**RSAI Legislative Update   
February 18, 2021**

In this RSAI Weekly Report from the 2021 Legislative Session, find information about:

* School Funding Compromise to the Governor
* One-time Instructional Time Grant Amended and Approved in the House
* Preschool Funding Next Steps
* Continued School Choice Advocacy
* SSB 1213 Removal from Office
* Bills Receiving Action This Week

**School Funding Action This Week:**[**SF 269**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf269) **School Funding**, the Senate concurred with the House amendment, which send the bill to the Governor. The bill as amended sets a 2.4% increase in the SSA, closes the formula equity gap by $10 per pupil, provides additional funds necessary for transportation equity to bring all districts down to the state average ($768,000) and continues the property tax relief payments, freezing the local contribution to the additional levy at $750 per pupil. RSAI was originally registered opposed to the Senate File, when the SSA was set at 2.2% and the $65 per pupil one-time funding excluded Des Moines. With the amendment and higher SSA, RSAI is now registered as undecided.

The bill sets the FY 2022 State Cost per Pupil at $169, plus the $10 per pupil for formula equity, bringing the total up to $179 per pupil. The FY 2022 State Cost per Pupil is $7,227.

Total state funds that will be appropriated to fund SF 269:

State Aid: $ 36.5 million which assumes current law

AEA Reduction: -15.0 million expected in Standings Appropriations bill

Formula Equity: 5.8 million to fund the $10 per pupil to close the gap

Transportation Equity: 0.7 million to bring all districts down to the state average

Total: $28.0 million State Investment in the formula

[**HF 532**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf532) **Qualified Instruction Funding Supplement:** The House’s one-time in-person learning bill, was amended and approved in the House on Thursday, Feb. 18. Rep. Hite, the floor manager, stated the intent to provide support to schools for the extra costs of providing full-time instruction that districts with virtual or hybrid instruction may not have incurred. He also stated the intention of this distribution formula was to help restore some fairness to COVID funding as the federal ESSA funds were distributed on a per pupil basis. The bill as amended appropriates $27.2 million to the Department of Management to distribute to schools on a prorated basis for every full-time school day that the school provided a full-time in-person learning option to all students. The bill requires school districts to report their count of instructional days to DOM within 14 days of the Governor’s signature.

**Definition of qualified instruction:** The bill defines full time as 6 hours, allows a day less than 6 hours but more than 3 hours to count for half a day, allows schools offering hybrid instruction to count 6 hour days as half days for purposes of proration, for any day offered between July 1 and Jan. 31. The bill as amended also specifies that any virtual or hybrid days offered for school districts damaged by the derecho would be counted. That provision also mentions hours of instruction in addition to days.

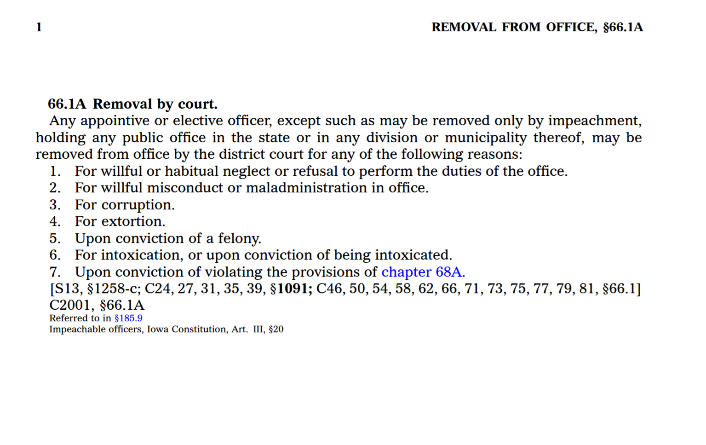
The bill now heads to the Senate. RSAI was registered as opposed to the earlier version of the bill. With the amendment, our registration changed to undecided.

