**CALL TO ACTION**

**Amendment to Governor’s AEA & Teacher Pay Bill: Not Much Changed**

**Jan. 28, 2024**

An amendment to SSB 3073 was circulated this weekend. Our analysis of the amendment is that not much changed, and very little of the changes addressed RSAI’s concerns. RSAI is registered in opposition to [**SSB 3073**](https://www.legis.iowa.gov/publications/search/document?fq=id:1444498&q=SSB+3073), even with the amendment.

**Status:** Action is expected next week in the Senate Education Committee when Committee members will consider the Governor’s bill. Before that Committee meeting, the Subcommittee of Sens. Evans, Donahue and Rozenboom will meet to discuss the bill.

Even though the action appears to be starting in the Senate, contact House members, too, referencing their bill number HSB 542.

**Key Messages:**

* We need to slow down this process. The amendment does not provide a thoughtful process or the time to consider changes to a very complex system of delivering special education and other services.
* It is unclear how the changes resulting from this bill or amendment will improve outcomes and close learning gaps for students with disabilities or address federal compliance concerns. (See the [Jan. 26 RSAI Weekly Report](https://nebula.wsimg.com/994d8efe6d2828b96807ebe0435429fe?AccessKeyId=D081CCCCA2DCE3941176&disposition=0&alloworigin=1) for details about federal compliance, much of which validates our skepticism about the DE’s capacity to take on everything moved under their authority through this bill.)
* This is not true local control. The amendment's wording places a tremendous amount of control in the hands of the Department of Education. (See the amendment summary below and see the [Jan. 12 RSAI Weekly Report](https://nebula.wsimg.com/7870107db4292ce7d6bc61dbdad63ada?AccessKeyId=D081CCCCA2DCE3941176&disposition=0&alloworigin=1) for a complete summary of HSB 542 AEA Overhaul and Teacher Pay Minimums.)
* The elimination of media services removes $32 million of funding from local districts’ and accredited non-public school budgets. Districts and accredited nonpublic partners will have to use general funds to replace it. Schools will have to do more with less, continuing to stress the very funds that would otherwise pay teachers and school staff.
* The bill eliminates the ability of the AEA to participate in Operational Sharing, which has most recently addressed shortage positions in rural areas such as social workers and mental health specialists. The weighting is what allows the districts to participate in providing those needed services for students.
* The Governor has heard input over the last ten days, to her office and all Iowa Legislators, from tens of thousands of Iowans, school district administrators and staff, AEA staff and administrators, accredited non-public partners, and local school board members and AEA board members concerned about provisions overhauling AEA services. This amendment does not drastically improve the bill.

Find your Representatives here: <https://www.legis.iowa.gov/legislators/house>

Find your Senator’s contact information here: <https://www.legis.iowa.gov/legislators/senate>

If you have their cell phone, that is a great way to reach out. To call and leave a message at the Statehouse, the Senate switchboard operator number is 515.281.3371 and the House switchboard operator number is 515.281-3221. You can ask if they are available, leave a message for them to call you back, or just leave a short message such as “please oppose the Governor’s AEA overhaul bill, which gives unprecedented power to the Iowa Department of Education.” (Legislators are typically at the Capitol from Monday midday through Thursday afternoon.)

**Summary of the Governor’s Amendment to SSB 3073**

* Allows for “Fee for Service” programs for special education, education services, professional development and media services:
  + DE Director approval is required for all requests by districts to receive these services from the AEA
  + Allows levy for educational services but not for media services (loss of $32 million in capacity currently supporting local school districts)
  + Districts can “fee for service” or contract with a different AEA
  + Limits the definition of media services as determined by the DE Director
  + Requires costs for AEA services be reasonable and consistent with current market rate
* Requires district decisions for special education agreement with AEA by Feb. 1 of the prior school year for future years. Notwithstands the Feb. 1 deadline for the upcoming school year and gives until June 1
* Still prohibits operational sharing with AEAs (shared social workers, superintendents and SBOs with AEAs won’t be allowed and schools currently sharing with AEAs would lose revenue).
* Keeps language allowing AEA to facilitate interlibrary loans
* DE decides on continuation of staffing positions by March 15 (original bill required March 1)
* The Department of Management maintains power over total tax levy:
  + If DOM determines that the district didn’t reduce their overall tax rate, DOM can arbitrarily reduce the district’s management level rate.
  + This is a dangerous practice and an instance of overturning a locally controlled decision.
  + Allows districts to use unobligated educational services funds to meet maintenance of effort for special education. It is unclear if they have to or if this is a local decision
* All new AEA “executive directors” have to have some type of SPED teaching certification
* Dyslexia specialists hired by the AEAs must utilize the science of reading in working with districts
* The amendment does not eliminate the following, which were all eliminated in the original bill:
  + AEA collaboration with districts for TAG
  + AEA provision of online learning courses for students
  + AEA professional development counting for licensure credit.
* Teacher compensation language in the bill remains the same, but there are still conversations to be had about sustainability given the phasing in of income tax cuts.
* Consolidation of decision-making away from AEA Boards (a representative board elected by local school district boards of the districts that AEAs serve) occurs throughout the bill and amendment:
  + Authority or decision-making power is moved from the AEA Board to the Director of the DE **58** times
  + Authority or decision-making power is removed from the AEA Board by a strikethrough **46** times, eliminating the ability of the AEA Board to act.
  + Authority or decision-making power is removed from the AEA Board and diverted to a state agency in Des Moines **10** times.
  + Authority or decision-making power is removed from the Chief Administrator and not transferred to the new AEA Executive Director, but transferred to the Director of the DE **19** times.
  + Authority or decision-making power is removed from the State Board of Education and transferred to the DE Director **8** times

\*\*\*\*Local decision-making authority is transferred from the local level to the Director, another agency, or simply eliminated **133** times in this bill. Additionally, State Board of Education decisions are transferred to the Director 8 times.