



# Action Line

## Legislative Activity

### Funnel Week

It's been a hectic but productive week at the Capitol, as we marked the first funnel date today. This means that in order for bills to move forward this session, they had to have made it out of either a Senate or House committee; otherwise, the bill is considered dead. Occasionally, however, a "dead" bill comes back as an amendment to another bill, so we must continuously monitor all language moving through the chambers.

The good news out of funnel week is that most of the significant unfunded mandates are dead, such as the biodiesel mandate and mandatory vision screening, both of which could have cost districts a large amount of money. In addition, there are several significant bills we want to move forward that are doing so, such as the PPEL election fix and the expansion of PPEL uses to include items such as computer software.

Generally speaking, things are looking good, and much of that is thanks to your great work talking to legislators in your areas. Please continue to build those relationships and tell the stories of Iowa schools. Together, we can be effective advocates. There are still a few unfunded mandates alive and well, however, such as the Green Cleaning bill. We also invite you to attend the two upcoming Lobby Days we're hosting in Des Moines to talk to legislators about these issues. The next one will be Tuesday, Feb. 16, and the last event will be on Tuesday, March 9. These events are free but we ask you to register at [www.ia-sb.org](http://www.ia-sb.org). We look forward to seeing you there.

### Bill Tracker- Bills That Died

SF 2187 - Start Date

SF 2163 and HSB 673 - Vision Screening

SF 2140, SF 2153- State Foundation Aid Rewrite (Warnstadt-D)

SF 2116 - Foreign and American Sign Language Mandate

SF 2034 - Dating Violence Policy requirements

HF 2269 - Sex Education

HF 2135 - Paid Time Off and Paying Off Accrued Leaves at Termination

HSB 717 - Biodiesel Mandate by Environmental Protection

### Bills on the Move

#### **SF 2290 and HF 2040 - PPEL Expansion by Education**

The House and Senate Education Committees approved bills that would give school districts the ability to use the board-approved PPEL for computer software, repair and maintenance of equipment bought using the regular or voter-approved PPEL and technical support and training. IASB worked with the bills' sponsors to craft the amendment and support the bills as amended.

#### **SF 2226 - Child Visitation of Military Personnel**

This bill addresses visitation rights for children whose parent is on active duty in the military. The law states that if visitation rights are amended due to a parent on active duty, the parent must give a copy of the court order to the school district. IASB is monitoring the bill, which is on the Senate calendar.

#### **SF 2194/HSB 668 - Election Law Updates by State Government**

These bills include a Physical Plant and Equipment Levy fix that has been needed since the big election law changes of 2008. Currently, the law requires a PPEL with income surtax vote to take place at the regular school election, not a special election. These bills correct that mistake. The bills also make other corrections to the law as a result of the 2008 changes, including addressing annual meetings and the election of officers. IASB requested the corrections and supports the bills, which are on the respective calendars.

**SF 2193 – Notification of Personnel Policies by Labor and Business Relations**

This bill requires employers to give employees, upon initial hire and when changes are made, notice of employment policies. An exemption, requested by IASB, is for pension issues for nonemployer sponsored pension plans (IPERS). The bill also allows for electronic notification instead of hard copy. IASB is monitoring this bill, which is on the Senate calendar.

**SF 2178 - Expansion of Textbook Definition by Education**

The bill allows state funds to be used by nonpublic schools to purchase laptops and other electronic technology. While the bill specifically prohibits the use of computers for religious instruction, there is not an enforcement mechanism in place to ensure that that won't occur. In addition, this expansion will likely lead to a request for increased state funds for nonpublic school textbook purchases. IASB opposes the bill which is on the Senate calendar.

**SF 2088 – Government Reorganization by State Government**

This bill does numerous things but the major issues that impact IASB members are the make-up of the AEA boards and Empowerment. As of this writing, the House State Government Committee passed an amendment that pulls the AEA board language and inserts language requiring AEA advisory committees, made of up representatives from specific stakeholder groups. The bill also moves the preschool programming within Empowerment to the DE's early childhood division. IASB supports the new AEA language but is monitoring the preschool language. The bill has passed the Senate and is on the House calendar.

