**RSAI Legislative Update
June 11, 2020**

The Senate and House have worked through some big policy bills this week, including some important to schools. In this report, learn the details of what was sent to the Governor and what is still on their plate to accomplish before they adjourn the 2020 Session.

As you connect with legislators this weekend and through next week, remember to *Thank them for already approving SF 2164 (Transportation and Formula Equity) and SF 2142 (SSA at 2.3% increase in the state cost per pupil). Leaders have mentioned their intention to protect those education resources without reduction as they consider the FY 2021 budget.*

**Please note:** expedited timelines and new rules to end the Session can create opportunities for surprises, such as SF 2410 SAVE Athletic Facilities discussed below. Thanks to all who contacted your House members. Please reach out to Senators to accept the House Amendment when it comes to them, if you haven’t done that yet. See talking points below. **Please monitor your email through the weekend in case we need quick action on any other surprises.**

Here’s bill status of legislation important to RSAI, starting with Bills to the Governor: Highlights only, followed by the Budget and then bills still in the works.

* [**HF 2629**](https://www.legis.iowa.gov/legislation/BillBook?ba=HF2629&ga=88)  **Future Ready Iowa:** expands offer and teach flexibility, requires computer science and adds a work-based learning coordinator position in operational sharing. The Senate approved 49:0. RSAI supports.
* [**SF 2356**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=SF2356)  **Dyslexia:** creates a dyslexia board, defines dyslexia, mandates training for elementary staff and AEA staff (by July 2024) and addresses teacher prep. Passed 49:0. RSAI is registered undecided.
* [**SF 2360**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=SF2360)  **Classroom Behavior**: establishes but delays funding for grants for therapeutic classrooms, has shared best practice and whistler-blower protections, collects data on room clears, adds licensure accountability for implementing IEPs and attending PD for teachers and for reporting/safety for administrators, etc. Passed 48:1. RSAI supports.
* [**HF 2359**](https://www.legis.iowa.gov/legislation/BillBook?ba=HF2359&ga=88) **Teacher prep praxis:** eliminates the requirement to administer Praxis to get into school of education. Senate approved 49:0. RSAI supports.
* [**SF 2400**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf2400) **Broadband Changes:** sets up the Empower Rural Iowa Broadband Grant fund to invest in high speed internet in underserved areas and allows the CIO to distribute federal COVID aid related to broadband service. Passed 49:0. RSAI is monitoring.

**The Budget:** Reported in the June 10, 2020 IALNS Newsletter:

“The Appropriations Committee approved three bills as part of a “status quo” budget for FY 2021, including [HF 2643](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=HF%202643) FY 2021 Appropriations Changes, which maintains status quo appropriations at the same level as FY 2020 for most departments and agencies but does include increases for several programs. The Legislature approved $100 million in new K-12 school aid in [**SF 2142**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf2142) **State School Aid** and [**SF 2164**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf2164) **Transportation and Formula Equity** early in the session, and that aid will not be reduced.”

**Bills still moving through the process:**

[**SF 2410**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf2410) **SAVE Athletic Facilities Changes:** this bill which was approved 47:2 in the Senate and is currently on the House Calendar. The bill invalidates board resolutions to use SAVE for athletic facilities retroactively to May 1, 2020, sets a supermajority 60% voter approval if athletic facility proposal goes to the voter, caps the maximum number of petition signatures at the lower of 1000, or 30% of those voting in the last school board election. The House Ways and Means Committee passed an amendment, 23:1, to strike the entire senate bill and replace it with one action to define the 30% threshold of petition signatures to apply only to those voting in the school portion of the November election (not including those voting in the city election). RSAI strongly opposes the Senate bill and supports the House Ways and Means Committee amendment. Use the following talking points to contact legislators:

