



UEN 2020

Legislative Digest

September 2020



About UEN

Visit the UEN home page to find out more: www.uen-ia.org

The Urban Education Network of Iowa (UEN) is a consortium of nineteen school districts in Iowa with two high schools or urban tendencies, that combined enroll nearly forty percent of Iowa's total public school enrollment.

Although the UEN was formed to represent the unique characteristics of Iowa's more urban districts, most UEN initiatives also address issues related to all of Iowa public schools.

Maintaining partnerships is vitally important to the mission of the UEN as well as all Iowa public school districts. These partnerships include, but are not limited to: School Administrators of Iowa, Iowa Association of School Boards, Iowa State Education Association, Iowa PTA, and Common Good Iowa. Nationally, the UEN partners with the American Association of School Administrators, National School Boards Association and the Urban Superintendents Association of America. Iowa School Finance Information Services, Inc., provides administrative and public policy research support to the UEN.

UEN Leadership 2020-21 School Year

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UEN 2020 Legislative Priorities & Status

The following **2020 Legislative Priorities** originated as key priority issues approved by the UEN Steering Committee in November of 2019. The members at the annual meeting hear presentations including background, specific legislative requests, and advocacy supports regarding the list of priorities. The UEN 2020 Steering Committee will meet on Sept. 24 and again on Nov. 5 if necessary to refine the priority list. The UEN 2020 Annual Meeting is scheduled to meet via ZOOM, Nov. 5, 2020, at 6:30 p.m. See the UEN website meeting tab for more information: www.UEN-ia.org

Key:



Mission Accomplished



Some Action, but More is Needed



No Progress Made

Status of this year's activity is summarized:



Invest in Iowa's Future: Public schools educate a diverse workforce with the skills necessary to fuel our future. Adequate funding is required to:

- fulfill the goal of restoring Iowa's first in the nation education status,
- deliver world-class learning results for all students,
- prepare creative, caring and motivated citizens
- develop a world-class workforce to secure Iowa's economic future, and
- recruit, retain and reward Iowa's school staff and educators of today and the future.

[SF 2142](#) was approved by 51 House members (out of 100) and the Senate passed it on March 9, 31:17, sending it to the Governor (signed on March 12). Set the SSA at 2.3% for FY 2021, second highest increase in 11 years, yet below the UEN ask of 3.75%. When Session reconvened after COVID closure, UEN requested the 2.3% remain intact, and it did.



The cost per pupil must be sufficient to fuel school districts and AEAs and must be set no lower than 3.75% for the 2021 school year, but adequacy is not enough. Equity requires a needs-driven formula that funds programs for low-income, non-English speaking, and at-risk students. Early investment increases access to quality preschool programs which prevent higher costs later. Barriers to preschool access must be eliminated and schools must have the funding and authority to provide preschool and wrap around services for a full day, prioritizing high-need students first.

[HF 2460](#) would have allowed districts to serve and count young 5-year-olds in PK, was approved by the House Appropriations Committee, but did not get approval of the full House.

Despite the School Finance Interim Committee recommending and the House Education Committee approving a bill, [HF 2490](#), the study of the impact of poverty on education and funding formula options to meet the needs of students did not advance out of House Appropriations Committee. A bill also approved in the House Education Committee, [HF 2497](#), would have allowed SBRC to grant spending authority up to 5% for Dropout Prevention (DoP), but died in the House Appropriations Committee. Bills were introduced in both chambers to begin the conversation with the House carrying them further along the way than in the Senate.

A strong school finance system is based on the principles of primacy, adequacy, equity, and flexibility. Iowa's investment in public education should mirror economic growth and make up for shortfalls when the economy is robust. Iowa's future depends on stable and balanced tax policy that generates enough money to fund Iowa's priority of educating our children.



A strong system also requires a diversified revenue portfolio. New state resources must supplement, not supplant existing resources. Increased state funding for schools must increase spending authority rather than simply using the school aid formula as a vehicle for property tax relief. Iowa's 31st in the nation ranking of local school funding as a percent of total education revenues demonstrates that our revenue portfolio is out of balance.

The SSA policy continues to use state funds to offset what would otherwise be property taxes. Iowa's formula is increasingly heavily state funded, putting future adequate funding from the state at-risk.

Teacher, Administrator and Staff

Shortage: Adequate funding is essential for public schools to compete with the private sector for employees. In addition to adequate base funding, other steps must be taken to help schools meet the challenge of attracting and retaining tomorrow's educators and recruiting teachers that mirror the diversity in our students, including flexibility in certification requirements, acceptance of alternate evidence such as experience for Iowa licensure, licensure reciprocity agreements with other states, loan-forgiveness for shortage areas, creation of a public service track within Iowa's CTE plan, creative grow-our-own programs and a strong IPERS and employee benefits system.



[HF 2629](#) Future Ready Workforce provides for computer science which may be delivered exclusively online to meet offer and teach requirements.

[SF 2310](#) Online Learning allows financial literacy, world languages and computer science taught exclusively online under certain conditions.

[HF 2359](#) Praxis test eliminated as an entrance exam to enroll in a college teaching program.

[HF 2454](#) Allows AA degree for some CTE teachers. Also, BOEE Administrative Rules allowed for AA degree for substitutes. Governor's declaratory order expanded that flexibility. Additional BOEE rules are in process for substitute flexibility.

[HF 2627](#) requires licensure reciprocity with other states with one year of experience (teachers and administrators), effective Jan. 1, 2021.

Student Mental Health Services: Iowa must fund services, eliminate barriers, and clarify funding sources and responsibilities, including critical partnerships and wrap-around services. An array of services must include telehealth counseling provided virtually to students while at school without burdening school employees with additional insurance billing and administrative documentation. Schools should not be mandated to screen for mental health needs or provide mental services without adequate funding to do so.



[SF 2261](#) Telehealth Services in schools creates a process for delivery of services without the school being in the bill processing role.

[SF 2360](#) Classroom Management/Therapeutic Classrooms mirrors federal law in Least Restrictive Environment and sets up a grant process for additional therapeutic classrooms, but is not sufficiently funded to provide for expanded access in the next fiscal year or two.

Resolve Formula and Transportation Inequalities: Eliminate the \$165 district cost per pupil difference in the school aid formula within 10 years and strive for transportation equity so no district has transportation expenditures above the state average.



[SF 2164](#) was approved, passed the House 98:1 and passed the Senate 48:0. The bill provides an increase of \$7.3 million compared to FY 2020, bringing the transportation total to \$26.3 million. Adds \$10 to the minimum State Cost Per Pupil to close the gap to \$155, at an estimated increase in State school aid of \$5.3 million and a decrease to property taxes of \$3.6 million. In prior years, the gap was closed by \$5 per pupil. UEN requested an accelerated approach which they delivered.



School Safety: Urban schools need the resources, training and support necessary for Iowa school, student and staff safety at school including funding for security personnel and training to protect against active shooter and other emergency situations presenting harm.

[SF 284](#) would have added a School Resource Officer (SRO) position to operational sharing, but did not move forward. [SF 2155](#) would have allowed additional Instructional Support Levy funds to pay for one SRO per district, although approved in the Senate Education Committee, did not advance out of the Senate Ways and Means Committee. Neither of these two bills would have been very helpful to large urban districts.



District Authority: School boards are responsible to make decisions on behalf of their students, staff and communities to meet the goals of their district.

[SF 2310](#) gave school boards authority to determine which instructional model would best meet the needs of their students and communities during the COVID-19 pandemic. Or so we thought. The Governor’s interpretation tightly defined instruction “primarily over the internet” to mean that 50% of instruction must be in person over every two-week period and school district must apply to the DE to receive permission to provide required virtual learning. That permission is only granted for two-week intervals at which time districts must reapply. As of this writing, several UEN districts are working through this process with litigation pending.

Key:



Mission Accomplished



Some Action, but More is Needed



No Progress Made

Legislative Session Approval and Veto Process

The 2020 Legislative Session drew to a close on June 14, 2020, after a long hiatus due to Corona virus that closed the statehouse from March 16 through June 3. Although 2,067 bills were introduced in the Iowa Legislature this Session, 169 pieces of legislation made it to the Governor's desk.

This Digest details legislation enacted by the 2020 Legislature and signed or vetoed by the Governor. The 2020 Session is the second of a two-year biennium of the 88th General Assembly, with an election in November 2020 pending. The information section of this digest includes position papers on issues of key interest to Iowa schools that guided UEN advocates during the Session. UEN encourages members to share these resources with candidates on both sides of the political spectrum during the Interim and leading up to the election.

Process for Signature: The Governor has 30 days to review all legislation passed by the Legislature in the closing days of the Session:

- Bills received by the Governor during the last three calendar days of session (except Sundays) must be signed or vetoed within 30 calendar days. Governor Reynolds completed her approval/veto action on June 30, well before the July 14 deadline.
- The Governor may exercise three types of vetoes: the veto, item veto, and pocket veto.
 - **Veto** indicates the Governor's disapproval of an entire bill.
 - **Item veto** may be used only for bills which appropriate funds. This action strikes a specific item of an appropriations bill.
 - **Pocket veto** occurs when the Governor fails to take action within 30 calendar days on a bill received within the last three calendar days of session (except Sundays). The entire bill fails to become law in this situation. This rule is in contrast to the process during the Session prior to the last three days, wherein lack of action within three days means the bill becomes law.
- The Legislature may petition to convene a special session, which requires signatures of 2/3rds of the legislators. Additionally, the Iowa Constitution requires a 2/3rds majority vote in both chambers to override a veto.

Executive Summary - 2020 Session in Review

2020 will be a year to remember! The legislative experience, in retrospect, seemed like two distinct Sessions; pre-COVID and post-COVID. During the pre-COVID period, this was an exciting year of advocacy for the Urban Education Network of Iowa, as several UEN priorities saw substantial progress! UEN members were effective in building urgency and making progress through continued transportation/formula equity, additional flexibility in providing coursework for students, and telehealth services for students delivered at school. Many proposals that could have negatively impacted public schools, such as vouchers, state revenue reductions, election limitations and unfunded mandates were effectively held at bay. Much work remains in key areas of creating a funding formula that adequately addresses the needs of students from low-income families, non-English speaking students, and at-risk students, in attracting great educators, administrators and many other school employees into education, and providing adequate funding and flexibility for Iowa school districts. Advocates will likely have to continue to ward off private school choice expansion in the future, which shifts students and resources away from public schools. The COVID-19 interruption focused the Legislature on approving appropriations bills and key policy bills of importance in the final 10 days of the 2020 Session. UEN closely followed those key policy areas, such as online learning, school closures and telehealth services at school. Nonetheless, this year's tally of education bills which made progress but did not become enacted is unusually large. Many ideas will carry forward to future policy-making, and their future success will be impacted based on the results of the 2020 November election and make-up of the Iowa House and Senate.

State Revenues and the Economy: State General Fund Revenue Estimates for the FY 2020 budget year were lackluster, with projected growth set at 1.6%. With the FY 2019 estimate of 4.6% and nearly full employment in Iowa, it's not the economy that is primarily responsible for a lower FY 2020 revenue estimate. The impact of tax reform enacted in the 2018 session was felt in the lower income tax revenue projections despite some increasing sales tax revenue projections. The REC met on May 29 just prior to the June 3 reconvening of the Legislature to consider the impact of COVID-19 closures on the Iowa economy. They made the following changes to their prior estimates:

- Reduced the FY 2020 estimate by \$149.5 million (1.0% increase compared to FY 2019)
- Reduced the FY 2021 estimate by \$360.1 million (0.8% decrease compared to the revised FY 2020 estimate)

With full cash reserves and economic emergency funds anticipated at the close of FY 2020, a significant surplus, and promise of significant federal assistance to help with COVID-19 impacts, the Legislature was able to set a mostly status quo budget despite the revenue reductions, but for the increases in education funding completed in March. Other states have anticipated a much greater impact of COVID on their state revenues, but Iowa is in a much better financial position.

The REC typically meets quarterly, next in October, then in December, when they will set the revenue estimate for the 2021 and 2022 fiscal years. That estimate will bind the Legislature's and Governor's budget limitations for the 2021 Session.

Online Learning and COVID Flexibility: [SF 2310](#) was signed by the Governor on June 29, one day before districts' return-to-learn plans were due to the DE. The bill provided for online learning, return to learn plans for districts to transition from brick and mortar to hybrid and required virtual learning, and created some flexibility for districts regarding teacher licensure, offer and teach requirements, use of professional development funds and instructional time. UEN had advocated for some public health metrics to be included in the bill for school boards to consider in determining when to transition between various instructional methods, but those metrics were not included in

the bill. Lack of specific measures in the bill left those metrics in the Governor's hands, as she continued the state of public health emergency proclamation on July 17, 2020.

Subsequent DE guidance released July 30 required a 14-day positivity rate of at least 15% and 10% student absence in order to request permission from the DE to provide a hybrid option with less than 50% of learning in person or a 100% required remote learning (virtual). The DE has stated that those requests, if granted, will only be approved for two-week periods, at which time, school districts must apply to continue the model. A key metric not included in the Governor's proclamation or the DE's guidance, of particular concern to urban schools, is the attendance of staff and capacity for staff to fully support in-person learning if there is a local COVID outbreak. UEN members have continued to express concerns about staff for whom a 14-day quarantine could leave in-person learning at 50% or more unviable initially to start schools or at some point later this year.

Education Policy Focus on Equity: [SF 2164](#), Transportation and Formula Equality, built on prior year's efforts to address these two issues, was completed early in the Session, before the Covid-19 interruption. It increased the commitment to transportation equity through the formula, also growing the transportation pot by the 2.3% SSA for the first time, and further closed the formula gap from \$165 to \$155 per pupil.

Education Policy Focus on Mental Health/Behavioral Health: significant subcommittee and committee meeting time were spent perfecting bills in the areas of behavioral health including [SF 2261](#) Telehealth Services in Schools and [SF 2360](#) Classroom Management/Therapeutic Classroom Grants. Both of these bills will help schools address the needs of students, however, funding was delayed for the classroom grants until the 2022 fiscal year. No additional FY 2021 student mental health funding was committed beyond the continuation of \$2.1 million to the AEAs for educator training regarding children's mental health in [HF 2643](#) Omnibus Appropriations.

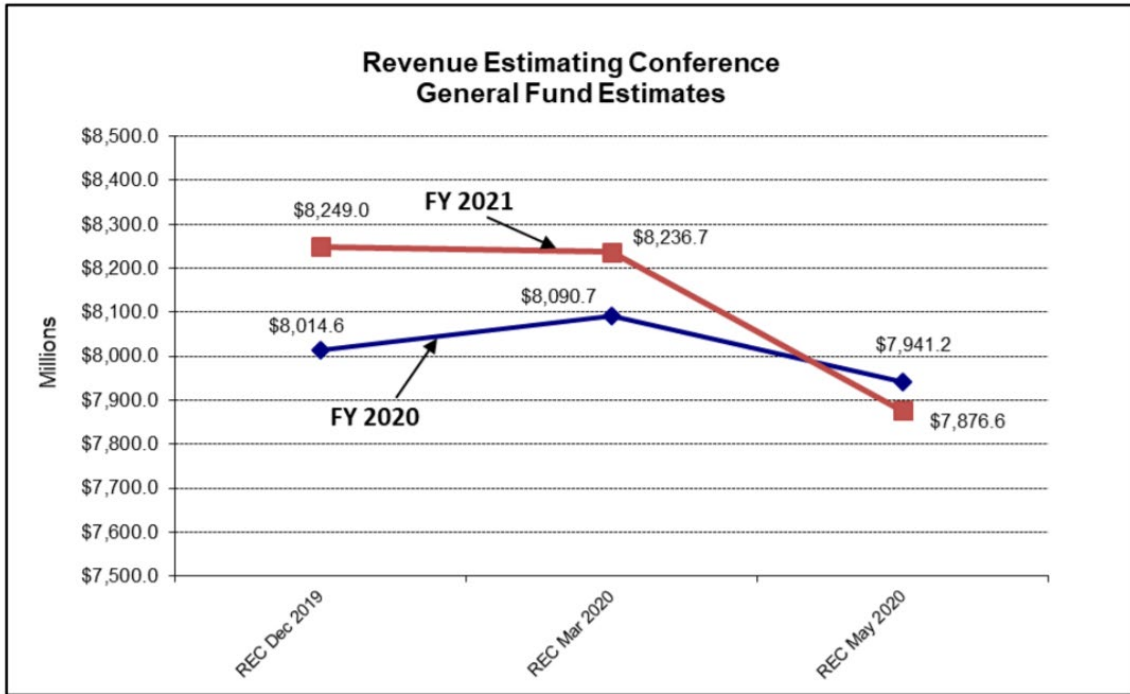
Relative Context of PK-12 as a Priority: the increase in the state cost per pupil, known as State Supplemental Assistance, SSA, (formerly known as Allowable Growth) was set at 2.3% and signed by the Governor March 12, a bit beyond the Feb. 14 (30-day) deadline in Iowa law for enacting SSA. This amount is the second highest increase in eleven years and exceeded the REC revised revenue growth estimate of a -0.8% (a decrease in revenue) for the 2021 Fiscal Year. With additional investments in transportation and formula equity, new flexibility for on-line learning and other policies, and a status quo budget for most of the rest of state government, this was a relatively good year for public schools.

Revenue Projections and Taxes

Much of the following information comes from the Legislative Services Agency's [END OF SESSION BUDGET RECAP](#), LSA Fiscal Update, June 26, 2020

Despite the challenges associated with the declining State tax revenues that stemmed from the COVID-19 economic slowdown, the 2020 General Assembly passed a balanced budget for FY 2021 and revised the FY 2020 General Fund budget. The information below provides a summary of the status of the State's General Fund budget for FY 2020 and FY 2021.

Revenue Estimating Conference (REC). The REC met on May 29, 2020, and lowered the FY 2020 and FY 2021 revenue estimates by 1.8% and 4.4%, respectively. This represents revenue reductions of \$149.5 million for FY 2020 and \$360.1 million for FY 2021, compared to the FY 2021 March estimates.



Fiscal Year 2020 Budget. The total resources available for the FY 2020 General Fund budget are estimated at \$8.132 billion. This includes the May REC estimate of \$7.941 billion, revenue adjustments passed by the 2020 General Assembly of negative \$4.5 million, and a carryforward balance of \$195.6 million. In addition, the General Assembly passed supplemental appropriations totaling \$185.6 million for FY 2020, which included a \$70.0 million appropriation to the RIF to eliminate the estimated shortfall in the Fund, due to the mandatory closure of the casinos. Other significant supplemental appropriations included \$89.0 million for the Medicaid program and \$21.0 million to assist local governments with flood mitigation. The General Fund ending balance for FY 2020 is estimated at \$312.9 million.

Fiscal Year 2021 Budget. The total resources available for the FY 2021 General Fund budget are estimated at \$8.085 billion, which is a reduction of \$47.5 million (0.6%) compared to FY 2020. This includes the May REC estimate of \$7.877 billion, net revenue adjustments passed by the 2020 General Assembly of negative \$39.1 million, and a carryforward balance of \$247.3 million. The expenditure limitation for FY 2021 was \$8.006 billion, which is 99.0% of the total available resources.

The General Assembly appropriated a total of \$7.779 billion from the General Fund for FY 2021, which is a reduction of \$45.9 million (0.6%) compared to the revised FY 2020 appropriations after factoring in the supplemental appropriations. The FY 2021 appropriations are also \$227.4 million below the expenditure limitation. The General Fund ending balance for FY 2021 is estimated at \$311.3 million (Table 2).

Table 2

State of Iowa			
Projected Condition of the General Fund			
(In Millions)			
	Actual FY 2018	Revised FY 2020	Legislative Action FY 2021
Resources			
Receipts (Mar 2019 Est)	\$ 7,858.9	\$ 8,090.7	\$ 8,236.7
May REC Adjustment	0.0	- 149.5	- 360.1
Net Receipts	7,858.9	7,941.2	7,876.6
Revenue Adjustments	0.0	- 4.5	- 39.1
Subtotal Receipts	7,858.9	7,936.7	7,837.5
Surplus Carryforward	71.0	195.6	247.3
Total Available Resources	\$ 7,929.9	\$ 8,132.3	\$ 8,084.8
Expenditure Limitation			\$ 8,005.9
Estimated Appropriations and Expenditures			
Appropriations	\$ 7,480.2	\$ 7,642.6	\$ 7,778.5
Adjustments to Standing Appropriations	- 2.8	- 3.8	0.0
Supplemental/Deappropriations	168.6	185.6	0.0
Total Appropriations	\$ 7,646.0	\$ 7,824.4	\$ 7,778.5
Reversions	- 5.4	- 5.0	- 5.0
Net Appropriations	\$ 7,640.6	\$ 7,819.4	\$ 7,773.5
Ending Balance - Surplus	\$ 289.3	\$ 312.9	\$ 311.3
Under (Over) Expenditure Limitation			\$ 227.4

The General Assembly passed [HF 2641](#) (Department of Revenue Omnibus Bill), which is estimated to reduce General Fund revenues by a net total of \$41.9 million in FY 2021 (Table 3). The Bill reduces revenues from personal and corporate income taxes and the State sales/use tax.

Table 3

General Fund Revenue Adjustments by Bill			
Legislative Action			
(In Millions)			
Bill No.	Description	Legislative Action	
		FY 2020	FY 2021
HF 2641	Department of Revenue Omnibus Bill	\$ - 4.5	\$ - 41.9
HF 2340	529 Plan Out-of-State Private Schools	0.0	- 0.2
SF 457	Criminal Surcharge and Court Fee Reform	0.0	0.3
HF 760	Hotel and Motel Local Sales Tax	0.0	2.7
Total Revenue Adjustments		\$ - 4.5	\$ - 39.1

Significant General Fund Appropriations. For FY 2021, there were numerous increases and decreases for State agencies and programs (Table 4). The two programs that received the largest increases were State Foundation School Aid and the State Children's Health Insurance (Hawk-I) Program. [SF 2142](#) (Supplemental State Aid Act) was signed into law on March 12, 2020, and increased the State cost per pupil (SCPP) by 2.3%. The majority of the FY 2021 General Fund

appropriations for State programs' and agencies' operations were status quo compared to FY 2020.

