

RSAI Legislative Update Mar. 5, 2015

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 happenings, including a report of the school funding conference committee meetings, list of bills surviving the funnel from education and other committees, and key issues not progressing. March 6 is the first funnel date. By this date, policy bills must be approved by their committee of origin in order to move forward. (Ways and Means and Appropriations bills are exempt from the funnel deadline.) Find suggested advocacy actions on school funding at the end of this report and look for today's RSAI [CALL TO ACTION](#). Thanks for all you do to advocate for Iowa's children! margaret.buckton@rsaia.org

Conference Committee Meetings for [SF 171](#) and [SF 172](#) State Cost Per Pupil

Committee members: Reps. Soderberg (co-chair), Paulsen, Upmeyer, Ruff, and Steckman and Sens. Quirmbach (co-chair), Sinclair, Gronstal, Dix, and Bowman. Three meetings:

- 2/26: organizational meeting to elect chairs
- 3/3: opening positions: House explained 1.25% as more than half of the new revenue to the state, a responsible budget, an increase for schools which are a priority since 55% of the budget is education, and intended to prevent a future across-the-board cut. Senate explained that 4% was a reduction from the 6% approved for July 1, 2016 during the last Session. They state the 4% as a compromise offer, less than school districts have requested or need, but responsible given the budget. The Senate expected the House to make a counter offer. Speaker Paulsen explained in the second meeting that 1.25% should be sent to the governor and any additional funding for public schools would be contingent on his conditions. Although not stated in the conference committee, his conditions have been reported in the press as collective bargaining reform. See description of HSB 204 below.
- 3/4: House stated that 1.25% is their counter offer. No sign of movement in either direction from the SF 171 positions approved in each chamber.

State General Fund revenues are running at 5.8% net increase compared to March 5, 2014. That's up slightly from the 5.6% REC estimate for FY 2015. The REC will meet March 19. Some big picture considerations relative to the state of the economy and general fund budget:

- Difference between 1.25% and 4% for rural schools is significant, in terms of budget guarantee, program and staff reductions.
- Difference between 1.25% and 4% for the state is \$114.3 million. Sounds like a lot. That's 1.6% of Governor's Budget Recommendation of \$7,194.6 for FY 2016.
- Governor's Budget Recommendation is \$319.3 million BELOW the 99% expenditure limitation. Even if the REC lowers the revenue estimate by \$200 million (and they won't), there would still be enough room within the expenditure limitation to fund 4%. Sources:

SF 171 fiscal notes: <https://www.legis.iowa.gov/docs/publications/fn/632647.pdf>

<https://www.legis.iowa.gov/docs/publications/fn/644065.pdf>

LAGAR <https://www.legis.iowa.gov/docs/publications/LAGR/620903.pdf>

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Here's the comparison of impacts based on the two proposed amounts:

	Impact of 1.25% FY 2016	Impact of 4.0% FY 2016	Impact of 6% FY 2016
New state cost per pupil and per pupil increase compared to FY 2015	\$6,446 / \$80	\$6,621 / \$255	\$6,748 / \$382
Number of districts on budget guarantee	163	58	27
Property taxes to fund budget guarantee	\$16.5 million	\$3.3 million	\$1.1 million
Number of districts with negative new money	31	18	15
Number of districts in which a 3% cost exceeds new money	274	149	73

See today's RSAI call to action on School Funding for additional details and talking points posted [here](#). This Week's Education Coalition fact, titled "Apples to Apples", explains state data sources for comparisons on per pupil spending between Iowa and the nation. Regardless of the measure, Iowa is not funding as well compared to other states as we were in 1998. See the Education Fact [here](#).

Other Key Issues:

[HSB 204 Teacher Arbitration](#): This bill changes the arbitration process only for certified staff (licensed teachers) in AEAs and school districts. The bill allows an arbitrator to award a position other than the last two final offers, requires the arbitrator to consider the comparison of wages, hours, and conditions of employment with those of private sector employees doing comparable work, giving consideration to factors peculiar to the area and the classifications involved, and lastly prohibits the arbitrator from considering the school's ability to tax. Analysis: The ability to award a different position than the final two offers might impede progress in negotiations, increasing the tendency to go to arbitration rather than resolve differences locally. Compressing teacher pay does not position Iowa well to attract the best and brightest students to teaching or help us keep our great teachers within the school system. RSAI is registered as undecided on the bill.

