**UEN Legislative Update
April 2, 2021**

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

* Three Advocacy Actions required this week – all in the Senate
* Senate Republican Budget Targets: Tax Policy and Education Funding Assumptions
* Funnel Deadline Survivors and Dead Bills
* Other Bills of Interest on the Calendar

**Three Advocacy Actions: Qualified Instruction Supplement HF 532, Limited English Proficient Tiered Weighting SF 504, and Charter Schools HF 813**

[**HF 532**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf532) **Qualified Instructional Supplement**: this bill was amended in the Senate Education Committee to simplify the allocation formula, with $60 per pupil for instructional days based on the number of students served, includes credit for hybrid days, includes in the count virtual days operated under a waiver from the DE, and provides for districts in virtual models due to derecho. Students in 100% options by choice are not included in the count. Requires $1 per pupil from the school’s allocation to be paid to the AEA for PPE costs at the AEA. The amendment also directs the SBRC to grant a modified supplemental amount for increased preschool enrollment in the fall of 2021, with funding provided from the federal GEERS and ESSER state funds. UEN was originally opposed to the bill, which required a count of days based on a complicated count of hours, days and instructional delivery format. With the change in distribution and the addition of PK funding for enrollment growth, UEN will change registration to support. In light of significant federal funds, some Senators have questioned the need for HF 532. Here are some advocacy messages:

* Federal money is for three years, so although it is a large sum, there will be many expenses going forward. Think of your allocation as 1/3 of the total.
* Federal funds have strings attached: 20% for closing the achievement gap and may have some for special education services (which will offset special education deficits/property taxes in Iowa). Rules are not yet written but schools have costs right now (and did all last year).
* HF 532 is a balancing bill, which distributes funds for COVID costs based on enrollment served rather than the Title I formula. Some districts will be helped with HF 532 that didn’t get nearly as much per pupil from the federal money.
* Statewide support of PK is one of the best research-based investments that can be made in supporting student success, which is why the business community and the Iowa Business Council led the creation of Statewide Voluntary Preschool when it was created. Sen. Sinclair’s amendment dedicates federal GEERS & ESSER funds to PK in the fall of 2021 (estimated at $10 million).

[**SF 504**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf504) **LEP Tiered Weighting**: this bill sets two weightings to generate funding for students served in limited-English proficient programs based on proficiency. An intermediate level with a weighting of .21 and an intensive level of .25, compared to the current weighting for all LEP students at .22. Advocate with Senators that this bill has been in the works for a few years. The 2013 ELLTask Force recommended tiered weighting and this bill gets the policy in place. We will continue to work on weightings that approach the national average of .3 in the future. UEN is registered in support. Encourage a “yes” vote from your Senators.

[**HF 813**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF813) **Charter Schools:** this bill was approved on party lines in the Senate Education Committee Thursday afternoon. Asks Senators to improve the bill with three key amendments: 1) charters should be subject to Public Records Chapter 22, 2) Founding members should be Iowans, and 3) charter schools should pay the public school the prorated amount of state aid for students that withdraw or are expelled from the charter schools.

See an updated **Call to Action** **on Charter Schools in the Senate** [here](https://www.uen-ia.org/call-action-charter-schools-senate). UEN is opposed to this bill, now on the Senate Calendar.

**Senate Republican Budget Targets: Tax Policy and Education Assumptions**

The Senate Republicans announced budget targets, anticipating a budget of $7.999 Billion, which appropriates 94% of available revenues (Iowa’s expenditure limitation law prohibits a budget appropriating more than 99% of available revenues.) The assumptions of their budget targets include elimination of the revenue triggers in the 2018 tax cut and elimination of the inheritance tax, elimination of the mental health levy on property taxes, which will be covered with $60 million in state funding, and education funding increases over $80 million for FY 2022 including an increase of $55.3 million for K-12 education.

So far, SF 269 SSA has already obligated a total of $28.1 million (includes state aid portion of the formula, continued AEA reduction of $15 million, $5.8 million for formula equity and $0.8 million for transportation equity.) That total is $27.2 million short of the $55.3 million assumption. What’s still on the table? The Senate amendment to HF 532 Qualified Instructional Supplement appropriates exactly $27.2 million. See more about HF 532 below.