Table 4

Significant Changes to General Fund Appropriations				
(In Millions)				
Programs/Appropriations	Est Net	Legislative	Change	Percent Change
	FY 2020	Action FY 2021		
State Foundation School Aid	\$ 3,285.4	\$ 3,376.8	\$ 91.3	2.8%
Human Services – State Children’s Health Insurance	21.1	37.6	16.5	78.2%
Education – Transportation Equity Fund	11.2	19.0	7.8	69.6%
Human Services – Eldora Training School	13.9	16.0	2.1	15.1%
Public Safety – Overtime	2.4	0.0	-2.4	-100.0%
Regents Institutions	576.7	569.0	-7.7	-1.3%
Flood Recovery Assistance	21.0	0.0	-21.0	-100.0%
Medical Assistance (Medicaid)	1,516.4	1,459.6	-56.8	-3.7%
Appropriation to RIF	70.0	0.0	-70.0	-100.0%
Subtotal	<u>\$ 5,518.1</u>	<u>\$ 5,478.0</u>	<u>\$ -40.1</u>	<u>-0.7%</u>
All Other Net Appropriations	2,306.2	2,300.5	-5.7	-0.2%
Total	<u>\$ 7,824.3</u>	<u>\$ 7,778.5</u>	<u>\$ -45.8</u>	<u>-0.6%</u>

*Numbers may not equal totals due to rounding.

State Reserve Funds. The combined balances in the State’s reserve funds are estimated to total \$783.7 million for FY 2021, which fills the reserves to the statutory maximum of 10.0% of the adjusted revenue estimate. The estimated FY 2020 reserve funds ending balance is \$17.0 million less than the statutory maximum due to a transfer of \$17.0 million from the Economic Emergency Fund to the Small Business Disaster Recovery Financial Assistance Program to provide financial assistance to small businesses affected by the COVID-19 pandemic (Table 5).

The combined balances in the State’s reserve funds are estimated to total \$783.7 million for FY 2021, which fills the reserves to the statutory maximum of 10.0% of the adjusted revenue estimate. The estimated FY 2020 reserve funds ending balance is \$17.0 million less than the statutory maximum due to a transfer of \$17.0 million from the Economic Emergency Fund to the Small Business Disaster Recovery Financial Assistance Program to provide financial assistance to small businesses affected by the COVID-19 pandemic (Table 5).

Table 5

State of Iowa Reserve Funds			
(In Millions)			
	Actual	Est Net	Legislative
<u>Reserve Fund Balances</u>	FY 2019	FY 2020	Action FY 2021
Cash Reserve Fund	\$ 571.6	\$ 587.9	\$ 587.8
Economic Emergency Fund	185.6	179.0	195.9
Total	<u>\$ 757.2</u>	<u>\$ 766.9</u>	<u>\$ 783.7</u>
<u>Reserve Fund Statutory Maximums</u>			
Cash Reserve Fund	\$ 571.6	\$ 587.9	\$ 587.8
Economic Emergency Fund	190.5	196.0	195.9
Total	<u>\$ 762.1</u>	<u>\$ 783.9</u>	<u>\$ 783.7</u>

Taxpayer Relief Fund. The Taxpayer Relief Fund is estimated to have a balance totaling \$105.9 million in FY 2021 (Table 6). The Fund has an estimated carryforward balance of \$73.8 million and is estimated to receive an additional \$32.1 million from the FY 2020 General Fund surplus. The moneys in the Taxpayer Relief Fund can only be spent pursuant to an appropriation by the General Assembly for purposes of providing tax relief to lowans.

Table 6

Taxpayer Relief Fund			
<i>(In Millions)</i>			
	<u>Actual FY 2019</u>	<u>Estimated FY 2020</u>	<u>Estimated FY 2021</u>
Funds Available			
Balance Brought Forward	\$ 8.4	\$ 13.5	\$ 73.8
General Fund Surplus Transfer	13.4	60.0	32.1
Interest	0.1	0.3	0.0
Total Funds Available	<u>\$ 21.9</u>	<u>\$ 73.8</u>	<u>\$ 105.9</u>
Expenditures			
Transfer to the General Fund	\$ - 8.4	\$ 0.0	\$ 0.0
Ending Balance	<u>\$ 13.5</u>	<u>\$ 73.8</u>	<u>\$ 105.9</u>

Final note on tax cuts: School funding in Iowa is about 40-42% of the state General Fund budget. If revenues are intentionally reduced further, UEN's first concern is that there is too little revenue growth left to provide additional funds to education. Additionally, PK-12's proportional share of any reduction would be about 42%. For the legislature to protect education against reductions, the rest of the budget will have to endure another cut in order to hold education harmless.

UEN is concerned that AEAs, universities, community colleges, human services, law enforcement and other state government services that support lowans will be further unable to assist the families and communities that comprise our school districts. UEN encourages school leaders to ask candidates running for the House, Senate and Governor's office and at the Federal level, too, how they intend to balance the budget and provide sufficient revenue growth to ensure adequate funding for education in the coming years as continued tax reductions are considered.

This last chart on the next page, also from the Fiscal Update, details other funds appropriations, which provide context to the prior note. PK-12 funding is 42% of the state general fund, but the state general fund isn't the totality of resources available to the Legislature to fund services and programs for lowans.

Table 8 summarizes the significant Other Funds appropriations by fund source.

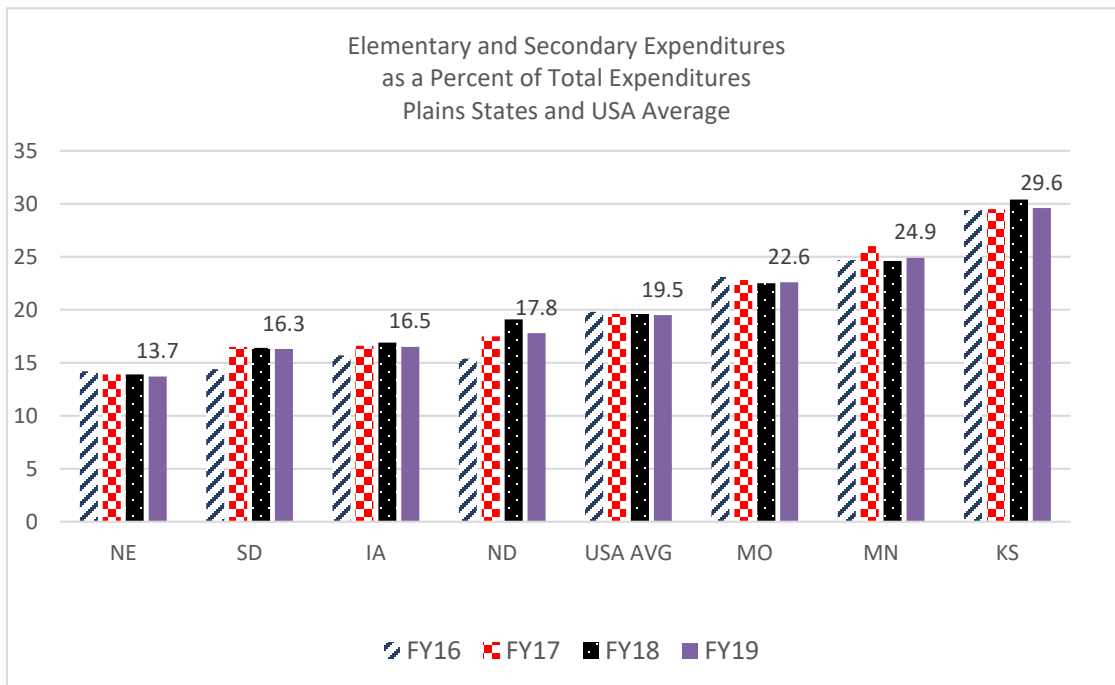
Table 8
Other Funds Appropriations by Fund Source
(In Millions)

	Actual	Est Net	Legislative Action	FY 2021 vs
	FY 2019	FY 2020	FY 2021	FY 2020
Primary Road Fund	\$ 338.5	\$ 356.1	\$ 342.4	\$ -13.7
Health Care Trust Fund (Medicaid)	217.1	208.5	208.5	0.0
Rebuild Iowa Infrastructure Fund	137.3	138.8	109.7	-29.1
Temporary Assistance for Needy Families	126.9	126.1	131.0	4.9
Iowa Skilled Worker and Jobs Creation Fund	63.8	63.8	63.8	0.0
Quality Assurance Trust Fund (Medicaid)	36.7	58.6	58.6	0.0
Road Use Tax Fund	53.7	54.5	54.1	-0.4
Fish and Wildlife Trust Fund	44.0	45.1	45.1	0.0
Environment First Fund	42.0	42.0	42.0	0.0
Hospital Health Care Access Trust (Medicaid)	33.9	33.9	33.9	0.0
Commerce Revolving Fund	30.7	32.3	32.3	0.0
Technology Reinvestment Fund	14.4	18.1	18.6	0.5
Other	79.2	67.5	86.1	18.6
Grand Total	\$ 1,218.2	\$ 1,245.3	\$ 1,226.1	\$ -19.2

*Numbers may not equal totals due to rounding.

LSA Fiscal Update, END OF SESSION, June 26, 2020: <https://www.legis.iowa.gov/docs/publications/BI/1137979.pdf>

In an apples-to-apples comparison of state expenditures by NASBO (the National Association of State Budget Officers), Iowa spends relatively less of total resources on education than many states in our region and below the USA average.



Iowa ranks third from the bottom of the Plains States ranking only ahead of Nebraska and South Dakota and well below the national average. This chart which ISFIS compiled from data in the NASBO Report shows Iowa's public education expenditures as a percentage of all total funds, for

FY 2016-FY 2019. Find the report issued in November of 2019 here:

<https://www.nasbo.org/reports-data/state-expenditure-report>

Tax Credits: With estimated low revenue growth over the last few years, legislators and advocates for state appropriations have been looking more closely at tax credits. Tax credits reduce revenues that would otherwise be collected by the state. Significant growth in tax credits over several years has outpaced state revenue growth and state general fund spending growth, but has leveled off in the last three years. A predictable and substantial state revenue base is necessary for adequate funding in public schools, and all state government services. The balancing of the budget will take increased taxes, decreased expenditures or increased revenues by lowering the level of tax credits.

State Tax Credit Expected Claims

Projection: With continued revenue estimate adjustments as revenues have lagged expectations, attention has been directed to tax credits. This chart from the [LSA's analysis of the Governor's budget](#) recommendations for 2021 provides some context.

This estimate indicates some leveling off of the growth. Table 8 summarizes the actual tax credits that were claimed against State taxes from FY 2017 through FY 2019.

(Note: FY 2017 Tax Credit Program Total was \$332 million. The FY 2021 estimate is 28% higher than FY 2017, which is an average annual growth rate of 7%, compared to the state cost per pupil increase that has averaged 1.6% over the last four years.)

Table 8

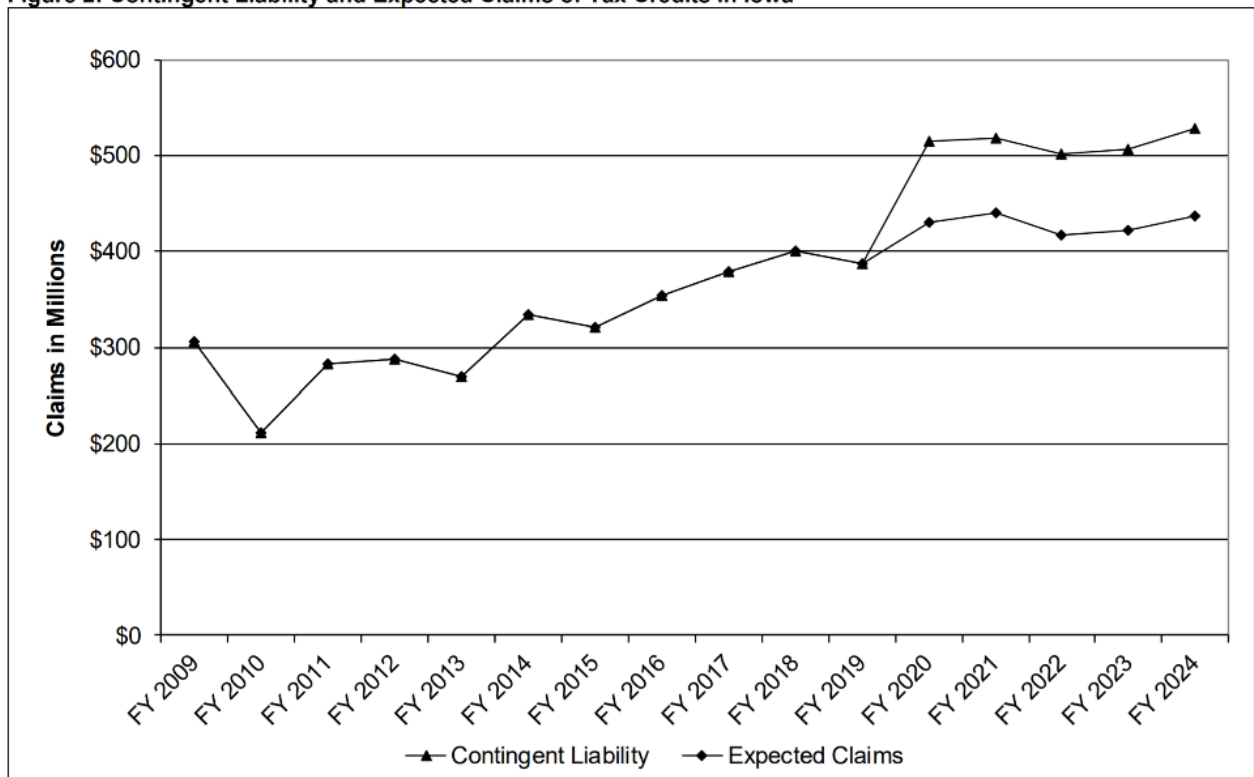
State Tax Credit Claims			
<i>(In Millions)</i>			
Tax Credit Program	Actual FY 2017	Actual FY 2018	Actual FY 2019
<u>Capped Programs</u>			
High Quality Jobs Program	\$ 33.7	\$ 37.2	\$ 34.4
Historic Preservation Tax Credit	43.5	60.2	36.4
Redevelopment Tax Credit	2.9	5.1	8.6
School Tuition Organization Tax Credit	11.2	11.9	10.8
Workforce Housing Tax Incentive Program	0.2	8.8	13.1
All Other Programs	53.8	43.7	41.2
Total Capped Programs	\$ 145.4	\$ 166.9	\$ 144.5
<u>Uncapped Programs</u>			
Biodiesel Blended Fuel Tax Credit	\$ 17.7	\$ 18.3	\$ 17.2
Earned Income Tax Credit	69.6	68.7	66.9
Iowa Industrial New Jobs Training Program (260E)	41.3	39.1	35.7
Research Activities Tax Credit	75.3	71.2	81.4
Tuition and Textbook Tax Credit	15.3	15.3	14.5
All Other Programs	18.8	20.1	19.7
Total Uncapped Programs	\$ 238.0	\$ 232.6	\$ 235.3
Tax Credit Program Total	\$ 383.5	\$ 399.5	\$ 379.9

Source: Department of Revenue, December 2019 Tax Credits Contingent Liabilities Report.
The numbers may not equal totals due to rounding.

The Iowa Department of Revenue publishes a Tax Credit Contingent Liabilities Report three times yearly. Find those reports (the most recent is May 29, 2020) on their website here: <https://tax.iowa.gov/may-2020-tax-credits-contingent-liabilities-report>

This report includes Figure 2, which shows the growth in total tax credit Contingent and Expected Liability, including both capped and uncapped tax credits:

Figure 2: Contingent Liability and Expected Claims of Tax Credits in Iowa



Funding Formula History Resource

Funding Formula History: The LSA published an Issue Review, State School Aid — Historical Context and Trends, 1967-1982, which is a good reminder of how far the formula has come over several decades. The Issue Review provides an overview of the early history of the Iowa school aid formula, beginning with the precursor funding available until the mid-20th century, the creation of the formula in the late 1960s and early 1970s, and a brief review of the considerations taken into account through 1982. One clear observation is the increasingly important role the state has undertaken in lowering property taxes and increasing the state contribution, which has continued since. Find the Issue Review here: <https://www.legis.iowa.gov/docs/publications/IR/865393.pdf>

Funding Formula Changes: The June 11, 2014 edition of the LSA's Fiscal update also includes a reference to historical changes in school finance funding provisions. The LSA document reflects legislative action through the 2014 Legislative Session. The document provides a brief summary of the provisions from 1971 to 2014 and is available on the LSA website at: https://www.legis.iowa.gov/docs/LSAReports/k12Education/PublicSchlFunding_LawChanges_1971_to_Present.pdf

Legislative Digest

Bills Enacted in the 2020 Session

Enrolled Bills: The following bills impacting Education have been signed by the Governor unless there is a note detailing veto action. The Enrolled bills explained below are organized into Tax bills, Appropriations bills and Policy bills.

A list of bills that received action but were not enacted follows under the Near Misses & Pending Issues section of this Digest. For access to the complete text and effective dates of all legislation approved or vetoed by the Governor, check the [enrolled bills](#) link on the legislative website.

Tax Bills Impacting State or Local Revenues

There were four bills that impact State General Fund Revenues, with the largest impact coming from **HF 2641 Department of Revenue Omnibus Bill**. This chart details the four bills and associated impact, from the LSA's End of Session General Fund Balance Sheet found here: <https://www.legis.iowa.gov/docs/publications/EOS/1137900.pdf>

		Revised Gov Rec		Legislative Action	
Bill No.	Bill/Revenue Description	FY 2020	FY 2021	FY 2020	FY 2021
HF 760	Hotel and Motel Local Sales Tax	\$ 0.0	\$ 0.0	\$ 0.0	\$ 2.7
HF 2340	529 Plan Out-of-State Private Schools	0.0	0.0	0.0	- 0.2
HF 2641	Department of Revenue Omnibus Bill	0.0	0.0	- 4.5	- 41.9
SF 457	Criminal Surcharge and Court Fee Reform	0.0	0.0	0.0	0.3
Total Revenue Adjustments		\$ 0.0	\$ 0.0	\$ - 4.5	\$ - 39.1

HF 2641, Department of Revenue Omnibus Bill, contains 26 divisions, many of which are estimated to have no fiscal impact on the state's general fund or SAVE fund or school income surtax. In addition to the reductions in State General Fund revenue, shown in the chart below, the sales tax exemptions are projected to reduce school infrastructure tax collections by \$0.5 million per year and local option sales tax collections by \$0.5 million per year, with both impacts beginning FY 2021. A minor reduction in the income tax surtax for schools is also projected. Expansion of the School Tuition Organization Tax Credit, which provides scholarships for nonpublic school students, is shown to grow by another \$4.1 million by FY 2025. The bill was approved 45:2 in the Senate, 75:17 in the House, and signed by the Governor on June 29. UEN was registered as undecided on an earlier version of this bill.

The Fiscal Note for the bill, <https://www.legis.iowa.gov/docs/publications/FN/1137811.pdf>, shows those provisions with fiscal impact on state general fund revenues:

Fiscal Impacts

Table 1 provides the projected net State General Fund fiscal impact of the various provisions of the Bill.

Table 1

General Fund Estimated Fiscal Impact by Provision							
In Millions							
Division	Provision	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
II	Preserve Whitetail Deer Sales Tax	\$ 0.0	\$ -0.2	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
III	Net Operating Loss	0.0	-1.0	-1.0	-1.1	-1.1	-1.1
VIII	Business Interest Expense	0.0	-6.2	-4.1	-8.8	-14.4	-16.7
VIII	Global Intangible Low-Taxed Income	0.0	-13.8	-5.1	-5.1	-5.2	-5.3
IX	Reinvestment Districts Sales Tax Diversion	0.0	-5.0	-5.0	-5.0	-5.0	-5.0
X	Computer Peripherals Sales Tax Exemption	0.0	0.0	0.0	0.0	0.0	0.0
XI	School Tuition Organization Tax Credit Increase	0.0	0.0	0.0	-1.0	-2.5	-4.1
XI	Corporate School Tuition Organization Tax Credit	0.0	0.0	0.0	0.0	0.0	0.0
XII	Broadband Infrastructure Grants Exemption	-0.9	-2.3	-1.5	-1.5	-1.6	-1.6
XIV	Paycheck Protection Program Loans	0.0	-5.8	0.0	0.0	0.0	0.0
XVI	Federal Stimulus Tax Refund Exemption	0.0	0.0	0.0	0.0	0.0	0.0
XVII	Entity-Level Income Tax Paid	0.0	-4.2	-4.2	-4.3	-4.3	-4.4
XVIII	Iowa Small Business Relief Grants Exemption	0.0	-1.3	0.0	0.0	0.0	0.0
XX	529 Plan Apprenticeship Programs	0.0	-0.1	-0.1	-0.1	-0.1	-0.1
XXIII	Personal Protective Equipment Sales Tax Exemption	-3.6	-1.8	0.0	0.0	0.0	0.0
XXVI	Rural Improvement Zone Expansion	0.0	0.0	0.0	0.0	0.0	0.0
XXVII	Enterprise Zone Tax Credit Transfer	0.0	-0.2	-0.2	0.0	0.0	0.0
Total		\$ -4.5	\$ -41.9	\$ -21.2	\$ -26.9	\$ -34.2	\$ -38.3

Significant Appropriations/Funding Legislation Impacting School Budgets

School Formula Foundation Funding

State School Aid: [SF 2142](#) set a 2.3% increase in the state cost per pupil, also known as the state supplemental assistance (SSA) rate. UEN specifically requested an increase no lower than 3.75%, to make up for many years of low growth rates. UEN originally registered opposed to the Senate’s starting point of 2.1%, changed our registration to undecided once the House had amended the increase to 2.5% and encouraged the Senate to accept the House position. They eventually compromised at 2.3%. This is the second highest increase in 11 years. UEN’s request and the Legislature’s compromise predated the COVID-19 closure.

The bill was approved at 2.3% on March 4, two weeks beyond the statutory deadline for enacting SSA, which is 30 days after release of the Governor’s budget. Governor Reynolds signed the bill on March 12. With significant additional resources invested in [SF 2164](#), Transportation and Formula Equity, below, despite unknown COVID-19 economic consequences, the Legislature kept these investments in schools in place for the 2020-21 school year. Given Iowa’s economic situation, this package demonstrates the Legislature’s priority of public schools.

The following details of SF 2142 come from the Fiscal Note here:

<https://www.legis.iowa.gov/docs/publications/FN/1132471.pdf>

- Establishes a 2.30% State percent of growth rate to be applied to the State cost per pupil (SCPP) for FY 2021 (See Table 1 from the fiscal note below for the total increase of the state cost per pupil, including the \$10 per pupil increase to close the gap in per pupil inequity from [SF 2164](#).)

