



Action Line

IASB Legislative Activity

State Budget Timeline

The Revenue Estimating Conference is scheduled to meet on March 20 to set the revenue estimates that define the size of the state budget for the remainder of FY 2009, and for FY 2010 and FY 2011. It is anticipated that budget bills will begin moving through the process shortly thereafter. The budget bills can significantly impact school districts, area education agencies and community colleges. They are likely to address the mix of state and local funding for allowable growth, determine appropriations for categorical funds and set specifications for the federal stimulus funds. In the meantime, the federal stimulus details contained in the American Recovery and Reinvestment Act are unfolding.

The U.S. Department of Education recently announced additional guidance to school districts and states regarding the American Recovery & Reinvestment Act (ARRA), commonly referred to as the stimulus bill. The guidance helps address questions about implementation efforts, such as respective funding allocations, distribution guidelines (wait for confirmation from the Iowa DE on distribution since Iowa uses an alternative Title 1 formula), clarification about maintenance of effort for state fiscal stabilization funding, additional consideration for existing programs (e.g. Title I, special education, education technology), supplement not supplant allowances or clarification and time periods for obligation and use of funds.

Please see NSBA's Economic Stimulus Resource Center for more details including their recently updated Frequently Asked Questions (FAQs); <http://www.nsba.org/MainMenu/Advocacy/FederalLaws/FederalFunding/Stimulus.aspx>.

Although the Session Timeline indicates the 110th day of the session is May 1, at which time per diem expenses are no longer covered for legislators, there

has been some indication that leadership is striving to adjourn a few weeks earlier. As the budget develops quickly, school board advocates should be prepared to respond quickly when advocacy is required. Stay tuned.

IASB Opposes School Start Date Mandate

HF 589 is the new bill number assigned to the start date mandate, awaiting floor debate in the House. IASB is opposed to this bill, which takes away a local district's authority to establish a school start date reflecting the needs of the local community and students. The bill would require school to start the week of the fourth Monday in August. See the March 12 *Action Network* for more information.

Bill Tracker: Bills on the Move

SF 81 - Disaster Recovery for Schools by Education

This bill allows a school corporation (school district, AEA or community college) to transfer funds from its emergency fund for monetary deficiencies upon approval by the school budget review committee (SBRC). The bill allows the DE director to waive requirements that school districts and accredited nonpublic schools cannot reasonably comply with due to a disaster. The bill allows the SBRC to authorize a school district to use its unexpended cash balance for demolition or repair if such costs are necessitated by, and incurred within two years of, a disaster. The bill gives AEAs the authority to purchase and lease-purchase facilities and buildings with the approval of the DE director. The bill permits funds from the physical plant and equipment levy (PPEL) to be used for demolition, clean up, and other costs due to a disaster, within two years. The bill also allows AEAs to ask the DE director to waive the bid law due to a natural disaster.

It expands the school district's ability to apply to the AEA administrator for a bid waiver beyond preventing the closure of a school (current law) to ensure the usage of a school facility. The bill, which is on the House Calendar, is supported by IASB.

SF 276 - PPEL Fix by State Government

This bill fixes the drafting error in last year's big election bill. Current law restricts PPEL elections to the general election date. This bill eliminates that restriction and allows school districts to hold PPEL elections at any of the four dates allowed by law annually. IASB requested the correction. The bill is on the Senate Calendar.

SF 314 - Teacher Salary Funds into Single District Schedule by Education

This bill requires school districts and AEAs to include the teacher quality salary and Phase II salary funds into their district salary schedule by FY 2011. This would eliminate the multiple salary schedules or addendum letters that school districts and AEAs currently have. When the funds were included in the school foundation formula as per pupil amounts during last year's session, a budget guarantee was also created to set a floor for any district's allocation. IASB worked with other education stakeholders, including ISEA, on a compromise amendment in the full Senate Education Committee that would require a reopener if funds are reduced from these specific salary allocations. With the adoption of that amendment, IASB supports the bill, now on the Senate Calendar.

SF 326 - Sharing Incentives by Education

This bill expands administrative sharing incentives to additional positions (such as curriculum directors and principals) and allows districts that are not contiguous to participate in the sharing incentives. IASB is monitoring this bill, which is now on the Senate Calendar.

HF 233 - Disposition of School Property

This bill reverses changes made in HF 2526 last year, returning to how Iowa Code was written prior to the enactment of HF 2526 during the 2008 legislative session. In effect, the bill reduces the requirement that school districts wait for 12 months to 10 days after the decision to dispose of property, lest a public petition to question the board's decision and take it to a vote surface. The bill also deletes the definition of "dispose" and "disposition," which was changed in HF 2624 to include exchange, transfer, demolition or destruction of any real or personal property of the school district. The bill, supported by IASB, is on the

governor's desk awaiting his signature, perhaps late Thursday evening.