**Continued School Choice Advocacy:** Although there appears to be less appetite in the Iowa House to move a voucher bill forward, keep talking to legislators about the damage to public schools. Be respectful and polite. The best lobbying is gentle persuasion applied relentlessly. Let your RSAI staff know if you get a firm commitment from your House member regarding support or opposition to a stand-alone voucher bill if the policy were to gain traction. Key messages: Iowa has school choice with good private schools and public school open enrollment. Oppose public money for private schools, which are not accountable to taxpayers or transparent in either expenditures or outcomes. Private schools are not required to enroll all students. Once states initiate voucher programs, the experience is they expand. Iowa’s bottom 5% does better than many other states. We will always have a bottom 5% no matter how much we improve. It could be our school next year.

**Next Steps on Preschool Funding:** SF 269 has a fiscal note which shows a $7.4 million reduction in preschool funding for FY 2022. This is a function of the formula; even though the cost per pupil was increased by 2.4%, the large decline in enrollment as parents kept four-year-olds home from preschool last fall, most likely for safety reasons associated with COVID-19, results in an 8.4% loss of PK funding. Unlike the K-12 Regular Program Budget, there is no budget guarantee or on-time funding component for preschool.

Sen. Sinclair mentioned during the debate on SF 269 the Senate’s intent to address the drop in preschool funds. Stay tuned for more information as we learn more. See the [ISFIS Memo on Preschool Funding and COVID Enrollment Drop](https://www.iowaschoolfinance.com/system/files/members/Public/ISFIS%20-%20Preschool%20Fix%202021.docx).

**Bills Receiving Action This Week:**

[**SSB 1213**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=ssb1213) **School Board Member Removal from Office and Superintendent Ethics Violations:** This bill adds another condition to Iowa Code 66.1A which currently applies to all locally elected officials (see language below). The provision would allow the district court to remove a school board member from office for knowingly and intentionally violating a provision of Title VII, subtitle 1, 2, 5 or 6, or other provisions of Iowa law governing the operation of the school corporation. The bill would also require the BOEE to revoke the license of a superintendent for the same violations (in addition to the existing list of reasons for which a license can be revoked found in [Iowa Code 272.2](https://www.legis.iowa.gov/docs/code/272.2.pdf) subsection 14 paragraph b.)

The bill also specifically includes as grounds for suspension or revocation of a superintendent’s license, if the school district did not offer at least 50% in person instruction pursuant to SF 2210 during the year from July 1, 2020 through June 30, 2021. RSAI is registered opposed to this bill.

[**SF 285**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf285) **Opportunity Scholarships:** This bill allows College Student Aid Corporation to adopt rules to allow a student to suspend participation in the All-Iowa Opportunity Scholarship program for emergency reasons. Passed the Senate 48-0 and the House 96-0. Goes to the Governor. RSAI is registered as undecided.

[**SF 130**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf130) **School Board Earnings:** This bill allows school board members to earn more than $6,000 from their school district as a substitute teacher, bus driver or food service worker in FY 2021. Passed the Senate 47-0 and the House 96-0. Goes to the Governor. RSAI is registered in support.

[**HF 385**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf385) **Open Enrollment:** Includes PK students who receive special education under the Sept. 1 open enrollment deadline. Changes the definition of residence for good cause to include change in residence to live with parent in another residence. Passed the House 96-0. Goes to the Senate. RSAI is registered in support.

[**HF 315**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf315) **At-risk Children:** Allows AEAs to use certain appropriated funds related to early childhood programs to use the funds for other child development programs and strikes outdated language. Passed the House 93-0 and the Senate 48-0. Goes to the Governor. RSAI is registered as undecided.

[**HF 386**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf386) **Non-Profit Organizations:** Strikes the requirement for schools to report information on non-profit school organizations to the DE and strikes the requirement for the DE to report summary information in an annual report. Passed the House 94-0 and the Senate 48-0. Goes to the Governor. RSAI is registered in support.

[**HF 308**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf308) **Proficiency for Senior-Year Plus:** This bill allows students to qualify for college-level coursework based on proficiency scores on the Iowa state assessment, on alternative measures jointly agreed to by the school board and the community college, or alternative measures set by the school board. The bill is effective on enactment. It was amended and passed by the Senate 48:0 and sent back to the House with the amendment. RSAI is registered in support.

[**SF 354**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf354) **Continuing License Extension:** This bill allows a licensing board to extend the deadline for continuing education credits by 90 days for a license holder due to medical or financial hardship. Requires the application 60 days in advance and requires the license holder to show enrollment in continuing education courses that will meet licensure requirements before the deadline. The Senate amended the bill and passed it 48:0. Goes back to the House. RSAI is registered as undecided.

