**UEN Legislative Priorities for 2021 Session**

**Status Report End of Session Action**

**Summer 2021**

The following **2021 Legislative Priorities** originated as key priority issues approved by the UEN Steering Committee in November of 2020. The UEN membership hear presentations including background, specific legislative requests, and advocacy supports regarding the list of priorities at the UEN Annual Meeting. The UEN 2021 Annual Meeting is scheduled to meet on Nov. 17, 2021, at 5:00 p.m. at the Des Moines Downtown Hilton, to review the priorities for the 2022 Legislative Session. See the UEN website for more information: [www.UEN-ia.org](http://www.UEN-ia.org)

**Key:**

Mission Accomplished



Some Action, but More is Needed



No Progress Made

**Invest in Iowa’s Future:** Public schools educate a diverse workforce with the skills necessary to fuel our future. Adequate funding is required to:

* fulfill the goal of restoring Iowa’s first in the nation education status,
* deliver world-class learning results for all students,
* prepare creative, caring and motivated citizens,
* close learning gaps to support excellence in Iowa’s diverse economy,
* develop a world-class workforce to secure Iowa’s economic future, and
* recruit, retain and reward Iowa’s school staff and educators of today and the future.

The cost per pupil must be sufficient to fuel school districts and AEAs and must be set no lower than 3.75% for the 2022 school year to form a strong foundation for Iowa schools to educate all students.

A strong school finance system is based on the principles of primacy, adequacy, equity, and flexibility. Iowa’s investment in public education should mirror economic growth and make up for shortfalls when the economy is robust. UEN school leaders appreciate the continued commitment to 2.3% SSA and transportation/formula equity investments for the 2020-21 school year, even after COVID-19 began to negatively impact state revenues. As the economy rebounds, Iowa students depend on the state to increase investments in education to make up for learning loss and other expenditures associated with pandemic recovery not accounted for in prior years’ budgets. Iowa’s future depends on a stable and balanced tax policy that generates enough money to fund Iowa’s priority of educating our children.

A strong system requires a diversified revenue portfolio. New state resources must supplement, not supplant existing resources. Increased state funding for schools must increase spending authority rather than simply using the school aid formula as a vehicle for property tax relief. Iowa’s 31st in the nation ranking of local school funding as a percent of total education revenues demonstrates that our revenue portfolio is out of balance.

**Priority Action:** [**SF 269**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf269) **School Funding** set the SSA rate set at 2.4%, for both regular program district cost and categorical supplements, which is the second highest in 12 years, yet still below the cost increases that schools typically experience. The bill also increased the base to promote formula equity by $10 per student (either more spending authority or property tax relief for school districts.) The bill continued property tax replacement by which the state assumes what would otherwise be a property tax increase due to the state cost per pupil increase. The bill also appropriated additional funds for transportation equity to reimburse all school districts for transportation costs above the state average. The House passed the bill 56-36, Senate passed it 31-18. Governor Reynolds signed it on Feb. 23, 2021, just a few days past the statutory deadline for enacting school aid within 30 days of the release of the Governor’s budget.

The total cost to the state of school aid and transportation and formula equity, however, after enactment of the Standings Appropriations bill which cut the AEAs by $15 million, was $28 million, well below the average state increase of $95 million experienced over the last decade. Additionally, the House, Senate, and Governor did not come to consensus on HF 532 which would have provided an additional $27 million for COVID-19 pandemic costs, distributed based on students served at school (not virtually) during the first semester of the 2020-21 school year.

***UEN was registered in opposition to this bill, since the 2.4% and total funding provided to public schools was below what was requested by UEN members.***

**Student Opportunity Equity (Close the Gap)**: Equity requires a needs-driven formula that funds programs for low-income, non-English speaking, and at-risk students.

