

## RSAI Legislative Update May 15, 2015

You are cordially invited to join us on Wednesday, May 20, 2015 at the West Des Moines Marriott from 6:00-8:00PM to celebrate the first year successes of Rural School Advocates of Iowa. There will be a 15 minute program to start the event. Complimentary appetizers and drinks will be served. This event is organized to make the most of your mileage, for those attending the ISFIS conference on Thursday, May 21. All are welcome, regardless of RSAI member status. Bring your good questions or just stop by to say hello.

To RSVP for this event, please email Traci Giles at [traci.giles@isfis.net](mailto:traci.giles@isfis.net) with the names of those that will be attending.

[Register here](#) for the ISFIS Conference and be sure to join us for the Advocating for Equity session as 2 RSAI board members share success of the 2015 Session and talk about priorities still on the table.

These updates are posted on the RSAI legislative web page at <http://www.rsaia.org/legislative.html>.

The following provides analysis of this week's statehouse action, primarily status of school funding, appropriations bill status, what bills have been signed by the Governor so far this session and what remains on the table. Thanks for all you do to advocate for Iowa's children! [margaret.buckton@isfis.net](mailto:margaret.buckton@isfis.net)

### Three RSAI priority issues for conversations, in addition to adequate funding which ought to be in every conversation:

- **PPEL flexibility** for bus repair: Thanks to all House and Senate members who unanimously supported this bill, now to the Governor. *PPEL Flexibility was a priority issue for RSAI's legislative platform in the 2015 Session. Thanks to all who came to Capitol and advocated from home to get this done!*
- **Dropout prevention flexibility:** RSAI supports the DE proposal to blend uses of at-risk and dropout prevention funding, so we can locally determine how best to serve at-risk students. Flexibility language is included in both the House and Senate versions of the Education Appropriations bill, indicating smooth sailing to the Governor's desk on this issue.
- **Extend the state penny sunset:** SF 477 was approved by the full Senate, 37:13. RSAI supports full repeal of the sunset but clearly supports the extension to Dec. 31, 2049 proposed in this bi-partisan bill, still assigned to the House Ways and Means Committee.
- **Transportation equity:** the education appropriations bill includes language requesting an interim committee to study student equity, including but not limited to transportation. Keep talking to legislators about the need to address this disparity of expenditures per pupil in the coming year.

### School Funding: Tentative Deal still working on consensus

**SF 171 & SF 172 State Cost Per Pupil:** The conference committee has not reconvened to consider any deals or recent proposals, but that is the likely next step. Several reports of a deal continue to discuss various levels of agreement for the 1.25%, or \$80 per pupil in the formula, plus an additional one-time payment of an estimated \$55 million to reach an equivalent amount of funds at the Senate's 2.625% level. Many unknown assumptions may impact what this funding level looks like for each district. Stay tuned for more information as we find out.

Governor is still pushing for two-years of school aid. At this point, House may not have the votes for 2.45% and Senate may be unwilling to go lower than 4%, so achieving consensus on the second year may be difficult.

**HF 658 Education Appropriations:** The bill has been sent to conference committee to work out agreement on both policy and levels of funding. In short, this bill primarily funds regents institutions

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and community colleges, but includes many line-item appropriations impacting PK-12: TLC grants \$50 million for districts participating in their first year, mentoring and induction funding, early literacy, High Needs Schools grants, LEP for PK students, extends LEP service to 7 years of state funding for all students, At-risk and DoP flexibility, PK flexibility, Interim Committee on student equity including but not limited to Transportation are among the issues we are watching. See the May 1 weekly update for specific details about the differences between the House and Senate versions. The NOBA detail provided to the conference committee members with the House and Senate comparison is found [here](#).

[SF 510](#) **Standing Appropriations** was approved by the Senate Thursday, May 14. Although it includes no appropriation for the instructional support levy state match for 2015-16, it does address the cost per pupil increases for FY 2016 and FY 2017; it includes a 2 and 5/8<sup>ths</sup> percent increase in cost per pupil and categorical funding for 2015-16 and 4 percent for 2016-17. The bill was not amended in the Senate to address the inequity of the differences in the district cost per pupil.

### Other Issues

**SBAC / Assessment Task Force Recommendations:** Chairs of Senate and House Education Committees, agreed to not put legislation forward to mandate Smarter Balanced Assessment (SBAC) or any other assessment. They both stated in committees their support of the recommendations of the Assessment Task Force, it's believed they had caucus challenges in getting a majority vote of Republicans in the House and Democrats in the Senate, to support a bill specifying a particular assessment aligned to the Iowa Core for different reasons.

