**CALL TO ACTION UPDATE**

**Education Savings Accounts (Vouchers), Charter Schools and   
Diversity Plans/Open Enrollment Bills Are Not for Iowa**

**January 26, 2021**

**School Choice Discussions are heating up at the statehouse. Here’s what you need to know:**

[**SF 159**](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf159) **Governor’s Education Plan.** This bill has many provisions that UEN opposes that are not for Iowa. To dig deeply into the details, see a [detailed section by section description of the bill](https://www.iowaschoolfinance.com/system/files/members/Public/UEN/Section%20Analysis%20of%20Governor%20Ed%20Omnibus%20SSB%201065%20-%2001.21.2021.docx). This bill was approved by the Senate Education Committee on Monday, Jan. 25, 8-7, with Republican Sens. Cournoyer and Sweeney voting no with the Democrats. The bill is scheduled for the Senate Ways and Means Committee consideration as a Committee of the Whole, a procedure to bypass a separate subcommittee meeting at 11:30 on Tuesday, Jan. 26, in the Senate Chamber. View the committee at this link: <https://www.legis.iowa.gov/dashboard?view=videoLive&chamber=S>

**Vouchers:** SF 159 (formerly SSB 1065) includes “Student First Scholarships” called education savings accounts for resident students in schools in need of comprehensive support and improvement (some urban, some rural).

Here are some talking points to use regarding vouchers:

* **Use public dollars for public schools. Period.** The public’s investment should be used to support public community schools which are open to all students regardless of race, religion, gender, socio-economic status and disability, not for a new entitlement program for parents who choose private education.
* **Public funds require public accountability and transparency.** Public schools are overseen by a publicly elected citizen governing board, are required to report academic results to the general public, have an annual public financial audit, and be transparent with all expenditures and decision-making. Private and religious schools are not held to that same public standard. Taxpayers have a right to know how their funds are being used, but are left in the dark about the use and impact of voucher funds.
* **A slippery slope toward a costly and expansive voucher program:**This voucher program may start small, but as we've seen in other states, once a program is established, it is easy to expand. This will pull more resources away from public schools.
* **Vouchers don’t deliver improved student learning:** Recent Federal Department of Education review of the DC Voucher plan after three years showed no improvement of learning for any subgroup. Funding the $10 million in High Needs schools grants originally included in Bi-partisan Education Reform Legislation in 2013 would be a good start. Considering a poverty factor in the funding formula for districts with concentrated poverty would also improve results.

**Voluntary Diversity Plan Restrictions (Division III in SF 159 and HSB 64)**

The goals of voluntary diversity plans are to preserve a mix of diversity and prevent segregation of schools in these five districts (Davenport, Des Moines, Postville, Waterloo, and West Liberty.) These bills would eliminate the ability of five school boards to regulate open enrollment out of their districts based on their diversity plan. See the [UEN Issue Brief](https://www.uen-ia.org/system/files/Public/IssueBriefs/Issue%20Brief%20Diversity%20Data%20-%20Jan%202021.docx) explaining the issue and showing data on poverty, minority, open enrollment and certified enrollment for these and similar districts without voluntary diversity plans. This bill was approved 2:1

by a subcommittee and moves next to the House Education Committee agenda. UEN opposes this bill in the House and Division III of the Governor’s bill, with discussion also scheduled for Monday.

Here are some talking points to use regarding diversity plans:

* **Solid research shows a concentration of poverty hits a tipping point at 50-60%, increasing the costs and challenge of educating every student in the system to success. Classrooms with diversity of socio-economic backgrounds do better for students. Likewise, segregated schools with concentrated minority populations, almost always accompanied by concentrated poverty, negatively impacts student achievement, economic growth and workforce diversity for such communities.** [**https://www.legis.iowa.gov/committees/committee?ga=89&groupID=686**](https://www.legis.iowa.gov/committees/committee?ga=89&groupID=686)
* **There is already much school choice in urban districts; open enrollment within district, virtual program within district, regulated open enrollment out of the district, good nonpublic schools (with significant tuition assistance for low-income families provided by school tuition organizations), competent private instruction (home school with support) or independent private instruction (home school without support.) The additional benefit of one more choice for a few parents has larger negative consequences for the rest of the community.**
* **Low income and minority students are already allowed to open enroll out and the sending school pays for transportation.**
* **Voluntary diversity plans have served districts with large minority populations well, perhaps staving off ugly court challenges that could order district desegregation efforts. Without this practice, the concentration of poverty and minority would increase among those remaining in the district and court challenges become more likely.**
* **Higher concentrations of poverty and minority elevate the cost of education and the challenges of success and opportunities for students. The health of the inner city becomes the economic development driver of the broader community in the wrong direction. The Washington Center for Equitable Growth has this piece on the impact of segregation on economic growth:** <https://equitablegrowth.org/school-segregation-undermines-u-s-economic-mobility-and-dynamism/>
* **Suburban districts already struggle with hefty property tax bonds to keep up with residential enrollment growth. This additional enrollment would add to suburban property tax challenges.**