[**HF 150**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF150) **Sharing School Special Education Directors**: This bill adds a special education director to shared operational functions at a 3.0 weighting beginning in the 2021-22 school year through the 2024-25 school year. Passed the Education Committee 22-0 and moves to the House Calendar. RSAI is registered as undecided.

[**HF 244**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf244) **Deaf Language Acquisition:** This bill requires the DE to hire an Early Language Development Coordinator and requires the development of tools to assess the language and literacy acquisition skills of young deaf children. Establishes duties for the coordinator, including the development of language milestones. Requires the development of a resource for parents and the dissemination to parents. Creates an advisory committee. Requires recommendation by July 2022 and annual reports. Includes other provisions, including requirements to be consistent with federal standards. Passed the Education Committee 22-0 and moves to the House Calendar. RSAI is registered as undecided.

[**HF 265**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF265) **School Activity Costs:** This bill allows schools to transfer money into the school activities fund to offset the difference between costs and money raised for events through concession sales, ticket prices and other means. Repealed as of July, 2023. Amended and passed by the House Education Committee 22:0 and moves to the House Calendar. RSAI is registered as in support.

[**HSB 146**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hsb146) **School Powers:** This bill raises the threshold for AEA leases needing state approval to $100,000, makes changes to the election of school board presidents’ terms for odd and even years, strikes requirements that school boards report dues paid to the IASB to the DE, but requires boards to submit other reports that do contain that information. The bill makes changes related to the sale of school builds and property, including allowing the proceeds of sale to be deposited into the General Fund after a public hearing. Strikes newspaper reporting requirements for loans for equipment purposes and changes and strikes other reporting requirement on sales of property. Strikes energy audits. Approved by the House Education Committee 22:0. Moves to the House Calendar. RSAI is registered in support.

[**HF 605**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf605) **English Proficiency Weighting:** This bill divides students with limited English proficiency into two categories for purposes of generating ELL supplementary weighting; 1) intensive which generates a weighting of .26 and 2) intermediate which generates a weighting of .21. The current weighting for all students served in ELL programs is .22. The bill was amended and approved by the Education Committee 22:0 and moves to the House Calendar. The RSAI is registered in support.

[**SF 425**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf425) **Open Meetings Subjects:** This bill deems any deliberations or actions taken by a government with budgetary duties (including school boards) as subject to the open meetings laws. An amendment removed a provision that would have required reasonable notice to include notice to any person who has requested notice of a meeting and instead requires posting on the district’s website if there is one, and excludes weekends and holidays when considering the 24-hour time period for public notice. The amendment also limited the good cause exception to the 24-hour notice to only include a personnel or student matter. There are many emergencies, from a flood, fire, tornado, sinkhole in a parking lot, broken water main, and even the potential for a school shooting or other emergency not covered in the context of a personnel or student matter. The bill was passed 9:5 by the Senate State Government Committee and moves to the Senate Calendar. The RSAI is registered opposed to the bill.

[**SF 409**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf409) **Information Board Timelines:** This bill increases the time to file a complaint with the Iowa Public Information Board regarding a perceived incident of violation of open meetings or public records from 60 days after the incident to 90 days after the incident. The bill was approved by the Senate State Government Committee 14:0 and moves to the Senate Calendar. RSAI is registered opposed.

[**HF 415**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf415) **Pledge of Allegiance:** This bill requires public and private schools to administer the Pledge of Allegiance in grades 1-12 each school day. It requires the display of a flag, establishes a religious exception for private schools and prohibits schools from compelling students to recite the pledge. The bill was approved by the House 91-3 and now goes to the Senate. The RSAI is registered as undecided.

[**HF 431**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf431) **Telehealth Phone Calls**: This bill requires that health professional licensing boards adopt rules to allow the use of telehealth services delivered through phone calls (interactive audio). Requires rules that the phone calls are clinically appropriate, and that the patient has had an opportunity to have an in person or interactive video services instead, if such services are available. Passed the House 92:0, goes over to the Senate. RSAI is registered as undecided.

