



IOWA DEPARTMENT OF EDUCATION

2016 Legislative Session – Summary of Statute Changes Affecting Schools

June 17, 2016

Overview

Dear Colleagues,

The General Assembly passed, and Governor Branstad signed, several important pieces of legislation from the 2016 session that will impact Iowa's schools. The Iowa Department of Education is pleased to provide this summary of legislative changes to help you plan for the year ahead.

As I enter my second year of service as director of the Iowa Department of Education, I look forward to working with you to implement these new changes, as well as the bold statewide initiatives that are under way. They include Iowa's Teacher Leadership and Compensation System, a statewide early literacy initiative to make sure all students are successful readers by the end of third grade, and sweeping changes to Iowa's approach to Career and Technical Education.

Together, we will build on our successes and address our challenges to ensure all of Iowa's students have a bright future ahead of them.

Sincerely,

A handwritten signature in cursive script that reads "Ryan M. Wise".

Ryan Wise, Ed.L.D.
Director
Iowa Department of Education

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2016 Policy Changes

SF 2323 Education Appropriations

Each year, the Department of Education (Department) and other state-funded educational agencies or programs are funded in budget bills. Many of these programs were funded at the same level as last year and do not include programmatic changes. This legislation, however, also includes several policy and programmatic changes and modifications. The guidance below is intended to highlight the changes in policy and funding as well as the appropriations and policies that remain unchanged.

Student Achievement and Teacher Quality Program: Division I, Section 4, 15; Section 14(b), Section 15(b)

Includes \$57,391,351 in funding to launch the third year of Iowa's Teacher Leadership and Compensation (TLC) system as well as funding for the beginning Teacher Mentoring and Induction Program (which all districts will continue to receive this year), National Board Certification, the ambassador to education position (i.e. Iowa's Teacher of the Year) and the Teacher Development Academies.

School districts in TLC cohorts 1 and 2 (districts that began implementation in 2014-15 and 2015-16) will receive \$319.72 per pupil as a part of regular state aid payments. This amount includes a 2.25 percent increase from the 2015-16 amount.

Districts in cohort 3 (districts that will implement TLC for the first time in 2016-17) will receive \$312.16 per pupil for the 2016-17 school year through the TLC grant. The amount appropriated this year (\$50,000,000) for districts coming into TLC for the first time was the same amount as appropriated in the previous two years.

Due to an increase in students, however, the per pupil amount is less than last year. While cohort 3 districts will receive \$7.56 less per pupil than cohorts 1 and 2, the per pupil allocation for cohort 3 is only \$0.52 less per pupil than districts included in their TLC budget. In addition, this difference in funding will only occur in Fiscal Year 2017. All districts will receive the same per pupil allocation in Fiscal Year 2018 and beyond.

On May 3, 2016, the Iowa Department of Education issued a memo describing the FY17 per pupil funding for TLC. The memo stated, "School districts will also need to account for open enrollment when determining their actual TLC amount as the district of residence pays the receiving district the per pupil TLC amount." Since all school districts will participate in TLC in 2016-17, TLC per pupil funding is attached to all open enrollment billings. While open enrollment is always a current year expenditure, it is based on the prior year per pupil cost. Accordingly, **for open enrollment billing, school districts in cohorts 1 and 2 who have students open enrolling to other districts will pay those districts \$312.68 (the FY16 TLC per pupil amount). School districts in cohort 3 (year 1 of TLC next year) who have students open enrolling to other districts will pay those districts \$312.16 (the total amount per pupil received for TLC in 2016-17).**

In 2017-18 and beyond, this issue will resolve itself. All districts' TLC funding will be included in the school aid formula payments and will have a consistent per pupil amount. If you have additional questions about this clarification, please contact Jeff Berger at jeff.berger@iowa.gov or 515-281-3968.

Attendance Center Performance Rankings Report: Division I, Section 4, 17

Appropriates \$250,000 for the continued development and implementation of the Attendance Center Performance Rankings system, which is also referred to as the Iowa School Report card.

Administrator Coaching and Support: Division I, Section 4, 18

Appropriates \$1 million to the Department for the continued development of a coaching and support system for administrators in school districts that have adopted a TLC plan. This will enable the Department to support a third cohort of principals in the system.