**Table 1 — SF 2142 as Amended
FY 2021 State Cost Per Pupil Calculations**

	FY 2020 State Cost Per Pupil	FY 2021 State Percent of Growth	FY 2021 Supplemental State Aid	FY 2021 State Cost Per Pupil
Regular Program	\$ 6,880	2.30%	\$ 158	\$ 7,048 *
Special Education Program	6,880	2.30%	158	7,048 *
AEA Special Education Services	301.62	2.30%	6.94	308.56
AEA Media Services	56.24	2.30%	1.29	57.53
AEA Education Services	62.05	2.30%	1.43	63.48

* 2020 Iowa Acts chapter 1002 increases the FY 2021 SCPP by an additional \$10.

- Establishes a 2.30% State percent of growth rate to be applied to each of the State categorical cost per pupil amounts and to the standing appropriation for the Transportation Equity Fund for FY 2021 (see the table below for per pupil increases in each of the categorical fund areas).

**Table 2 — SF 2142 as Amended
FY 2021 State Categorical Cost Per Pupil Calculations**

	FY 2020 State Cost Per Pupil	FY 2021 State Percent of Growth	FY 2021 Supplemental State Aid	FY 2021 State Cost Per Pupil
Teacher Salary - Districts	\$ 591.96	2.30%	\$13.62	\$ 605.58
Professional Development - Districts	67.04	2.30%	1.54	68.58
Early Intervention	73.03	2.30%	1.68	74.71
Teacher Leadership and Compensation	333.23	2.30%	7.66	340.89
Teacher Salary - AEAs	30.98	2.30%	0.71	31.69
Professional Development - AEAs	3.62	2.30%	0.08	3.70

- Provides additional property tax replacement funding based on the per pupil increase that results from the establishment of the State percent of growth in FY 2021. The bill requires the additional levy portion of the FY 2021 state cost per pupil amount to remain frozen at \$750 per pupil, regardless of the per pupil increase for FY 2021. Without enactment of this provision, the increase in the FY 2021 state cost per pupil due to the State percent of

growth will include a per pupil property tax increase equivalent to one-eighth (12.5%) of the total per pupil increase. The total state investment in the PTRP grows to over \$75 million with this action.

- Additionally, the Transportation Equity Fund allows for the standing appropriation to the Transportation Equity Fund to grow at the same rate as the categorical State percent of growth, although it is not technically considered a categorical supplement. The Transportation Equity Fund appropriation is not included in the combined district cost or in the total State aid appropriation.

Fiscal Impact of SF 2142

The following table provides the estimated fiscal impact of the three provisions of SF 2142 as amended: State supplemental aid, State categorical rate, and PTRP implementation. These provisions include:

- Restoration of the \$15.0 million reduction in State aid to the AEAs. Under current law, the reduction will total \$7.5 million (a statutory reduction implemented annually). *\$15 million was later removed in the Standings Appropriations bill, [SF 2408](#), enacted just prior to the COVID-19 closure of the Legislature, signed by the Governor on March 17, therefore the total reduction to the AEAs stands at \$22.5 million.*
- \$75.1 million in PTRP funding, an increase of \$12.4 million (19.80%) compared to FY 2020.
- \$552.8 million for the State categorical supplements for school districts and AEAs, an increase of \$14.9 million (2.78%). This includes:
 - \$313.4 million for teacher salary supplement (districts & AEAs).
 - \$35.6 million for professional development supplement (districts & AEAs).
 - \$36.6 million for early intervention supplement.
 - \$167.3 million for teacher leadership supplement.
- \$88.1 million for preschool formula funding, an increase of \$2.0 million (2.31%) compared to FY 2020. The preschool formula funding is included in the State aid amount but is not included in the combined district cost total.
- \$8.3 million in budget adjustment funding for 106 qualifying districts, a decrease of \$1.5 million (15.59%) compared to FY 2020. The budget guarantee adjustment is calculated at the school district level so that school districts receive 101.00% of their previous year's funding. The budget guarantee adjustment is funded entirely through property taxes.
- Total property tax funds generated through the school aid formula are estimated to be \$1.612 billion, an increase of \$49.1 million (3.14%) compared to FY 2020.
- Total State aid (reflecting the total school aid funding level for school districts and AEAs generated through the school aid formula) is estimated to be \$3.392 billion, an increase of \$106.3 million (3.24%) compared to FY 2020.

The ISFIS New Authority Calculator shows what 2.3% means for your district's Regular Program Cost. Access the New Authority Calculator on the ISFIS home page [here](#).

This table, also from the Fiscal Note, shows the various components of the school foundation formula with state, property tax and per pupil impacts. *Please note: This table includes a restoration of a long-standing \$15 million cut to the AEAs. The Standings Bills, SF 2408, detailed below, reinstates the cut.*

Table 4 — SF 2142 As Amended

Legislative Services Agency: FY 2021 School Aid Estimates — Senate File 2142 as Amended (Statewide Dollars in Millions)

State Percent of Growth: 2.30%	*State Cost Per Pupil: \$7,048		State Supplemental Aid: \$158	
AEA Reduction: \$7,500,000	Additional Reduction: \$0		Total AEA Reduction: \$7,500,000	
Program Funding:	FY 2020	Est. FY 2021	Est. Change	% Change
Regular Program District Cost	\$ 3,364.1	\$ 3,461.5	\$ 97.4	2.90%
Regular Program Budget Adjustment	9.8	8.3	-1.5	-15.59%
Supplementary Weighting (District)	104.8	106.5	1.8	1.68%
Special Education Instruction (District)	460.2	478.6	18.3	3.99%
Teacher Salary Supplement (District)	288.6	296.6	8.0	2.76%
Professional Development Supplement (District)	32.7	33.6	0.9	2.75%
Early Intervention Supplement (District)	35.6	36.6	1.0	2.76%
Teacher Leadership Supplement (District)	162.7	167.3	4.5	2.79%
AEA Special Ed Support District Cost	167.3	172.3	4.9	2.94%
AEA Special Ed Support Adjustment	1.4	1.2	-0.2	-17.18%
AEA Media Services	29.3	30.1	0.8	2.78%
AEA Ed Services	32.4	33.3	0.9	2.79%
AEA Teacher Salary Supplement	16.4	16.8	0.5	3.00%
AEA Professional Development Supplement	1.9	2.0	0.1	2.93%
Dropout and Dropout Prevention	124.9	124.9	0.0	0.00%
Combined District Cost	\$ 4,809.6	\$ 4,961.9	\$ 152.4	3.17%
Statewide Voluntary Preschool Program	\$ 86.2	\$ 88.1	\$ 2.0	2.31%
State Aid:	FY 2020	Est. FY 2021	Est. Change	% Change
Regular Program	\$ 1,964.5	\$ 2,005.0	\$ 40.5	2.06%
Supplementary Weighting	91.4	93.0	1.6	1.75%
Special Education Weighting	401.6	417.8	16.2	4.04%
Property Tax Adjustment Aid (1992)	7.7	7.4	-0.4	-4.92%
Property Tax Replacement Payment (PTRP)	62.6	75.1	12.4	19.80%
Adjusted Additional Property Tax - General Fund	24.0	24.0	0.0	0.00%
Statewide Voluntary Preschool Program	86.2	88.1	2.0	2.31%
Minimum State Aid	0.0	0.0	0.0	
State Aid from General Fund	\$ 3,285.4	\$ 3,391.8	\$ 106.3	3.24%
**Excess from SAVE Fund	10.1	10.4	0.3	2.67%
Total State Aid (Includes Non-General Fund)	\$ 3,295.6	\$ 3,402.2	\$ 106.6	3.23%
Local Property Tax:	FY 2020	Est. FY 2021	Est. Change	% Change
Uniform Levy Amount	\$ 948.3	\$ 995.5	\$ 47.2	4.98%
Additional Levy	614.1	616.1	1.9	0.31%
Total Levy to Fund Combined District Cost	\$ 1,562.5	\$ 1,611.6	\$ 49.1	3.14%
Comm/Ind - Uniform Levy Replacement	22.8	21.9	-0.9	-3.95%
Comm/Ind - Additional Levy Replacement	14.9	14.5	-0.4	-2.73%
Miscellaneous Information:	FY 2020	Est. FY 2021	Est. Change	% Change
State Cost Per Pupil	\$ 6,880	\$ 7,048	\$ 168	2.44%
Number of Districts with Budget Adjustment	114	106	-8	-7.02%
Percent of Districts with Budget Adjustment	34.86%	32.42%		
Statewide Category Totals Total	\$ 537.9	\$ 552.8	\$ 14.9	2.78%
Property Tax Relief Payment Per Pupil	110	131	21	19.09%
Statewide AEA Funding Reduction	-22.5	-7.5	15.0	66.67%
Statewide AEA Funding	226.2	248.1	21.9	9.67%
Transportation Equity Fund	19.0	26.7	7.7	40.47%

Notes:

Totals may not sum due to data duplication and exclusion. For example, other funds are provided by State Aid but not included in the State Aid section because the funds are represented in the Program Funding section listed above. Transportation Equity Fund dollars are not included in the total State aid amounts. The provision for minimum State aid requires that the State provide at least \$300 per student.

* 2020 Iowa Acts chapter 1002 adds an additional \$10 to the State cost per pupil separate from the State supplemental aid.

** Secure an Advanced Vision for Education (SAVE) Fund.

Sources: Department of Management (School Aid File), LSA analysis and calculations

Transportation and Formula Equity: [SF 2164](#) was approved in the Senate 48:0, the House 98:1 and was signed by the Governor on Feb. 25. UEN was in support.

“We live in a disruptive, technologically-driven economy, and if we aren't preparing our students to succeed in the 21st century, then we are failing them,” said Gov. Reynolds in her [press conference](#) regarding signature on Feb. 25, 2020. “This legislation will help Iowa’s many rural school districts absorb transportation costs and put more money into the classroom. Education is always a top priority, and we will continue to look for ways to provide every school, educator, and student with the tools for success.” The following information comes from the LSA Notes on Bills and Amendments (NOBA) <https://www.legis.iowa.gov/docs/publications/NOBA/1129902.pdf> dated Feb. 11, 2020:

The bill appropriates a total of \$31.5 million from the General Fund for FY 2021. The funding includes:

- An estimated increase in State school aid of \$5.3 million and a decrease to property taxes of \$3.6 million due to an increase to the State cost per pupil of \$10 per pupil to close the foundation formula equity gap.
- Specifies that the regular program State cost per pupil for FY 2021 is the amount calculated using the State supplemental aid (SSA) rate, plus an additional \$10 per pupil.
 - The adjustment in this Section reduces the maximum difference between the State cost per pupil and the maximum district cost per pupil to \$155.
 - Districts that have a higher district cost per pupil will receive State aid replacement for funds that would have been generated through property taxes.
 - Districts whose district cost per pupil is the same as the State cost per pupil will receive additional spending authority.
- Increases the General Fund standing appropriation to the Transportation Equity Fund to \$26,253,088 in FY 2021.
 - This is an increase of \$7,253,088 as compared to estimated FY 2020. This increase would be in addition to any other increase based on the categorical State percent of growth for FY 2021.
 - Specifies that the standing appropriation to the Transportation Equity Fund in Section 2 of this Bill may grow at the same rate as a categorical under the categorical State percent of growth beginning in FY 2022.
 - Fiscal Impact: Under current law (*since the SSA rate for FY 2021 hadn't yet been enacted*) the State percent of growth for FY 2021 is 0.00%, and there would be no change in FY 2021 from the estimated FY 2020 General Fund appropriation to the Transportation Equity Fund of \$19,000,000. The estimated fiscal impact for FY 2021 based on various State percents of growth would be:
 - 1.00% — An estimated increase of \$190,000.
 - 2.00% — An estimated increase of \$380,000.
 - 3.00% — An estimated increase of \$570,000.

Omnibus Appropriations: [HF 2643](#) was introduced on Jun 10 and received final approval on June 14, approved in the Senate 30:17, the House 51:41; and signed by the Governor on June 30. UEN was not registered on the bill. (Governor Reynolds vetoed two sections of the 130 sections of the bill, unrelated to school issues.) The bill appropriates a total of \$4,321.9 billion of state General Fund appropriations for FY 2021, which is a decrease of \$73.9 million compared to estimated net FY 2020. The bill also authorizes \$729.0 million from other funds, which is an increase of \$13.7 million compared to estimated net FY 2020. Specific appropriations important to school leaders include the following:

- Appropriates \$160.4 million for property tax credits. That's short \$5.3 million, which they appropriate from the Taxpayer Relief Fund.

- Creates a property tax fix for school district property value adjustment made on appeal if at least \$100,000 and 2% of property value (Bondurant-Farrar schools)
- The Education Budget Line Items are tracked in the LSA's NOBA found [here](#):

Education
General Fund

	Actual FY 2019 (1)	Estimated Net FY 2020 (2)	Supp-Final Act. FY 2020 (3)	Revised Net FY 2020 (4)	Final Action FY 2021 (5)	Final Action vs Revised Net FY 20 (6)
Blind, Department for the						
Department for the Blind						
Department for the Blind	\$ 2,167,622	\$ 2,252,001	\$ 0	\$ 2,252,001	\$ 2,252,001	\$ 0
Total Blind, Department for the	\$ 2,167,622	\$ 2,252,001	\$ 0	\$ 2,252,001	\$ 2,252,001	\$ 0
College Student Aid Commission						
College Student Aid Comm.						
College Student Aid Commission	\$ 429,279	\$ 429,279	\$ 0	\$ 429,279	\$ 429,279	\$ 0
Future Ready Iowa Administration	0	130,254	0	130,254	130,254	0
DMU Health Care Prof Recruitment	400,973	400,973	0	400,973	400,973	0
National Guard Service Scholarship	4,700,000	4,700,000	0	4,700,000	4,700,000	0
All Iowa Opportunity Scholarship	2,840,854	3,000,000	0	3,000,000	3,000,000	0
Teacher Shortage Loan Forgiveness	105,828	0	0	0	0	0
Teach Iowa Scholars	400,000	400,000	0	400,000	400,000	0
Rural Primary Care Loan Repayment	1,124,502	1,424,502	0	1,424,502	1,424,502	0
Health Care Loan Repayment Program	200,000	250,000	0	250,000	250,000	0
Future Ready Iowa Last-Dollar Scholarship Progr	0	13,004,744	0	13,004,744	13,004,744	0
Tuition Grant Program - Standing	46,586,158	47,703,463	0	47,703,463	47,703,463	0
Tuition Grant - For-Profit	372,863	426,220	0	426,220	426,220	0
Vocational-Technical Tuition Grant	1,750,185	1,750,185	0	1,750,185	1,750,185	0
Last-Dollar Scholar - HF 2643	0	0	0	0	32,000	32,000
Rural Veterinarian Loan Program	0	0	0	0	300,000	300,000
Total College Student Aid Commission	\$ 58,910,642	\$ 73,619,620	\$ 0	\$ 73,619,620	\$ 73,951,620	\$ 332,000

Education
General Fund

	Actual FY 2019 (1)	Estimated Net FY 2020 (2)	Supp-Final Act. FY 2020 (3)	Revised Net FY 2020 (4)	Final Action FY 2021 (5)	Final Action vs Revised Net FY 20 (6)
Regents, Board of						
Regents, Board of						
Regents Board Office	\$ 775,655	\$ 775,655	\$ 0	\$ 775,655	\$ 775,655	\$ 0
BOR - Regents Resource Centers	272,161	272,161	0	272,161	272,161	0
IPR - Iowa Public Radio	350,648	350,648	0	350,648	350,648	0
University of Iowa - General	214,710,793	218,710,793	0	218,710,793	218,710,793	0
UI - Oakdale Campus	2,134,120	2,134,120	0	2,134,120	2,134,120	0
UI - Hygienic Laboratory	4,297,032	4,822,610	0	4,822,610	4,822,610	0
UI - Family Practice Program	1,745,379	1,745,379	0	1,745,379	1,745,379	0
UI - Specialized Children Health Services	643,641	643,641	0	643,641	643,641	0
UI - Iowa Cancer Registry	145,476	145,476	0	145,476	145,476	0
UI - Substance Abuse Consortium	54,197	54,197	0	54,197	54,197	0
UI - Biocatalysis	706,371	706,371	0	706,371	706,371	0
UI - Primary Health Care	633,367	633,367	0	633,367	633,367	0
UI - Iowa Birth Defects Registry	37,370	37,370	0	37,370	37,370	0
UI - Iowa Nonprofit Resource Center	158,641	158,641	0	158,641	158,641	0
UI - IA Online Advanced Placement Acad.	470,293	470,293	0	470,293	470,293	0
UI - Iowa Flood Center	1,171,222	1,171,222	0	1,171,222	1,171,222	0
Iowa State University - General	170,624,125	174,624,125	0	174,624,125	174,624,125	0
ISU - Agricultural Experiment Station	29,886,877	29,886,877	0	29,886,877	29,886,877	0
ISU - Cooperative Extension	18,266,722	18,266,722	0	18,266,722	18,266,722	0
University of Northern Iowa - General	99,712,362	99,712,362	0	99,712,362	99,712,362	0
UNI - Recycling and Reuse Center	175,256	175,256	0	175,256	175,256	0
UNI - Math & Science Collaborative	5,446,375	6,446,375	0	6,446,375	6,446,375	0
UNI - Real Estate Education Program	125,302	125,302	0	125,302	125,302	0
Iowa School for the Deaf	9,996,325	10,299,287	0	10,299,287	10,536,171	236,884
Ed Services for Blind & Visually Impaired	4,167,759	4,334,759	0	4,334,759	4,434,459	99,700
FY 2021 Regents Decrease	0	0	0	0	-8,000,000	-8,000,000
Total Regents, Board of	\$ 562,707,469	\$ 576,703,009	\$ 0	\$ 576,703,009	\$ 569,039,593	\$ -7,663,416
Total Education	\$ 912,326,466	\$ 953,169,046	\$ 0	\$ 953,169,046	\$ 945,837,630	\$ -7,331,416

Education
General Fund

	Actual FY 2019 (1)	Estimated FY 2020 (2)	Supp-Final Act. FY 2020 (3)	Est Net FY 2020 (4)	Rev Gov Rec FY 2021 (5)	Final Action FY 2021 (6)	Final Action vs Est Net FY 2020 (7)	Bill Number (8)
Education, Department of								
Education, Dept. of								
Administration	\$ 5,949,047	\$ 5,975,526	\$ 0	\$ 5,975,526	\$ 5,975,526	\$ 5,975,526	\$ 0	HF2643
State Library	2,530,063	2,532,594	0	2,532,594	2,532,594	2,532,594	0	HF2643
State Library - Enrich Iowa	2,464,823	2,464,823	0	2,464,823	2,464,823	2,464,823	0	HF2643
Child Development	10,396,361	10,524,389	0	10,524,389	10,524,389	10,524,389	0	HF2643
ECl General Aid (SRG)	22,162,799	22,662,799	0	22,662,799	22,662,799	22,662,799	0	HF2643
Special Ed. Services Birth to 3	1,721,400	1,721,400	0	1,721,400	1,721,400	1,721,400	0	HF2643
Early Head Start Projects	574,500	574,500	0	574,500	574,500	574,500	0	HF2643
Early Lit - Early Warning System	1,915,000	1,915,000	0	1,915,000	1,915,000	1,915,000	0	HF2643
Early Lit - Iowa Reading Research Center	1,300,176	1,300,176	0	1,300,176	1,300,176	1,300,176	0	HF2643
Early Lit - Successful Progression	7,824,782	7,824,782	0	7,824,782	7,824,782	7,824,782	0	HF2643
Attendance Center/Website & Data System	250,000	250,000	0	250,000	250,000	250,000	0	HF2643
Best Buddies Iowa	0	25,000	0	25,000	25,000	25,000	0	HF2643
Career Technical Education Administration	598,197	598,197	0	598,197	598,197	598,197	0	HF2643
Career Technical Education Secondary	2,630,134	2,952,459	0	2,952,459	2,952,459	2,952,459	0	HF2643
Children's Mental Health Training	0	2,100,000	0	2,100,000	2,100,000	2,100,000	0	HF2643
Computer Science PD Incentive Fund	500,000	500,000	0	500,000	500,000	500,000	0	HF2643
School Food Service	2,176,797	2,176,797	0	2,176,797	2,176,797	2,176,797	0	HF2643
Jobs for America's Grads	1,666,188	2,666,188	0	2,666,188	2,666,188	2,666,188	0	HF2643
Nonpublic Textbook Services	652,000	652,000	0	652,000	652,000	652,000	0	HF2643
Online State Job Posting System	230,000	230,000	0	230,000	230,000	230,000	0	HF2643
Statewide Student Assessment	2,700,000	3,000,000	0	3,000,000	3,000,000	3,000,000	0	HF2643
Student Achievement/Teacher Quality	2,965,467	2,965,467	0	2,965,467	2,965,467	2,965,467	0	HF2643
Work-Based Learning Clearinghouse	250,000	300,000	0	300,000	300,000	300,000	0	HF2643
Midwestern Higher Education Compact	115,000	115,000	0	115,000	115,000	115,000	0	HF2643
Adult Education and Literacy Programs	0	500,000	0	500,000	500,000	500,000	0	HF2643
Community Colleges General Aid	202,690,889	208,690,889	0	208,690,889	208,690,889	208,690,889	0	HF2643
Nonpublic Concurrent Enrollment	0	1,000,000	0	1,000,000	1,000,000	1,000,000	0	HF2643
Summer Joint Enrollment Program	600,000	600,000	0	600,000	600,000	600,000	0	HF2643
Education, Dept. of	\$ 274,863,623	\$ 286,817,986	\$ 0	\$ 286,817,986	\$ 286,817,986	\$ 286,817,986	\$ 0	
Vocational Rehabilitation								
Vocational Rehabilitation	\$ 5,677,908	\$ 5,696,328	\$ 0	\$ 5,696,328	\$ 5,696,328	\$ 5,696,328	\$ 0	HF2643
Independent Living	84,823	84,823	0	84,823	84,823	84,823	0	HF2643
Entrepreneurs with Disabilities Program	138,506	138,506	0	138,506	138,506	138,506	0	HF2643
Independent Living Center Grant	86,457	86,457	0	86,457	86,457	86,457	0	HF2643
Vocational Rehabilitation	\$ 5,987,694	\$ 6,006,114	\$ 0	\$ 6,006,114	\$ 6,006,114	\$ 6,006,114	\$ 0	
Iowa PBS								
Iowa PBS Operations	\$ 7,689,415	\$ 7,770,316	\$ 0	\$ 7,770,316	\$ 7,770,316	\$ 7,770,316	\$ 0	HF2643
Total Education, Department of	\$ 288,540,732	\$ 300,594,416	\$ 0	\$ 300,594,416	\$ 300,594,416	\$ 300,594,416	\$ 0	

Policy language in HF 2643 impacting education and specific notes about certain line-item appropriation detail includes the following (sources: LSA NOBA and Iowa Department of Education [Summary of Legislative Changes Impacting Schools 2020](#)):

- **Nonpublic Concurrent Enrollment:** Specifies that any funds remaining from the \$1.0 million FY 2020 General Fund appropriation to DE for payments to the community colleges for concurrent enrollment of nonpublic students do not revert at the end of FY 2020, but will remain available for expenditure through FY 2021.
- **Bondurant-Farrar Assessed Value Correction:** Allows for an adjustment in State foundation aid in FY 2021 for school districts that have received an assessed value reduction by a local board of review or property assessment appeal board in assessment year (AY) 2018. This is estimated to increase the FY 2021 State foundation aid General Fund appropriation by an estimated \$254,000.
- **Career and Technical Education Secondary:** Appropriates \$2,952,459, which will be distributed to the 15 Regional Planning Partnerships to be spent on allowable uses specified in statute pursuant to Iowa Code chapter 258. The partnership will determine how to allocate these funds between the allowable uses and include this information in the partnership's multi-year plan. The multi-year plan is voted on by the full membership, which includes a representative of each school district in the partnership's region.