[**HF 586**](https://www.legis.iowa.gov/legislation/BillBook?ba=HF%20586&ga=89) **Expanding Broadband Access**: This bill requires the Iowa Economic Development Authority to develop certification programs for encouraging local governments to develop broadband and telecommuter programs. The bill requires EDA to develop the criteria used to certify local governments. The bill moves fiberoptic network conduit installation program in the CIO to the DOT, requires the DOT to coordinate different agencies on the installation of fiberoptic conduit where none is now laid in certain projects and to maintain a website on suitable construction projects. The bill was approved by the House Economic Growth Committee 19-0 and moves to the House Calendar. RSAI is registered as undecided.

[**HF 585**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf585) **Safe and Sound:** This bill established the Safe and Sound program in the Department of Public Safety for anonymous reports about potential school suicides or incidents of self-harm or bullying. The bill includes provisions on developing a state hotline and internet site, establishes protections for the DPS for good faith reports to law enforcement and to schools, makes giving false information to the hotline/website a simple misdemeanor. The bill requires the DPS to work with the DE on training and to consult with the DPH, DHS and the Attorney General on a threat assessment team. The bill establishes a revolving fund. The bill was amended and passed by the House Public Safety Committee 20:0 and moves to the House Calendar. RSAI is registered opposed.

[**SF 390**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf390) **Broadband Grants:** This bill defines addresses a provider’s ability to offer communications services at a commercially reasonable price, includes as a targeted service area crop operations or other areas identified by the CIO within a census block which lacks broadband services meeting certain speeds. The bill authorizes the CIO to adopt rules on whether service meets certain upload speed capabilities, requires grants from the Empower Rural Iowa Broadband Fund to be to providers who will reduce or eliminate targeted services areas by building infrastructure which meets speed criteria. The bill caps grants based on speed criteria and strikes prohibiting grants after July 2025. The bill was approved by the Senate Commerce Committee 17-0 and moves to the Senate Calendar. RSAI supports.

[**HF 371**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf371)**/**[**SF 288**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf288) **Teach Iowa Loans:** This bill allows the use of funds from various discontinued loan repayment programs for the Teach Iowa Loan program. The House Education Committee approved HF 371, which is now in the House Appropriations Committee. The Senate Education Committee approved SF 288, which is now on the Senate Calendar. The LSA estimates that between the existing balance and loan repayments, about $191,000 will be available for the Teach Iowa Loan Program in FY 2022. RSAI is registered in support.

[**SF 167**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf167) **Gender Identity Education**: This bill would prohibit schools from including gender identity in school health curriculum for high school and would require parent written permission to include students in PK-8 classrooms where gender identity is included in the curriculum. The bill is vague, would apply to all gender identity (for example, in social studies, would it be permissible to discuss the gender wage/earnings gap or the women's suffrage movement, which are historical artifacts based on gender?) RSAI testified that curriculum is under the authority of locally elected school boards and the state should not impose any restrictions, political or otherwise, on what local school leaders and their communities believe is appropriate to teach. The Subcommittee approved moving the bill forward 2:0 and it’s now in the Senate Education Committee. RSAI is registered opposed.

[**SF 224**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf224) **Bathroom Bill:** This bill did not receive further attention this week, but we received questions, so here is the status. This bill would require individuals in schools (students and adults) to use the bathroom that corresponds with the sex assigned to the individual at birth. There was testimony from the DE that this bill would conflict with federal civil right law and many others testified about the potential harm that could be caused to transgender students. The use of the bathroom based on gender identity, rather than by the sex listed on the birth certificate, has been law since 2007. The subcommittee moved the bill forward, 2:0 and it is now in the Senate Education Committee. Rep. Hite, Chair of the House Education Committee, was quoted in the media that he did not believe this bill would see consideration in the Iowa House. RSAI is registered opposed.

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Find out who your legislators are through the interactive map or address search posted on the Legislative Website here: <https://www.legis.iowa.gov/legislators/find>

To call and leave a message at the Statehouse during the legislative session, the House switchboard operator number is 515.281.3221 and the Senate switchboard operator number is 515.281.3371. You can ask if they are available or leave a message for them to call you back.

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