[HSB 203 Education Savings Accounts for Nonpublic School Students](#): This bill would allow parents of nonpublic school students to apply for an annual grant of \$6,366, beginning in tax year Jan. 1, 2016, starting with kindergarten and adding one grade level every year over 13 years. The fiscal impact is expected to top \$200 million when fully phased in. This bill was approved 2:1 in subcommittee this week, but was not brought up for consideration in the House Education Committee. This bill and other voucher bills, [HF 313](#), [SF 230](#), [SF 240](#), and [SF 252](#) all are pronounced dead due to failure to get committee approval by this week's funnel deadline.

Transportation Equity Proposals: 6 proposals in the House Education Committee, most approved unanimously by subcommittee, none receiving full committee approval, so all technically dead due to the funnel deadline. RSAI had lobbied for and registered in support of each bill that received a subcommittee hearing. Various fiscal impacts ranged from a potential property tax impact of \$26 million, to state appropriations impacts varying between \$15 and \$28 million. Here's the list:

[HF 84](#) Transportation Equity Levy, property tax or income surtax, local voter approval for 10 years (approved by subcommittee, Reps. Gassman, Hansen and Mommsen)

[HF 250](#) Transportation State Aid, reimbursement for costs above the state average per pupil enrolled transportation cost, paid by the state, (approved by subcommittee, Reps. Gassman, Hansen and Mommsen)

[HF 320](#) Transportation Supplementary Weighting, provided through the foundation formula (approved by subcommittee, Reps. Gassman, Hansen and Stanerson)

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[HF 359](#) Transportation Levy: voters may approve levy for any transportation costs minus reimbursement for transporting nonpublic students (did not get a subcommittee hearing)

[HF 431](#) Transportation Supplemental Weighting, graduated based on incremental expenditures above the state average transportation cost per pupil (approved by subcommittee, Reps. Gassman, Hansen and Mommsen)

[HF 432](#) Transportation Aid per pupil, allocates \$15 million to districts with costs above the state average transportation cost per pupil (approved by subcommittee, Reps. Gassman, Hansen and Mommsen)

SSB 1254 Per Pupil Cost Adjustments: This bill establishes a district per-pupil equity cost adjustment by allowing districts with a regular program cost that is less than the highest cost of all school districts to make an adjustment of the difference between their district cost per pupil and the state's highest DCPP. The district is allowed to use cash reserve to fund the spending authority, however, the cash reserve levy may not exceed the prior year's levy after subtracting any amount for SBRC granting modified supplemental state aid. RSAI supports this bill, which was assigned to the Senate Education Committee too late to obtain approval prior to this week's funnel date.

Education Committee Bills Surviving the funnel:

- [HF 122 Shared Operational Function:](#) this bill adds the position of principal to the list of positions for which sharing generates supplementary weighing. RSAI supports this bill.
- [HF 139 Timeline for enacting Allowable Growth:](#) this bill was approved by the House and would change the timing of the allowable growth decision to every odd numbered year, the upcoming cost per pupil set within 30 days and the cost per pupil for the out year set before the session adjourned. RSAI is opposed to this bill.
- [HF 156 Preschool program cost flexibility](#) and 10% administrative expenditure limit. Flexibility would allow PK funds to be spent on transportation, outreach, and rent. RSAI supports this bill.
- [HF 204 Online Learning Virtual Academies:](#) This bill repeals the sunset of the online learning academies, allowing them to continue indefinitely. The bill doesn't change the enrollment cap. RSAI is opposed to the bill.
- [HF 228 Transitional Coaching Authorizations by BOEE:](#) This bill sets up the parameters of a transitional coaching authorization for individuals over age 21 who have been offered a coaching job but are not yet certified. RSAI is undecided on the bill.
- [HF 282 BOEE Background Checks:](#) This bill requires the Board of Education Examiners, BOEE, to review information in the Iowa court information system available to the general public, for an applicant for initial or renewal of licensure. RSAI is undecided on this bill.
- [HF 307 School Start Date Limitation:](#) This bill establishes that school may not begin instructional days/hours before August 23. There is no waiver provision or allowance for a school with a year-round calendar to begin prior to the statutory deadline, but we are working on an amendment to allow such a waiver. RSAI is opposed to this bill.
- [HF 346 At-risk and Dropout Prevention Flexibility:](#) This bill, authored by the Iowa Department of Education, allows funding from either source to be used for either purpose. This essentially creates flexibility for dropout prevention funds. RSAI supports this bill.