* + **SF 2410 goes back on a carefully crafted compromise that was agreed to in 2018 when the SAVE was extended**. When the SAVE was extended, some wanted to prohibit SAVE use for athletic facilities and some wanted to keep it as a local decision. This compromise elevated the public involvement, with a public hearing required and reverse referendum process. A lower petition threshold was considered in 2018, but that was rejected in the compromise. Although the maximum petition threshold of 1,000 wouldn't likely apply to our district, it is unfair to very large districts to have a different standard.
	+ **Retroactivity is bad.** This invalidates any school board resolution after May 1, to use SAVE for athletic facilities, even if they didn't have a petition drive against it. IASB says there are 6 such districts in addition to Des Moines. Most importantly, any disgruntled petition drive which falls short in the future could expect to come to the Legislature to invalidate what happened locally.
	+ **Local Control:** Locally elected school boards should have the right to determine how SAVE is spent, as long as the voters approved the use in the revenue purpose statement. This is a local controversy that the legislature should leave to local school boards and their voters.
	+ **Petition Threshold and Supermajority:** Some clarity may be helpful in determining which election/votes the 30% petition applies to. However, this bill requires a 60% supermajority vote for athletic facilities that go to a special election. Such a change has consequences for the entire state and shouldn't be rushed through without careful consideration. Why should athletic facilities have a different standard than the voted PPEL (which can pay for athletic facilities too) or an Instructional Support levy, for example? The House Ways and Means Committee amendment does address the 30% petition threshold clarity going forward, which IASB, UEN, RSAI and SAI all support.
	+ **Thoughtful Process:** If the legislature wants to revisit the compromise agreed to in the SAVE extension just last year, it should undertake the discussion very carefully, not during a COVID 19 legislative session extension with very limited public access and public disclosure.

For additional understanding, we verified with the Des Moines Community School District superintendent that an accusation that the board/district moved the petition signature goalposts is not accurate. Des Moines did not move the petition signature goal after the fact. They confirmed with the Polk County Auditor and the Ahlers School Attorneys the number of petition signatures required at 7,501. When the petitioners asked, that was the number shared with them. After the petition drive fell short, the group questioned the lack of clarity in the law. If the law was clear, there would be no need for the amendment the House Ways and Means Committee has proposed. Although the opposition to the project got 7,100 signatures, the district never "moved the goalpost" as some claim.

[**SF 2310**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf2310) **Online Learning and Funding Flexibility:** this bill ends the state Iowa Learning On-line Initiative and authorizes the AEAs, in collaboration with other schools and AEAS, to offer on-line classes. Makes changes to the duties of the State BOE and the DE. Requires AEA classes to meet established standards. Requires schools to pay AEAs for the on-line course work. Allows the DE to waive requirements for two additional subjects to be offered by school districts, if the district cannot offer them after good faith efforts. The bill was amended in the House and sent back to the Senate. The House amendment includes some flexibility language to create capacity for additional instructional days, including use of PD funds or Management funds with board approval. The amendment also specifies the following:

* Districts can offer their own online learning, work with other district/AEAs or engage a private provider. Requires private provider courses to align and be approved by DE.
* Allows DE/AEAs to establish an online coursework and platform with GF or available federal funds – doesn’t require schools to use it, but allows both public and private schools to access courses. *Does not state that public school students can access the courses without the district offering them.*
* Requires districts to provide textbooks/supplementary materials to CPI, HSAP or Dual Enrolled students on the same basis as provided to enrolled students. Allows home schooled students (CPI and IPI) to access the online learning platform.
* Requires every district to offer a HSAP.
* Allows a district to provide instruction primarily over the internet if provided in accordance with an approved RTL plan, which satisfies the instructional time requirements (either days or hours) regardless of the nature, location or medium of instruction if the RTL plan includes the minimum number of days/hours, as long as the remote learning is compulsory.
* Allows local board to determine anytime during the 2020-21 school year, if remote learning is necessary, to ensure that teachers/staff are available to support students, engage in PD, perform other job-related functions during the regular required contract hours.
* Defines a student that does not participate in compulsory remote learning as truant, unless enrolled in CPI or IPI per parent notification prior to July 1, 2019. Allows a student with significant health concern to report to the district and requires the district to provide accommodation via remote learning.
* Requires schools to make reasonable accommodations for remote learning for a student or family’s significant health condition that increases the risk of COVID-19, including written confirmation from the doctor.
* Allows funding flexibility for additional instructional time, approved by board resolution for:
	+ Professional Development funds used for 36 hours of PD outside of the instructional day can be used for additional instructional time – all PD requirements of chapter 284 are waived
	+ Allows use of management fund ending 2020 balance and FY 2021 revenues for additional instructional time
* Allows a parent to notify the district by July 15, 2020 of an open enrollment request to a public online academy, based on health condition of student/family/caretaker and doctor’s note.
* Allows the district to authorize closure of the district or an attendance center due to COVID-19 outbreak if the Governor proclaims a public health disaster. Districts are encouraged to follow CDC guidelines and may consult with the local board of health when determining social distancing or closure
* Requires the board to require teachers and other necessary school staff to be available during contract hours during remote learning (also for PD and other duties as assigned)
* Requires a school district savings report; includes beginning balances for July 1, 2020, any savings due to closure from July 1, 2019 through June 30, 2020 (specifically mentions transportation, # of employees laid off listed by staff position and whether they got UE Insurance, and any spring or summer programs canceled or otherwise impacted).