- **Student Achievement and Teacher Quality:** Appropriates \$2.9 million to support the following programs: National Board Certification, Career Development, Teacher Development Academies, Iowa's Teacher of the Year Program, Teacher Leadership Technical Assistance, and the Fine Arts Mentoring Program.
- **Statewide Clearinghouse to Expand Work-Based Learning:** Appropriates \$300,000 for support, management and promotion costs associated with the expansion of the Iowa Clearinghouse for Work-Based Learning as part of the Future Ready Iowa initiative. The Clearinghouse allows employers to post projects online for K-12 schools to provide more students with authentic, professional learning experiences. Businesses, nonprofits and others have posted at least 133 projects, with more being developed.
- **Statewide Assessment:** Appropriates \$2.7 million for school districts and \$300,000 for accredited nonpublic schools to reduce the cost associated with the Iowa Statewide Assessment for Student Progress (ISASP). The appropriation will be distributed by the Department to Iowa Testing Programs on behalf of school districts and accredited nonpublic schools. School districts and accredited nonpublic schools will pay any remaining cost for the state assessment.
- **Postsecondary Summer Classes for High School Students:** Appropriates \$600,000, as part of the Future Ready Iowa initiative, for resident high school students to attend a community college for college-level classes taught by a community college-employed instructor during the summer through a contractual agreement between the community college and the school district. DE has posted guidance, which includes an overview of the summer college credit program, on the Department's Senior Year Plus [webpage](#).
- **Attendance Center Performance/General Internet Site and Data System Support:** Appropriates \$250,000 for the continued development and implementation of the Iowa School Performance Profiles.
- **Online State Job Posting System:** Appropriates \$230,000 to DE for the administration of the TeachIowa.gov online job posting system. DE, as well as public school districts, charter schools, and AEAs, are required to post all job openings on the system. Accredited nonpublic schools may participate at no charge.
- **Successful Progression of Early Readers:** Continues the appropriation of \$7,824,782 to the DE for distribution to school districts to provide intensive instructional services for the Successful Progression of Early Readers program.
- **Early Warning System for Literacy:** Appropriates \$1,915,000 for DE to administer and distribute to school districts and accredited nonpublic schools an early warning assessment system that allows teachers to screen and monitor student literacy skills from PK-6th grade. DE is also permitted to charge school districts and accredited nonpublic schools a fee for the system, which is determined by dividing the remaining costs to purchase the statewide license for the school year by the number of students assessed under the system in the current fiscal year.
- **Iowa Reading Research Center (IRRC):** Appropriates \$1,300,176, which will be used for carrying out the IRRC's seven priorities in the areas of evidence-based literacy interventions, reading assessment, and intensive summer reading programs. The funding will also support collaborating with AEAs and providing ongoing professional development to improve teachers' knowledge of and ability to implement effective literacy practices.
- **Computer Science PD Development Incentive Fund:** Appropriates \$500,000 for the Computer Science Professional Development Incentive Fund. School districts, accredited nonpublic schools and AEAs can apply to DE for funds to provide teachers professional

development in computer science or to provide tuition reimbursement for teachers seeking an endorsement in computer science. DE will post the updated guidance and application on www.educateiowa.gov and expects applications will open late summer to early fall.

- **Children’s Mental Health School-Based Training and Support:** Appropriates \$2.1 million for the continuance of school-based children’s mental health support, including mental health awareness training for educators. This includes:
 - \$1.2 million to the AEAs to provide mental health awareness training for educators and schools;
 - \$750,000 to identify a range of approaches to best meet the mental health needs of students and to strengthen community support for students; and
 - \$150,000 to maintain a clearinghouse of mental health resources for use by schools and community providers.
- **Best Buddies Iowa:** Appropriates \$25,000 to create opportunities for one-to-one friendships, integrated employment, and leadership development for students with intellectual and developmental disabilities.
- **Adult Education and Literacy Programs:** Appropriates \$500,000 to be distributed as grants to community colleges for the purpose of adult basic education programs for students requiring instruction in English as a second language.
- **Nonpublic School Concurrent Enrollment Payments to Community Colleges:** Appropriates \$1 million to the Department for the nonpublic concurrent enrollment program, which allows accredited nonpublic schools to contract directly with a community college to deliver courses through concurrent enrollment. The bill adds non-reversion language to the appropriation (noted above), allowing DE to retain unspent funds for up to one additional fiscal year.

Standings Appropriations: [SF 2408](#) was approved in the Senate 43:0, the House 93:0; and signed by the Governor on Mar. 17. UEN was registered in support, primarily because of the instructional-hours provisions. The bill has many actions impacting all of state government, but the following are specific to schools as detailed in the LSA’s NOBA found here:

<https://www.legis.iowa.gov/docs/publications/NOBA/1133470.pdf>:

- Limits the FY 2021 General Fund appropriation to the DE for nonpublic school transportation to \$8.2 million. Requires the appropriation to be prorated if the claims exceed the appropriation. This represents no change compared to the funding level for FY 2020. Without this action limiting the appropriation, current law would otherwise increase the standing appropriation by \$2.6 million compared to FY 2021.
- Suspends the General Fund standing appropriation of \$14.8 million for the Instructional Support Program for FY 2021. (Iowa law still requires state contribution to ISL. However, the Legislature has opted out of their contribution since FY 2010.)
- Reduces the FY 2021 State school aid funding to Area Education Agencies (AEAs) by \$15.0 million. This underfunding of the AEAs has been in place for over a decade, first implemented during the great recession. This action continues the prior years’ reduction at a status quo level.
- Waives the instructional time requirements for school districts and accredited nonpublic schools that close before April 12, 2020 to prevent the spread of COVID-19. Repeals the school instructional time waivers, on July 1, 2020 (further instructional time provisions

related to the 2020-21 school year are detailed in SF 2310 below). See UEN's letter to the Governor and Legislature supporting the instructional time waiver provisions [here](#).

The following additional provisions of SF 2408 provided authority for the Governor and Department of Management to operate during the COVID-19 closure of the Legislature, in concert with the Legislative Council for some additional approvals.

- Provides an FY 2020 General Fund supplemental appropriation of \$89.0 million to the Department of Human Services (DHS) for the Medicaid program.
- Provides an FY 2020 General Fund supplemental appropriation of \$1.7 million to the DHS for the Healthy and Well Kids in Iowa (HAWK-I) program.
- Provides an FY 2020 General Fund supplemental appropriation of \$526,000 to the University of Iowa Hygienic Laboratory.
- The Act allows any unexpended funds remaining at the end of FY 2020 to carry forward for expenditure in FY 2021. Appropriates an amount up to 10.0% of the FY 2020 in the Economic Emergency Fund to be used for purposes approved by the Governor. Ten percent of the FY 2020 Economic Emergency Fund balance is equal to \$19.6 million.
- Provides a contingent appropriation equal to the maximum balance of the Economic Emergency Fund to the DOM in the event that the appropriation of 10.0% of the Economic Emergency Fund is insufficient. The appropriated funds may be used for purposes approved by the Governor and the Legislative Council. The maximum balance in the Economic Emergency Fund in FY 2020 is \$196.0 million.
- Requires the Department of Management (DOM), in consultation with the Legislative Services Agency (LSA), to identify the FY 2020 line-item appropriations and standing appropriations, including appropriations from federal and nonstate sources, and the entities that received the appropriations.
- Suspends limitations on the Governor's authority to transfer funds between General Fund line item appropriations beginning with the effective date of this Act and ending August 31, 2020.

SF 2360 Classroom Management and Therapeutic Classrooms Appropriations:

Includes the following appropriations in the fiscal year beginning for several purposes in the bill; July 1, 2021, \$500,000 to DE to develop and distribute standards and professional development, \$1,582,650 for the therapeutic classroom incentive, and \$500,000 for transportation claims. See SF 2360 bill description below for policy details. UEN was registered in support, primarily because of the least restrictive alternative and other policy considerations detailed below.

Policy Bills Impacting Schools

SF 2082 DE Technical Corrections: this bill makes changes to reflect current practice, eliminates duplicative language in the Iowa Code, and modernizes language, all technical (nonsubstantive) corrections. The bill updates titles of members of the Child Development Coordinating Council, updates language on school district agency funds to name them custodial funds, updates provisions on special education related to open-enrollment and to shared-time provisions, and updates language on electronic access offered by the State Library. The bill was approved by the Senate, 48:0, by the House 98:0, and signed by the Governor on June 1. UEN was registered in support of the bill.

SF 2261 Telehealth Services in a School Setting: this bill expands opportunities for students to access mental health services with a licensed professional mental health provider by offering parent/guardians access to services through an electronic encounter in the school setting. Public schools, accredited nonpublic schools, or AEAs can provide a secure, confidential, private area to conduct telehealth services. The schools are spared the duties related to billing as that is done by the mental health care professional directly through insurance, Medicaid or to parents. UEN included the provision of telehealth services at school as a legislative priority in both the 2019 and 2020 Legislative Sessions. The DE's 7/17/2020 [2020 Legislative Session Summary of Changes Affecting Schools](#) stated that the DE will provide additional guidance. The bill includes the following specifications:

- Defines terms
- Allows schools, nonpublic schools and AEAs to contract with a mental health professional to provide screenings
 - Requires written parent consent
 - Consent must allow for disclosure to school if MH Professional believes there is a credible threat to health and safety of students
- Allows MH professional to conduct an initial behavioral health screening and then refer a student if:
 - MH professional notifies the parent of the screening results
 - MH professional notifies the student's primary care provider with parent consent (if none, MH professional may provide list of primary care providers)
- Establishment of provider-patient relationship
 - MH professional using telehealth is required to establish a provider-patient relationship with the students
 - Provider-patient relationship commences when:
 - Student seeks MH assistance with parent consent
 - MH professional agrees to take on the patient's diagnosis and treatment
 - Student's parent agrees to have the student treated
 - Defines how a provider-patient relationship is established (through in-person encounter, consultation with primary care provider, or through telehealth following standard of care and student's parent is present)
 - Requires parent to consent after the relationship is established
 - School district is required to keep consent form
- Sets up expectations for process of telehealth behavioral health services at school
 - provide a secure, safe, confidential and private room and necessary technology
 - maintain parent consent forms, required annually
 - maintain scheduling requests for services and provide student access to the room by a nurse or other appropriately trained school or AEA employee
 - provide info to the student about how and to whom to report inappropriate behavior by a MH professional
 - provide access to the student's parent to participating in the sessions

- Regarding prescriptions, records, liability:
 - prohibits the school, nonpublic school or AEA from access to or handling of student medical records or for billing for the services provided
 - prohibits a MH professional from prescribing new medication during a telehealth session, but allows the MH professional to initiate a new prescription, alter the dosage of an existing prescription, or discontinue a prescription for treatment of a behavioral health condition after consultation with parent.
 - requires a MH professional to notify the parent of the time and place for each session and specify means available for the parent to participate.
 - prohibits protected health information (medical records and billing), created by the MH professional or primary care provider, from being shared or disclosed with the school unless disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of the students or to a clearly identifiable person(s) and the MH professional determines the student has the apparent intent and ability to carry out the threat.
 - protects employees, the MH provider and the school board from liability for any injury arising from the provision of voluntary behavioral health screenings or services in accordance with this chapter, provided acting reasonably and in good faith and in accordance with these provisions.
- Regarding billing and insurance coverage:
 - prohibits insurance from denying coverage solely due to provision of services at school
 - doesn't mandate that insurance pay for uncovered services or require an insurance company to pay a provider that has not entered into a provider agreement with the insurance company or prevent application of any other provision of a policy, contract or plan.
 - applies to third-party payment provider policies, contracts or plans in Iowa after Jan. 1, 2021.

UEN was registered in support, with telehealth explicitly mentioned in the UEN child mental health priority language.

SF 2310 Online Learning and COVID Flexibility: this bill effectively ends the state Iowa Learning On-line Initiative and authorizes the AEAs, in collaboration with other schools and AEAS, to offer on-line classes. Makes changes to the duties of the State Board of Education (BOE) and the DE. Requires AEA classes to meet established standards. Requires schools to pay AEAs for the on-line course work. Allows the DE to waive requirements for two additional subjects to be offered by school districts, if the district cannot offer them after good faith efforts. See DE guidance issued 7/17/2020 [here](#). The following details the bill's 19 subdivisions, with (*UEN comments in italics*). Additionally, significant sections impacting in-person learning as the primary method of instruction are underlined:

1. Requires state BOE rules regarding offer and teach (256.11 subsection 17) and online learning provider approval (256.17) and new district online learning options (new section 256.7 subsection 32)
2. Requires online learning coursework to be rigorous, high-quality, aligned with Iowa core standards/content and meet the national standards of quality for online courses, and taught by an Iowa licensed teacher with specialized training or experience in online learning (including but not limited to AEA's PD project for online learning, teacher preservice or comparable coursework).

3. Allows DE and the AEA's to also develop and offer online learning meeting those same standards and requires DE to approve private providers (*there is no requirement for DE to approve local online courses outside of the accreditation process*).
4. Offer and Teach Section: Removes world language, financial literacy and computer science from physical offer and teach requirements (in school buildings) and allows those to be taught exclusively online. Retains the ability for districts to offer up to two of the other offer and teach requirements online if a good faith effort is made but you cannot hire a teacher or fewer than 10 students typically register for the course. Allows the DE to waive provision of two additional courses annually if a good faith effort is made but you cannot hire a teacher. Requires that the waived course be provided by an online alternative (developed by the district, working with another district or AEA, or working with a private provider approved by the DE).
5. Allows districts to offer their own online learning, work with other districts or AEA's. These locally developed courses must be aligned and taught by an Iowa licensed teacher. Also allows districts to engage a private provider, whose courses must also align and be approved by DE. Find approved providers here: <https://educateiowa.gov/pk-12/educational-technology/online-learning>)
6. Requires districts to report via the CSIP a list and description of on-line coursework for enrolled students. (*Does not require districts to report all online courses offered, just those to which students are enrolled*).
7. Allows DE/AEA's to establish an online coursework and platform with General Fund or available federal funds – doesn't require schools to use it, but allows both public and private schools to access courses. (*Does not state that public school students can access the courses without the district offering them. DE is working to provide CANVAS at no cost to districts and to nonpublic schools and Home School students this year, paid with federal funds.*) The legislation otherwise requires districts to pay for courses accessed from the platform.
8. Allows a district to provide instruction primarily over the internet if provided in accordance with an approved Return-to-Learn (RTL) plan, in response to a proclamation of a public health disaster emergency (Governor's Proclamation) which satisfies the instructional time requirements (either days or hours) regardless of the nature, location or medium of instruction if the RTL plan includes the minimum number of days/hours, as long as the remote learning is compulsory. Requires that district RTL plans must contain provisions for in-person instruction and provide that in-person instruction is the presumed method of instruction.
9. Allows funding flexibility for additional instructional time above the minimum days/hours, approved by board resolution for Professional Development (PD) Supplement funds used for 36 hours of PD outside of the instructional day. Requires hour for hour exchange (*one hour of instruction replaces one hour of PD collaboration*). All PD requirements of Iowa Code chapter 284 are waived for the funds used for instruction. (*Additionally, although not included in the legislation, the Governor's July 17 proclamation allows virtual instruction in place of making up snow days.*)
10. Allows a parent to notify the district by July 15, 2020 of an open enrollment request to a public online academy, based on health condition of student/family/caretaker and doctor's note.
11. Requires districts to provide Competent Private Instruction (CPI), Home School Assistance Program (HSAP) and Dual Enrolled to students whose parent requests it, including textbooks/supplementary materials, on the same basis as provided to enrolled students.

(Does not require districts to provide virtual courses taught by school teachers to CPI or HSAP students.)

12. If the Governor proclaims a public health emergency, the bill allows local boards to authorize closure of the school district or any school attendance center due to outbreak of COVID-19. Encourages school districts to follow CDC guidelines, consult with IDPH, and states that local leaders may consult with local board of health with determining social distancing measure or authorizing a school closure. Prohibits waiver of instructional time requirements for school closure unless the districts provides compulsory remote learning. States that, unless explicitly authorized in a proclamation of the governor related to COVID-19, the district shall not take action to provide instruction primarily through remote-learning opportunities. *(The bill did not include specific time limitations or metric thresholds that must be reached to trigger closure decisions. Those elements were added by the Governor during public health state of emergency declarations.)*
13. If the board of directors determines at any time during the 2020-21 school year that a remote learning period is necessary, requires the board to ensure that teachers/staff are available to support students, engage in PD, perform other job-related functions during the regular required contract hours.
14. Defines a student that does not participate in compulsory remote learning as truant, unless enrolled in CPI or IPI per parent notification prior to July 1, 2019. Allows a student with significant health concern to report to the district and requires the district to provide accommodation via remote learning.
15. Teacher endorsement waiver: if every reasonable and good faith effort is made to employ a licensed teacher with specific grade level or subject endorsement, and the district cannot employ such a person and cannot develop or provide online program for that area, allows the district to request and DE to waive the teacher endorsement requirements. (In the Governor's July 17 proclamation, the Governor additionally expanded flexibility of requirements for substitute teachers. Those expansions were introduced during the Iowa Board of Education Examiners board meeting on Aug. 5, 2020. Find the specifics of these expansions at this [link](#) on the BOEE website.)
16. Social Distancing: in implementing social distancing policies included in the RTL plan, the board shall, to the extent possible, provide in-person instruction for core academic subjects.
17. Requires schools to make reasonable accommodations for remote learning for a student or family's significant health condition that increases the risk of COVID-19, including written confirmation from the doctor.
18. Notwithstanding any other provision to the contrary, a district may provide instruction primarily over the internet in accordance with a RTL plan submitted by the district to the DE in response to a proclamation of public health disaster emergency explicitly addressing school closures, issued by the Governor related to COVID-19, without regard to whether the district is approved to provide instruction primarily through continuous remote-learning opportunities. (Must use licensed teacher and maintain evidence of alignment with core.)
19. Requires a school district savings report; includes beginning balances for July 1, 2020, any savings due to closure from July 1, 2019 through June 30, 2020, and specifically mentions transportation, the number of employees laid off listed by staff position and whether they received Unemployment Insurance, and any Spring or Summer programs canceled or otherwise impacted. The DE will include requests for information in this Fall's data collection.

UEN was registered as undecided, although clearly supported the offer and teach provisions and the local control of school boards to follow RTL plans. The bill passed the Senate 49:0, the House 92:6 and was signed by the Governor on June 29, 2020.

SF 2356 Dyslexia Specialists, Training and Board: this bill requires state BOE in collaboration with the Iowa Reading Research Center (IRRC) to adopt rules prescribing standards and procedures for approval of teacher prep programs and an advanced dyslexia specialists endorsement issued by BOEE. Requires IRRC to approve a program before DE approval. Requires BOEE to adopt rules for the specialist endorsement. Passed by the House 98:0, by the Senate 48:0, and signed by the Governor, June 17, 2020. Here are the details:

- Requires DE to have one FTE Dyslexia consultant by July 1, 2024
- Establishes an Iowa Dyslexia Board and specifies membership
- Requires an annual report/recommendations by Nov. 15
- Repeals the Board July 1, 2025
- Requires AEAs to have a dyslexia specialist, subject to appropriation, but absent an appropriation, encourages the AEAs to have such a specialist
- Requires licensed AEA employees other than coaches to complete the IRRC dyslexia overview module by July 1, 2024 and requires all new licensed employees to complete the module within one year of hire date.
- Defines dyslexia
- Requires school boards to require that certain employees must complete the IRRC dyslexia overview module by July 1, 2024 and new hires within their first year thereafter. See Sec. 8 of the bill which specifies to whom this training requirement applies.

Sec. 8. **NEW SECTION. 279.72 Training on dyslexia.**
By July 1, 2024, the board of directors of a school district shall require all persons employed by the school district who hold a teaching license with an endorsement for prekindergarten, prekindergarten or elementary special education, or prekindergarten through grade three levels issued under chapter 272, all practitioners and paraprofessionals assigned as Title I teachers and Title I paraprofessionals under the federal Every Student Succeeds Act, Pub. L. No. 114-95, and all practitioners endorsed to teach English as a second language to complete the Iowa reading research center dyslexia overview module. Such persons employed by the school district after July 1, 2024, shall complete the module within one year of the employee's initial date of hire.

UEN was initially registered opposed to the bill. When the legislature limited the training mandate, delayed the implementation, and provided the course free through the IRRC, we changed our registration to undecided. The bill was approved by the House 98:0, but the Senate 48:0 and signed by the Governor on June 17.

SF 2360 Classroom Management and Therapeutic Classrooms: this bill addresses classroom management, room clears, best-practice training, least restrictive environment and creates a pilot program for expansion of therapeutic classrooms. Here are the details:

- **Best practice and Training:** requires the DE to define appropriate and inappropriate responses to behavior, including standards, guidelines and expectations, and requires DE and AEAs to create professional development on least restrictive environment and the teacher preparation programs, by July 1, 2023, to include this content in teacher prep.

- **Therapeutic Classroom Grants:** creates a grant process to fund start-up therapeutic classroom programs. DE develops grant application and selection/evaluation criteria. Requires distribution of grant funds to small, medium and large districts. Uses a formula weighting at the upper range of intended slots:
 - for programs intended to serve 1-5 students weighting of 1.5 X 5;
 - for programs intended to serve 6-10 students, weighting of 1.5 X 10;
 - and for programs intended to serve 11-15 students, weighting of 1.5 X 15.