Chapter 256.7 Subsection 21: Code language regulates the State Board of Education's action on assessments, saying they have to continue to use the provider of the test administered in 2011, or must make recommendations to the legislature for approval. Beginning July 1, 2016, the state board can make rules for a different assessment other than the one administered in 2011, which would be the Iowa tests or a test provided by Iowa testing (that's in subsection 21(b)(2), which "notwithstanding" or ignores the prior requirements in subsection (1) regarding the provider of the 2011 test.)

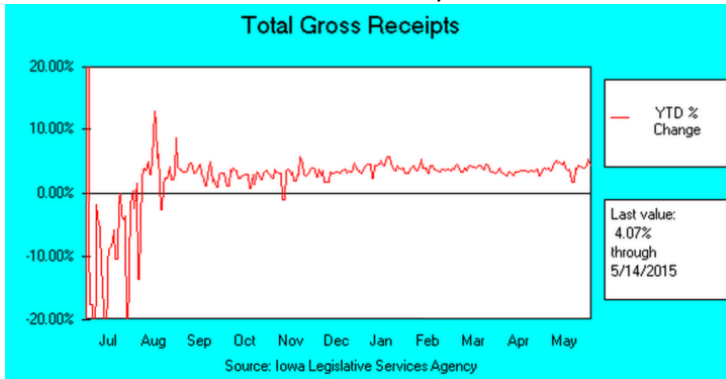
This leaves the decision in the hands of the State BOE's to make the determination of the assessment. Since the State BOE has already seconded the task force's recommendations on SBAC, it's likely they will go forward through the rule making process. The education coalition group met with the governor's office staff in support of the state BOE sticking with the SBAC recommendation. Next legislative session, an appropriation will have to be made to implement the assessment.

**Anti-bullying Legislation:** [SF 345](#) Approved by the Senate 43:7. Approved by House Education Committee, but ran into difficulties in the House, where it still sits on the eligible debate calendar. Still unknown if it will move forward. It remains a priority of the Governor.

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**State Revenue Report:** Due to both revenue growth and fewer refunds to taxpayers, Gross receipts are 4.07% above this time last year. Due to both revenue growth and lower cash refunds, net receipts

are growing at 5.4%, or \$296 million year-to-date through May 14, 2015. Status is found on the Legislature's Daily Receipts [page](#).



Cash Refunds			
Cigarette Stamp Refunds	(\$353,704.85)	(\$397,596.31)	12.4%
Use Tax Refunds - Other	\$0.00	\$0.00	0.0%
Income Tax Refunds	(\$736,890,107.35)	(\$718,561,338.78)	-2.5%
Sales Tax Refunds	(\$15,871,527.72)	(\$15,025,052.34)	-5.3%
Refunds - Other	(\$2,282,843.36)	(\$3,519,610.18)	54.2%
Corporate Tax Refunds	(\$125,437,016.28)	(\$108,905,023.54)	-13.2%
Use Tax Refunds	(\$17,017,781.04)	(\$37,269,369.46)	119.0%
Franchise Tax Refunds	(\$10,704,142.84)	(\$10,750,400.62)	0.4%
Tobacco Tax Refunds	\$70.00	(\$1,396.99)	-2095.7%
Inheritance Tax Refunds	(\$1,455,705.58)	(\$1,781,943.84)	22.4%
Refund Reimburse-RUTF	\$2,966,924.97	\$2,685,457.29	-9.5%
School Infrastructure Refunds	(\$389,831,988.38)	(\$382,815,698.48)	-1.8%
<b>Total Cash Refunds</b>	<b>(\$1,296,877,822.43)</b>	<b>(\$1,276,341,973.25)</b>	<b>-1.6%</b>
<b>Net Receipts</b>	<b>\$5,456,736,322.71</b>	<b>\$5,752,382,623.49</b>	<b>5.4%</b>

The May 1 [Monthly Revenue Memo](#) also confirms the economy is on track to meet the REC estimates, showing strong employment, withholding and sales tax numbers.

### Budget: Appropriations Bills Status

See last week's update for the detail of line-item appropriations in the House and Senate versions of education appropriations. Bill status of each of the appropriations bills follows. However, there has not yet been a bill number filed for the Standings Appropriations Bill, typically the last bill debated in a legislative session. That bill will include funding for supplemental state aid and other items critical to schools.