RSAI is registered in support.

[**HF 2418**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf2418) **School Budget Calculations:** this bill requires the DE to notify the BOEE if, after being notified by a school or AEA, the DE determines that an error in an education data survey caused the BOEE to make an incorrect determination on a license. Requires the Executive Director to the BOEE to initiate corrective action. The bill was amended by the Senate to allow late dropout prevention budget requests to be considered by the SRBC if application to SBRC is made by March 1 of the year preceding the budget year. The bill is retroactively applicable to March 1. The Senate passed the bill as amended 49-0; sending it back to the House. RSAI supports.

[**HF 2443**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=HF2443) **Senior Year Plus Proficiency**: this bill strikes requirements for a student to show proficiency on the Iowa tests in core subjects to participate in the senior year plus program and expands the ability of community colleges and boards to agree on an alternative assessment for those students who are not proficient on the Iowa Tests. The bill was amended and approved by the Senate, 49:0, returning it to the House. RSAI supports.

[**HF 2627**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf2627) **Licensing Qualifications** (and similar SF 2393 is on the Senate Calendar): this bill limits the crimes used to disqualify persons from holding a professional license, requires the conviction to be related to the actions normally taken by someone in the profession and requires licensing boards to develop lists of crimes that can be used to disqualify an applicant. Requires a board to grant an exception if an applicant shows rehabilitation by a clear and convincing standard. Strikes specific criminal conviction disqualifications in various licensed professional provisions. Out-of-State: Allows a licensing board to grant a license to a person who moves to Iowa if the person be licensed and in good standing in another state and can meet various other requirements (would include school administrators and coaches governed by Board of Educational Examiners). Allows the board to require licensing exam and the submission of fingerprints. Allows the fee to be waived for first time low-income applicants (incomes below 200% of the federal poverty level, which would likely include recent college graduates applying for teachers’ licenses). The bill was approved in committee and moves to the House Floor. The Senate Version, SF 2393 has a 50% waiver of fees. Both of these fee waivers could have negative consequences for the Board of Educational Examiners capacity to timely grant initial and renewal licenses. The [Fiscal Note](https://www.legis.iowa.gov/docs/publications/FN/1136757.pdf) indicates an ongoing annual fiscal impact to BOEE, in subsequent fiscal years (FY 2022 and beyond), the revenue reduction to the BOEE is estimated to be $676,000. The revenue reduction to the General Fund is estimated to be $111,000. The bills are on their respective Calendars. RSAI is registered as undecided but is very concerned about the impact of lower fee revenue on the BOEE’s ability to quickly license staff.

**RSAI Regional Meetings**. Thanks to those members for participating in all four RSAI regional meetings which were held virtually this year! These meetings are critical for directing advocacy in the future. Members discuss the 2021 Legislative Priority list to inform the work of the RSAI Legislative Group and prepare for the Annual Meeting in October. Click here to review agendas, handouts or minutes: <http://www.rsaia.org/district-meetings.html>

Contact us with any questions, feedback or suggestions to better prepare your advocacy work:
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**Find RSAI 2020 Legislative Priorities and Position Papers here:**  <http://www.rsaia.org/2020-legislative-session.html>