



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
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DEPARTMENT OF EDUCATION
KEVIN FANGMAN, ACTING DIRECTOR

Date: May 14, 2010
To: Education Stakeholders
From: Kevin Fangman, Acting Director
Subject: 2010 Legislative Changes

The across-the-board (ATB) cut in October 2009 provided the reality of the economic landscape for the 2010 legislative session. Lawmakers needed \$514.7 million in new dollars to replace the one-time American Recovery and Reinvestment Act (ARRA) money, the state aid reduction from the ATB cut, a previous state aid shortfall, and the 2 percent allowable growth increase for the 2011-2012 school year. In the end, the Iowa Legislature made education a funding priority by using state general fund dollars supplemented with the remaining \$48 million of federal ARRA money and \$5.1 million from the state's underground storage tank fund to fund \$352.6 million for school aid. This is an increase of \$150.2 million in total school aid compared to the end of FY 10.

Below is a brief synopsis of the legislation related to education that requires local adjustments to your district's policy and procedures. Unless noted, all legislation is effective July 1, 2010 and impacted sections and chapters of the Iowa Code are provided. School leaders are encouraged to read legislation in full by clicking on the links. Although there will be additional guidance and information on certain policy changes, please do not hesitate to contact Konni Cawiezell, Legislative Liaison, at konni.cawiezell@iowa.gov or 515-281-3399 with any questions or concerns.

Thank you to all education stakeholders who provided assistance and feedback during the legislative session. Your participation is essential to the legislative process.

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Helping Communities Meet the Learning Needs of All Their Children and Adults

2010 Policy Changes

[HF 823](#): Green Cleaning

House File 823 requires a school district to evaluate implementing an environmentally preferable cleaning policy. Unless a district opts out by July 1, 2012, a district shall purchase only those cleaning and maintenance products approved by the Iowa Department of Administrative Services (DAS). *New Section 8A.318.*

The DE will provide additional guidance as it becomes available from DAS.

[HF 2295](#): Area Education Agency Study

House File 2295 requires the DE to convene a task force to review the present mission, structure, governance, and funding of area education agencies (AEAs) to determine if the design meets the challenges and requirements of 21st century learning. The task force is comprised of education stakeholders and requires a report to the General Assembly by December 15, 2010.

[HF 2432](#): Ethnic and Minority Teacher Study

House File 2432 requires a group of education stakeholders to study the opportunities for recruitment and retention of racial and ethnic minority teachers. A report is due to the General Assembly by January 10, 2011.

[HF 2456](#): Text Messaging and Cell Phone Use by Teen Drivers

House File 2456 prohibits a young driver on an instructional, school, intermediate, or restricted driving permit from using a cell phone (or other electronic communication and entertainment devices) while driving. Restricts all drivers from reading, writing, or sending a text message while driving. Effective July 1, 2010, for warning tickets; enforcement and scheduled fines begin July 1, 2011. *Chapter 321.*

[HF 2461](#): School Business Officials

House File 2461 requires a new school business official hired on or after July 1, 2012, to obtain an authorization from the Board of Educational Examiners (BOEE). Current school business officials will be grandfathered in and receive the authorization for no fee, but must meet renewal requirements and the fee for a criminal background check will apply. An advisory committee is established to determine the standards and training program for the authorization. A report of the committee's recommendations and findings shall be submitted to the BOEE and State Board of Education by December 31, 2010. *Sections 256.7 and 272.31.*

[HF 2531](#): Standing Appropriations

House File 2531 requires school districts to submit financial information related to school infrastructure funding received under Iowa Code chapters 423E and 423F in their certified annual report. The DE shall report this information annually to the General Assembly by February 1. *Sections 256.9 and 291.10.*

Appropriates \$7.5 million in instructional support state aid.

[SF 2033](#): Persistently Lowest-Achieving Schools, Charter Schools, and Innovation Zone Consortia

Senate File 2033 requires a school district attendance center that has been identified by the DE as a persistently lowest-achieving school to implement one of the federally mandated intervention models in order to receive federal school improvement grants. Lifts the charter school cap and allows the State Board of Education to approve innovation zone consortia designed to encourage diverse approaches to student learning. *Section 256.9 and Chapter 256F.*

Administrative Rules on Innovation Zone Consortia will be developed.