HF 265 - Consolidation Study by Education

This bill directs the DE to convene a study on school consolidation. The bill requires the DE to convene a task force, including stakeholders and representatives from urban, suburban and rural school districts, and a professional with expertise in state and local taxation matters. The study is minimally required to include a review of incentives and reorganization efforts since 1979, barriers to consolidation, analysis of optimal school and school district size considering transportation costs and times, the effect of technology and NCLB compliance. The bill requires the Task Force to submit a report by Jan. 15, 2010. IASB encourages research-based state policy decisions, we remain concerned that this bill does not require the task force to study student achievement outcomes. This bill was approved by the House Education Committee and is now on the House Calendar.

HF 295 - ISL and Bond Election Dates

This bill eliminates the timelines for resubmitting an ISL or bond referendum after a failed election. It became necessary due to the restriction on special elections. IASB asked for the bill, which is on the House Calendar.

HF 565 - Research Lab School by Education

This bill establishes a state K-12 research and development school under the control of the University of Northern Iowa. The bill calls for a three-year transition from the existing Price Laboratory School. IASB has concerns about the bill especially by turning the Lab School into a school district within the Cedar Falls school district. IASB also has concerns about the financial implications of this bill, primarily how non-elected decision-makers can exercise taxing authority, about the redirection of state penny funds to the Lab School since they have been approved by voters via a revenue purpose statement for other uses, accountability provisions of NCLB when there is no elected board or "community" to report to, and open enrollment implications. IASB opposes this bill, now on the House Calendar.

HSB 203 - Design Build Construction Pilots by State Government

This bill introduces a new construction process to Iowa's public entities. In design build, the designer and the contractor work together on the design. This

is different from the current design-bid-build process used in Iowa. There is evidence that a design build process significantly reduces change orders and speeds up the process. Forty-six states and the federal government have design build as an option for their public projects. The bill allows for 10 pilot projects using design build. The four entities included in the projects are school districts, public hospitals, the State of Iowa and the Board of Regents. The pilot is to be completed and a report filed with the Legislature. IASB supports the bill, which is on the House Calendar.

HSB 234 - Open Meetings/Public Records by State Government

The Legislature is, once again, working on bills to amend Iowa's open meetings and public records law. The bill, as proposed, does not differ significantly from the bills filed last year. IASB is monitoring the bill, which is on the Senate calendar and expected to be voted out of House State Government later today, and while senators and representatives say the "bill is a work in progress," it needs a lot of work before public bodies find it acceptable. IASB's concerns are:

- We don't need a complete rewrite of the public records law. It is working now.
- If the new definition of public record is adopted, e-mails or other documents on private computers or not on school grounds, which are in direct relation to the employee or board member's performance of duties, will be public records.
- The definition of "serial meeting" is too broad. A "serial meeting" is when a board never meets with a quorum but discussions by elected officials go on without public notice of a meeting. While IASB supports the concept, the definition is too broad to be workable.
- The bill considers applicant files public records, unless the applicant has asked they be confidential. But, when the hiring authority is down to five finalists, the information must be disclosed.
- While adding the new enforcement agency, the statute does not eliminate the role of the Attorney General or county attorneys in the enforcement. It also does not change the role of the State Ombudsman who has also investigated, but not prosecuted, alleged open meetings/public records violations.

HSB 269 - Collective Bargaining by Labor

This bill is the PERB pre-filed, Code correction bill from last year that was eventually changed into the major Ch. 20 bill. Please monitor activity on the collective bargaining issues as we know they will be back. IASB has not been involved, nor asked to be involved, in any of the discussions to this point. At this point, assume all the issues from last year, including Ch. 279, are on the table. For guidance, see the Action Network from April 11, 2008; <http://www.ia-sb.org/Publications.aspx?id=4858>.

Labor Bills Pending:

Prevailing Wage HF 333 with a Motion to Reconsider on the House Calendar
Choice of Doctor HF 530
Fair Share HF 555

Other Resources

Please visit www.ia-sb.org to view this week's **Capitol Cast** video clip from Margaret Buckton.

Don't forget!

Plan to attend the March 19 ICN Legislative Update with IASB lobbyists. Visit www.ia-sb.org for locations.

Report Legislative Contacts

There is now a quick survey tool to help you easily keep IASB in the loop on conversations and e-mail exchanges you have with legislators. Whether you are talking about allowable growth or want to report something that helps us understand your district or legislator's viewpoint on any issue at all, please visit the IASB Web site <http://www.ia-sb.org/LegislativeAdvocacy.aspx?id=6466> and take two minutes to describe your conversation via the **Local Legislative Contact Report**. This saves you a phone call or e-mail and gives us everything we need to follow-up with your legislators or spot themes in conversations that we can address through this Action Line or an Action Network. Thanks for helping us keep track of your great advocacy work!

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Delivery Note: IASB sends you the *Action Line* by the fastest method possible: E-mails are usually sent Thursday evening; the print version is mailed Friday. If you prefer the *Action Line* by a method other than how it's now being sent to you, please contact Marte Brightman at IASB, mbrightman@ia-sb.org, or 1-800-795-4272.