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DEPARTMENT OF EDUCATION  
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Date: August 16, 2011  
To: Education Stakeholders  
From: Jason Glass, Director  
Subject: 2011 Legislative Session – Statute changes affecting schools

The Iowa Department of Education is offering this brief summary of the 2011 legislative session and changes to statute that impact schools and school districts statewide. As you are well aware, the 2011 session was memorable for many reasons. But every challenge brings opportunity. The 2011 legislative session sparked good conversations, and we fully intend to continue to press for a remodel of our education system in the next session.

The Iowa Education Summit in July was a success. The event was designed to spur discussion and constructive thought about what Iowa must do as part of this major remodel. We will continue to listen and work with people and groups across the state to identify specific strategies we will take on as part of this effort.

As always, thanks for what you do. I look forward to working with you in positive collaboration as we set out to remodel Iowa's education system so that it's on par with the highest performing systems in the world.

### 2011 Policy Changes

#### [HF 645](#): Education Appropriations

Allows a student receiving competent private instruction to demonstrate proficiency in addition to a state assessment through 1) written recommendation of their supervising licensed practitioner; 2) achievement scores on the annual achievement evaluation; or 3) achievement based on a selection index score of a college board administered SAT, ACT or college readiness assessment. *Section 261E.3.*

Changes regional academy provisions to allow students grades 7-12 (formerly grades 9 – 12) access to Regional Academies. Expands partnership ability with the district to

almost any type of educational entity, as well as businesses and private agencies, within or outside of the state. Requires districts to submit a plan for new proposals to the Department for approval. *Section 261E.9.*

Creates an Iowa Online Placement Academy at the University of Iowa and appropriates \$481,849 for its operation. *Section 263.8A.*

Changes Shared Visions to allow shared visions preschool funding to support any student ages 3-5 regardless of the initial grant application submitted. *Section 279.51.*

Struck the word “unit” from Physical Plant and Equipment Levy (PPEL) statute so that the law now allows a district to “purchase, lease, or lease-purchase equipment or technology exceeding five hundred dollars in value per purchase, lease or lease-purchase transaction. Each transaction may include multiple equipment or technology units.” *Section 298.3.*

Clarifies the age a student can dual enroll and/or enroll in a Home School Assistance Program as school age (5-21). Expands the use of Home School Assistance Program (HSAP) dollars. *Chapter 299A.*

Requires the Board of Educational Examiners (BOEE) to annually provide regional training opportunities on professional conduct and ethics. Allows the BOEE to deny or revoke an administrator’s license if by a preponderance of the evidence shows the administrator failed to report a termination or resignation of a school employee for reasons of alleged or actual misconduct. Requires a school board of directors to place an employee on administrative leave who is subject to an alleged incident of physical or sexual abuse (102 investigations) and report any findings of a crime to the BOEE. *Sections 272.2 and 272.15.*

#### [HF 676](#): Leased Vehicle Registration Fee Exemption

House File 676 exempts a new registration fee for vehicles leased by a school. *Section 321.105A.*

#### [SF 289](#): Open Records and Open Meetings

Senate File 289 makes several changes to the Open Meetings and Open Records Law. Allows a school district to go into closed session to discuss the sale of property. Clarifies that a settlement and what personal information for officials, officers and employees is a public record. Increases the fine for knowingly violating the Open Meetings and Open Records to a maximum of \$2500 per violation. *Chapters 21 and 22.*

#### [SF 367](#): Student Concussions

Senate File 367 requires a parent or guardian to sign off and return a concussion and brain injury information sheet prior to their student practicing or participating in any extracurricular interscholastic activity for grades seven through twelve. Requires coaches to remove a student that shows signs of a concussion or brain injury from the activity until the student receives written clearance from a licensed health care provider.

*Section 280.13C.*

#### [SF 453](#): High School Credit

Senate File 453 allows a school district and nonpublic school to credit towards high school graduation requirements a course taken by a student prior to 9<sup>th</sup> grade. Courses include English or language arts, mathematics, science or social studies. *Section 256.7.*

#### [SF 533](#): Standing Appropriations

Senate File 533 appropriates Fiscal Year (FY) 12 funding for at-risk children (Shared Visions), nonpublic transportation reimbursement, state aid and categorical funding. Cuts the area education agencies \$20 million in FY 12.

Restricts a school district with a voluntary preschool program to use no more than five percent of funding for administrating the program and reduces the per pupil amount for the preschool program from .6 to .5 of state regular cost per pupil. See the last page for additional guidance on these issues.

Creates a taskforce for the prevention of child sex abuse.

Sets the allowable growth for FY 12 at zero percent for both state aid and categorical funding. Sets the allowable growth for FY 12 at two percent for both state aid and categorical funding.

## Appropriations

Programs	FY 11 Appropriations	FY 12 Appropriations
School Foundation Allowable Growth	2 percent	0 percent
Allowable Growth for Categorical Funding: Teacher Salary Supplement, Professional Development and Class Size-Early Intervention	2 percent	0 percent
DE Administration	7,096,482	5,913,812
Iowa Core Curriculum	1,901,556	1,000,000
Voluntary Access to Quality Preschool	16,242,230	0*
Instructional Support State Aid	7,500,000	0
State Support for Special Ed Birth to 3 Programs for At-Risk Children	1,721,400	1,721,400
Administrator Mentoring	11,493,891	10,728,891
Student Achievement/Teacher Quality	195,157	0
Nonpublic Textbook	7,341,765	4,785,000
Nonpublic Transportation	600,987	560,214
Vocational Ed Salaries & Support	7,060,931	7,060,931
Vocational Education Secondary	559,797	559,797
School Food Service	2,590,675	2,630,124
	2,176,797	2,232,536

\*No stand-alone appropriation for new grants. State Aid is excluded from this number.

**FY12 Guidance for the Statewide Voluntary Preschool Program resulting from statute changes in Senate File 533**

Senate File 533 has two changes for the Statewide Voluntary Preschool Program:

- 1) defines the district's use of funding for administration, and
- 2) reduces the per child funding amount.

**Restriction of Funding for Administration**

*Sec. 86. PRESCHOOL FOUNDATION AID ===== ADMINISTRATIVE COSTS.  
For the fiscal year beginning July 1, 2011, and ending June 30, 2012, of the amount of preschool foundation aid received by a school district for a fiscal year, not more than five percent shall be used by the school district for administering the district's approved local program.*

A district may use up to 5% of the total amount of SWVPP funding received for the fiscal year beginning July 1, 2011. The 5% administrative limit is applicable to districts only and should be used for administrative expenses related to delivery of this program. Administrative fund limits with community partners are a local decision and should be based the programmatic needs of the four-year-old preschoolers as defined by quality early learning and program standards.

**Reduction of Per Child Cost**

*Sec. 91. Section 256C.5, subsection 1, paragraph c, Code 2011, amendment.  
c. "Preschool budget enrollment" means the figure that is equal to ~~sixty~~ fifty percent of the actual enrollment of eligible students in the preschool programming provided by a school district approved to participate in the preschool program on October 1 of the base year, or the first Monday in October if October 1 falls on a Saturday or Sunday.*

The full time state per pupil cost is \$5,883 for FY12. In 2011-2012, districts will receive .50 FTE or \$2,941.50 per child, based on the number of children in their SWVPP Certified Enrollment count from October 2010.

If you have further questions, please contact:

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