**SSB 3217– Sex Offender Registry Changes by Judiciary**

This bill makes some clean-up amendments to last year's major rewrite of the sex offender registry bill. Of importance to IASB members is a provision that provides immunity to individuals who attempted to comply with the new law, but didn't, including the provision where sex offenders aren't to be on school grounds except when dropping off/picking up their children, voting or with consent of the principal. IASB supports the bill, which is on the Senate calendar.

**SSB 3176 – Paid Sick and Safe Leave by Courtney (D)**

This bill requires employers to provide a minimum amount of sick and safe time and defines sick and

safe time. Because IASB members are already required to provide sick leave in excess of these requirements, it's the definitions that impact us. The definition is significantly broader than members have to provide now under either state law, the federal Family and Medical Leave Act or collective bargaining agreements. For example, employers will have to provide safe time for victims of domestic violence and can't ask for documentation of the need for the leave. Due to the significant fiscal impact anticipated by the bill, IASB is opposed to it which is on the Senate Calendar.

**SSB 3098 – Flood Plain Management**

This bill would require regulation of the 500-year floodplain. The bill was amended in the Senate Rebuild Iowa Committee to remove many of the objectionable provisions including restrictions on any development, including repair or maintenance of flood-damaged facilities, within the 500-year floodplain. This would impact many school facilities located within the 500-year floodplain. The bill, as amended, would encourage cities and counties to adopt ordinances regulating buildings within the 500-year floodplain but stops short of prohibiting this construction. IASB is monitoring this bill which is on the Senate Calendar.

**HF 2375 – Former Employees Access to Personnel Files by Labor**

This bill allows former employees to access their personnel files for two years after employment is terminated. IASB is monitoring the bill, which is on the House calendar.

**HF 2295 – Study of AEA Services and Funding**

This bill creates a task force to study the mission, structure, governance and funding of the area education agency system to determine if the current model is applicable to the challenges and requirements of 21st-century learning. The task force is comprised of educational stakeholders and legislators and their report is due by Dec. 15, 2010. IASB supports the bill, which is on the House calendar.

**HF 2197 – Veterans Day Off by Veteran's Affairs**

This bill requires employers to give veterans Veteran's Day off and it's up to the employer as to whether it's paid or unpaid. IASB is monitoring the bill, which is in the Senate Veteran's Affairs Committee.

**HF 2189 – Use of School Resources by Mascher**

This bill encourages schools to use their funds in order to increase the school days or year. IASB is monitoring the bill which is on the House Calendar.

**HF 2185 – Minority Applicants by Ford**

This bill encourages school districts to interview minority applicants for teaching and administrative positions. The bill states the goal of having the staff percentages of minorities to mirror that of the school district's community. IASB is monitoring the bill, which is on the House calendar.

**HF 2144 – School Closures by Public Health by Human Resources**

This bill gives the Iowa Department of Public Health the ability to close a school to control the transmission of a communicable disease. The law was the result of discussions last fall, in anticipation of the H1N1 virus, around the fact that IDPH didn't have direct authority to close a school. IASB is monitoring the bill, which is on the House calendar.

**HF 2110 – Unemployment for Spouse of Military Member by Veteran's Affairs**

This bill allows an employee who leaves his or her job due to the assignment of a military spouse to receive unemployment benefits. The receipt of these benefits does not impact an employer's experience. IASB monitored the bill, which has passed the House and is in the Senate Veteran's Affairs Committee.

**HF 823 – Green cleaning** in schools (McCarthy – D), **SF 2241 - Green cleaning** in schools (Ragan – D) The House Environmental Protection Committee and the Senate Human Resources Committee approved bills that both impose a mandate on school districts to use green cleaning products. The bills differ slightly. HF 823 says that school boards must make a decision about using green cleaning products by July 1, 2012 and notify the Department of Education of that decision. SF 2241 requires school districts to use green cleaning products by July 1, 2012, but they may seek an exemption waiver from the Department of Public Health. IASB is opposed to both bills.

**HF 777 – Open Meetings/Public Records by State Government**

Last year, the House passed HF 777 after reaching a compromise with public bodies and the media. The Senate State Government Committee struck the entire bill and inserted language to create the Iowa Public Information Board (IPIB.) The new language does not make changes to either the open meetings or public records law. The board has broad, sweeping authority over the open meetings and public records

laws including the authority to require "the appropriate persons who have responsibilities in relation to Chapters 21 and 22 to receive periodic training approved by the board." There is no definition of "appropriate person." The bill does not delete the authority of the Iowa Attorney General, county attorney, or Citizen Aide's Ombudsman in investigation and enforcement of the laws. In a tight budget year, it may not be the fiscally prudent time to start a new agency. IASB is currently monitoring the bill, which is on the Senate calendar.

