

AEA Action in the Senate - Back to the House (Correction)

1 message

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To: RSAI Members

Tue, Mar 19, 2024 at 5:03 PM



RSAI Legislative Update

Hello RSAI Members:

Last evening, the Senate amended HF 2612, the House's AEA bill. There are policy differences in the bills, both of which are better than the Governor's bill. RSAI was registered undecided on the House bill and has now changed registration to opposed based on the Senate's amendment. In short, RSAI prefers the following:

House Version Policies to Keep:

- 1) Timeline with slower phase-in of media and educational services changes.
- 2) Requirement that school districts must contract with AEAs for special education services.
- 3) Task Force to study AEA services and student needs.

Senate Version Policies to Keep:

- 1) AEA board governance (keeps AEA boards as decision-making bodies rather than the House's requirement that AEA boards be advisory).
- 2) Smaller shift of power to DE's Division of Special Education (however, special education directors in each AEA should not have to report to the Division of Special Education, especially if the AEA board remains with real authority and is not advisory to the DSE).

3) AEAs develop centers of excellence and are encouraged to find administrative savings directed into services for students.

Teacher Pay Proposals:

The Senate Amendment to HF 2612 includes a minimum teacher salary of \$46,251. HF 2630 is more comprehensive, sets minimum teacher pay at \$50K by FY 2026, includes \$22 million for veteran teachers and \$14 million for hourly pay.

Advocacy:

Encourage legislators to compromise, prioritizing protecting the provision of special education services for rural students while respecting the authority of local AEA Boards. RSAI supports a reasonable timeline to implement educational services transitioning to school district control. RSAI supports the House's teacher pay proposal in HF 2630. Encourage speedy resolution as action on SSA or teacher pay is unlikely to occur until an AEA bill is sent to the Governor's desk.

Procedural Next Steps:

The House can amend the Senate's amendment to HF 2612 and return it to the Senate. If, instead, the House concurs (agrees) with the amendment, the bill has passed both chambers in identical form and will be sent to the Governor. If the House refuses to concur with the Senate's amendment, the bill is returned to the Senate, which may recede from or insist upon its amended version of the bill. If it recedes, the bill is sent to the Governor; however, if the chamber insists upon its amendment, a conference committee is appointed to work out the differences.

Details of the Bill as Amended by the Senate:

Senate amendment to HF 2612, [S-5043](#), was further amended by [S-5062](#) regarding services for nonpublic students (included below). This is a strike-after amendment, which means that the amendment entirely replaces the bill. The bill, as amended, does the following:

- **Division I DE Division of Special Education:** Requires the DE to oversee AEA operations to ensure special education compliance and to provide guidance and standards to AEAs for implementation of federal and state education initiatives beginning July 1, 2025. Requires a DE and AEA staffing and transition plan. DE is to work with AEAs and the new Division of Special Education to transfer AEA employees involved with special education compliance to the DSE. The plan is required to include how the AEA will accommodate space needed for DSE employees. Requires DE to compile and submit those plans to the General Assembly by Jan. 1, 2025.