**Legislative Funnel Deadlines**The second funnel, requiring bills out of a committee in the other chamber, is April 2. There are some exceptions, including appropriations bills, ways and mean (tax policy) bills, leadership bills and oversight committee bills. The funnels winnow down the mass volume of proposals to those that have a chance to move forward, allowing legislators, their staff, and lobby groups to focus their attention on priorities. As expected, this week, both the House and Senate focused on committee action. Next week will bring floor action, tax policy and budget bills as the following four weeks should close down the Session. Legislative per diem for legislators runs through April 30, by which time, legislators hope to finish the Session.

**Bills on the Move**

[**SF 260**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf260) **Reimbursements for Special Education Services:** this bill requires the receiving district to provide documentation for Medicaid billing for open enrolled students receiving special education services, so the resident district can claim Medicaid reimbursement. The bill was approved in the Senate 47:0. The House Education Committee approved it unanimously, sending it to the House Calendar. UEN supports this bill.

[**SF 265**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf265) **School Promotions by Parent Consent:** this bill would have required school districts to retain students in their prior grade based on parent request by Aug. 15 of 2021, providing a reset on the 2020-21 COVID school year. Reps. Wheeler stated his intention to amend the bill during the floor debate in the House to move the date potentially to July 1. UEN is advocating for an earlier date and appreciates this consideration. The bill was approved by the House Education Committee, sending it to the House Calendar. UEN is registered as undecided on the bill.

[**SF 466**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf466) **Occupational Therapists and Concussions:** the bill allows occupational therapists to serve as the medical professional regarding concussion management at an athletic event. The House Human Resources Committee approved the bill, 17-1, sending it to the House Calendar. UEN is registered undecided the bill.

[**SF 517**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=Sf517) **Academic Credit for Pages:** this bill requires high schools to give ½ unit of social studies credit to legislative pages and exempts pages from PE requirements. It was approved by the House Education Committee and moves to the House Calendar. UEN is registered as undecided on the bill.

[**SF 532**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf532) **Behavioral Analysts:** this bill requires the BOEE to create a credential (statement of professional recognition) for Behavioral Analysts and Mental Health Counselors. The bill was approved in the Senate 47:0. The House Education Committee approved it unanimously, ending it to the House Calendar. UEN supports this bill.

[**SF 568**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=SF%20568) **Election Law Changes:** this bill changes election laws and procedures, including changes on election dates, vacancies, constitutional conventions, summaries of constitutional amendments, attesting to a voter’s identity, on naming candidates to the ballot and other provisions. The UEN is opposed to a provision requiring the school district to mail notice of elections to voters 20 days before a bond election held at a special election. The bill was approved on party lines by the House State Government Committee, sending it to the House Calendar. UEN is opposed to the bill.

[**SF 547**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=Sf547) **Iowa Scholar Loan Program:** this bill increases the amounts of loan forgiveness to $7,000 annually for four years, allows individuals who are minorities to receive the grants, and sets a priority, in addition to shortage area positions, that teachers in schools with more than 25% minority students are eligible to receive the grants. Recipients must meet all of the criteria, including graduating in the top 25% of their class in exiting the teacher preparation program. The bill was approved by the House Education Committee and moves to the House Calendar. UEN is registered as undecided on the bill, but is supportive of the expansion of criteria and increased grant award amounts. If there was an appropriation to support these changes, UEN would register in support.

[**HF 318**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf318) **Preschool for Young 5-year-olds:** this bill would allow school districts to serve and count 5-year-olds with a birthday by March 15 in the Statewide Voluntary Preschool Program. The bill first applies to FY 2023 and is a pilot project for three years. The Senate Education Committee approved it unanimously, sending it to the Senate Calendar. UEN supports this bill.

[**HF 532**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf532) **One-Time Funding Instructional Supplement:** the full Senate Education Committee amended the bill to more easily determine the qualified instructional supplement, applied the supplement to students served, included use of federal GEERS early childhood and ESSER funds for the anticipated increase of preschool students in the Fall of 2021 as the state rebounds from the pandemic, and clarified that districts did not have to exhaust their local allocation of federal funds prior to receiving PK support for enrollment growth. The Committee approved the bill as amended, 11-2, sending it to the Senate Calendar. UEN was registered opposed to the bill, but with the clarification that Des Moines Public Schools would receive a supplemental allocation and the addition of PK support, UEN registration changes to support.