Establishes a Therapeutic Classroom Incentive Fund in the state treasury.

- **Special Education Application:** Requires special education provisions in law to apply to students with Individual Education Plans (IEPs) in therapeutic classrooms.
- **Transportation Reimbursement:** creates a process to reimburse for transportation costs to the classroom for public and nonpublic students in such classrooms for whom transportation is not included in an IEP, if over 30 miles. The bill requires school districts to submit claims by June 15 and the DE to provide reimbursement by July. The bill requires the DE to prorate reimbursements if claims exceed appropriated amounts. Delays the appropriation for transportation reimbursement to the year beginning July 1, 2023. Subtracts the transportation costs and associated reimbursement from the calculation for transportation equity payments.
- **Defines a therapeutic classroom:** a classroom designed for the purpose of providing support for any student whose emotional, social or behavioral needs interfere with the student's ability to be successful in the current educational environment, with or without supports, until the student is able to return to the current education environment, with or without supports, including but not limited to the general education classrooms.
- **Softens Least Restrictive Environment Requirements:** changes Iowa Code language on LRE to be consistent with federal IDEA law. Current Iowa law is more restrictive; Iowa Code 256B.2(2)(a) currently requires that to the maximum extent possible, children requiring special education shall attend regular classes and shall be educated with children who do not require special education. The bill strikes "to the maximum extent possible" and replaces it with "consistent with the LRE requirements under IDEA". The bill also changes the standard from whenever "possible" to whenever "appropriate", that supports for special education students be provided in the inclusive classroom rather than separately.
- **Accountability:** adds to the code of professional rights, responsibilities, practices and ethics two additional conditions that could trigger a licensure investigation; 1) the failure of an administrator to protect the safety of staff and students or meet mandatory reporter obligations and 2) the refusal of a practitioner to implement provisions of an IEP/BIP or habitual nonparticipation in professional development.
- **Special Education Provision:** prohibits IEPs and behavior intervention plans (BIPs) from requiring room clears to calm the student. Requires IEPs to be consistent with federal law.
- **Classroom Environment/Staff Response:** allows room clears only if necessary to prevent or terminate an imminent threat of bodily injury to a student or another person in the classroom. Requires the principal to notify parents of the classroom cleared, by end of the school day but at least within 24 hours, but prohibits identification of students either directly or indirectly involved in the event. Requires the principal to request that the parent of the student causing the room clear meet with the principal, the teacher and other appropriate staff. Requires the classroom teacher to call for and be included in a review and potential revision of the student's IEP or BIP. Allows the AEA to provide the parent with information about individual or family counseling services available in the area.
- **Reporting:** requires a classroom teacher to report any incident of violence or assault to the principal. Requires each school district to report to the DE an annual count of all instances of violence, property damage or assault by a student (in a school building, on school grounds or

at a school sponsored event) and to report any time a student is referred for the use of or transfer to a therapeutic classroom. The report must include demographic information of victims and perpetrators, disaggregated information on race, gender, national origin, age, grade level, and disability, plus any other data necessary to comply with federal ESSA requirements. Requires reports to comply with FERPA (student records protections). The DE is required to submit an annual report to the General Assembly by Nov. 1.

- **Immunity Provisions:** provides immunity from civil or criminal liability and whistle-blower protections for school staff (teachers and administrators) who report incidents of violence or assault. Grants an employee immunity from any disciplinary action by the employer or the BOEE imposed as a result of the physical contact if the employee reasonably, in the course of the employee's job, came into contact with the student in accordance with the provisions of this bill. Applies the state's whistle-blower protections to a teacher or administrator who submits a report in accordance with this section or reports an incident of violence or assault to local law enforcement in good faith and without fraudulent intent.
- **Rules:** requires the State Board of Education to adopt rules to implement this section and allows for emergency rulemaking, such emergency rules being effective immediately.
- **Civil Protection Standard:** to prevail in a disciplinary action alleging a violation of this section or related school policy, requires the party bringing the action shall prove the violation by clear and convincing evidence.
- **Appropriations:** appropriates for the fiscal year beginning July 1, 2021, \$500,000 to DE to develop and distribute standards and professional development, \$1,582,650 for the therapeutic classroom incentive, and \$500,000 for transportation claims.

UEN was registered in favor of this bill and worked with many stakeholders and legislators to continually improve it along the way. Special thanks to the many legislators that served on subcommittees as this bill moved through the process due to their inclusive and thoughtful, bipartisan conversations! We also appreciate all of the stakeholder groups working on this bill. The bill was approved by the Senate, 48:1 and by the House 95:3 and signed by the Governor on June 29, 2020.

HF 2340 Educational Plan Spending: this bill allows parents to use 529 savings plans in order to save and spend tax free resources on special education elementary and secondary schools outside of Iowa. The fiscal note estimates that this would initially cost the state general fund a loss of \$175,000 annually, lowering to \$140,000 long term. The bill was passed unanimously in both chambers and signed by the Governor on June 29. UEN is undecided.

HF 2359 Teacher Prep/Praxis Test: this bill removes the requirement that students applying to the college of education must have a minimum test score on the Praxis I to be admitted, and also eliminates the mandate for teacher prep programs to administer the test before entrance into the prep program. However, if a teacher preparation program offers the test, they are required to report scores to the DE by August annually. The ability to attract minority students and bilingual students to teaching was often mentioned as a significant rationale for moving this bill forward. The bill was passed the House 98:0 and the Senate 49:0, and was signed by the Governor on June 25. UEN supports.

HF 2418 School Budget Calculations: this bill requires the DE to notify the BOEE if, after being notified by a school or AEA, the DE determines that an error in an education data survey caused the BOEE to make an incorrect determination on a license. Requires the Executive Director of the BOEE to initiate corrective action. The bill also allows late dropout prevention budget requests to be considered by the SRBC, if application to SBRC is made by March 1 of the year preceding the budget year. This would apply to districts who missed the January application deadline. The bill is retroactively applicable to March 1. The Senate passed the bill 49-0; the House agreed 98:0 and the Governor signed it on June 25. UEN supports.

HF 2454 Community College Instructors: this bill allows a community college instructor to teach CTE courses if the instructor has a bachelor's degree with 18 credit hours in the CTE field or an associate degree if that is the final degree in the CTE field and 3,000 hours of relevant work experience. The bill was passed by the House 98:0, by the Senate 46:0, and signed by the Governor on June 1, 2020. UEN was registered in support.

HF 2565 Setoff Procedures: this bill allows a public entity including political subdivisions to work with the Iowa Department of Revenue (DOR) to identify a debt owed to the public entity and have DOR withhold funds from future income tax returns to repay the debt. We are still looking into whether there is identifying information other than a parent's social security number (such as name, birthdate and address of a dependent student) to identify the parent's responsibility for the debt. The bill was passed unanimously in both chambers and signed by the Governor on June 17. We will look into the application for schools. Stay tuned. UEN did not register to lobby on this bill.

HF 2585 Deaf/Hard of Hearing Terminology: this bill replaces the terms "hearing impaired" and "deaf" with "hard of hearing" and "deaf or hard of hearing". We expect some changes down the road from DE as these terms are updated in documents, standards and instructional supports. UEN did not lobby this bill. The bill was approved in the House 97:0, in the Senate 47:0 and signed by the Governor on January 25.

HF 2627 Licensing Qualifications: this bill relates to the regulation of professional licensure in Iowa, including the recognition of out-of-state professional licenses and stated disqualification provisions for criminal convictions. Most of the bill goes into Iowa Code section 272C, so does not apply to licenses regulated by the BOEE (Iowa Code 272), however, there are several provisions that specifically do apply to licensed school employees:

- allows the BOEE to issue a license without deficiencies and without additional testing to applicants who have held a license in another state for at least one year, who have established residency in Iowa, and who have passed the required assessments in their state.
- adjusts the criteria for licensure denials based on past criminal activity.

The provisions regarding reciprocity are effective on Jan. 1, 2021. The bill was approved by the House 62:35 and by the Senate 32:17 and signed by the Governor on June 25. UEN was registered as undecided on an earlier version of the bill with concerns about BOEE fees reductions, but with those provisions removed, UEN supported the final version of the bill.

Administrative Rules Update: The Iowa Board of Educational Examiners had a discussion at their meeting Aug. 5, regarding proposed administrative rules to implement HF 2627(details are included on page 30 of the board packet found here:

https://boee.iowa.gov/sites/default/files/meetings/agendas/2020-07/05aug2020packet_0.pdf

Here's the specific proposal for administrative rules regarding administrator licensure reciprocity:

18.6(3) License without deficiencies. An applicant under this section shall be granted an Iowa administrator license and will not be subject to coursework deficiencies if the following additional requirements have been met: 1. Verification of Iowa residency, or, for military spouses, verification of a permanent change of military installation. 2. Valid or expired administrator certificate or license in good standing without pending disciplinary action from another state, valid for a minimum of one year, exclusive of a temporary, emergency or substitute license or certificate. Endorsements shall be granted based on comparable Iowa endorsements, and endorsement requirements may be waived in order to grant the most comparable endorsement.

HF 2629 Future Ready Iowa: this bill was a priority of Governor Reynolds. Earlier versions of the bill included a new position added to operational sharing incentives for a work-based learning coordinator, which was removed from the bill and not included anywhere else, and offer and teach flexibility, which was eliminated from the bill and included in SF 2310. In the final version, the bill does the following:

- establishes an Apprenticeship Development Fund to encourage sponsors of apprenticeship programs with 20 or fewer apprentices to maintain apprenticeship programs in high-demand occupations.
- establishes the Iowa Child Care Challenge Fund in policy to encourage businesses, nonprofits and other partners to establish or expand local child care facilities through new construction or renovations.
- requires high schools to offer at least one-half unit (one semester) computer science course by July 1, 2022. (SF 2310 allows the computer science course to be taught exclusively online to meet offer and teach requirements.)
- requires middle and elementary schools to offer computer science instruction in at least one grade level each by July 1, 2023.
- requires the DE and districts and nonpublic schools to develop K-12 computer science plans by July 1, 2022.
- requires the DE to convene a computer science work group to develop recommendations to strengthen computer science instruction and for the development and implementation of a statewide campaign to promote computer science to K-12 students and to the parents and legal guardians of students. The work group is required to submit its findings to the General Assembly by July 1, 2021.
- expands eligibility for the Future Ready Iowa Skilled Workforce Last Dollar Scholarship Program
- lifts the current annual 23-credit cap for concurrent enrollment through the Senior Year Plus program and postsecondary enrollment options.

The Senate approved 49:0. The House approved it 97:0. The Governor signed it on June 25. UEN registered as undecided.

Governor's Proclamations and Emergency Health Declaration Provisions Impacting Schools

March 15, 2020 Instructional Time Waiver Signed by the Governor: Governor Reynolds recommended closure of all public and private K-12 schools in Iowa until April 13, 2020 to contain the spread of COVID-19. (The number of COVID cases in Iowa rose to 22.) This proclamation also allowed local school boards to hold public virtual meetings, with connections via phone, ZOOM, or other virtual method, suspended requirements for fire drills.

Pre-COVID DE guidance prohibited virtual instructional days to count in the minimum number of mandated days (180) or hours (1,080) of instruction. Schools districts advocated for waiver from a requirement to make up any days closed due to containment of COVID-19. UEN's [statement](#) was sent to the Governor and Legislative Leaders on March 16 requesting relief from the mandate to make up instructional days. The Legislature included relief of the mandate through April 13 in SF 2408 and extended authority to the Governor to waive the requirement for additional days beyond April 13 through July 1, 2020. UEN registered in favor of Division VI of the bill regarding instructional days.

March 23 Governor Reynolds request for a Presidential Major Disaster Declaration for COVID-19, opening the door for federal assistance and lifting a \$5 million cap on federal funds.

April 2, 2020 Continued School Closure through April 30.

April 17, 2020 Schools to Remain Closed for the Remainder of the School Year: The order included an expectation that schools offer continuous learning opportunities and specifically cancelled spring sports activities.

May 13, 2020 Begin Opening Businesses: with appropriate social distancing, some restrictions on business are softened, but baseball and softball are still prohibited.

June 25, 2020 Summer Sports Allowed: Extends Public Health Proclamation but allows school softball and baseball, with appropriate social distancing. Iowa is the only state in the nation to allow summer sports.

July 17, 2020 RTL Plans 50% in-person: Governor Reynolds extends the public health emergency, defines RTL plans as compliant with SF 2310 expectations of primarily not remote learning to mean 50% of instructional time must be in person over every two-week period.

July 30, 2020 COVID Metrics for School Closure: Governor Reynolds proclamation and corresponding DE guidance outline requirement that 15% of COVID tests be positive in a county and 10% student absence before either a hybrid plan with less than 50% of instruction is in person or 100% virtual required learning will be allowed.

August 21, 2020: Sporting events allowed if social distancing is practiced and in-person instruction is continued to be prioritized. Allows a school district to provide primarily remote learning only under the following circumstances: parent consent, approved temporary school building or district closure, temporary remote learning for individual students or classrooms, temporary remote learning because of inclement weather, and temporary remote learning because of damage caused by derecho natural disaster. This proclamation also allowed retired teachers to come back into the classrooms as substitutes or teachers of record without having to fulfill the four-months period for a bonafide IPERS retirement.

August 27, 2020: Governor strongly encourages all Iowans two or older to wear masks or other face covering when in public settings, especially in circumstances when it is not possible to remain six feet away from others outside their household, unless it is unsafe to do so because of health or disability.

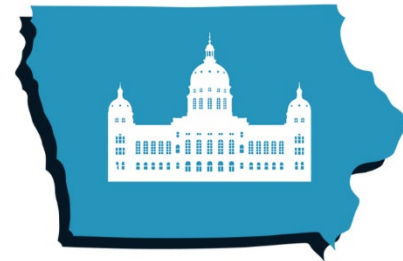
Governor's Disaster Proclamations

Links to all of the Governor's Disaster Proclamations through August 21, 2020 are found at <https://coronavirus.iowa.gov/pages/proclamations>.

State resources have been activated and deployed to assist with the ongoing disaster at no cost to local jurisdictions. State resources include equipment, personnel, technical assistance/guidance, supplies, and essential services to provide assistance in the form of traffic control, security, vaccines, transportation, and other emergency response and recovery capabilities.

- [Proclamation of Disaster Emergency signed 08/27](#)
- [Proclamation of Disaster Emergency signed 08/21](#)
- [Proclamation of Disaster Emergency signed 07/24](#)
- [Proclamation of Disaster Emergency signed 07/17](#)
- [Proclamation of Disaster Emergency signed 06/25](#)
- [Proclamation of Disaster Emergency signed 06/10](#)
- [Proclamation of Disaster Emergency signed 05/26](#)
- [Proclamation of Disaster Emergency signed 05/20](#)
- [Proclamation of Disaster Emergency signed 05/13](#)
- [Proclamation of Disaster Emergency signed 05/06](#)
- [Proclamation of Disaster Emergency signed 04/27 Part 1, Part 2, Part 3](#)
- [Proclamation of Disaster Emergency signed 04/24](#)
- [Proclamation of Disaster Emergency signed 04/16](#)
- [Proclamation of Disaster Emergency signed 04/10](#)
- [Proclamation of Disaster Emergency signed 04/06](#)
- [Proclamation of Disaster Emergency signed 04/02](#)
- [Proclamation of Disaster Emergency signed 03/31](#)
- [Proclamation of Disaster Emergency signed 03/26](#)
- [Proclamation of Disaster Emergency signed 03/22](#)
- [Proclamation of Disaster Emergency signed 03/19](#)
- [Proclamation of Disaster Emergency signed 03/17](#)
- [Proclamation of Disaster Emergency signed 03/13](#)
- [Proclamation of Disaster Emergency signed 03/09](#)

COVID-19 Proclamations



ISFIS Memo on COVID-19 Metrics

August 26, 2020 (data updated to September 2, 2020)

Dear ISFIS Subscribers,

As school starts, Iowa's return-to-school plan has two metrics which may trigger requests to move to a hybrid option with less than 50% in person learning or 100% virtual (required continuous learning) model. The 15% test positivity rate has both false positives (may create a false sense of urgency if there's a very low incidence of COVID in the population) and false negatives (may create a false sense of security if there is a high incidence of COVID in the population but many well people are tested). Student absence, 10% or greater, due to COVID is a second indicator in the state plan. It may be more or less information depending on if you have credible access to the symptoms of absent students, but that doesn't acknowledge staff capacity should you have a staff outbreak or need for quarantine.

Just like other decision-making, COVID metric analysis is better with multiple pieces of data. In student achievement, you minimally want proficiency, growth, and gap analysis, plus point in time and over time, to get a more complete picture. In school finance, unspent authorized budget, UAB trend, percent of general fund spent on staff, solvency ratio, again, point in time and over time, provide a more complete picture than one or two metrics in isolation.

At the end of this memo is the text from an article from ABC News, Aug. 10, 2020 <https://fivethirtyeight.com/features/when-can-schools-safely-reopen-the-answer-is-part-science-part-guesswork/> that includes discussion by health experts and comparison of big picture state metrics to inform decision-making. It's a good piece that explains in common language the intricacies of the necessary data to inform decisions and the importance of local context.

We've done a good scan of other state return-to-school plans in the nation, the CDC guidance, the recommendations of health experts, and other data experts, so we can provide you with additional metrics to consider to inform your decision, should your district hit the metrics in Iowa's plan or should you be short of those measures but have reason to apply for a waiver due to other factors, so you can make the case with data. Here is what we found:

Common Elements in State Plans to Reopen Schools:

Categories of Community Spread: Most states have 3 or 4 categories of COVID spread typically based on multiple measures (Low, Moderate, High and sometimes Low, Moderate, High, Severe)

Most state plans reviewed allow in person or hybrid in the low category, hybrid or 100% virtual in the moderate, and often require 100% virtual in high and severe categories. Oregon has a unique rural school district exception (when very rural/small districts have a positive rate of tests but few actual cases, may continue in person learning based on local board decision).

Primary Measures:

- Incidence of Active Cases (typically per 50,000 or 100,000 population, typical range is from 3-5%, but no higher than 10% when this metric is used)
- Test Positivity Rate (percentage of tests conducted that were positive, typical range is 5%, a few at 10%, Iowa the highest at 15%)
- Trends (direction of the data, increasing or decreasing, over the last week or two weeks – sometimes the trend to reopen is also included, that there must be downward evidence of improvement for 14 consecutive days or with metrics dropping below what

is considered a safe incidence or positivity rate before school reopens, rather than a fixed time window)

- Student Absence (sometimes stated as COVID-like symptoms or illness) or just Absence/COVID symptoms which may also include Staff capacity

Other measures used in local decisions recommended in state plans:

- Hospitalization admissions related to COVID
- Number of hospital patients on ventilators
- Nursing home cases
- Deaths
- Staff Absence

Data Sources:

Most states have data dashboards, typically at the county level, sometimes at the zip code level, some with the ability to click on neighboring counties to see how they are faring.

For Iowa, the data source maintained by Iowa Department of Public Health, has a button you can click on daily to check the 15% positivity threshold. <https://coronavirus.iowa.gov/pages/percent-school-district-positive-analysis> **UPDATE: As of Sept. 20, 11 counties are above 15% and 2 counties within a percent of the threshold. These counties contain 87 of Iowa’s 327 school districts (26%).**

This site also has positive active case counts per 100,000 population, which is a measure of disease incidence. <https://coronavirus.iowa.gov/pages/case-counts> We still don’t know if this data set is reporting everything consistent with how other states are doing it. One state plan made an assumption that for every positive active case in a county, there was likely another positive active case that wasn’t reported.

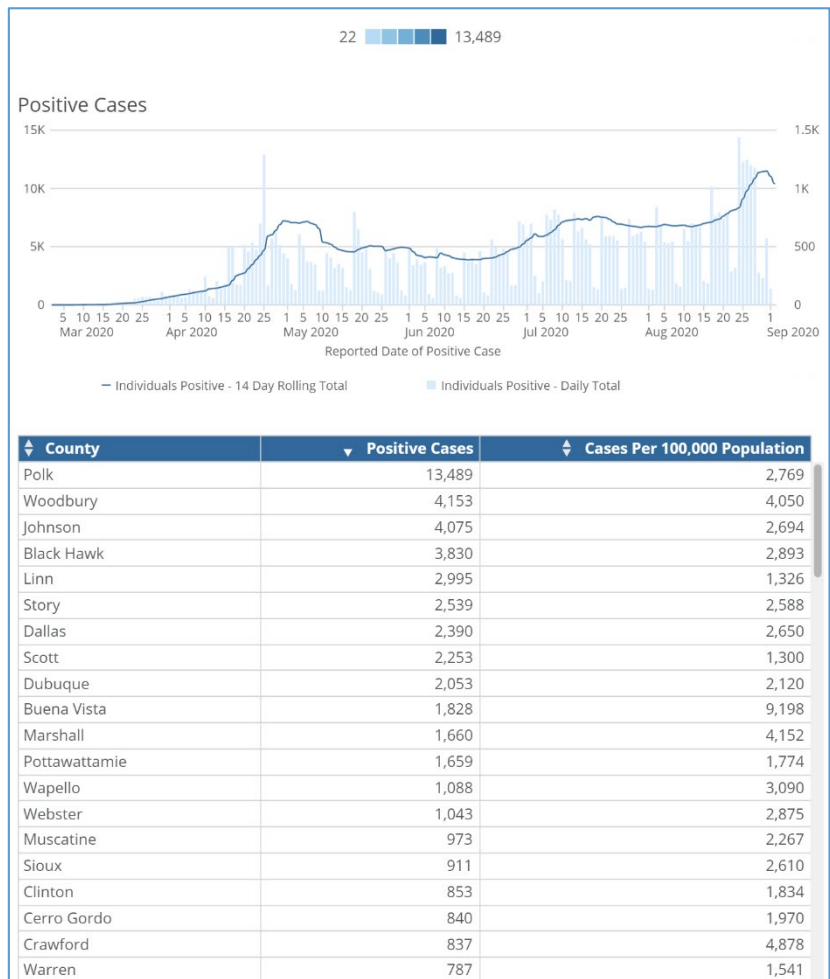
Updated picture of Sept. 2, 2020 % positive report color codes those counties which are above the 15% benchmark. It reports the last 14-day positivity rate, but does not show any history, so there is no way to determine the trend.