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- [HF 347](#) **Child Care at School Licensed by DHS:** This bill eliminates the option for schools to be regulated by DE for provision of child care on school grounds and requires districts to be licensed by DHS. The bill was amended to align the background check cycle to regular school employees (every 5 years.) We are working on an amendment regarding identification of alternative space. RSAI was originally opposed, but changed registration to undecided with the addition of the amendments. *Note: DE was beginning to consider regulation of child care programs run by schools, imposing through administrative rules more rigorous standards than DHS, including the requirement that a certified teacher oversee and be present at all such programs.*
- [HF 384](#) **PPEL Use for Repair:** This bill allows use of PPEL funds for repair of transportation equipment and technology. RSAI supports.
- [HF 421](#) **Qualification for Community College Career and Technical Program Instructors:** This bill allows individuals to count years of teaching experience in a school career and technical course as relevant work experience in an occupational area in order to meet requirements to be an instructor. RSAI is undecided on the bill.
- [HF 444](#) **DE clean-up bill/technical and code corrections:** RSAI is undecided on this bill.
- [HF 445](#) **Payment of Cost of PMIC Educational Services:** This bill specifies that the resident district is responsible for the educational costs of a student in a psychiatric medical institution for children. The bill allows excess costs to be paid with dropout prevent funds under certain circumstances. RSAI supports this bill.
- [HF 446](#) **State Assessment:** This bill specifies legislative intent that the legislature will address the issue of state assessments during the 2015 session, but the details have not been worked out. RSAI is undecided on the bill.
- [HF 488](#) **Iowa Reading Volunteer Corps:** This bill specifies details of the Iowa Reading Corps within the Iowa Commission on Volunteer Service, including specified use of funds. The House Education Committee included an amendment to specify alignment with local school district goals. RSAI supports the bill.
- [HF 490](#) **Anti-bullying and harassment:** This bill directs the DE to provide training for school employees that will investigate bullying, sets up a pilot project in two middle and two high schools in both urban and rural areas to explore how student leadership can prevent bullying, includes social networking sites and other electronic means of bullying, allows but does not mandate school authority to investigate bullying that happens outside of school if the bullying interferes with the school environment and in response to a complaint, requires schools to notify parents except in cases where notification would put the student at risk, and allows a student who open enrolls into another high school to participate in athletics upon approval of both resident and receiving district, if there has been a founded incident of bullying in the current or prior year. RSAI is undecided on the bill.
- [HSB 206](#) **School Reorg Bonding/SAVE Fund Provisions:** This bill establishes procedures to handle bonded debt associated with the sales tax in reorganization or dissolution cases. RSAI supports the bill.
- [HF 342](#) **Management Fund for Arbitration Costs:** This bill allows the use of management fund revenues for mediation or arbitration costs. RSAI supports the bill.
- [SF 131](#) **BOEE Applicant/license Renewal Background Check:** Same as HF 282 above.

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- **[SF 227 School Start Date](#)**: This bill eliminates waiver provisions and allows school boards to determine when school starts. RSAI supports.
- **[SF 245 ELP Supplementary Weighting](#)**: This bill increases the weighting for students in English-language learner programs from .22 to .30 and increases the length of state contribution from 5 to 7 years. RSAI supports it.
- **[SF 246 PK Expansion Incentive](#)**: This bill creates a three-year expansion program for the statewide voluntary preschool program, provides an expansion incentive of 20% of the cost per pupil applied to enrollment growth in the program compared to a base year, allows PK funds to be spent on transportation, rent and outreach activities and allows proration of transportation costs if other students are transported with PK students. The bill also increases the limit of administrative funds to no higher than 10%. RSAI supports the bill.
- **[SF 247 Low-Income Program Supplement](#)**: This bill establishes a supplementary weighting of .04 (or 4%) multiplied by the number of students eligible for free and reduced price lunch in the district. The bill specifies use of funds, for additional programming, before and after school programs, summer school, tutoring and mentoring, individualized instructional assistance, programs to reduce or waive student fees, or other program or assistance. RSAI supports the bill.
- **[SF 259 Filling School Board Vacancies](#)**: This bill provides for a petition process to challenge a school board's appointment to fill a vacancy and request a special election to fill the board seat. RSAI opposes the bill.
- **[SF 279 TAG Dedicated FTE at DE](#)**: This bill requires the Iowa Department of Education to assign one full time equivalent position to be the director of talented and gifted programs for the Department. RSAI is undecided.
- **[SF 280 PPEL for Transportation Repair](#)**: This bill is similar to HF 384 but does not include technology repair. RSAI supports the bill.
- **[SF 294 Payment of PMIC costs for Educational Services](#)**: Same as HF 445 above. RSAI supports.
- **[SF 295 ELP Weighting for Preschoolers](#)**: This bill establishes a supplementary weighting equal to one half of the English Language Learner program weighting for Statewide Voluntary Preschool Program Students. RSAI supports the bill.
- **[SF 345 Anti-bullying and Harassment](#)**: Same as HF 490 above. RSAI is undecided.
- **[SF 365 PPEL Levy regarding Bond Refinance](#)**: This bill allows a school district to exceed the voted PPEL levy limit, if they've exceeded the limit in the prior year, bonds issued to be paid with PPEL are refinanced and the refinance saves the district taxpayers money. The amount above the authorized levy cannot be more than the prior year's levy. RSAI is undecided.
- **[SF 379 Licensure of Child Care Programs by DHS](#)**: Same as HF 347 above, however, the alternative space amendment was included in Senate Education Committee. RSAI is undecided on the bill.
- **[SF 255 Sales Tax Sunset Extension](#)**: This bill extends the sunset of the state penny until Dec. 31, 2049. It was approved 9:4 in Senate Education Committee, with bipartisan sponsorship and support. RSAI supports this bill.