[**HF 602**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf602) **School Activity Fund Transfers:** this bill allows a school board to transfer general funds to the student activity fund for a limited time to pay for costs of student activities for which revenues to the fund are insufficient. The flexibility is repealed July 1, 2023. The Senate Education Committee approved the bill unanimously, sending it to the Senate Calendar. UEN supports the bill

[**HF 724**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf724) **Adoptive Parents:** this bill requires employers to treat employees who adopt a child up to the age of 6 in the same manner as a biological child. Increase restrictions on the use of disability leave. The bill is on the Senate Calendar attached to similar SF 362. UEN is registered as undecided.

[**HF 744**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF%20744) **College and School District Free Speech Rights**: Section 3 of the bill applies to school districts. It requires school boards to protect the intellectual freedom of the school district’s students and practitioners and establish and publicize policies that protect students and faculty from discrimination based on speech. Prohibits retaliation against a person who files an associated complaint and provides whistle-blower protections if the complainant is an employee of the school district. Requires the school board or court, if an employee is found to have discriminated against a student or employee in violation of this section, to report to the BOEE and the BOEE to conduct a hearing, which may result in disciplinary action and the employee’s employment may be terminated. The Senate Education Committee approved an amendment regarding student newspaper provisions and approved the bill with amendment, sending it to the Senate Calendar. UEN is registered as undecided.

[**HF 756**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf756) **Weapons Matters**: this bill changes gun permit and carry laws. UEN is specifically concerned about Division II, which allows the following individuals to carry or transport a firearm on school property:

• A person who has been specifically authorized by the school to carry or transport a firearm for a lawful purpose.

• A peace officer, including a peace officer who has not been certified and a federal officer when the officer’s employment requires going armed, regardless of whether the officer is on duty.

• A member of the U.S. Armed Forces or National Guard, when the weapon is carried in connection with the member’s official duties. Fiscal Note Fiscal Services Division 2

• A correctional officer, as part of the officer’s official duties.

• A person who for any lawful purpose carries an unloaded pistol, revolver, or other firearm inside a closed and fastened container or securely wrapped package that is too large to be concealed.

The [fiscal note](https://www.legis.iowa.gov/docs/publications/FN/1217197.pdf) has an assumption “that any property and employee liability insurance claims arising out of the expansion of the group of persons allowed to carry a firearm on school grounds will likely be covered by existing school liability insurance policies.” If there are incidents and claims, a likely increase in premiums will follow, increasing needed revenues to the Management Fund. This Senate approved the bill 31:17, sending it to the Governor. UEN is registered opposed.

[**HF 770**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF%20802) **Teacher Professional Development:** this bill requires BOE to specify in administrative rule provisions that would allow an individual teacher's professional development plan completion and/or professional development undertaken at school or provided by AEAs to count toward ½ of licensure renewal credits. The bill was approved unanimously by the Senate Education Committee, sending it to the Senate Calendar. UEN is registered in support.

[**HF 793**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF%20793) **Junior ROTC Credit:** this bill exempts a student in Junior ROTC from PE requirements and requires schools to award 1/8 unit of credit for PE for each semester the student is in Junior ROTC. The bill was amended and passed unanimously by the Senate Education Committee, sending it to the Senate Calendar. UEN is registered in support.

[**HF 802**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF%20802) **Racism/Diversity Training:** this bill establishes requirements for diversity training, on racism and sexism, in schools and colleges including prohibiting teaching that Iowa is fundamentally racist or sexist. The bill prohibits political subdivisions, including school districts, from providing any mandatory staff training from teaching, advocating, acting upon or promoting divisive concepts and race or sex scapegoating but does not prevent an employee or contractor who provides mandatory training from responding to questions regarding divisive concepts raised by participants in the training. The bill was expanded to cover state and local governments. The bill also prohibits teaching of divisive concepts or race or sex scapegoating in the curriculum. See the March 18 UEN Weekly Report for a detailed description of the bill.

Senate Education Committee Chair, Sen. Sinclair, stated her intention to amend the bill on the floor during debate. We anticipate the diversity training provisions will be more similar to the Senate version, [SF 487](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf487), removing the provisions of the bill applying to curriculum and limiting some of the expansions in the House. The Committee’s approval on party lines sends the bill to the Senate Calendar. UEN is registered as undecided.