Bill #	Appropriations Area	Orig. Chamber Action	Second Chamber Action
<a href="#">HF 630</a>	Federal Block Grants	House Approved 4/15	Senate Approved 4/29 (done)
<a href="#">HF 637</a>	Transp & Infrastructure/Capitals	House Approved 4/21	Senate Approved 5/5 (done)
<a href="#">HF 650</a>	RIIF	Conference Committee	5/13/2015
<a href="#">HF 658</a>	Education	Conference Committee Dolecheck and Schoenjahn co-chairs	5/11/2015
<a href="#">HF 659</a>	Administration & Regulation	Conference Committee	5/11/2015
<a href="#">SF 494</a>	Ag & Natural Resources	Conference Committee	5/7/2015
<a href="#">SF 496</a>	Judicial Branch	Conference Committee	5/7/2015
<a href="#">SF 497</a>	Justice System	Conference Committee	5/7/2015
<a href="#">SF 499</a>	Economic Dev	Conference Committee	5/7/2015
SF 505	Health & Human Services	Conference Committee	5/14/2015
<a href="#">SF 510</a>	Standings Appropriations Bill	Senate Approval 5/14/15	House Appropriations

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### Enacted Legislation

The following bills impacting RSAI districts have been signed by the Governor this Session:

- **HF 167 Electronic Documents**, must be made available to bidders and suppliers, if available, during the competitive bidding process for public improvement contracts.
- **HF 347 DHS Licensure of child care programs**: this bill removes DE oversight, requires school districts provided before and after school care to follow DHS licensure regulations, requires background checks every 5 years, and allows schools to identify alternative space. RSAI was originally opposed, but with positive changes, RSAI registration moved to undecided.
- **HF 421 Community College Instructors**: this bill allows time teaching technical courses to count toward hours of practice necessary to be a community college instructor. RSAI was undecided.
- **HF 445 PMIC Payment for Education Services**: this bill requires district of residence to pay prorated tuition cost, allows at-risk/Dropout prevention funds to cover additional costs if the student is not receiving special education services. RSAI supported this bill.
- **HF 488 Iowa Reading Corps**: this bill requires the DE and Iowa Commission on Volunteer service to work with school districts in providing PK-3 literacy instruction. Requires schools already operating programs be given time to make necessary adjustments and requires models of instruction to align with literacy program goals and strategies developed by DE, the local school district and the Iowa Reading Research Center. RSAI supported this bill.
- **HF 515 Management Levy** funds allowed to be used for the costs of mediation and/or arbitration, including but not limited to legal fees. Effective for school budget years beginning on or after July 1, 2016. RSAI supported this bill.
- **HF 599 Reorganization/Dissolution and Sales Tax Obligations**: this bill addresses the process for identifying responsibility to paying sales tax obligations in the event of a reorganization or dissolution. RSAI supported this bill.
- **SF 131 BOEE Background Check**: this bill requires the BOEE to consider Iowa Courts online information when conducting background checks or prospective teachers or teacher renewing their license. Effective July 1, 2015. RSAI was undecided on this bill.
- **SF 173 Property Tax Replacement in the Formula**: this bill requires that the cost increase per pupil that would otherwise be property tax be paid by the state. Even though the state cost per pupil was not yet established, this bill was sent to the Governor in late February and he signed it on March 5. Effective March 1, 2015 for school budget years beginning on or after July 1, 2015, unless there is legislation which provides otherwise. RSAI was undecided on this bill.
- **SF 227 School Start Date**: this bill requires school start instructional days no earlier than Aug. 23. There is an exception for attendance centers that are approved by the DE to maintain a year-round calendar for PK-8 students. The application for year-round calendar may be for one or two years at a time. Defines year-round calendar to include at least 10 days of instruction during 11 of 12 months of the school year, with breaks not exceeding 6 weeks. The bill eliminates waivers for early start date. Please Note: a public hearing is still required when the board sets any school calendar, days or hours, start time, make up snow days, etc. RSAI was undecided on this bill.
- **SF 457 Ombudsman office and Closed Sessions**: this bill allows the state Office of Ombudsman access, in the performance of its duties, to the minutes and audio recordings of a closed session. RSAI opposed this bill.

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- **SF 462 EPI Pens:** this bill allows schools to store epi-pens, train employees to use them, allows students to carry and self-inject with signed parent consent, and provides liability protection to the districts and personnel authorized to use the Epi-pens if they reasonably and under good faith believe the student or other individual is having an anaphylactic reaction. RSAI was undecided on this bill.

***Have a great weekend!*** We will report further action when it happens. In the meantime, keep advocating for the students in your schools! RSAI Professional Advocate, [Margaret.buckton@isfis.net](mailto:Margaret.buckton@isfis.net)  
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### **RSAI Leadership Group**

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