**HF 620 – Market Factor Pay by Ford**

This bill allows school districts to use market factor pay to encourage highly effective teachers to teach in high-crime areas. IASB is monitoring the bill, which is on the House calendar.

**HF 495 – Extracurricular Activities by Raecker**

This is a bill filed at the request of the two athletic associations which extends the extracurricular ineligibility period from 90 to 180 days for students open enrolling and or doesn't meet one of the other residency exceptions. IASB is monitoring the bill which is on the House Calendar.

**HSB 726 – Chapter 20 Technical Corrections by Labor**

This bill contains the technical correction provisions sought by PERB. It was originally part of HSB 702 but was introduced as a separate bill to ensure that the noncontroversial provisions would move forward. The bill passed the House Labor Committee with support from Republicans with the understanding that it would remain as a non-controversial bill. IASB is monitoring the bill.

**HSB 702 –Fair Share for State Executive Branch Employees by Labor**

The bill contains fair share for employees of the executive branch of state government. The fair share provision does not currently apply to IASB members or other local government bodies. IASB is monitoring the bill, very carefully, to ensure IASB members are not impacted by amendments to the bill. The bill was approved by the House Labor Committee and is on the House calendar.

**HSB 699 – Prevailing Wage by Labor**

This bill requires public bodies to pay prevailing wage for construction projects. The prevailing wage is determined annually by the Iowa Commissioner of Labor and is based upon the prevailing wage in the county for the specific building trade. The bill incorporates the federal Davis-Bacon Act. There are provisions for public bodies to appeal the established

prevailing wage. Political subdivisions may adopt a resolution, after providing public notice of the proposed resolution and prior to the letting of a public improvement for bids, not to require prevailing wage rates to be paid for the particular public improvement. IASB has not registered on the bill as we are still investigating the potential for increased costs of projects should boards not opt out of the prevailing wage. The bill is on the House calendar.

#### **HSB 671 – Business Managers**

This bill establishes a professional business manager license for school business managers. The new license requirement is effective for new hires after July 1, 2012, and grandfathers in those business managers already practicing at that time. The bill also mandates continuing education requirements for all business managers including those grandfathered in without a license. An advisory committee will develop the license and continuing education requirements due to the Board of Educational Examiners on Dec. 31, 2010. IASB supports the bill, which is in the House Education Committee.

#### **HSB 624 – DE Special Education Clean-up by Education**

This bill makes a number of code clean-ups to the special education chapter of the Code. IASB is monitoring the bill, which is on the House calendar.

#### **HSB 623 – DE Code Clean-Up by Education**

This bill makes a number of noncontroversial clean-up provisions to the Education Code. IASB supports the bill, which is on the House calendar.

#### **HSB 566 – IPERS by State Government**

The pre-filed IPERS bill is the one adopted by the IPERS interim committee. The bill:

- Moves from a high three-year salary average to a high five for those employees not vested on July 1, 2012.
- Increases the amount IPERS can increase the contribution rate annually from 0.5 percent to 1 percent. The first time this would be in effect is for FY 2012 as the contribution rate already increases by 0.5 percent for FY 2011.
- Extends to July 2012 the ability for employees to continue to get full credit for their normal or previous salary/wage in the case of furlough or employee-exercised acceptance of a lower paying wage position, in order to prevent termination, if with the same employer.

- States that on or after July 1, 2012, a regular member of IPERS will have to have seven years of service to be fully vested for the sake of benefits. (Currently it reads four years.)
- Increases early retirement penalties for vested members retiring before they reach age 65.

IASB is monitoring the bill, which is on the House Calendar.

#### **CapitolCast**

This week's CapitolCast video clip will be available later today. Please feel free to use these clips as a way to stay updated yourself, or show them at the board table to keep your community in the loop on advocacy efforts. CapitolCast clips can be found at <http://www.ia-sb.org/LegislativeAdvocacy.aspx?id=6380>.

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