**RSAI Legislative Update   
Feb. 10, 2017**

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

School Funding/SSA of 1.11% increase per pupil is signed by the Governor. RSAI had a great presence at the Public Hearing on school funding on Monday. Thanks to all of the RSAI advocates that sent in comments to the public hearing or showed up to speak. Collective bargaining overhaul bills are introduced and move through committee. Some policy bills receive subcommittee conversations and assessment changes move forward. Also, just a reminder to check your inbox for the National Rural Education Association weekly update for the latest on the national front, including Congressional Resolution to repeal the federal Department of Education regulations on ESSA implementation. [margaret.buckton@isfis.net](mailto:margaret.buckton@isfis.net)

**School Funding:** [SF 166](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=SF166) signed by the Governor: It provides a 1.11% increase in the state cost per pupil for FY 2018. This is $73 per pupil increase, which leaves 179 districts with lower or negative enrollment growth on budget guarantee, costing Iowa taxpayer $23.6 million. Checkout the impact on your district with the [ISFIS New Authority Report.](http://iowaschoolfinance.com/system/files/members/Excel/New%20Money%20Report%20FY%202018_0.xlsx) There are 52 districts with negative new authority in FY 2018. The 1.11% increase is also applied to each of the State categorical cost per pupil amounts for FY 2018. The bill provides additional property tax relief based on the per pupil increase that results from the establishment of the State percent of growth in FY 2018. The bill also changes the Iowa Code requirement to set the growth rate in advance, instead requiring action within 30 days of the Governor’s budget release for the year beginning July 1 of the same calendar year. The Governor stated in his [press release](https://governor.iowa.gov/2017/02/gov-branstad-signs-senate-file-166-into-law) on Wednesday, “I am hopeful that the legislature will be able to set funding for fiscal year 2019 after the March revenue estimate.” Although the Governor has been pushing for a two-year budget, there have not been commitments from legislative leadership to suggest they will act accordingly.

A public hearing was held Monday, Feb. 6. Speakers were limited to 3 minutes and the hearing lasted 90 minutes. Many comments were submitted in writing. Here’s the [link](hhttps://www.legis.iowa.gov/committees/publicHearings?meetingID=24223&action=viewComments) to comments that were submitted. There were 32 parents with comments. If any of them were from your area or you know other parents who would support advocacy for Iowa public schools, direct them to:

**Parents for Great Iowa Schools:** This new organization is working to generate parent understanding regarding the needs of public schools and encourage parent advocacy. See their web site <http://parentsforgreatiowaschools.com/> for possible advocacy actions, including a petition to sign. The group is interested in recruiting parents from all over Iowa, especially rural districts, as steering committee members.

**Collective Bargaining Bills Introduced:** Identical bills HSB 84, now [HF 291](https://www.legis.iowa.gov/legislation/BillBook?ga=%24selectedGa.generalAssemblyID&ba=hf291) and [SF 213](https://www.legis.iowa.gov/legislation/BillBook?ga=%24selectedGa.generalAssemblyID&ba=sf213) were introduced this week and both were approved in their corresponding labor committees. The bills overhaul Chapter 20 collective bargaining and make sweeping changes to teacher termination in Chapters 279 and 284. A summary of the bills is found on the RSAI web site [here](http://nebula.wsimg.com/8d1c923a40cb47146353b56e3174340d?AccessKeyId=D081CCCCA2DCE3941176&disposition=0&alloworigin=1). The most significant changes to Collective bargaining follow:

* Keeps current process with some exceptions for public safety employees.
* Sets base wages as the only mandatory subject of collective bargaining and requires that mandatory subjects (base wages) be interpreted narrowly and restrictively.
* Establishes an election process for certification, recertification and decertification of association representatives. (Requires 50% of employees in the bargaining unit, not 50% of those voting, to certify)
* Removes (for non-public safety employees) insurance, leaves of absence for political activities, supplemental pay, transfer procedures, evaluation procedures, procedures for staff reduction, release time, subcontracting public services, grievance procedures for resolving any questions arising under the agreement, and seniority and any wage increases, employment benefit or other employment advantage based on seniority shall also be excluded from the scope of negotiations.
* Allows a contract term for up to 5 years.
* Prohibits automatic payroll deduction for association dues.