% Positive Analysis - Public School District Summary
 Select a district or county to view past 14 day average positivity rates. The formula for calculating the % Positivity 14-day average is the sum total of Individual Positive Cases (14 day) divided by the sum total of Total Individuals Tested (14 day).

Public School Districts			% Positive Cases by County (Past 14 Day Average)	
District Name	# Buildings	# Counties	County	% Positive (Past 14 Day Average)
A-H-S-T-W	3	4	Johnson	24.2%
Adair-Casey	2	3	Story	23.2%
Adel-DeSoto-Minburn	4	2	Sioux	22.5%
AGWSR	5	4	Plymouth	22.2%
Akron Westfield	3	1	Howard	19.7%
Albert City-Truesdale	1	2	Carroll	19.5%
Albia	5	2	Lee	17.7%
Alburnett	3	1	Marion	16.7%
Alden	1	2	Bremer	16.3%
Algona	5	3	Wayne	15.6%
Allamakee	4	2	Fremont	15.5%
Alta-Aurelia	4	3	Lyon	15.2%
Ames	8	1	Clinton	14.7%
Anamosa	3	2	Delaware	14.0%
Andrew	2	1	Crawford	13.8%
Ankeny	16	1	Montgomery	13.6%
Aplington-Parkersburg	4	2	Butler	13.3%
Ar-We-Va	2	2	Wapello	13.2%

Update: The picture of today's (Sept. 2) incidence report shows the top 20 counties by number of active cases and also shows that statistic per 100,000 population.

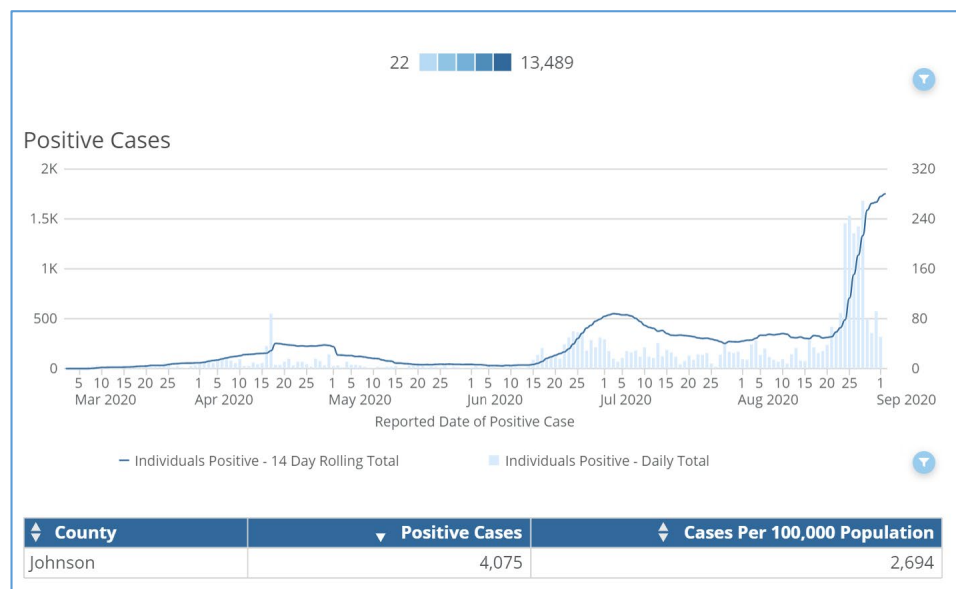
The graph shows the statewide trend.



The six of the top seven counties on this list are under further restrictions from the Governor's latest order to close bars and stop serving alcohol in restaurants after 10:00 PM:

Click on the county in the database, and you can see the trend for the county.

Johnson County's trend is pictured here (as of Sept. 2.)

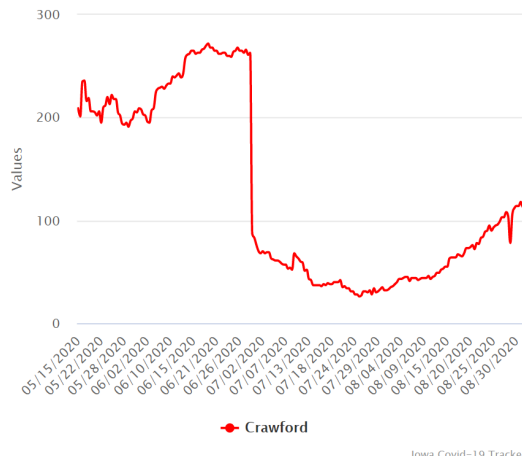
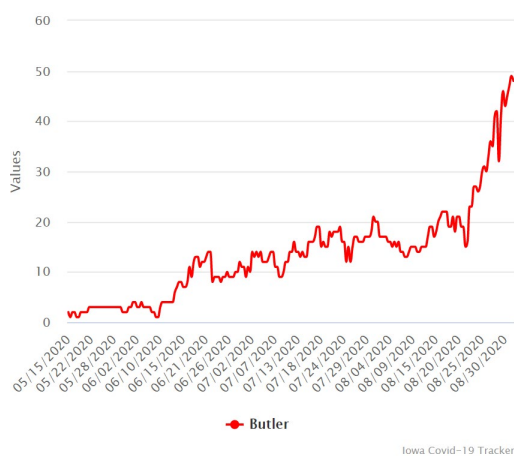


Other Data: credible sources to confirm or support your request for change to instructional model.

IowaCOVID Tracker is a great source, compiled and updated daily by a former Iowa Department of Public Health expert with help from Iowa State University expertise. <https://iowacovid19tracker.org/>
Contact Information: Email: sara.anne.willette@gmail.com Facebook: <http://facebook.com/sara.anne.miller> Twitter: [@amethystarlight](https://twitter.com/amethystarlight)

This is one of the sources that has shown differences compared to the IDPH data but explains on their site where the data comes from and what's included. This link shows the percent positivity history that is not included on the IDPH site above by county, so you can see the trends. <https://iowacovid19tracker.org/active-infections/>

Update Sept. 2: Butler County in Northeast Iowa, for example, at 13.2% positivity, shows this trend of active cases increasing whereas Crawford County at 13.9%, shows a much less aggressive trend. Trend is a key component of decision-making regarding the urgency for social distancing and the decision to go 100% virtual (required continuous learning) for school district to slow the community spread while protecting students, staff and their families:



Attendance: Both student and staff attendance are critical indicators for both the need of students to have virtual options and the ability of districts to get students to school (transportation employees) and educate them while there (teachers) and keep them safe (custodians and school nurses).

Working with Others:

School district leaders are already connecting with local county public health experts, but capacity differs county to county. When there is conflicting information from two or more county recommendations for your next steps, engage with the Iowa Department of Public Health for assistance, including contact tracing burdens that should not disproportionately fall on school districts. Districts are also encouraged to connect with the DE to brainstorm ideas about social distancing possibilities within a hybrid plan.

Schools can also work together with other districts in the county or region, to get on the same page in understanding the data, although local school characteristics may dictate different responses to the same information.

CDC recommendations: SF 2310 encourages school districts to consult with IDPH, county local health, and the CDC. Those recommendations are changing as experts learn more. See the latest here: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/prepare-safe-return.html>

When applying to the DE for a waiver to move to a different instructional model, these additional metrics, and trends, should help you provide alternative justification for your recommendation.

Lastly, the following is some information about other states and their plans, compared to Iowa.

Specific State Plans

Source: Ballotpedia on School Reopenings in the 2020-21 Academic Year

[https://ballotpedia.org/School_reopenings_in_the_2020-2021_academic_year_after_the_coronavirus_\(COVID-19\)_pandemic#cite_note-OH72-87](https://ballotpedia.org/School_reopenings_in_the_2020-2021_academic_year_after_the_coronavirus_(COVID-19)_pandemic#cite_note-OH72-87)

Other original sources gleaned from the above were checked to make sure the plans were reported in the correct category.

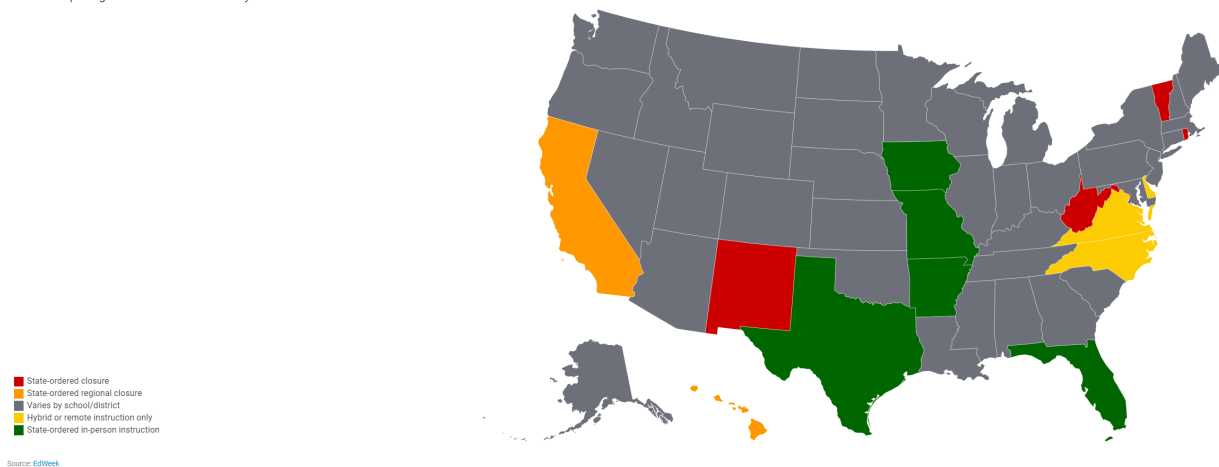
Status of School Reopenings for 2020-21 School Year Posted Sept. 2, 2020

Status of school reopenings

The map below details states that have released guidance for school reopenings, announced the future reopening of schools to in-person instruction, or have allowed schools to reopen to in-person instruction. States are categorized in the following manner.

- **State-ordered closure** - Schools statewide are closed by an executive order.
- **State-ordered regional closure** - Schools in specific regions are closed by an executive order.
- **Varies by school/district** - Districts, individual schools, or other local authorities may choose to reopen schools based on state-provided guidance.
- **Hybrid or remote instruction only** - Schools may open but only under hybrid or remote instruction models.
- **State-ordered in-person instruction** - Schools statewide are required to open (either full- or part-time) to in-person instruction by an executive order.

Schools reopening for the 2020-2021 school year



Tally of states from the above Ballotpedia map:

- 5 states require schools to open unless state grants closure (includes Iowa)
- 4 states require 100% virtual until certain benchmarks are met
- 5 states require hybrid or remote only or state-ordered regional closure
- 36 states vary by local school board decision with some states providing some parameters

Some examples from the Ballotpedia Information and the state plan original sources follow:

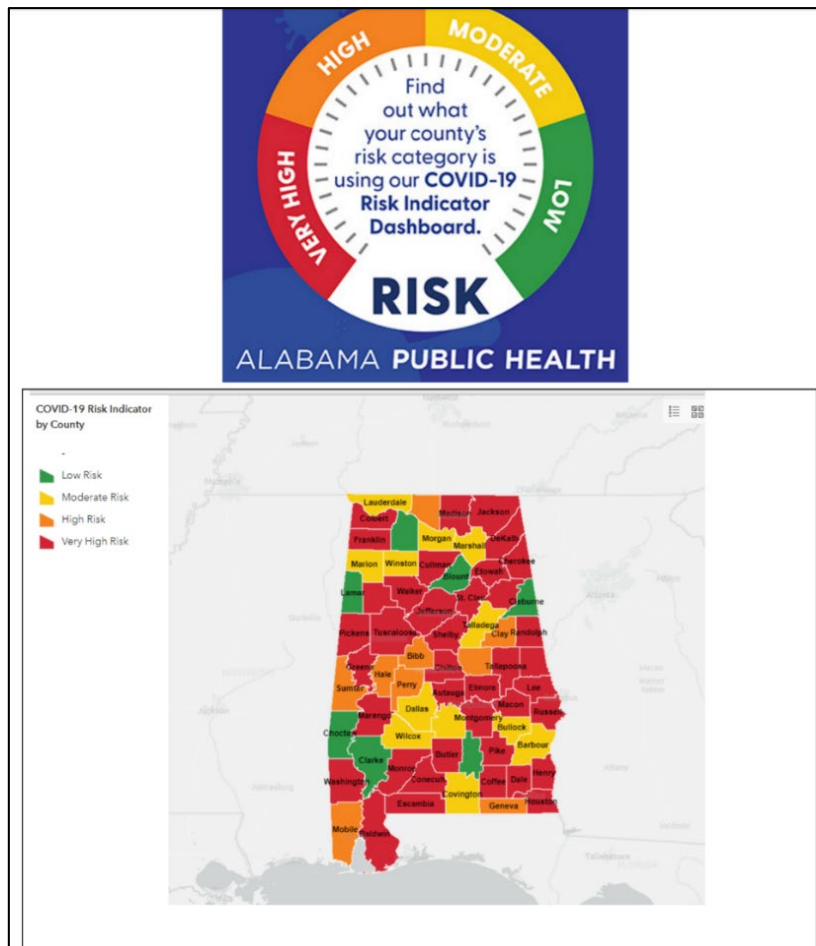
Individual State plans, metrics and links

Click here for the Excel file of state plan components regarding local authority versus state decision-making approval gleaned from our review:

<https://www.iowaschoolfinance.com/system/files/members/Public/Reopening%20School%20Plans%20Ballotpedia%208.24.2020.xlsx>

Specific examples follow.

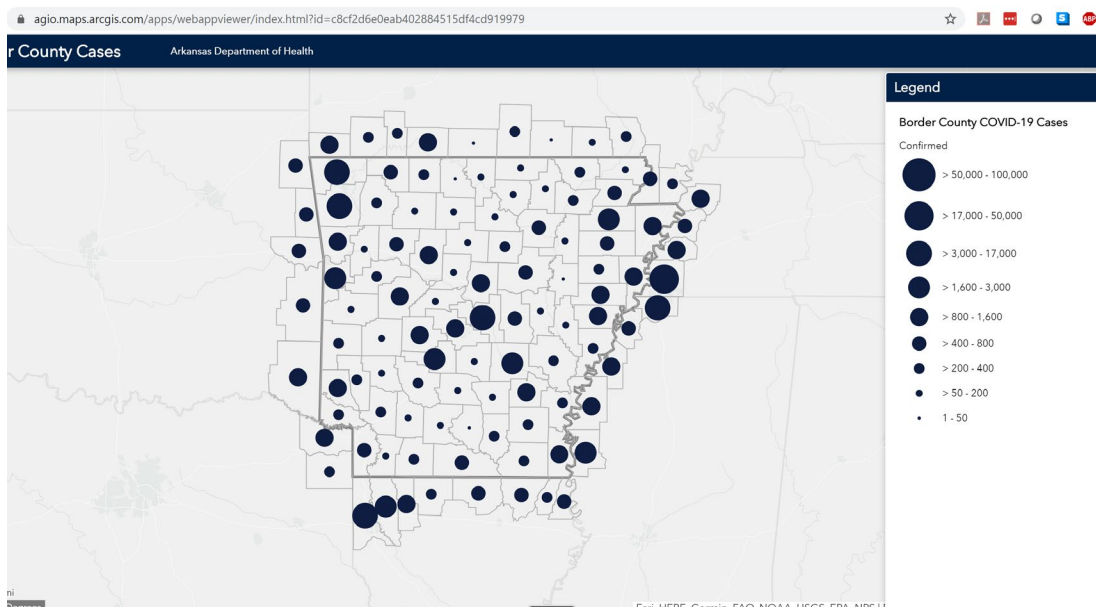
Alabama: County risk categories based on multiple data Link to Alabama DPH COVID [Tool Kit](#)



Data dashboard by county for Alabama: confirmed cases, tested positive, deaths, etc.

Link to Alabama COVID data [dashboard](#)

Arkansas: Data on incidence of active cases



Arizona metrics <https://www.azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/covid-19-safely-return-to-in-person-instruction.pdf> Aug. 6, 2020 Arizona Dept. of Health Services

The ADHS further defines community spread levels with the thresholds outlined below. These thresholds are consistent with the national standards set by the Coronavirus Task Force.

Benchmarks	Minimal	Moderate	Substantial
Cases	<10 cases/100,000	10-100 cases/100,000	>100 cases/100,000
Percent Positivity	<5%	5-10%	>10%
COVID-like Illness	<5%	5-10%	>10%

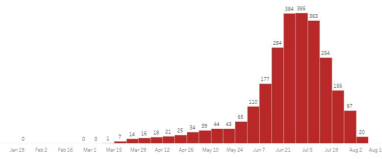
2

The Buckeye Elementary school district, which runs seven K-8 schools outside Phoenix, opened in full remote-learning mode Aug. 5, said Kristi Wilson, its superintendent. But an [executive order](#) by Gov. Doug Ducey requires schools to allow children to come to school starting on Aug. 17 if parents need a place for them to go. Here's the data dashboard for Arizona schools which includes multiple measures by county.

Cases

Benchmark: Two weeks below 100 cases per 100,000 (not including the current week)

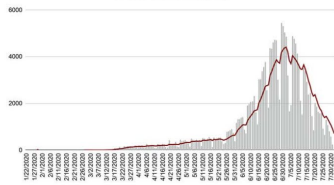
Rate of COVID-19 cases per 100,000 population by week



OR

A decline in weekly average cases for two consecutive weeks (not including the current week)

COVID-19 Cases by Day



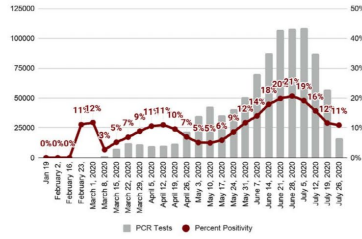
Data Source: ADHS MEDSIS Confirmed and Probable Cases

Available by: County

Percent Positivity

Benchmark: Two weeks with percent positivity below 7% (not including the current week)

Percent Positivity in PCR Test Results

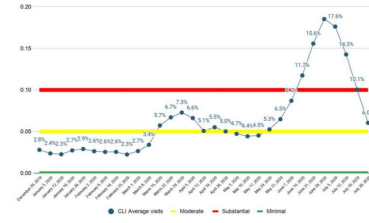


Data Source: ADHS Electronic Laboratory Data

Available by: County

COVID-like Illness

Benchmark: Two weeks with hospital visits due to COVID-like illness below 10%



Data Source: BioSense Syndromic Surveillance Platform

Available by: BioSense Region

- **Northern:** Apache, Coconino, Navajo, Yavapai Counties
- **Central:** Gila, Maricopa, Pinal Counties
- **Southeastern:** Cochise, Graham, Greenlee, Pima, Santa Cruz Counties
- **Western:** La Paz, Mohave, Yuma Counties

Maricopa County AZ <https://www.maricopa.gov/5594/School-Metrics>

BENCHMARKS & LEARNING SCENARIOS

The Community Spread Benchmarks

ADHS defines community spread levels with the weekly thresholds outlined below:

Benchmarks	Minimal	Moderate	Substantial
Cases	< 10 cases/100k	10-100 cases/100k	> 100 cases/100k
Percent Positivity	< 5%	5-10% *	> 10%
COVID-like Illness	< 5%	5-10%	> 10%

Considerations for Viewing Benchmark Data

Case rates/number of cases

ADHS offers two metrics – a decline in weekly average cases for 2 consecutive weeks OR case rates below 100 cases per 100,000 population for 2 consecutive weeks.

MCDPH recommends using **case rates** to evaluate spread of disease in your area because a case rate will more accurately reflect what is happening in your community by accounting for population size.

Percent positivity

MCDPH recommends putting greatest weight on PCR test percent (%) positivity – the proportion of all PCR tests performed that week that are positive. A higher % positivity can indicate that there is more disease spreading within the community, or it can mean that there is not enough available testing in the area.

The benchmark for % positivity for moderate spread includes a range of 5-10%. **To move from a virtual to hybrid model, the recommendation is to wait until there is less than 7% positivity for two consecutive weeks.** This provides evidence that there is a sustained decrease in community spread and sufficient testing is available.

*Update 8/20: As noted above, the Dashboard includes the benchmark for % positivity range of 5-10% indicating moderate community spread, which aligns with the benchmark set by ADHS. There are 2 learning scenarios that can be recommended when there is moderate community spread - virtual learning with onsite support OR hybrid **once the community has had a % positivity <7% for 2 consecutive weeks.** To provide clarity about this guidance when utilizing the Dashboard, MCDPH is currently working to adapt the algorithm/program that displays the recommended learning scenario to incorporate this recommendation.




COVID-like illness percentage of hospital visits

This information comes from a surveillance system that monitors the percent of people who visit emergency rooms and hospitals with symptoms of COVID-19. This is the first signal that a decrease or increase in community spread of COVID-19 is occurring. The COVID-like illness data are available on a county-wide basis only.

Re-opening and Learning Scenarios

The dashboard tool will provide you with a recommended learning scenario report based on the level of spread in your community.

In order to begin offering in-person instruction, ADHS recommends benchmarks fall within the moderate (Yellow) or minimal (Green) spread category in **all three benchmarks** for two consecutive weeks in order to provide Hybrid learning (some students in physical buildings and some students distance learning).

 Traditional Learning Scenario 1	 Hybrid Learning Scenario 2	 Virtual w/Onsite Support Learning Scenario 3
All 3 benchmarks in the green category for two consecutive weeks of data.	All 3 benchmarks in the "yellow" or "green" categories for two consecutive weeks of data.	One or more benchmarks in the "red" category for two consecutive weeks of data
Minimal community spread: Evidence of isolated cases or limited community transmission, case investigations underway; no evidence of exposure in large communal setting	Moderate Community Spread: Sustained transmission with high likelihood or confirmed exposure within communal settings and potential for rapid increase in cases	Substantial community spread: Large scale, controlled community transmission, including communal settings (e.g., schools, workplaces)

On-Site Learning and Services Waiver

EO 2020-51 requires schools to provide on-site support services so that students who need a place to go or who have specific needs are well-supported, which allows schools to offer successful distance learning for all students. A waiver is only required and permitted if all on-site services will cease due to an outbreak.

MCDPH has determined that in order to be eligible to receive Public Health support for a waiver from the Arizona Department of Education, a school district must have a weekly COVID-19 case rate per 100,000 population that is **more than twice the rate of Maricopa County for two consecutive weeks**. Public Health has provided the school district area case rates needed for waiver eligibility (two consecutive weeks of data) in the red outlined boxes below. These boxes will be updated weekly to coincide with dashboard data updates by Thursdays at 4 p.m. Visit the ADE website for more information about the [waiver request process](#).