[**HF 813**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf813) **Charter Schools**: this bill was approved by the Senate Education Committee without amendment and moves to the Senate Calendar. See last week’s [report](https://www.uen-ia.org/blogs-list) for a full description of the bill. UEN is registered opposed to the bill.

[**HF 822**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf822) **Local Lobbying**: this bill requires schools and local governments that contract for lobbyist services to do so using an RFP, limits the contract to 5 years, and requires a person who lobbies for more than 10 hours on behalf of a local government or school to preserve documents as public records. The bill protects documents that are attorney work records as confidential. The bill was amended and approved by the Senate State Government Committee, sending it to the Senate Calendar. UEN is registered as undecided.

[**HF 847**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf847) **Education Flexibility, Tuition and Textbook Tax Credits and Open Enrollment**: This bill was assigned to the Senate Ways and Means Committee, which makes it funnel proof. UEN is registered as undecided, in support of some provisions allowing additional flexibility of programs and funding, and opposed to others such as the tuition and textbook tax credit and open enrollment good cause associated with a schools ESSA designation. See last week’s [report](https://www.uen-ia.org/blogs-list) for a full description of the bill.

[**HF 848**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf848) **Broadband Grants**: this bill creates tiers of internet speed, provides for incentives for the expansion of high-speed internet across the state and defines areas of need. The bill was approved unanimously by the House and attached to similar SF 390. UEN supports the bill.

**Bills Previously Approved Awaiting Floor Consideration**

[**SF 183**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf183) **Construction Manager at-Risk**: this bill relates to a construction manager-at-risk commercial construction alternative delivery method and prohibiting certain other alternative delivery methods in the public sector. The bill has been on the House Calendar since March 3 without further conversation but remains eligible for debate. UEN is registered as undecided. The Fiscal Note <https://www.legis.iowa.gov/docs/publications/FN/1211306.pdf> provides a detailed description of the bill.

[**SF 287**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf287) **Child Facility Education Funding:** this bill relates to the calculation of education funding for children living in certain facilities. Attached to HF 317 on the House Calendar. UEN is undecided on the bill.

[**SF 294**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf294) **Child Development Coordinating Council:** this bill relates to the duties of the child development coordinating council. Attached to HF 388 on the House Calendar. UEN is undecided on the bill.

[**SF 317**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf317) **Driver’s Education Content:** this bill requires approved driver education courses to include instruction concerning distracted driving. Attached to HF 380 on the House Calendar. UEN is undecided on the bill.

[**SF 544**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf544) **LEP Tiered Weighting and** [**HF 604**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf604) **On Senate Calendar:** this bill creates two tiers of supplementary weighting for students receiving English-language learning supports. A Weighting of .21 is generated for students with intermediate needs and a weighting of .26 funding is generated for students with intensive needs. The current weighting for all ELL students is .22. The weighting is effective for the 2021-22 school year. UEN supports this policy change recommended by the English Language Learner Task Force in 2013 and looks forward to additional discussion next year to implement other task force recommendations, including weighting that approaches the national average of 0.3.

[**SF 578**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf578) **DALS Bill:** this bill makes many provisions regarding the Department of Agriculture and Land Stewardship that do not impact schools, however, one provision does. The bill includes a local farm produce program and task force to study the use of local foods that includes school food and nutrition programs. UEN is registered as undecided on the bill, which was amended and approved in the House, 94-0, returning it to the Senate.

[**HF 228**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF228) **Diversity Plan Open Enrollment Regulation Ban:** this bill bans the ability of five districts with voluntary diversity plans (Davenport, Des Moines, Postville, Waterloo and West Liberty) to regulate open enrollment out of the district based on their plans, which currently review socioeconomic status (income) or English-language learner classification as metrics to consider. None of these districts uses race as a metric, which was banned as a sole measure of consideration by a Supreme Court decision in 2007.

The goals of the diversity plans are to preserve a mix of diversity and prevent segregation of schools in these districts. There is a solid research base that shows a concentration of poverty which hits a tipping point at 50-60% and segregated schools negatively impacts student achievement, economic growth and workforce diversity for such communities. See the [UEN Issue Brief](https://www.uen-ia.org/system/files/Public/IssueBriefs/Issue%20Brief%20Diversity%20Data%20-%20Jan%202021.docx) explaining the issue and showing data on poverty, minority, open enrollment and certified enrollment for these districts and for similar districts without voluntary diversity plans.