Iowa’s funding formula has not kept pace with the changing needs of Iowa students. The formula must recognize the disproportionate cost of providing equal educational opportunities to students from low-income families. School districts should be granted spending authority for Free/Reduced Price Lunch (FRPL) eligible students’ fees mandated to be waived by state and federal law. The COVID-19 experience has also shown us glaring differences among student home support. This includes both the ability to engage in learning based on lack of internet connectivity, as well as the inability of some working parents to stay home to support required continuous learning. Experts anticipate a COVID-19 ripple effect will increase achievement gaps. UEN supports full attention to and implementation of the December 2019 School Finance Interim Committee recommendation to study the impact of poverty on educational outcomes, including other states’ formulas that provide resources for students from low-income families, which are showing successful student achievement outcomes for at-risk students. [HF 2490](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf2490) Poverty Weighting Studywas approved with strong bipartisan support in the House Education Committee in the 2020 Session and serves as a good starting point for continued conversation.

Early investment increases access to quality preschool programs which prevent higher costs later. Barriers to preschool access must be eliminated, and schools must have the funding and flexibility to provide preschool and wrap-around services for a full day, prioritizing high-need students first. UEN supports poverty and English-language learner weightings for preschool students and formula protections against the negative budget and program impacts of preschool enrollment swings.

In addition to a poverty weighting in the Formula, UEN calls for resolution of other Formula inequities, including the elimination of the $155 district cost per pupil difference within 9 years and correcting the perverse proration formula for the Instructional Support Program by providing funding over the long term and spending authority in the meantime.

The proration formula established for Iowa’s Instructional Support Program years ago assumed full state funding. With zero state share, that formula has a perverse impact on resources for districts with low property value and low-income families, which actually require more, not fewer resources for instructional support. The proration formula is outdated, given strong systems in place to promote property tax equity and relief over the last decade. All school districts should be able to access the full instructional support amount approved by their voters or their school boards going forward.

* **Priority Action:** Despite the School Finance Interim Committee recommending and the House Education Committee approving a bill, [**HF 2490**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf2490), the study of the impact of poverty on education and funding formula options to meet the needs of students did not advance out of House Appropriations Committee in 2020. No bill was moved forward in either the House or Senate in 2021, taking a step backwards in the policy discussions.
* FYI: Children from families with incomes at or below 130% of the poverty level are eligible for free lunch and those with income from 130-185% are eligible for reduced lunch.
* [**HF 605**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf605) **ELL Tiered Weighting**: this bill set 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. The 2013 ELL Task 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. Thank your Representatives and Senators for their support of this policy that targets student needs. The Governor signed it on April 30. UEN registered in support of this bill, although from a financial standpoint, this was very little additional funding (estimated between $70-$90 million annually by the [fiscal note](https://www.legis.iowa.gov/docs/publications/FN/1219449.pdf), mostly funded by state aid). This action sets the stage for increasing the weighting based on student needs in the future.
* **Priority Action:** **HF 868 Education Appropriations** allows districts with increased PK enrollment on October 1, 2021 compared to Oct. 1, 2020 to apply to the School Budget Review Committee (SBRC) for spending authority for the increased enrollment at the 0.5 PK weighting. The SBRC will automatically grant the spending authority if the PK ending balance for the prior year is less than 25%. The SBRC will allow a request and appearance to explain why additional spending authority is necessary if the ending balance is greater than 25%. The intent is that the Governor’s Education Emergency Recovery (GEERs) federal funding will over the costs of the spending authority. If federal funds are insufficient to cover the demand, the SBRC is required to prorate the amount. This language was originally in HF 532 Qualified Instructional Supplement which died on the Senate Calendar, thus was added to the appropriations bill late in the Session. UEN supported this provision.
* *Note about COVID-19 Impact: PK enrollments fell in the Fall 2020. PK does not have an on-time funding component or budget guarantee, so the Oct. 1, 2021 PK budget will be based on the Oct. 1, 2020 enrollment count. DE guidance prohibits school districts from using general fund for PK expansion. Note: Federal ESSER or ARP funds could be used for PK if funding from HF 868 process is not sufficient.*
* [HF 318](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf318) would have allowed districts to serve and count young 5-year-olds in PK, was approved by the full House, Senate Education Committee and Senate Appropriations Committee, but died on the Senate Calendar. This bill remains alive for consideration in the 2021 Session. UEN supported this bill.