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Maricopa County Case Rates Per 100,000 People

Most Recent Week's Rate Benchmark: Dates 08/02/20 - 08/08/20
77 cases per 100,000 Maricopa County residents per week



Cases per 100k people needed for waiver eligibility: **>154 cases/100k**

Prior Week's Rate Benchmark: Dates 07/26/20 - 08/01/20 *
135 cases per 100,000 Maricopa County residents per week



Cases per 100k needed for waiver eligibility: **>270 cases/100k**

*The case rate for 7/26-8/1 shows a small increase (compared to previous posting) due to a lag time in reporting and data being updated.

Recommendations for Resuming In-Person Learning

MCDPH recommends the following benchmark thresholds be met prior to offering any in-person learning:

- **Cases:** Two consecutive weeks with new case rates **below 100** per 100,000 people¹
- **PCR Test percent positivity:** Two consecutive weeks with **less than 7%** positivity
- **COVID-like illness percentage of hospital visits:** Two consecutive weeks with percent of hospital visits showing symptoms of COVID-like illness **below 10%**

¹ADHS has determined that a decline in weekly average cases for two consecutive weeks (not including the current week) will also meet the case metric for the initial return to a hybrid in-person/distance learning model. Maricopa County confirmed and probable case count data by week can be viewed [here](#).

<https://www.azed.gov/communications/on-site-learning-and-services-waiver-request/>

Arizona Education Department waiver from having to provide some in person based on outbreak: District determines the start and end date of the waiver in the application (not limited to two weeks).

Waiver requests will be considered independently of the public health benchmarks. ADE will review submitted waiver requests and supporting documentation on a rolling basis.

Pennsylvania: <https://www.post-gazette.com/news/education/2020/08/10/pa-reopen-schools-guidelines/stories/202008100089>

A low risk of community transmission would mean there were fewer than 10 cases per 100,000 residents and a positivity rate of less than 5% during the most recent seven-day period. When there is a low risk, the state recommends schools reopen fully or in a blended model, a combination of in-person and online instruction.

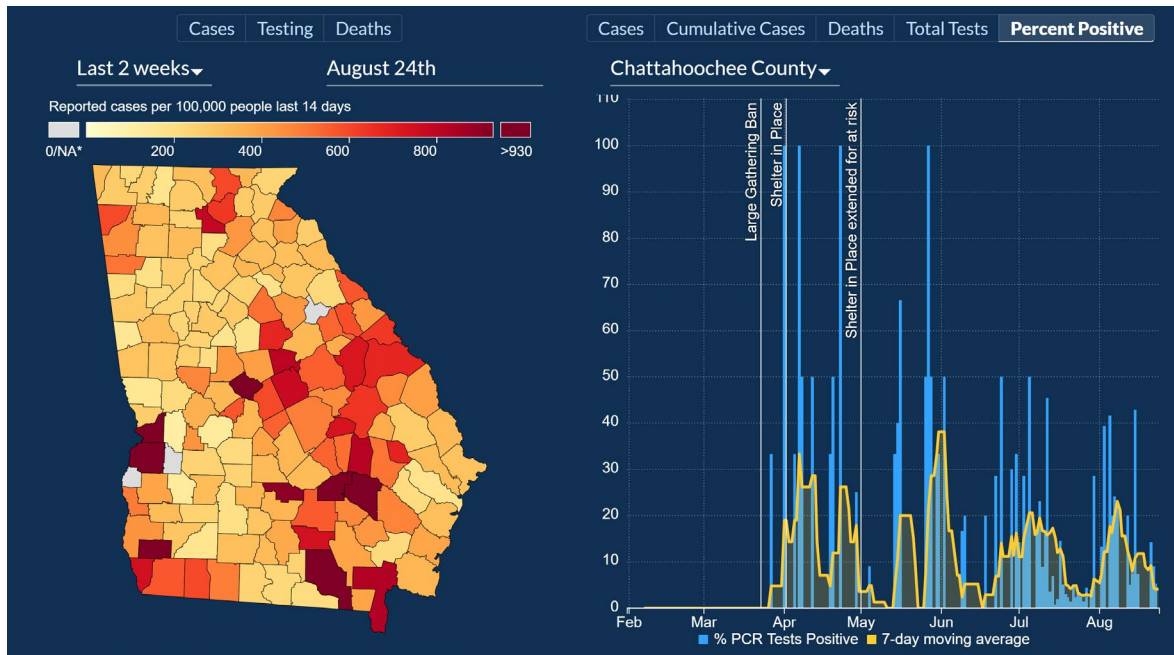
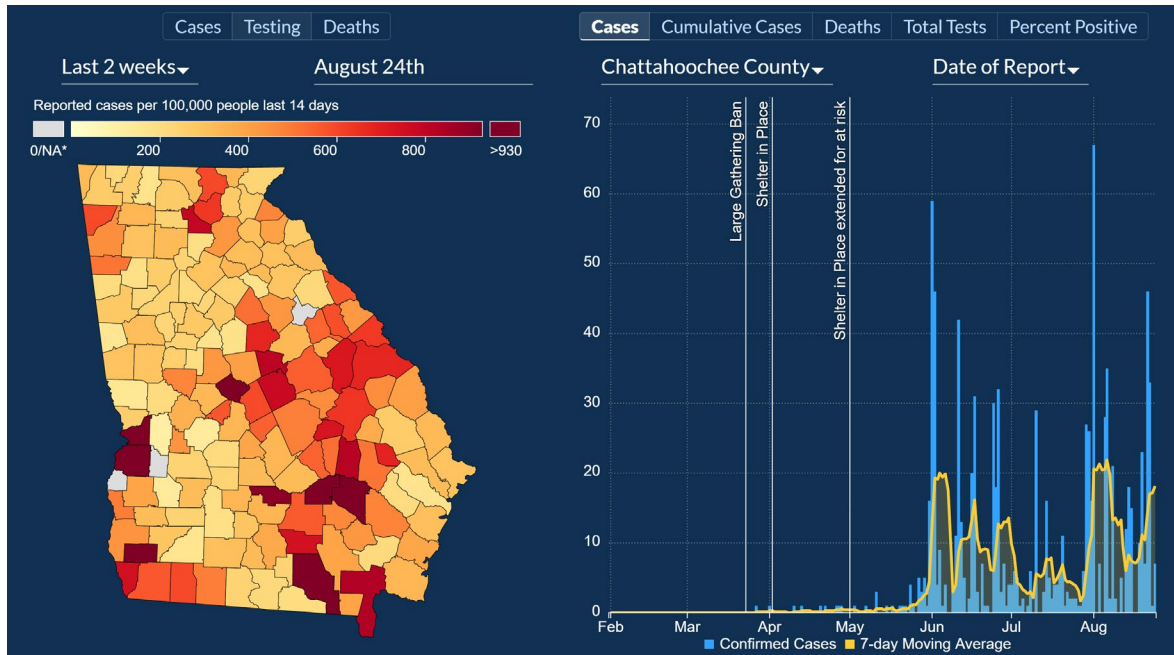
A moderate risk would mean there were 10 to any number lower than 100 cases per 100,000 residents, or a 5% to less than 10% positivity rate. If there is a moderate risk, the state said instruction should be totally remote or blended.

And when there is a substantial risk — 100 or more cases per 100,000 residents or a 10% or greater positivity rate — instruction should be fully remote, according to the state.

Michigan: EdWeek 8/13/20 <https://www.edweek.org/ew/articles/2020/08/13/schools-reopen-and-covid-19-cases-crop-up.html>

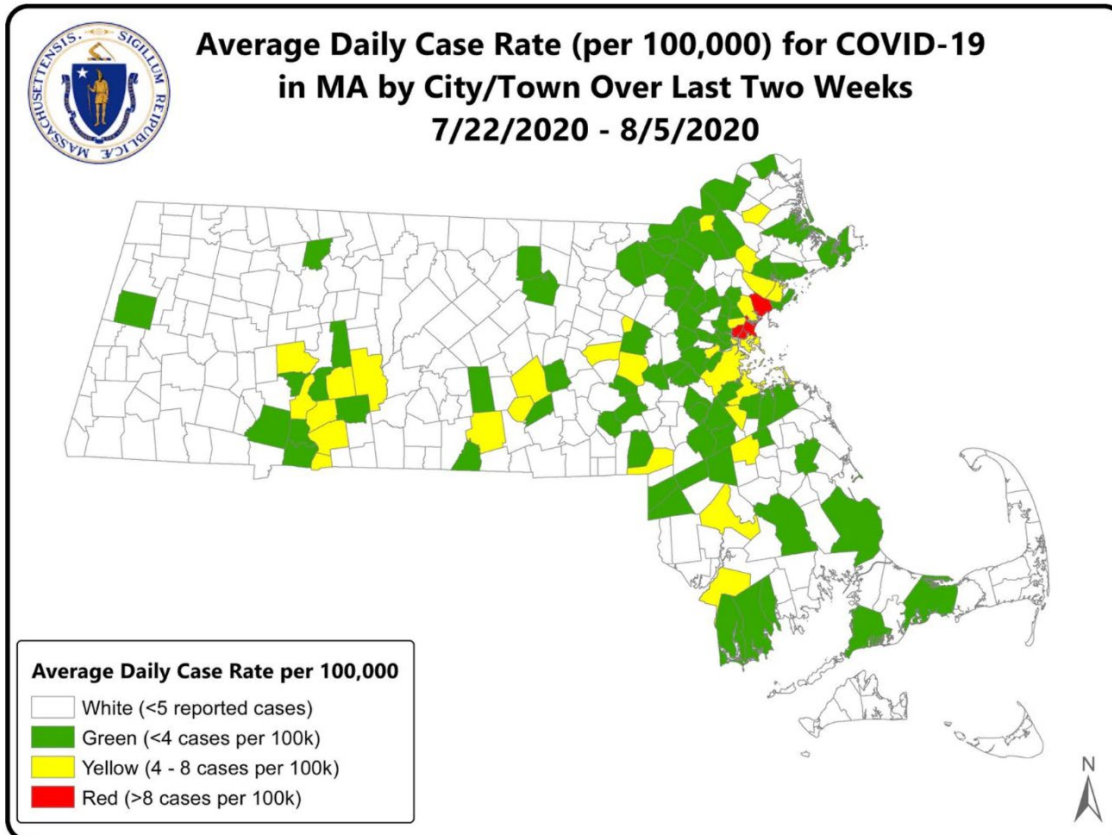
In the Detroit area, where most schools won't open until early September, Randy Liepa is advising schools to plan for "rolling closures"—he considers it likely that buildings with in-person instruction will have to close at some point, because students or staff test positive or because of virus patterns in their local communities. Liepa, who oversees support services for 33 districts and 100 charter schools in the area, is seeing more districts opt for all-remote instruction because they're not confident they can keep students and staff safe, he said.

Georgia <https://dph.georgia.gov/covid-19-daily-status-report>



Massachusetts <https://www.bostonglobe.com/2020/08/12/metro/when-should-districts-use-only-remote-learning-state-issues-new-metrics-help-districts-decide-based-covid-19-infection-rates/>

Locals decide but state provides this color coded map to inform based on case rate per 100,000 population



A map, released by the Baker administration on Tuesday shows the risk level of each Massachusetts municipality for COVID-19 spread. HANDOUT VIA THE STATE OF MASSACHUSETTS

Kansas https://ballotpedia.org/Kansas%27_plan_to_reopen_schools_for_the_2020-2021_academic_year_after_closings_due_to_the_coronavirus_pandemic

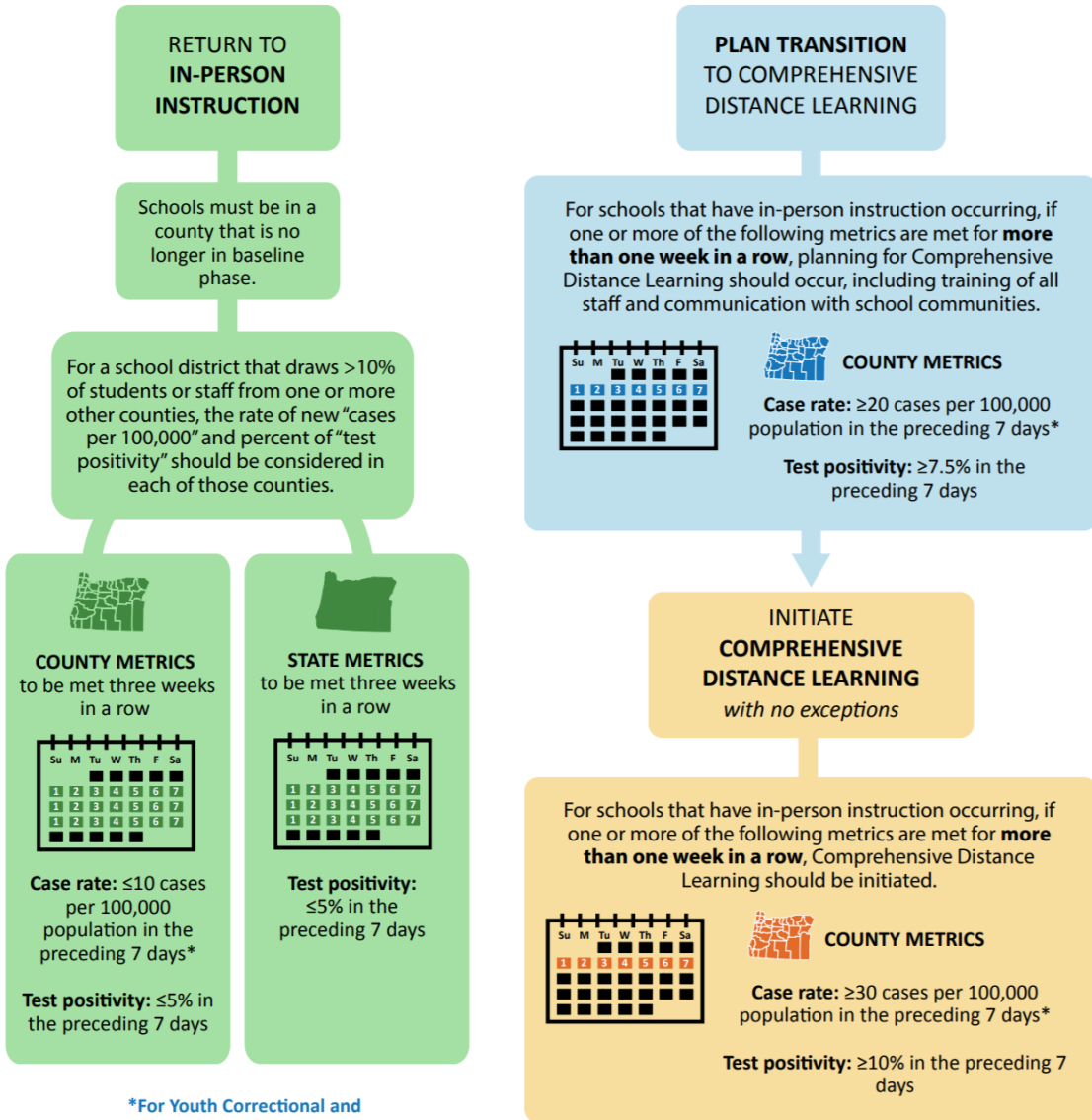
The Kansas State Department of Education released [school reopening guidance](#) on July 13. The plan contains recommendations and consideration for schools and districts. It does not discuss requirements. The document's introduction [says](#), "The purpose of this document is not to prescribe what schools should do, but rather what considerations and discussions should happen in schools as they plan to support their students and communities as they navigate the uncharted waters of providing a quality education during the COVID-19 pandemic."

In-person, hybrid, and online learning

The plan contains recommendations for schools conducting on-site, hybrid, and remote operations. Schools and districts are encouraged to consider which method is appropriate for their communities and make changes to their schedule throughout the school year as circumstances allow.



FOLLOWING THE METRICS CRITERIA FOR IN-PERSON INSTRUCTION



***For Youth Correctional and Juvenile Detention Programs:**

This metric may exclude cases associated with corrections and detention facilities and other settings without direct association with community spread. Conversely, the decision to open youth correctional and juvenile detention education programs to in-person instruction should be made based on the spread of COVID-19 within the specific correction or detention facility.





STATEWIDE ALLOWANCE FOR LIMITED IN-PERSON INSTRUCTION

LIMITED IN-PERSON INSTRUCTION FOR SPECIFIC GROUPS OF STUDENTS

As per ODE's Comprehensive Distance Learning guidance, providing limited in-person instruction to meet the needs of specific groups of students based on needed educational, relational, curricular, instructional, and/or assessment supports. This includes, but is not limited to, provisions for supporting students experiencing disability, English language learners, as well as programs such as career technical education (CTE) that may require hands-on demonstration of skills and the provision of secure assessment environments. **An exception to meeting state and county metrics to return to limited in-person instruction under Comprehensive Distance Learning should be prioritized under the following conditions :**

- ✓ There have been **no confirmed cases** of COVID-19 among school staff or students in the **past 14 days**.
- ✓ Schools fully comply with **sections 1-3** of the Ready Schools, Safe Learners guidance.
- ✓ Schools fully comply with **Comprehensive Distance Learning Guidance** for Limited In-Person Instruction, which includes further limitations on cohort sizes, time, and more.



STATEWIDE EXCEPTION FOR 10-30 CASES PER 100,000 POPULATION

IN-PERSON EDUCATION FOR STUDENTS IN KINDERGARTEN - THIRD GRADE

It is expected that schools will offer in-class options for students in grade K-3 to the extent possible. Younger students get the virus at lower rates, get less sick when they get COVID-19 and may spread the virus less than older children or adults. Younger students also need access to in-person instruction to build literacy and numeracy skills critical to their continued learning. **An exception to meeting state and county metrics to return to in-person instruction for K-3 grade should be prioritized under the following conditions:**

- ✓ There have been **no confirmed cases** of COVID-19 among school staff or students in the **past 14 days**.
- ✓ Schools fully comply with **sections 1-3** of the Ready Schools, Safe Learners guidance.
- ✓ The case rate in the county is **≤30 cases per 100,000** population in the preceding 7 days for the **past 3 weeks**.
- ✓ The **test positivity** in the county is **≤5%** in the preceding 7 days for the **past 3 weeks**.



STATEWIDE EXCEPTION FOR DISTRICTS WITH ENROLLMENT OF ≤75 IN TOTAL

IN-PERSON EDUCATION FOR SMALL SCHOOL DISTRICTS

If the school district has an enrollment of ≤75 in total and county does not meet the metrics in the County Allowances section below (≤30 cases, with less than half of cases or ≤5 cases reported in the last week of the three-week period), **the Local Public Health Authority may work with the district to establish the following criteria and open the school(s) in the district to in-person instruction:**

- ✓ There is not community spread in the school catchment area.*
- ✓ There is not community spread in the communities that serve as the primary employment and community centers (for shopping and other in-person services) and the school is isolated by a significant distance from communities reporting COVID-19 community spread in the previous three weeks.
- ✓ The school does not serve a significant number of transfer students from outside its catchment area that are from communities reporting COVID-19 community spread in the previous three weeks.

**In considering community spread, public health should take into consideration the cases in the community, COVID-19 test availability in the community, recent percent positivity of tests, capacity in the community to respond to cases and outbreaks and the regional hospital capacity available for those with severe disease.*

If fewer than 10 new cases are reported in a county in the most recent 7-day reporting period, the county will automatically qualify as exhibiting a low level of community transmission.

Level of Community Transmission in the County	Incidence Rate per 100,000 Residents (Most Recent 7 Days)	AND/OR	PCR Percent Positivity (Most Recent 7 Days)	Recommended Instructional Models
Low	<10	AND	<5%	Full in-person Model OR Blended Learning Model
Moderate	10 to <100	OR	5% to <10%	Blended Learning Model OR Full Remote Learning Model
Substantial	≥100	OR	≥10%	Full Remote Learning Model

Transitioning Between Instructional Models (still PA)

A county's corresponding threshold may change week-by-week as incidence and percent positivity rates rise and fall. In order to confirm stability of county transmission, when a county's corresponding threshold changes, school entities should wait to see the results from the next 7-day reporting period before considering a change to their instructional models. To ensure the most effective transition for students, it may be appropriate for a school to wait even longer, up to a full marking period, to transition to an instructional model that increases in-person instruction.

It is important to note that a significant and/or widespread outbreak may require moving to a more remote-based model more quickly.

The Department of Health will provide proactive consultative assistance to school entities should such an outbreak occur.

<https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/20-21FAQs/Pages/FAQs-on-Instruction-Model-Recommendations.aspx>

From FAQ by PA DE:

Are the [Recommendations for Pre-K to 12 Schools in Determining Instructional Models](#) mandatory?

No. These recommendations from the Departments of Health (DOH) and Education (PDE) are intended to provide an additional tool for school entities to use when making local decisions, which will also require school leaders to consider numerous local factors, including size of the school entity, classroom size, school resources, proportion of staff and students with special needs and underlying health conditions, and the ability to accommodate remote learning with equal access for all students.

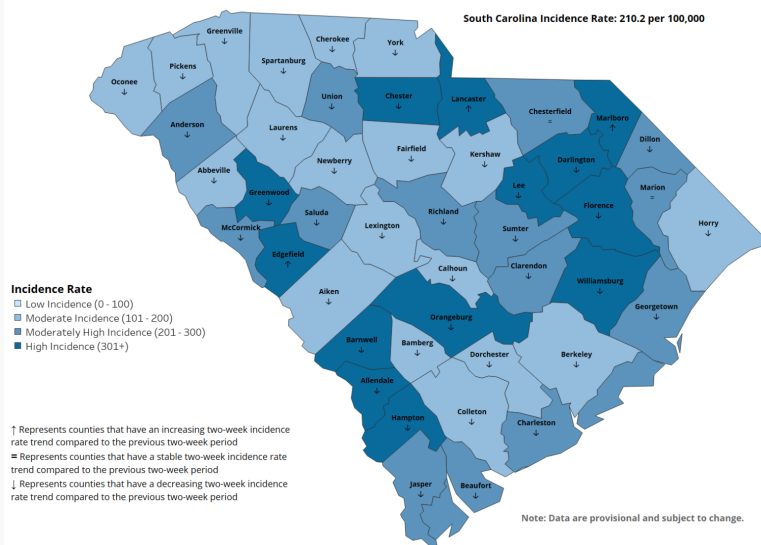
South Carolina <https://www.scdhec.gov/infectious-diseases/viruses/coronavirus-disease-2019-covid-19/sc-cases-county-zip-code-covid-19> data by state, county or zip code 2-week incidence per 100,000 population, arrows showing up or down trend.

