

Iowa Legislative Report
87th General Assembly, 2018 Session
Iowa Talented and Gifted Association
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With the second funnel behind them, lawmakers are pushing toward the home stretch of the Iowa Legislature's 2018 session. The second funnel last Friday was a key date in the legislative calendar for two reasons. First, bills had to be out of committee to be alive for the rest of the session, and the work of committees has now ended, except for **Ways & Means, Appropriations and Government Oversight committees.**

Remember that lawmakers still haven't agreed on spending reductions to balance the state budget for the fiscal year that ends June 30, and the situation is complicated because of tight state revenues. The House and Senate are also far from reaching consensus on a new state budget for the fiscal year starting July 1, although they have agreed on state aid to public schools — a \$3.2 billion budget item with a 1 percent increase. But decisions still need to be made on a wide array of other budget priorities — ranging from Medicaid and public safety to state universities, state prisons, and a host of other line items. One key issue is whether state funding will be provided annually to local governments to "backfill" property tax cuts approved by the Legislature in 2013.

Re: in terms of taxes, the Iowa Senate approved a sweeping state tax reduction bill that would provide more than \$1 billion annually in tax cuts, although Democrats contend [Senate File 2383](#) would force huge cuts in spending on education, public safety, health care and other programs. Meanwhile, House Republicans are considering Gov. Kim Reynolds' tax plan, which would reduce rates while simplifying the state tax code and lower taxes for middle-class Iowans and small business owners. Her proposal, [House Study Bill 671](#), would cut income taxes by a total of \$1.7 billion between the 2019 and 2023 state fiscal years, while maintaining expected growth in state revenue.

The second important fact for the week is that the June primary has now ended, setting the table for upcoming legislative elections and next year's House and Senate make-up. Parties can still nominate candidates by convention until August, and Independents can still file to run in the November election.

Several lawmakers are retiring from the Legislature. Twelve (12) Republicans are retiring from the House (**Baltimore, Baudler, Hager, Heaton, Heartsill, Holz, Pettengill, Rizer, Sheets, Taylor, Vander Linden, Watts**) and four (4) Democrats (**Finkenauer, Kearns, Helen Miller, Taylor**) are retiring from the House. In the Senate, three (3) Senate Republicans (**Bertrand, Chelgren, Dix (resigned)**) and three (3) Senate Democrats (**Dvorsky, Horn, McCoy**) are retiring. In short, both chambers will have a considerably different make-up next year.

Republicans currently hold a **59-41** advantage in the current House. As of the Friday candidate filings, Republicans have **47 incumbents** running and Democrats have **37 incumbents** running in the House. Republicans hold a **28-20** advantage in the Senate, with one seat open and one held by an Independent. Of the 25 seats up for

election in the Senate, Republicans have **seven incumbents** running, and 17 other candidates in races for 19 seats. Democrats have **11 incumbents** and 17 other candidates in races for 23 seats. Senator David Johnson, will run as an Independent in Senate 1; three Republicans have filed to run for the seat. It is also worth noting that in both chambers there will be a record number of female candidates on the June ballot – a total of 98!

Several bills of interest saw action this week, many being sent down to the Governor. This House passed [SF2364](#) **SCHOOL SAFETY** which requires every lowa school district to coordinate with local law enforcement to develop an active shooter plan. This legislation also requires teachers to go through active shooter training once a year so they are better prepared in case of an emergency.

While many schools districts already have a strategy in place, some of their plans are inadequate, while others have no plan at all. A survey of districts done in 2015 found that of 249 respondent school districts, roughly 85% of them had an Emergency Operations Plan (EOP) in place. But the findings from the emergency management association doing the survey found that only 24 of those districts, or 9.6%, had plans that met the FEMA guidelines for what constitutes a “high quality” plan. A follow-up survey determined that the number rose slightly, to 11.2%.

The plans that local districts are to develop would take into consideration recommendations from the Department of Education for what makes a plan high quality. These elements come from the federal guidelines and consist primarily of five concepts: Prevention, Protection, Mitigation, Response, and Recovery. School districts would also have to consult and work with their local emergency management organizations and local law enforcement agencies in the development of their plans. Their plans would need to be reviewed annually and each district would need to conduct annual training and drills.

The **SAVE FUND** bill, [SF 2216](#), already passed in the Senate removes the impending repeal and extends the SAVE (Secure an Advanced Vision for Education) Fund for the school sales tax until **2050**. The Legislative Services Agency estimates a 20-year extension of that tax would generate **between \$15 and \$16 billion** for school districts. It includes provisions on transfers to the property tax relief fund, terminates revenue purpose statements as of 2023 and requires schools which do not intend to use a revenue purpose statement after 2023 to have one approved by the voters by July 2018. The bill prohibits the use of SAVE funds for extracurricular athletic facilities and allows voters to petition for a vote on revenue bond sales. It increases the enrollment thresholds for schools that must apply to the DOE to spend supplemental infrastructure money on new buildings (350 total enrollment, 140 HS). It also modifies the criteria for the certificate of need. It was pointed out in debate that schools could use these funds to make security upgrades to their facilities in order to improve safety pursuant to the bill above.