No bills were discussed or moved forward regarding 1.0 weighting (rather than 0.5 weighting) for full-day preschool school, for either limited populations such as ELL students or students from low-income families, or for preschool in general.

**Teacher, Administrator and Staff Shortage:** Adequate funding is essential for public schools to compete with the private sector for employees. Licensure reciprocity with other states enacted in the 2020 Session is a great start. In addition to adequate base funding, other steps must be taken to help schools meet the challenge of attracting and retaining tomorrow’s educators and recruiting teachers that mirror the diversity in our students, including flexibility in certification requirements, acceptance of alternate evidence such as experience for Iowa licensure, loan-forgiveness for shortage areas or high-needs schools, creation of a public service track within Iowa’s CTE plan, creative grow-our-own programs and a strong IPERS and employee benefits system.

* **Priority Action:** Several ideas moved forward to continue to build flexibility in staffing. Although we expect staff shortages, especially in high needs schools to continue, this track record of expanded flexibility is celebrated today.
* [**HF 2627**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hf2627) **Licensure Reciprocity:** this bill was enacted in the 2020 Session. The bill requires reciprocity with other states for applicants with 1 year of experience. BOEE is in the process of implementing this statute, which will apply to teachers, administrators, and other licensed staff positively impacting the ability of Iowa schools to recruit from other states.
* [**SF 466**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf466) **Occupational Therapists:** this bill expands the list of providers whichallowed to provide concussion services for extracurricular events. UEN was undecided on this bill.
* [**SF 532**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf532) **Licensed Behavior Therapists and Mental Health Professionals:** this bill requires the BOEE to create aStatement of Professional Recognition for these positions. UEN supported this bill.
* [**HF 675**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf675) **Substitute Authorization:** this bill carries forward the flexibility that Governor Reynolds provided to school districts during the pandemic public health state of emergency declarations, allowing additional flexibility for substitute teachers. It allows an AA degree for substitutes or 60 hours of post-secondary credit and a process to extend beyond a 10-day assignment to one classroom under certain circumstances. UEN supported this bill.
* [**HF 770**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf770) **Professional Development CEU’s:** this bill allows specified PD to count for ½ of required continuing education units (CEUs,) required for licensure renewal. The BOEE is required to allow either work on individual PD plan or courses offered by BOEE approved provider (AEAs, MISIC, etc.) to count for this credit. UEN supported this bill.

***Funding Footnote:*** *staff shortages will continue if adequate funding for education is not restored. Schools compete for labor in Iowa’s strong economy. As private sector and other employers can offer competitive benefits packages and higher pay than what schools can provide, school staff will continue to be in short supply.*

**Mental Health Services:** Iowa must fund services, eliminate barriers, and clarify funding sources and responsibilities, including critical partnerships and wrap-around services. Enabling the delivery of mental health services, when appropriate for students, via telehealth, enacted in the 2020 Session, is a good first step. Additional State efforts are needed to establish and fund comprehensive community mental health systems to offer preventative and treatment services and comprehensive school mental health programs that include in-school access for students to mental health professionals, provisions for reimbursement by Medicaid and private insurers, and programs to fill in gaps for students without coverage. In addition, funding for additional and ongoing teacher, administrator, and support staff training to improve the awareness and understanding of child emotional and mental health needs is needed. Additional mental health services for our school staff are also required. Schools should not be mandated to screen for mental health needs or provide mental services without adequate funding to do so.

* **Priority Action:** [**SF 2360**](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=sf2360) in 2020 Classroom Management/Therapeutic Classrooms mirrors federal law in Least Restrictive Environment and sets up a grant process for additional therapeutic classrooms. Funding of $2.1 million to implement these classrooms was included in HF 868 Education Appropriations. UEN supported this bill and subsequent appropriation.
* Funding to AEAs for mental health training and student supports and services was increased to $3.2 million, also included in [HF 868](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf868). UEN supported this provision.
* [**SF 619**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf619) **Tax Omnib**us included policy language requiring parity for insurance payments for telehealth services and state funds to reduce property taxes which currently fund Iowa’s mental health system. UEN supported this provision, although registered opposed to the bill that provided significant tax relief which will challenge the ability of future legislatures to adequately fund public schools.
* [**HF 868**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf868) **Education Appropriations** also included policy language for mental health professionals with a statement of professional recognition from the Board of Education Examiners (BOEE) to qualify for Operational Sharing Incentives. UEN was undecided on this provision, as no UEN districts currently participate in Operational Sharing Incentives.