The bill is still on the Senate Calendar. Sen. Sinclair anticipated an amendment would be forthcoming with a date change when debated in the Senate. UEN is registered in opposition.

[**HF 431**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf431) **Telehealth Phone Calls:** this bill would allow audio-only telehealth or telemedicine by healthcare professionals. The bill was approved by the Senate Human Resources Committee, moving it to the Senate Calendar. UEN supports the bill.

[**HF 675**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF675)**Substitute Teacher Authorization:** this bill requires the Board of Education Examiners to create a substitute teacher authorization, allowing a substitute to teach no more than 10 consecutive days in a 30-day period in one job assignment, except in the driver’s education classroom. The bill allows a school district administrator to file a written request with the BOEE for an extension of the 10-day limit on the basis of documented need and benefit to the instructional program. The BOEE is required to review the request and provide a written response. Specifies that the authorization not require less than the successful completion of an associate degree or 60 undergraduate semester hours, or the equivalent, from a college or university accredited by an institutional accrediting agency recognized by the United States DOE. The bill has already survived the funnel deadline, as it sits on the Senate Calendar. UEN supports the bill.

**Bills Not Surviving the Funnel Deadline:**

[**SF 425**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=SF425) **Open Meetings Subjects:** the bill was not considered in the full House State Government Committee. UEN is registered opposed.

[**SF 467**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=SF467)**Education Online Learning and Virtual Snow Days.** UEN supports the bill and supported the flexibility to local determine if a virtual day was appropriate to replace up to 5 snow days or other closures for emergencies. *Please Note:* The State Board of Education has proposed administrative rules to clarify the ability of local districts to offer online learning to their students. The proposed rules were discussed at the March 25 State Board of Education Meetings and can be reviewed here: <https://educateiowa.gov/sites/files/ed/documents/2021-03-25%20Chapter%2015%20Rules.pdf>. A public hearing to gather input on the proposed rules is scheduled for May 11, 2021, 10:00 a.m. to 11:00 a.m., and written comments can also be submitted to the DE’s attorney, Thomas Mayes, via email thomas.mayes@iowa.gov by May 11.

Other bills that have died due to the funnel:

SF 159 Governor’s School Choice Proposal (vouchers): UEN is opposed.

SF 545 Learning Recovery Taskforce: UEN supports.

HF 585 Safe and Sound Hotline Program: UEN is opposed.

HF 731 Telehealth Out of State Providers: UEN supports.

HF 784 Telehealth Payment Parity: UEN supports.

HF 795 Seizure Disorder Plans: UEN opposed.

HF 771 Bronchodilators Self-Administration and storage: UEN is undecided.

HF 604 Services Deaf and Hard-of-Hearing Literacy and Language Development: UEN is undecided.

HF 415 Pledge of Allegiance at School: UEN is undecided.

Two open enrollment bills and HF 845 Operational Sharing Spec Ed Director are technically dead due to the funnel, but those provisions are all contained in HF 847 which is over in the Senate Ways and Means Committee.

**Connecting with Legislators:**

Find biographical information about legislators gleaned from their election websites on the ISFIS site here: <http://www.iowaschoolfinance.com/legislative_bios> Learn about your new representatives and senators or find out something you don’t know about incumbents.

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

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

**Advocacy Resources:**

Check out the UEN Website at [www.uen-ia.org](http://www.uen-ia.org) to find Advocacy Resources such as Issue Briefs, UEN Weekly Legislative Reports and video updates, UEN Calls to Action when immediate advocacy action is required, testimony presented to the State Board of Education, the DE or any legislative committee or public hearing, and links to fiscal information that may inform your work. The latest legislative actions from the statehouse will be posted at: [www.uen-ia.org/blogs-list](http://www.uen-ia.org/blogs-list). See the [UEN Advocacy Handbook linked here](https://www.iowaschoolfinance.com/system/files/members/Public/UEN/UEN%20Advocacy%20Handbook%20-%20Jan%202021.pdf), which is also available from the subscriber section of the UEN website

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Contact us with any questions, feedback or suggestions to better prepare your advocacy work:

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