- **Division II General AEA Provisions:** Specifies intent that the special education system includes the intent to improve student achievement and close student achievement gaps. Limits AEAs to nine and keeps the AEA boards as governing boards working cooperatively with the DE and the Division of Special Education (DSE) regarding special education instead of the House's advisory boards overseen by the state DE. Maintains AEA board authority (*House makes AEA board advisory to the DSE*). Requires public schools within boundaries to request educational, media and special education services for the next fiscal year by Feb. 1 of the preceding school year, requires AEAs to provide a method of payment and enter into an agreement. If requested after Feb. 1, AEAs may provide services. Limits contracts to those districts within the AEA (this provision seems to conflict with the "centers of excellence" concept later in this bill and could jeopardize district contracts with multiple AEAs for education and media services like PowerSchool with GWAEA and the purchasing coop with Keystone AEA). Requires the AEA to establish reasonable costs for services. Requires by Oct. 1 annually a report to the General Assembly and the DE that describes progress towards improved outcomes for students with disabilities and description of how the AEA is focusing moneys on providing services in classrooms.
 - Limits AEA chief administrator salary to 125% of average superintendents in the AEA (does not use the House's exclusion of shared superintendent salaries from the calculation). This provision is effective July 1, 2024.
 - Keeps an annual report describing school district payments to AEA and services received. (*House requires quarterly report to school districts.*)
 - Requires that the AEAs special education director be an employee of the DSE. Requires AEAs to terminate employment of AEA directors of special education and requires, within a reasonable time after July 1, 2024, DSE to employ at least one individual to serve as director of special education within each AEA. Requires DSE to give preference to terminated AEA employees. (*This is a smaller expansion of DE authority compared to the House version.*)
 - AEA Board changes – Requires nine members, of which four must be superintendents elected by superintendents in the AEA. Allows the superintendent to designate an individual to serve for the duration of their term. (*House requires five superintendents with no authority to delegate.*) Includes transitional language on vacancies, terms and director district convention.
 - Accreditation Processes and Standards:
 - Requires accreditation processes developed by the DSE in consultation with AEAs . Gives authority to DSE to require either merger or outsourcing if accreditation deficiencies are not

corrected. (*House has DE director working with State Board to develop standards and DE director orders deficient actions.*)

- Accreditation Standards set by state BOE in consultation with DSE *House requires consultation with DE* effective July 1, 2025.
 - The Senate's list of accreditation standards includes references to all students from HF 2612 (e.g., curriculum and instruction support for all students, including students with disabilities), and adds one more change requiring a program and services evaluation and reporting system that includes information related to special education. (*House version left out that phrase, which would limit the system to just special education evaluation*). S-5043 also includes timely submission of required reports and documents to the State BOE, DE, and DSE (*not included in House standards*).
 - Includes transition provisions: accredited AEAs remain accredited until they go through the process again. AEAs terminate director of special education employed by the AEA by July 1, 2024. DSE is required to employ a director of special education within each AEA. Requires DSE to give preference to former AEA special education directors.
- **Division III Funding:** Maintains FY 2025 Senate formula (all SPED to AEAs, 40% of media and educational services to AEAs, AEA TSS and AEA PD to AEAs). Changes FY 2026 to include 10% of special education funding to AEAs, plus TSS and PD to AEAs. The balance, 90% of special education funding, all media and all special education services to school districts. The amendment requires AEAs to provide services to students from nonpublic schools, regardless if the school district in which the students reside receives services from the AEA, then requires the flow through dollars beginning July 1, 2025, go to the AEAs include the greater of 10% or the amount attributable to the portion of special education support services weighting enrollment that is nonpublic school pupils service with special education support services by the AEA. Also requires that dollars flow through to the AEA attributable to nonpublic school enrollment for media and educational services.
 - **Division IV Teacher Pay:** Increases the minimum teacher salary to \$46,251. Division VI requires DOM to calculate the amount of TSS each district needs for the new minimums and

the employer share of FICA and IPERS, based on Fall 2023 BEDS data.

- **Division V AEA Evaluations and Reports:** Requires a progress report by Jan. 1, 2025, toward administrative cost savings intended to lower AEA administrative costs by 30% by July 1, 2026. Also requires a proposal for reorganization and centralization of services, including media services, and to create centers of excellence for other services. Also requires a report by DAS, in coordination with DE and AEAS, to include an inventory and evaluation of all real property and facilities owned by AEAs, and an evaluation of how AEA real property and facilities are used.
- **Division VII:** Adds recommendations of the Nonpublic Schools SPED task force identical to the House version.
- **Division VIII:** specifies that Iowa Code 25B.2 regarding unfunded state mandates does not apply.

Thank you for your continued advocacy on behalf of rural students!

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