**District Authority:** School boards are responsible for making decisions on behalf of their students, staff and communities to meet the goals of their district. UEN believes that those locally elected leaders closest to the community care most about those impacted by their decision making and are in the best position to determine the best interest of students, staff and stakeholders. Local school boards are accountable to those who elect them. In education policy, one size does not fit all school districts, classrooms or students. District leaders need maximum flexibility to provide a great education to all students. The state role is to define what outcomes are necessary for all students, leaving flexibility to schools in expenditures and policy to best determine how to deliver those intended outcomes. Statutory Home Rule, articulated in Iowa Code 274.3, gives locally elected school boards broad and implied authority. The Legislature, the Governor/executive branch and the courts should follow the law and liberally construe the Iowa Code and legislation to effectuate local control.

* The Governor’s interpretation and implementation of SF 2310 Return to Learn Plans from the 2020 Session inserted steps of state approval into the process of pandemic decision-making, after school districts had submitted their original RTL plans, which usurped local control. UEN advocated for allowing school boards to make the best decision for their districts.
* ****[**HF 847**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf847) **Mandate Prohibiting Local Mask Mandates:** an amendment on the final day of session to HF 847included a last minute amendment prohibiting schools (and cities and counties) from requiring masks unless it was otherwise required by law. The amendment was filed to the bill on Wed., May 19, debated and approved in both the House and Senate, and the Governor signed the bill just after midnight. School leaders awoke on Thursday morning to changed law, confusion about CDC federal requirements on buses, and general disruption of processes that had been running smoothly. The process of amendment to signage in only a few hours does not respect the input of school leaders or local control decisions made to balance competing needs in communities and schools. UEN opposed this provision.

[**HF 847**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf847) **Education Flexibility Provisions:** this bill included a new flexibility student and school support (FS3) program allowing school districts to define programs of innovation or targeted toward student needs, allowing waiver of regulations. The bill also expands the ability to transfer ending categorical fund balances for the flexibility account to include teacher leadership and compensation (TLC) ending balances. UEN supported these provisions which expanded district flexibility for student centered programs.

**Public School Priority:** Our public schools are well designed to provide a range of choices for parents and students. UEN believes that Iowa law provides sufficient choice through public schools, public charter schools, open enrollment, homeschool assistance, independent private instruction, post-secondary enrollment options, public virtual academies, and nonpublic school alternatives. Additional tax credits towards nonpublic tuition for investments in options without oversight are not necessary to provide choice to the families in Iowa. Education supported by public funds, including property taxes, state aid or federal monies, should be held to the same governance and educational standards as public schools. The state should provide full funding to public schools to meet the evolving needs of public school students before increasing financial supports for private schools. Additionally, federal legislation and rules should require grant funding distribution methods and resources to fully meet public school students’ needs before providing additional resources to private schools.

* ****[**HF 813**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf813) established charter schools in Iowa. UEN requested a chartering method that required school board approval. The bill also included the ability for an outside entity to be able to initiate a charter school without school board approval. Although some improvements were made to the bill, such as making charter schools subject to open meetings and public records, the UEN remains opposed.
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* [**HF 847**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf847) School Tuition Organization Tax Credit: This bill addressed many different topics, including expanded school flexibility which UEN supported. However, the bill also increased resources for private school tuition grants via tax credits. The bill raised the deduction allowed for contributions made by a taxpayer to a School Tuition Organization Tax Credit (STO) from 65.0% to 75.0% and raised the STO cap from $15.0 million to $20.0 million beginning January 1, 2022. UEN opposed these provisions which provided a greater percentage increase in funding for STO’s (30% increased funding) than public school funding experienced. *Note: the increase in state aid for schools at 2.4% SSA translates into a 1.25% increase in state funds to support public schools as reported in the* [*fiscal note*](https://www.legis.iowa.gov/docs/publications/FN/1219454.pdf) *for SF 269.*

