId=D081CCCCA2DCE3941176&disposition=0&alloworigin=1)

[**SSB 1137**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=ssb1137) **Education Matters** by Sinclair/Education Committee: this bill was amended and approved by the Senate Education Committee. See last week’s report for a more complete analysis of the entire bill. Key for rural schools, the bill includes:

* **Division I Online Education:** The bill allows the DE to waive the offer and teach requirements if a school district makes every reasonable effort to hire a teacher but was not able to hire one or if fewer than ten students typically register for instruction in a specified subject at the school district or school, allowing the course to be delivered electronically through the Iowa learning online program. The bill also allows school district authority to work with private providers or develop their own online learning course content deliver courses primarily over the internet via open enrollment. RSAI requested that districts be able to work with others, not necessarily private providers, to offer such content. The amendment requires online courses to align to the Iowa teaching standards and taught by Iowa licensed teachers.
* **Division II:** Concurrent Enrollment: CTE Exception: The bill allows up to two courses delivered via community college sharing/dual enrollment to supplant rather than supplement the offer and teach requirements in 256.11, subsection 5.
* **Division III:** Eliminates the mandate but the amendment reinstates permissive language allowing school districts to administer dental and vision screening authorizations or provide dental health clinics.
* **Division V:** Open Enrollment Extracurricular Activity Fee: Allows a student to participate in district of residence extracurricular and co-curricular activities, under the same conditions and requirements as the pupils enrolled in the district of residences. The district of residence is allowed to withhold a fee from payment to the receiving district, which the amendment caps at 15% of the state cost per pupil. The amendment also gives both districts authority over student code of conduct and eligibility for activities.
* **Division VII:** Allows a district to have a year-round school, via DE waiver, to also include high school grades. The amendment strikes this section, so no expansion of year-round school is made in the bill.
* **Division IX**: Limitation on DE Guidance; Requires the DE to go through administrative rules rather than issuing information guidance in administering education programs, stating that such guidance, if issued, is not legally binding, and is solely advisory in nature.

RSAI is registered as undecided, in favor of some provisions (requested the CTE course language) and opposed to others.

[**HF 166**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF166) **Combining Election Dates:** this bill moves school elections to the same day as city elections. Makes changes to various deadlines, school districts in multiple counties and other matters. The bill was approved in State Government Committee with 12 in favor and 10 opposed. Although this action would lower election costs to schools and may increase voter turnout, RSAI is concerned about board turnover and the limited time for training and orientation between a December organizational meeting of the board and the deadlines for setting school budgets and bargaining requirements.

[**HF 496**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF497) **Driving Instruction:** this bill limits the amount of street and highway driving instruction to 60 minutes per week for students who need a car with adaptive equipment. Limits the number of students to two per driving session, if one student needs adaptive equipment. Requires that a camera that can film the view from the front seats be recording and that the film be made available to a law enforcement agency on request. RSAI is monitoring this bill.

[**HF 291**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF291) **Collective Bargaining:** implementation guidance on the PERB website states Employee organizations do not need to be recertified prior to negotiating a contract that will commence in 2017. Recertification elections will not be held prior to June 2017.  Beginning no earlier than June 2017, PERB will hold recertification elections for employee organizations representing bargaining units with collective bargaining agreements expiring in April 2018.  PERB will develop rules for recertification elections and will notify parties of any upcoming elections in which the parties may be involved.  However, within 10 days of entering into the collective bargaining agreement, an employer is required to submit the agreement to PERB so they can determine when a recertification election is necessary. Revised Chapter 20 text on PERB and other guidance is posted on their website here: <https://iowaperb.iowa.gov/>

**RSAI Website:** Legislative tab contains weekly reports, position papers, and other information to assist your advocacy efforts.

[**http://www.rsaia.org/**](http://www.rsaia.org/)

Senate Switchboard # 515.281.3371

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From links above or the legislative page <https://www.legis.iowa.gov/legislators> , find email addresses, home mailing address and home/work phone numbers for your legislators.

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