The last and important bill debated in the House this week was [SF 475](#), the so-called **EDUCATION OMNIBUS BILL**. A carryover from last year, most of the debate centered around the **online learning portions** of the bill and what online enrollment

could do to existing brick and mortar schools in Iowa. Over twenty-five amendments were proposed to the bill. Divisions I and IV of the bill both pertain to various provisions regarding open enrollment in online academies. Division I **removes the limitations** on the number of students statewide open-enrolled in and receiving their education through a primarily online method. It also requires that the State Board of Education adopt rules for school districts using online curriculum regarding online course content, and that the Board ensure that the content is aligned to Iowa Core standards.

Division IV creates a provision that the resident district of an open-enrolled student may retain up to \$800 per year, calculated as \$200 per co-curricular or extracurricular activity at a maximum of two activities per semester, for the purpose of a student's participation in these activities. The resident district may allow the student to participate in more activities at the discretion of the district and may charge the student the same fees as charged to other resident pupils.

Division II of SF 475 relates to concurrent enrollment in community college classes and creates an exception to the "supplement not supplant" requirements under Iowa Code section 257.11 for one or more career and technical education (CTE) classes falling under a single technical educational area. For example, under Division II if a school district offers both a series of agriculture classes and a series of nursing classes, only one will be eligible for supplementary weighting. Under current law, a school district may contract with a local community college to offer CTE, math, liberal arts, and science courses, which generates supplementary weighting in the school aid formula aimed at covering part of the cost of those classes. CTE classes offered under these agreements are not eligible for supplementary weighting if they are supplanting other courses required under Iowa Code section 256.11. Under this Division, if the class is supplanting an "offer and teach" required class, it will be eligible for supplementary weighting, generating funds for schools within the school aid formula, if the class has more than five students enrolled and if the school district has fewer than 600 students enrolled and meets all other requirements.

Finally, in 2007 and 2008, the General Assembly enacted requirements that parents have their children's dental (2007) and vision (2008) health screened before their children begin attending school. These requirements were updated in 2013. Division III of the Bill creates a working group to review the best practices for implementing necessary student health screening while reducing administrative requirements on school districts. The working group will be made up of members deemed appropriate by the Department of Public Health as well as at least one representative from the Department of Education, the Department of Public Health, the Area Education Agencies, and the Iowa Academy of Family Physicians.

The Senate version established an AEA task force to review AEA duties but that language was removed by the House.

Several bills were sent down to the Governor this week:

- Iowa school employees working with students would be required to have at least one hour annually of training in suicide prevention under a bill that received final approval Wednesday from the Iowa Senate. **Senate File 2113** requires the State Board of Education to adopt rules requiring school districts to adopt protocols for

suicide prevention and intervention after a suicide, and for the identification of adverse childhood experiences to mitigate "toxic stress response." The protocols must be based on nationally recognized best practices. The legislation applies to school personnel who have regular contact with students and who hold a license, certificate, authorization, or statement of recognition from the Board of Educational Examiners. School boards must establish the training requirement by July 1, 2019.

- **SF 2274 EDUCATION REPORTS** requires the DOE to cite the state or federal law or rule that requires that certain information be included on reports when requiring such reports from school districts, AEAs, private schools and school employees and officials.
- **HF 2235 STUDENT TESTING** directs the state BOE to adopt rules making the test used by schools to measure student progress will be the test developed by the Iowa Testing Program at the UI College of Education. Strikes contrary provisions. Effective on enactment. An amendment adopted in the Senate adds requirements to include English arts and writing, alignment with Iowa curriculum standards and 3rd-party independent reviews of assessments. The House concurred and sent the bill was sent to the Governor.
- **HF 2354 STUDENT DATA PROTECTION** restricts third parties which receive K-12 student data from targeted marketing and allows only some limited uses, including improving educational opportunities. It includes restrictions on selling or disclosing the information.
- The Governor's bill **HF 2458 FUTURE READY IOWA** passed both Chambers and was sent down for signature this week. The state workforce development board is directed to create and update a list of high-demand jobs statewide for purposes of the future ready Iowa registered apprenticeship development program, the summer youth intern pilot program, the Iowa employer innovation program, the future ready Iowa skilled workforce last-dollar scholarship program, the future ready Iowa skilled workforce grant program, and postsecondary summer classes for high school students. The **board has full discretion to select and prioritize high-demand jobs, but must consult with business and education stakeholders, and seek public comment. "High-demand job" is defined to mean a job in the state for which the board determines work opportunities are available and qualified applicants are lacking.**

Apprenticeships: The bill establishes the Future Ready Iowa Registered Apprenticeship Development Program, contingent on funding, and requires the Economic Development Authority to give financial assistance to help small and medium sized businesses with apprenticeships.

Volunteer Mentoring: It establishes a volunteer mentoring program to help I implement Future Ready programs, contingent on appropriation.

High Demand: The bill requires the state Workforce Development Board to report annually on high demand jobs and allows community colleges to add of work.

Innovation: It establishes the Iowa Employer Innovation Fund, contingent on appropriation, to improve training and credit.

Scholarships: The bill establishes the Future Ready Skilled Workforce

Last-Dollar Scholarship, administered by the College Student Aid Commission and includes provisions on the eligibility of students in contiguous states.

That is a wrap for this week. We will hopefully see some budget bills this next week! If any of you have talked to legislators please let us know what you are hearing and call us with any questions. Be safe and have a good weekend!