Vouchers for private school tuition: provisions of the Governor’s School Choice bill, SF 159, which was approved by the Senate on Jan. 28, 2021, 26:21, did not advance out of the House Education Committee. The proposal, known as the Student First Scholarship Program, was a priority for the Governor. The House advanced many of the other aspects of the Governor’s school choice package, but House Republicans did not appear to have consensus on moving this provision of limited vouchers forward. Since 2022 is the second year of the Biennium, SF 159 is alive for consideration in the House Education Committee. UEN encourages public school advocates to remain vigilant in opposing private school vouchers in any form, which would require expenditure of public dollars on private schools without oversight or accountability to tax payers. UEN was opposed to this bill and this provision specifically.

**Remote Learning and Instructional Time:** UEN supports the ability for local leaders to determine when in-person learning is not advised, for emergency situations and safety, including but not limited to weather cancellations, emergency infrastructure conditions, or for purposes of public health, as long as engagement in virtual learning opportunities is required for students and staff and the needs of all students are anticipated and met. Local leaders know and are committed to providing additional attention to those students and staff who may need more support during virtual learning opportunities. Under such conditions, instructional time delivered during required virtual learning counts toward minimum instructional days or hours.

* [**SF 467**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=SF%20467) **On line Learning and Snow Days,** was approved in the Senate but died the House Education Committee. The online learning flexibility provisions are moving forward with DE rulemaking. Note: There is no bill or statute requiring school districts to offer 100% virtual option to parents/students, which respects the local control of school districts to determine what is best for their communities. However, the authority for a local school board to allow up to five virtual learning days rather than make-up days at the end of the school year due to emergency or inclement weather did not move forward. This bill remains in the House Education Committee for consideration in the 2022 Session. UEN supported this bill.
* ****[**SF 160**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=SF%20160) **Instructional Time** was signed by the Governor Jan. 29. This bill required schools to offer parents an option for 100% in-person learning beginning Feb. 15. The option for 100% virtual or hybrid less than 50% was still allowed by waiver from the DE due to COVID outbreak after Feb. 15 and additional metrics for the DE to consider a waiver included shortage of key staff (substitute teachers, bus drivers and food service workers). UEN was undecided on this bill.

**Internet Connectivity and Access:** UEN supports continued state and federal efforts at expanding access to high-speed internet to all Iowans for student and staff access to critically needed information. Access to virtual learning and information is required for students to fully experience quality STEM programs, required virtual learning and the extraordinary array of information and resources available to promote full student engagement in 21st Century learning. The quality of life, workforce readiness, entrepreneurship and access to a whole host of critical services depend on citizen access to high-speed internet. UEN supports incentives, investments, and creative solutions to close the technology gap for all students, their families, businesses and community members in Iowa. Lack of sufficient income should not be a barrier to internet access for our students and families.

[**HF 867**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf867) **Administration and Regulation Appropriations** included $100 million to the Empower Rural Iowa Broadband Grant Fund. Governor Reynolds signed [**HF 848**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf848) which creates a statutory framework for the grants, on April 28. Governor Reynolds made increasing upload and internet speeds in rural Iowa a priority for the session and asked for $150 million in funding for broadband grants in the first year, and $450 million over three years. On signing the bill, Governor Reynolds said:

*“This bill provides a historic $100 million investment in broadband that will transform our infrastructure into a powerful network, enabling fast, high-quality connectivity statewide and opening doors to new opportunities for communities large and small. I want to thank the Legislature for their commitment to funding the broadband grant program and to the providers for their dedication to this initiative.”*

UEN supports state investments in expanding broadband Internet to places with adequate access. However, lack of support for low-income families to afford Internet remains an issue that will continue to impact urban school students until it is resolved.