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- [SF 281](#) **Mental Health Pilot Project via AEAs:** This bill creates a pilot project, providing funds to all AEAs to work with mental health community providers to meet the mental health needs of students. RSAI supports this bill.
- [SSB 1234](#) **Fine Arts Curriculum in the Core:** This bill requires the state board of education to create standards within the Iowa core curriculum for fine arts content, but does not impact the state requirements regarding which courses must be offered and taught. RSAI supports the bill.
- [SSB 1249](#) **State Assessment:** See HF 446 above. RSAI is registered as undecided.

Bills from Other Committees

- [HSB 104](#) **Broadband Access by House Commerce:** This bill is a priority for the Governor, stating legislative intent that increasing the extent and availability of broadband infrastructure throughout the state facilitates the provision of internet access to citizens, farms, businesses and communities at speeds that promote economic development, employment, enhanced access to goods and services, increased educational and training opportunities, faster access to government services and health care, and improved overall information and community access. RSAI supports the bill.
- [HF 6](#) **Exploitation by School Employees by House Judiciary:** This bill establishes a criminal penalty for sexual exploitation of a student by any school employee. RSAI supports.
- [HSB 204](#) **Changes to Teacher Arbitration by House Labor:** See lead article above. RSAI is undecided.
- [HSB 178](#) **School Radon Testing by House Local Government:** This bill requires that school boards provide for short term testing and retesting for radon gas to be performed at each attendance center and following new construction, additions, renovations, or repairs to an attendance center. The bill allows the use of state penny revenues to pay for the testing without having to revisit the revenue purpose statement. RSAI is registered as undecided.
- [HSB 135](#) **School Board Member Contacts by House State Government:** This bill requires school board members to provide contact information to the board secretary, updated at least annually, and the secretary is required to make sure the contact information is posted on the district web site. RSAI is registered as undecided.
- [SSB 1244](#) **Epi Pen Regulation by Senate Human Resources:** This bill sets up procedures for students to self-administer certain medications, including epi pens, with parent consent and waiver of school responsibility. The bill also allows a doctor to write a prescription for a school to have epi pens on site and sets expectations for staff administration of epi pens, training and storage. The bill requires the DE, board of medicine and the board of pharmacy to adopt rules to implement and administer this bill. RSAI is registered as undecided.
- [SF 384](#) **Open Meetings by Senate State Government:** This bill makes an advisory committee to the superintendent subject to open meetings law if the school board has expressly authorized the superintendent to act on behalf of the school district to develop and make recommendations to the board. **RSAI has not yet registered on this bill so let us know what you think.**

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This week's Advocacy Plan: Spend 15 minutes every day on school funding.

This week's Advocacy Plan: Generate contacts from grassroots networks, staff and school leaders and recruit petition signatures on adequate school funding: go [here](#) to let the legislature know that education funding should be the priority and share this link with others.

Request that the Legislature set the state cost per pupil no lower than 4%. Target contacts to local legislators in both parties and chambers, members of the conference committee listed above, legislative leadership, and the Governor and Lt. Governor. Find resources on the RSAI web site, including the most recent call to action, the weekly Education Fact from the Education Coalition, contact information and talking points. <http://www.rsaia.org/legislative.html>. These weekly updates are also posted on this page.

Let legislators know about extending the sunset of the state penny and extending PPEL to repairs are both measures to save district resources. See the RSAI web site for position papers and supporting information.

Let us know how we can help with your advocacy efforts,
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