• Two Week Cumulative Incidence Rates

Last updated August 25, 2020. This data is updated every Tuesday.

Two Week Cumulative Incidence Rates

The Two-Week Cumulative Incidence Rate includes new cases reported in the past two weeks (August 11, 2020 - August 24, 2020) per 100,000 people. The rate describes recent incidence of COVID-19 infection to capture the potential burden of currently ill people who may be infectious and/or accessing healthcare.



The text from the article mentioned above follows here in its entirety:

ABC News, August 10, 2020 <https://fivethirtyeight.com/features/when-can-schools-safely-reopen-the-answer-is-part-science-part-guesswork/>

In New York state, Governor Andrew Cuomo said schools could reopen if [no more than 5 percent](#) of local COVID-19 tests were coming back positive.¹ But in New York City, Mayor Bill de Blasio and Schools Chancellor Richard Carranza said schools couldn't reopen [unless the positivity rate was below 3 percent](#).² In Arizona, it's [7 percent](#);³ in Minnesota, it's [10 cases per 10,000 residents](#).⁴ And in Iowa, schools won't be allowed to *close* for [anything less than a 15 percent positivity rate](#).⁵

This wide array of thresholds makes clear that, as with everything else related to COVID-19, there's no one right answer. Scientists and school administrators agree that school-reopening guidelines require a combination of science and, well, a bit of guesswork.

"The actual metrics represent expert opinion and modeling data," said Dr. Thomas Tsai, a surgeon and health policy researcher at Harvard T.H. Chan School of Public Health.

In setting thresholds, the science — disease modeling and data from earlier in the pandemic — can help narrow the window. Many researchers agree, for example, that when the positivity rate in a community climbs higher than 10 percent, or prevalence increases higher than 25 new cases daily per 100,000, it's a sign that testing might not be enough to curb the spread. At that point, cases could start to climb exponentially, faster than they can be caught, and schools would be a natural hotbed for an outbreak with so many people gathering in close quarters every day and then returning to the community in the evening and on weekends.

It's a bit of a snowball effect; the higher the prevalence of disease, the harder it is to track and isolate new cases, leading to further spread. But what matters most is how a community responds once a threshold is breached, no matter what the threshold is. "It's not so much the number, it's what the corresponding action is," Tsai said.

Tsai and a team of researchers at Harvard published [guidelines for reopening schools](#) in the U.S., and settled on a recommendation that community [positivity rates should be below 3 percent](#) before kids and teachers go back to school.

The level of community spread is a key metric for deciding whether to reopen since schools are, you know, *schools*. "If you think about schools, it's even more of a bubble than reopening a restaurant or reopening a business," said Dr. Tina Tan, an infectious-disease pediatrician at Northwestern Feinberg School of Medicine. "Schools really are their own microcosm where you have a lot of individuals from different areas in the community coming in."

If a disease is prevalent in an area, it's almost inevitable that schools would soon become breeding grounds for outbreaks.

But when it comes to establishing guidelines, science can take us only so far. What's the difference between a 10 percent positivity rate and a 9 percent one? Enough to close schools in one scenario but open them in another? At some point, it becomes a judgment call, which is why jurisdictions' rules vary so much.

"The test positive rate is sort of just common sense," Tsai said. "It's not like there's a magic level for it, it's directional. Three percent is better than 5 percent, which is better than 10 percent."

That guesswork has prompted some jurisdictions to seek out more than just one metric. In Arizona, the state Department of Health Services [published guidelines for reopening schools](#) that take into account not only test positivity rate but also case prevalence and the number of hospital visits for COVID-like illnesses. For a community's schools to reopen, there must be two consecutive weeks⁶ when the positivity rate is below 7 percent, the case prevalence is below 100 per 100,000 people, and hospital visits for COVID-like illness are under 10 percent.⁷

Dr. Cara Christ, director of the Arizona Department of Health Services, said she and her team considered other states' metrics as well as the guidelines from Harvard, the White House coronavirus task force, the

World Health Organization and the state's own local data from earlier in the spread. But while all that research helped them establish the ranges for each metric, eventually they had to just pick a number.

"We just wanted to make sure that somebody didn't reopen at 9.5 or 9 percent and then all of a sudden they're back at a substantial level of spread," said Christ. "There were some discussions like, 'Why not 8? Why not 6?' We were trying to find something that was relatively reasonable and based on our previous data."

Looking to other countries that have successfully reopened schools reinforces those thresholds.

Both [Denmark and Finland were able to reopen schools](#) without seeing a substantial spike in cases, but first they waited until local community spread was low. Schools in Finland reopened when there was a 3 percent positivity rate nationwide. [In Denmark](#) the positivity rate was at 6 percent when primary schools reopened, and under 1 percent when high schools reopened a month later.

Near Misses and Concerns

Near Misses and Concerns: Since the 2020 Session was the second year of the two-year biennium, all bills introduced must completely start over in the 2021 Session.

SF 199 Voluntary Diversity Plans/Open Enrollment; this bill was resuscitated from the 2019 session, approved on a very close vote, with 8 senators in favor and 7 opposed in the Senate Education Committee. (Yeas, 8: Sinclair, Behn, Edler, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 7: Cournoyer, Quirmbach, Celsi, Giddens, Lofgren, J. Smith, and Wahls.) UEN registered in strong opposition, concerned that repeal of diversity plans will create poverty and minority concentrations in urban centers (Davenport, Des Moines and Waterloo) and two rural districts (Postville and West Liberty). There is much confusion about how the current plans work. Many students and families are allowed to open enroll both in and out of these districts, but the diversity plan regulates those requests with a goal of preserving and not worsening the low socioeconomic or non-English speaking concentrations of student needs in those districts. UEN would advocate that other districts experiencing increasing poverty, increasing ELL, and increasing minority students should be allowed to develop and implement similar diversity plans. The bill died on the Senate Calendar as the Session adjourned. The UEN has consistently opposed restriction of voluntary diversity authority in several consecutive Sessions.

SF 438 Elimination of Mandates/Education Omnibus; this bill was approved in the Senate in the 2019 Session on party lines died this session for failure to clear the House Education Committee. This bill eliminates several mandates on schools and cleans up irrelevant or redundant Code, but does not eliminate authority for school boards and administrators, staff, parents and families, to make decisions regarding the health and welfare of students. The bill includes the following provisions (a strike after amendment was proposed in a House Education Subcommittee meeting), but no action was taken in the Education Committee, so the bill as approved by the Senate does the following:

- 1) Eliminates schools as the middle man for dental and vision screenings, lead testing, etc., reporting. Requires parents of both public and private students to ensure their child is appropriately screened. Allows schools to provide access to screenings. Requires providers who conduct screenings to submit data to DPH. Requires schools to provide information about screenings to parents. Allows DPH to release screening data to schools with parent consent. The implementation of these screening provisions is delayed until July 1, 2020 to allow DPH to set processes in place and request the resources necessary to take on this activity through the normal budget process. The Fiscal Note estimated a cost to the DPH of \$1.2 million in the first year and \$850,000 in the second year. Page 6 – strikes goal of 1 nurse for every 750 students.
- 2) Eliminates requirements for schools to use environmentally friendly (green) cleaning products.
- 3) Eliminates AEA public notice of budget in the newspaper to online with the intent of more appropriately reaching their broader audience not served by one newspaper.
- 4) Eliminates a requirement for school districts to publish a notice before entering into a loan agreement for an equipment purchase.
- 5) Eliminates a duplicative provision for loading and unloading buses.
- 6) Allows a school board to deposit proceeds of the sale of a building or school site into any school fund other than the PPEL fund following a public hearing and board action. (about 37 districts for \$1.2 million according to testimony to the Subcommittee 4.1.19)
- 7) Slightly limits reporting requirements around preschool reporting, but maintains the requirement for districts to report preschool experiences of kindergarteners.
- 8) Allows school districts to charge employees for DHS registry checks not to exceed the actual cost of the checks.
- 9) Repeals energy audit reporting requirements

10) Eliminates equipment purchase advance public notice.

UEN was registered in support of the bill. Even though there were several subcommittee meetings and suggested amendment, the bill died without full House Education Committee consideration.

[SF 547 Education Savings Accounts/Private School Vouchers](#): this bill establishes an education savings account (ESA) program for K-12 students who have an Individualized Education Program (IEP) or have a disability identified by a 504 plan and who are attending an accredited nonpublic school. It permits an ESA for students with IEPs or 504 plans who are paying tuition in a school district and have been denied open enrollment. The bill provides a list of allowable expenses and uses of unspent funds. Requires DE to develop the application for the education savings grant for parents and guardians to submit, and notify the Department of Management (DOM) of the number of students in each school district who are eligible. The DOM is responsible for the creation, management, and distribution of the ESAs. The bill creates the Education Savings Grant Fund under the control of the DOM and establishes a General Fund standing unlimited appropriation to the Grant Fund. The Bill is effective for school budget years beginning on July 1, 2020. The Fiscal Note estimates that grants will amount to \$3,989 per eligible student in FY 2021, with a total state General Fund appropriations of \$9.2 million for students already served in private schools. It does not estimate how many public school students may switch to private schools with the additional financial support. The bill also states that no private school is required to change their standards for admission or educational program as a result of this legislation. The bill also allows any amount remaining in the student's account at graduation may be spent on higher education until the student reaches age 23. The bill was approved by the Senate Education Committee in the 2019 Legislative Session, sending it to the Senate Appropriations Committee where it remained available for debate in the 2020 Session. Additionally, a similar bill, [SF 2206](#) by Sen. Carlin was introduced in the 2020 Session. It would have provided an education savings grant for students assigned to a school identified as needing comprehensive support through ESSA. The bill was assigned to the Senate Education Committee that did not move it forward. UEN was registered opposed to both bills.

[SF 2009 Minor Drivers' License](#) by Education; this bill sets the same standard for public school students with minor drivers' licenses as passed for nonpublic school students last year, allowing a student to drive up to 50 miles to extracurricular activities. The bill was approved 48:0 in the Senate and was assigned to the House Transportation Committee, where it remained when the legislature shutdown for COVID closure in March. UEN was registered as undecided.

[SF 2153 Student Health Screenings](#) by Education; this bill prohibits school districts or school personnel from administering health screenings to students without parent permission. The bill creates an exception for emerging health issues, defines an emergent care situation as the need to screen students for symptoms during a disease outbreak, and prohibits invasive physical exams. The bill specifically states that it does not apply to an episodic, individual screening done in accordance with professional licensed practice. A Subcommittee of Reps. Shipley, Gaines and Hanusa met to consider the bill and recommended the concept move forward, but considered amending it on to SF 438 which also addresses health screenings and also in the House Education Committee. Both bills died there. UEN was registered as undecided.

[SF 2155 Instructional Support Levy Funding for School Resource Officers](#); this bill would have allowed school boards to exceed their ISL levy limit to pay for the salaries, benefits and equipment costs of one school resources officer (SRO). The bill was approved in the Senate Education Committee, was assigned to the Ways and Means Committee, but did not advance further. UEN was registered in support.

[SF 2184 Carrying on School Grounds](#) by Public Safety; this bill allows a peace officer or reserve peace officer, whether certified or not, and federal peace officers whose duties include carrying a gun, to carry a gun on school grounds, whether the officer is in the performance of official duties or not. The bill was approved by the Senate, 48-0 and goes to the House Public Safety Committee,

where a subcommittee of Reps. Holt, Klein and Wessel-Kroeschell recommended the bill move forward. It was on the House Public Safety Committee agenda, but that meeting was cancelled and never reconvened due to COVID closure. UEN was registered against this bill.

SF 2298 Drivers' Education Instruction by Transportation; this bill exempts retired peace officer from DOT certification requirements in order to teach drivers' education courses. The bill was approved in the Senate 48:0 and sent to the House Transportation Committee, where it remained at the close of the Session. UEN was registered as undecided.

SF 2329 Occupational Therapist for Concussions by Education; this bill adds occupational therapists to the list of providers who can address concussions to detect during a sporting event or treat and release back into participation. The bill was put forward by ChildServe. The bill was approved by the Senate 49:0, and approved by the House Education Committee. The bill died on the House Calendar. UEN was registered as undecided.

SF 2410 SAVE Athletic Facilities Changes: this bill which was approved 47:2 in the Senate and is currently on the House Calendar. The bill invalidates board resolutions to use SAVE for athletic facilities retroactively to May 1, 2020, sets a supermajority 60% voter approval if athletic facility proposal goes to the voter, caps the maximum number of petition signatures at the lower of 1000, or 30% of those voting in the last school board election. The House Ways and Means Committee passed an amendment, 23:1, to strike the entire senate bill and replace it with one action to define the 30% threshold of petition signatures to apply only to those voting in the school portion of the November election (not including those voting in the city election). UEN strongly opposed the Senate bill and supported the House Ways and Means Committee amendment. In the end, the House did not act on the bill, so it died on the House Calendar.

HF 2308 Open Meeting Subjects by State Government; the bill defines the content subject to open meetings to include budgetary duties: "*Meeting*" means a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body's policy-making or budgetary duties. Meetings shall not include a gathering of members of a governmental body for purely ministerial or social purposes when there is no discussion of policy or budgetary duties or no intent to avoid the purposes of this chapter. The bill also defines "good cause" exemption from the 24-hour requirement of public notice includes a personnel or student matter. The bill was approved by the House, 96:0, approved unanimously by the Senate State Government Committee, and died on the Senate Calendar. UEN was registered as undecided.

HF 2416 Complaint Timelines by State Government; this bill increases the timeline for filing complaints regarding open meetings/public records with the Iowa Public Information Board from 60 to 90 days. The bill was approved 95:0 in the House and was approved by the Senate State Government Committee, moving it to the Senate Calendar where it died. UEN was registered as undecided.

HF 2419 ELL Weighting by Education; this bill establishes two categories for weighting to support students with limited English proficiency based on students' scores on the state ELL test. The bill defines both categories (intensive and intermediate) and assigns a supplementary weighting of 0.3 to the English-language learners in the intensive category and a supplementary weighting of 0.25 to those in the intermediate category. The current weighting for all ELL students is .22. The bill does not change the 5-year limitation of state aid, but also does not limit the ability of districts to request SBRC authority for excess ELL costs above the weighting or for additional time beyond the 5 years. The bill was approved by House Appropriations Committee, sending it to the House Calendar where it died. A new [fiscal note](#) estimates the impact of increased weighting over time, beginning with \$6.5 million in FY 2022. The House Appropriations Committee approved the bill unanimously, sending it to the House Calendar, where it remained at the end of the Session. UEN was registered in support.

[HF 2443 Senior Year Plus Proficiency](#): this bill strikes requirements for a student to show proficiency on the Iowa tests in core subjects to participate in the senior year plus program and expands the ability of community colleges and boards to agree on an alternative assessment for those students who are not proficient on the Iowa Tests. The bill was amended and approved by the Senate, 49:0, returning it to the House where it died on the House Calendar. UEN was registered in support.

[HF 2457 Bleeding Control Content](#) by Education; although the bill originally required all students to take a course in bleeding control, the bill was amended to instead require the DE to add bleeding control content into the health educational requirements. With the amendment, UEN changed our registration from opposition to undecided. The House Education Committee approved the bill as amended, 12:11. The bill died on the House Calendar.

[HF 2490 Poverty Weighting](#) by Education was approved with strong bi-partisan support in the House Education Committee. The bill comes from the School Finance Interim Committee which unanimously recommended such a study. The bill describes the change in poverty among Iowa students, with 43% of students eligible for Free and Reduced Price Lunch in Iowa, FY 2019, and states that the costs of services and supports low-income students require for success are not well served by inequity in our Formula. The bill requires the DE to establish a work group (UEN was included for membership on the committee). The bill requires the work group to study the services necessary to support student success, which will include looking at other state models, and make a recommendation to the Legislature by January, 2021. The bill was approved by the House Education Committee, assigned a subcommittee of the House Appropriations Committee which recommended it be amended and passed, but died in the Appropriations Committee. UEN was registered in support.

[HF 2497 Dropout Prevention \(DOP\) Cap Equity](#) by Education; this bill would allow school districts with dropout prevention capacity between 2.5% and 5.0% of regular program district cost to annual request of the SBRC modified supplemental amount equal to the difference between their DoP Cap and the 5% maximum. The bill does not change any other DoP rules (25% local match still required, carry forward amount still deducted from next year's maximum authority, etc.). UEN was registered in support. This bill was referred to the House Appropriations Committee where it did not receive further action.

[HF 2521 Suicide Prevention Protocols](#) by Education; this bill was amended to remove the requirement that DE develop suicide prevention and postvention protocols that districts must use and instead requires school districts to report annually as prescribed by DE (likely on Spring BEDS) which protocols they are implementing. The bill was approved by the House Education Committee 20:2 and moved to the House Calendar where it died. UEN was originally registered opposed but changed our registration to undecided with removal of the mandate.

[HF 2556 Government Purchase of Property](#); this bill would have required governmental entities, including school boards and others, in the course of selling real property, to award the bid to the highest responsive, responsible bidder unless the board, by at least a two-thirds vote, agrees to accept a different bidder for good cause, or agrees to proceed in a different manner. The bill had many other provision that would not have impacted school districts. The bill was approved by 33-14 in the Senate and 52-40 in the House. UEN was not registered on this bill. The Governor vetoed the bill. Here is her veto message:

House File 2556 contains a number of provisions with which I have no objection. But Division 1 of the bill imposes new requirements on local governmental bodies and the State of Iowa prohibiting the sale of real property unless it is sold "to the highest responsive, responsible bidder" or the governmental body, by a two-thirds vote, approves a different bidder for "good cause" or a different process.

I understand the concern that a governmental body may occasionally make a decision to sell property with which many of its constituents disagree. But I am not convinced that this

bill is the appropriate solution. Governmental bodies may reasonably conclude that factors other than price — such as a potential developer's jobs and economic impact, environmental cleanup, or improvements to the property and infrastructure — should determine to whom a property should be sold. And imposing a two-thirds vote requirement to make this choice would unnecessarily complicate a local government's decision making and could unintentionally hurt redevelopment and economic growth efforts in our state.

I am also concerned that the new language lacks clarity and could lead to litigation, confusion, and unintended consequences surrounding governmental real estate transactions even where a unanimous vote approves of the transaction. For these reasons, I respectfully disapprove of House File 2556 in its entirety.

[HF 2621 PK Eligibility](#) by Education; this bill expands 4-year-old preschool to include young 5-year-olds, born between March 15 and September 15, for a three-year pilot project. It allows students to repeat preschool rather than entering kindergarten. The bill requires school districts to prioritize 4-year-olds if there is a waiting list. The bill first applies to the 2021-22 school year. The bill was approved 15:7 in the House Education Committee, amended and approved by the House Appropriations Committee and died on the House Calendar. The [Fiscal Note](#) estimates an impact of \$1.7 million state cost for every 500 additional students are served in PK and does not estimate any savings due to delay of students entering kindergarten. UEN was registered as undecided on this bill's precursor, [HF 2460](#).

UEN Priorities & Issue Briefs for the 2020 Legislative Session

The following Issue Briefs, also posted on the UEN website, supported advocacy work during the 2020 Legislative Session. Use these resources as conversation starters with legislative candidates or to discuss with parent or other stakeholder groups.

If the priorities remain a focus of UEN for the 2021 Session, new Issue Briefs will be provided with updated information. If new priorities are set, there will be new resources available soon. These position papers and other resources, including this Digest, are found on the UEN web site www.uen-ia.org/legislation

2020 UEN Legislative Priorities

Click on a link below for the individual Issue Brief document.

- [Childhood Poverty/At-Risk Students & School Funding 2020](#)
- [English Language Learner Supports 2019](#)
- [Home Rule District Authority 2019](#)
- [Student Mental Health Services 2019](#)
- [Funding Adequacy 2019](#)
- [School Choice 2018](#)
- [Formula Equality: State & District Cost Per Pupil 2018](#)
- [Quality Preschool For All Students 2018](#)

Advocacy and Other Legislative Resources

Iowa Legislature <https://www.legis.iowa.gov/>

Iowa Department of Education Legislative Page including Bill Tracking, Legislative Reports and Guidance and Updates on Legislation

<https://www.educateiowa.gov/resources/legislative-information>

Iowa DE Letter to the Field 2020 Legislative Session Summary of Changes Affecting Schools

<https://educateiowa.gov/sites/files/ed/documents/2020LegislativeLetterToTheField.pdf>

Urban Education Network of Iowa Legislative Page (includes weekly reports and Capitol Update Videos, Position Papers, Advocacy Resources and information on UEN legislative platform) www.uen-ia/legislation

2020 Legislative Recap

See ISFIS 6/17/2020 Webinar [recording](#) and [PPT](#)

See ISFIS 6/24/2020 Webinar [recording](#) and [PPT](#)

Both also posted on ISFIS webinar page at www.iowaschoolfinance.com/webinars

Iowa's Area Education Agencies (Iowa AEAs) Legislative Page

<http://www.iowaaea.org/about/legislative-priorities/>

Iowa Association of School Boards (IASB) Legislative Page

[IASB Advocacy Center](#)

Iowa State Education Association (ISEA) Lobbying Resources Page

<https://isea.org/lobbying-resources/>

Parents for Great Iowa Schools

<http://parentsforgreatiowaschools.com/>

Rural School Advocates of Iowa (RSAI) Legislative Page (includes weekly reports and Capitol Recap Video, Position Papers, Advocacy Resources, Transportation and Formula Equity Toolkit, and RSAI legislative platform) www.rsai.org/legislative.html

School Administrators of Iowa (SAI) Legislative Page

<http://www.sai-iowa.org/advocacy.cfm>

ISFIS Web Site: access to webinars on DE guidance, implementation of legislative expectations, Governor's action and declarations, and district flexibility. www.iowaschoolfinance.com or contact Jen Albers at ISFIS for more information jen@iowaschoolfinance.com

Iowa Department of Education Reports to Legislature

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[Adult Education and Literacy Annual Report](#)
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[Charter and Innovation Zone Schools in Iowa Legislative Report](#)
[Child Development Coordinating Council Annual Report](#)
[Commission on Educator Leadership and Compensation](#)

[Community College Additional Information FY2019 Annual Report](#)
[Condition of Education 2019 Annual Report](#)
[Early ACCESS Legislative Report](#)
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[Gap Tuition Assistance Program FY2019](#)
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[Student Achievement, Accountability and Professional Development Annual Report](#)
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[Adult Education and Literacy Program Year 2017 Annual Report](#)
[Anti-bullying Programming and Projected Expenditures](#)

[Career and Technical Education Redesign Implementation Report](#)
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