English Language Learners (ELL): Division I, Section 4, 19

Appropriates \$500,000 to the Department to continue the ELL Grant Program. In addition, the 25 Iowa schools with the largest number of students identified as limited English proficient and that provide educational programming will be required to submit a report to the Department.

Online State Job Posting System: Division I, Section 4, 20

Appropriates \$250,000 to the Department for the administration of the TeachIowa.gov online job posting system, which was launched in August 2013. All public school districts, charter schools, and area education agencies are required to post **all** job openings on the system. Accredited nonpublic schools may participate as free access to the basic system for accredited nonpublic schools is provided by the state as part of this contract with the vendor.

Area Education Agency (AEA) Support for Teacher Leadership and Compensation (TLC): Division I, Section 4, 22

Appropriates \$1 million to the Department to support the system by which the AEAs support school districts implementing local TLC plans.

Successful Progression of Early Readers: Division I, Section 4, 23

Continues the appropriation of \$8 million to the Department for distribution to school districts to provide intensive instructional services for the successful progression of early readers. This is the same amount of funding as distributed for fiscal years 2014 through 2016.

Early Warning Assessment System: Division I, Section 4, 24

Appropriates \$2 million to the Department's general administration to administer and distribute to school districts and accredited nonpublic schools an early warning assessment system that allows teachers to screen and monitor student literacy skills from prekindergarten through sixth grade.

Competency-Based Education: Division I, Section 4, 26

Appropriates \$425,000 to the Department for the continued implementation of the recommendations of the Competency-Based Education Task Force. In addition, the funding is to be used to provide grants under the competency-based education grant program and support the following key areas: development of model competencies, accountability and assessments, professional development, and the use of technology to support the system.

Fine Arts Beginning Teacher Mentoring Program: Division 1, Section 4, 26A; Section 7, 1-6

Appropriates \$25,000 to the Department to establish a fine arts beginning mentoring program under a contract with an Iowa-based nonprofit organization.

Delay of Implementation of Iowa's new academic assessment: Division 1, Section 6(2)

Delays the implementation of Iowa's new academic assessment system until the 2017-18 school year. In the interim, schools will continue to administer the Iowa Assessments in reading and mathematics to grades 3-8 and 10-11. They will also administer the Iowa Assessment Science assessments in the required grades 5, 8

and 11. As always, districts may exceed these requirements if they choose. Districts may also choose to administer the Iowa Assessments in their preferred assessment window (Fall, Winter, Spring).

The Department will provide additional guidance in the coming year.

Delay of implementation of Intensive Summer Reading Programs: Division 1, Section 13 (e)

Provides a one-year delay, to summer 2018, of the requirement for districts to offer an Intensive Summer Reading Program to students who are not proficient readers at the end of third grade.

Delay of Implementation of Third Grade Retention: Division 1, Section 12 (c) and 19

Provides a one-year delay, to spring 2018, regarding retention decisions for third grade students who are not proficient readers and who do not successfully complete the Intensive Summer Reading Programs or qualify for a good cause exemption.

Preschool Foundation Aid Funding: Division 1, Section 8(e)

Allows preschool foundation aid funding to be used by approved local programs for the costs of transportation involving children participating in the preschool program.

HF 2459 Standing Appropriations

Each year, the Department and other state-funded educational agencies or programs have ongoing obligations of expenditures, some of which do not require a vote or any statutory provisions and automatically enact without an active vote. In addition to those ongoing expenditures, this legislation also includes policy and programmatic changes and additions.

CAM and Clayton Ridge Sunset Date: Division II, Section 13

Provided a sunset date of July 2018 for both online academies. The Governor line item vetoed the provision in its entirety, which allows the programs to continue indefinitely.

Additional Education Legislation

The sections below cover additional legislation impacting PK-12 education.

HF 2264 Athletic Eligibility in Open Enrollment

Allows a student who open enrolls in grades 9-12 to be immediately eligible to participate in varsity athletics when the district of residence determines the student was subject to a founded incident of harassment or bullying while attending school in the resident district.

The Department will provide additional guidance later this summer.