[SF 2045](#): School Aid Allowable Growth Delay

Senate File 2045 delays establishing the school aid allowable growth for the 2011-2012 school year until the 2011 legislative session. *Section 257.8.*

[SF 2046](#): Categorical Allowable Growth Delay

Senate File 2046 delays establishing the categorical allowable growth for the 2011-2012 school year until the 2011 legislative session. *Section 257.8.*

[SF 2088](#): State Reorganization: AEAs, State Information Technology Consolidation, Early Childhood Iowa Initiative

Senate File 2088 requires the DE to provide guidance and standards to AEAs for federal and state education initiatives that the AEAs implement statewide. Requires AEAs to collaborate with the DE to provide a statewide infrastructure for educational data. Requires AEAs to have an advisory board composed of specific education stakeholders. *Sections 256.9 and Chapter 273.*

Requires state agencies to consolidate certain information technology (IT) functions into one statewide enterprise within the Iowa Department of Administrative Services. The consolidation process may take up to five years and could result in the current IT services and requests through the DE to no longer be available. *Chapter 8A.*

Changes the name of Iowa Empowerment to the Early Childhood Iowa Initiative. *New Chapter 256I.*

[SF 2178](#): Nonpublic Textbook Uses

Senate File 2178 allows nonpublic schools to use textbook appropriations for electronic textbooks and computers used for nonreligious instruction. *Section 301.1.*

[SF 2376](#): Education Appropriations FY 11

Senate File 2376 appropriates money to several education programs listed on page 5.

Requires the DE to prorate the final installment of the Statewide Preschool Program for 4-year-old grant awards to all interested and qualified school districts that request funding.

Exempts, as of July 1, 2010, the teacher salary supplement, professional development supplement, and early intervention supplement from any future across-the-board cut to districts and AEAs. *Sections 257.16.*

Beginning July 1, 2010, requires a school district and AEA to create a combined salary schedule for teacher compensation that uses only the combined salary and does not differentiate regular salaries and distribution of payments. *Section 284.3A.*

Expands the use of funds under the home school assistance program (HSAP). *New Section 299A.12.*

Requires school boards to annually report to the DE any membership dues, amount of any fees paid, revenue or dividend payments received, and products or services received inclusive with its membership to the Iowa Association of School Boards (IASB). Requires IASB to report additional information to the DE and requires their governing board to be subject to open meetings and open records. *Sections 279.38 and 379.38A.*

[SF 2381](#): Seatbelt Requirements

Senate File 2381 requires all persons under 18 years of age to use either a safety seat or a seatbelt. Allows exemptions for a back seat passenger in a vehicle that cannot use a seatbelt because all seatbelts are being used by other passengers. A passenger 14 years or older cited for failure to wear a seat belt will be cited for the violation. *Sections 321.445 and 321.446.*

[SF 2389](#): Construction Bidding

Senate File 2381 requires a school district bidding out a construction project to have a sufficient number of contract documents available for distribution at no charge. If a distribution policy exists, the school district may require a deposit not to exceed \$250 to be refunded upon return of the contract documents. *Section 26.3.*

Appropriations

Programs	FY 10 Appropriations ¹	FY 11 Appropriations
School Foundation Aid Total	\$2,146,457,965	\$2,499,157,875
ARRA: School Foundation Aid ²	202,546,705	47,947,887
Allocation from State Aid: Teacher Salary Supplement, Professional Development and Class Size-Early Intervention	278,101,562	314,894,787
DE Administration	7,265,110	7,096,482
Iowa Core Curriculum	1,979,540	1,901,556
Voluntary Access to Quality Preschool	11,938,821	16,242,230
Instructional Support State Aid	13,103,950 ³	7,500,000
State Support for Special Ed Birth to 3 Programs for At-Risk Children	1,721,400	1,721,400
Administrator Mentoring	11,493,891	11,493,891
Student Achievement/Teacher Quality	203,160	195,157
Nonpublic Textbook	7,614,750	7,341,765
Nonpublic Transportation	625,634	600,987
Vocational Ed Salaries & Support	7,060,931	7,060,931
Vocational Education Secondary	524,479	559,797
School Food Service	2,427,229	2,590,675
	2,039,462	2,176,797

¹ After October 2009 10 percent across-the-board cut (ATB).

² This American Recovery and Reinvestment Act (ARRA) money replaces State General Fund dollars and is not additional school aid. It was also not subject to the ATB cut.

³ ARRA money was appropriated for Instructional Support in FY 10 and was not subject to the ATB.