**Arbitrator Process and Considerations:**

* Defines the arbitration process
* To the extent adequate applicable data is available, requires the arbitrator to compare:
  + Base wages, hours and conditions of employment of with private sector employees doing comparable work.
  + Interest and welfare of the public
  + Financial ability of the employer to meet the cost of an offer in light of current economic conditions of the public employer. Requires arbitrator to give substantial weight to employers’ authority to utilize funds if restricted to special purposes or circumstances by state or federal law, rules, regulations or grant requirements.
  + Strikes the power to levy taxes as a consideration for the arbitrator.
  + Also restricts arbitrator from considering any evidence on any subject excluded from negotiations
  + Further limits arbitrators wards to the lower of 3% or CPI for urban consumers in the Midwest as set by the Bureau of Labor Statistics. See the history of the CPI indicator here: <https://www.bls.gov/regions/mountain-plains/news-release/consumerpriceindex_midwest.htm>
  + Prior practice or precedent of existing contracts in not on the list of considerations.

**In the areas of educator matters, the bills:**

* Contracts: Allows modification of or temporary contracts for teachers and administrators
* Eliminates teacher appeal of board decision to adjudicator, so appeal goes straight to court.
* Increases probationary period of new teachers and administrator to 3 years. Increases probationary period of teachers or administrators new to the district to 2 years. Board may terminate without cause.
* Adds violation of code of professional conduct and ethics of the BOEE as just cause for teacher discharge.
* Eliminates grievance procedures and evaluation procedures from negotiations.
* Conforming language in TQ committee (doesn’t change PD duties)
* Removes intensive assistance from negotiations and does not allow repeated intensive assistance for failure to perform in the same area.
* Strikes requirement to have peer review in two out of three years of evaluation

**Effective dates and transitional matters:**

* Effective on enactment (date signed by the Governor which is possibly as early as Feb. 15, two days following a public hearing set for the evening of Feb. 13.
* Requires incomplete negotiations to stop as of that time and replaced by new process.
* Applies to all collective bargaining procedures occurring on and after the effective date
* Requires resignations in lieu of termination, discharge or demotion as a result of disciplinary action, the documented reasons and rationale for the action are considered public records.
* Requires public employer to offer health insurance to all public employees they employ (cross reference to definition of public employee in Code 20.4 excludes temporary employees for less than 4 months and students employed to work less than 20 hours a week.

**Other Bills receiving consideration this week**

**Assessments** [SSB 1001](https://www.legis.iowa.gov/legislation/BillBook?ga=%24selectedGa.generalAssemblyID&ba=ssb1001) was amended and approved in the Senate Education Committee. The amendment removes the authority of the DE/state BOE to choose the state assessment, requires an assessment aligned with Iowa standards, requires a new RFP process from which the legislature will pick a new state test, and has that test first administered in the 2018-19 school year. RSAI is opposed to the bill as amended. The bill will receive a new bill number as a committee bill.

Meanwhile, a subcommittee chaired by Rep. Salmon convened on [HF 271](https://www.legis.iowa.gov/legislation/BillBook?ga=%24selectedGa.generalAssemblyID&ba=HF271) which requires the use of Iowa Tests or a successor Iowa Test (Next Generation Assessments) as the state test, requires the state BOE or DE to make recommendations to the legislature to approve a future test if they want to change it, but prohibits the use of SBAC or PARC. RSAI is opposed to the bill.

[**SSB 1047**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=ssb1047) **Computer Science Initiative (Governor):** this bill creates a computer science professional development initiative, requires DE to write rules to implement, states legislative goal that, by July 1, 2019, each accredited high school offers at least one high-quality computer science course, each accredited middle school offers instruction in exploratory computer science, and each accredited elementary school offer instruction in the basics of computer science. Makes requirements contingent on sufficient appropriation. Requires BOEE to set certification standards for teachers of computer science. Approved by subcommittee. Moves to Senate Education Committee. Although most of the education community and business groups are registered in favor, RSAI is undecided and has expressed concerns about unfunded mandate and possible teacher shortage in the future impacting rural schools.

[HF 138](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=HF130) **Drivers Education:** This bill further restricts drivers’ education classes to no more than 300 minutes a week, limits student highway or street driving instruction to no more than 30 minutes a week with no more than two students in the car. Please let us know if this will inhibit your ability to provide drivers’ education courses or if this will increase school costs for providing education courses in your district. RSAI is currently registered as undecided.

[HF 25](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=hf25) **PK Flexibility**: This subcommittee led by Rep. Koester considered an amendment that would increase the weighting for preschoolers from families below 200% of the federal poverty level to .75 (from .50) and allows PK funds to be spent on snacks, supplies, playground surfaces and translation services. Additional work on the amendment is anticipation. PK flexibility may become part of a larger “omnibus” school flexibility bill. RSAI is registered in support.

**Education Committee Members:** Find links to members of the Education Committee for the [Senate here](https://www.legis.iowa.gov/committees/committee?ga=87&groupID=327) and the [House here](https://www.legis.iowa.gov/committees/committee?ga=87&groupID=686)

Senate Switchboard # 515.281.3371

House Switchboard # 515.281.3221

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 you legislators.

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