HF 2392 Career and Technical Education, including Career and Academic Planning

House File 2392 implements the recommendations of the Secondary Career and Technical Education (CTE) Task Force, which call for a modernization of secondary CTE to ensure consistent, equitable access to high-quality CTE and concurrent enrollment opportunities for all Iowa students.

The bill contains two divisions. Division I focuses on career and academic plans, and Division II focuses on CTE and work-based learning programs.

Division I incorporates changes to Iowa Code section 279.61, which include objectives of the career guidance system to: a) prepare students for successful completion of all graduation requirements; b) identify coursework related to career goals; and c) prepare students for successful completion of all components of a state-approved career guidance system. Division I also requires districts to establish career guidance teams at the school district level, responsible for ensuring compliance with the requirements of this section. The State Board of Education (SBE) is also granted authority to adopt standards for the career guidance system. See the [Career and Academic Planning webpage](#) for guidance on implementing Individual Career and Academic Planning.

Division II revises several sections of Iowa Code, primarily chapter 258 – Vocational Education, but also chapters 256, 260C, and 261E. The six CTE services areas included in chapter 256 are revised; of note is the consolidation of Business and Marketing into a single service area titled “Business, Finance, Marketing, and Management.” Family and Consumer Sciences is now included under a broader service area called Human Services. Health Education is now called Health Sciences. Information Technology and Graphics Communications is organized as a new service area.

Division II also incorporates extensive modifications to chapter 258. The SBE and the Director of the Department are granted authority to establish standards for CTE service areas per 256.11(5), Regional CTE planning partnerships, and career academies and regional centers authorizes the Director to facilitate the process established by the SBE for implantation of regional planning partnerships.

State vocational education reimbursement funds are reassigned to regional planning partnerships to be expended on costs associated with operating the partnerships and other allowable uses focused on secondary CTE. Examples of how these funds could potentially be used to enhance high-quality CTE include equipment purchases, including software systems, professional development, and extended contracts, to name a few.

Noteworthy is that these funds will be dedicated exclusively toward CTE, permitting the regional planning partnerships, in collaboration with school districts within the region, to promote and enhance high-quality CTE.

Lastly, Division II establishes expectations for regional planning partnerships. Regional planning partnerships is a collaborative body consisting of districts, community colleges, business and industry, and other community stakeholders which assist in providing for the effective, efficient, and economical delivery of high-quality secondary CTE programming. Regional planning partnerships are required to be formed by June 30, 2017.

The Department will provide additional guidance later this year.

SF 2196 Literacy Requirements in Teacher Preparation

Modifies the reading and literacy requirements for teacher preparation programs approved by the State Board of Education and requires preparation in reading theory, knowledge, strategies, and approaches. In addition, the preparation must address all students, including those with disabilities, students at risk of academic failure, gifted and talented students, limited English proficient students, and students with dyslexia whether or not those students possess an individual education plan (IEP).

HF 2413 Reading Proficiency/Intensive Summer Reading Programs

Includes three modifications to Iowa Code section 279.68:

1. Replaces the language “substantial deficiency in reading” with “persistently at risk in reading,” which means the student has not met the grade level benchmark on two consecutive screening assessments.
2. Requires regular updates (as opposed to annual notification) regarding the student’s progress toward reaching reading proficiency; and
3. Clarifies that the determination of reading proficiency includes universal screening and annual standard-based assessments.

The Department will provide comprehensive guidance on Intensive Summer Reading Programs and the implementation of all early literacy legislation prior to the 2016 – 2017 school year.

SF 2200 Online Learning Local Option

Assists local school districts who do not have a licensed teacher to teach a specified offer and teach course. Allows districts to offer online courses outside of the Iowa Communications Network, if the course is not available through Iowa Learning Online. The Department will provide additional guidance this summer.

SF 2304 Children’s Residential Facilities/Boarding Schools

Creates a new Iowa Code Chapter 237C dealing with a Children's Residential Facility. The Department is given the authority to bring civil action against such a facility if it violates the requirements of its educational program under Section 282.34 of Iowa Administrative Code. The Department will collaborate with the Iowa Department of Human Services (DHS) on the development of rules related to this new Code section and will consult with DHS in the establishment of certification standards for a Children's Residential Facility.