**Charter Schools**, [SF](https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=hsb213) [159](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf159), would allow two kinds of charter schools; charter school with school boards initiating the charter further approved by the State Board of Education, or charter schools founded by private entities if approved by the State Board of Education, without local board approval or support. UEN is opposed to this provision.

Talking points on Charter Schools:

* The intended purpose of this legislation sounds exactly like what public schools would like to be able to do: innovative instruction, freedom from regulation, better methods of measuring student achievement, innovative budget practices, staff ownership and responsibility, etc. With almost 30 years of charter school history in our country with mixed results, shouldn’t public schools be able adopt those practices that have worked without sacrificing the local control of school boards and risking the closure and disruption of failed charter schools without accountability?
* Rural school district economies of scale would be at further risk if charter schools drain students, resulting in less opportunity and course choices for those remaining in the public school.
* Urban center politics, responding to tight budgets or changes in attendance center boundaries to balance socio-economic status, or closing an attendance center for efficiency (to live within the budget) would all create motivational entries for some impacted parents and staff into charter school status. This is the opposite of local control and good stewardship of our tax dollars provided by locally elected school board members.

**Open Enrollment Changes:** SF 159 changes several open enrollment practices. First, it’s important to note that open enrollment in Iowa combined with good private schools provides competition between school districts without needing vouchers or charter schools. If competition creates quality, Iowa already has it. It creates a second later date of April 15 for students to open enroll out of some identified schools identified. All other students must meet the March 1 deadline, unless there is a good cause exception. The bill adds to the good cause exceptions to the open enrollment deadline the inability of the district to address bullying/harassment and a student at risk of failing not being served by the school, with criteria to be determined by the state Board of Education. The bill also removes a 90-day waiting period for students to participate in extracurricular activities and allows buses to go into neighboring districts to pick up students and take them to their open enrolled school without the resident district’s consent.

Talking points on Open Enrollment:

* This will create deadline confusion for all families without much additional benefit.
* A founded bullying or harassment claim is already a good cause exemption from the deadline
* The 90-day waiting period for extracurricular activities helps keep the focus on learning and stifles recruiting of talented athletes from one high school to another in the middle of a season.
* The busing provisions create an incentive for inefficiency and competition simply by providing transportation that will not only be disruptive, but given the new Transportation Equity Fund which compensates those districts with above-average transportation costs, this creates a disincentive to be frugal with taxpayer dollars.

**Expansion of Tuition and Textbook Tax Credits:** the bill adds home school expense to the tax code eligibility for the tuition and textbook tax credit, increases the amount of allowed expenses from $1,000 to $2,000; doubles the credit to 50% of eligible expenses, and makes the credit refundable. These provisions primarily benefit home school and private school parents who spend more on allowable expenses than public school parents.

Talking points on Expansion of Tuition and Textbook Tax Credits:

* Currently, this tax credit costs the state $15.1 million. We’ll have to see the fiscal note, but doubling the limit, doubling the percentage, expanding to home school, and making the tax credit refundable, we expect a cost of $45 million or more in reduced revenues to the state.
* Expansion of STO’s (scholarships for private school) and allowing private school expenditures to be pretax through 529 plans already creates tax advantages for private school parents. Making this credit refundable expands that benefit further.
* The state already provides over $65 million to support private school families and students.

**Enrollment Count Date for Budgeting:** the bill creates an April 1 first enrollment count, then continues the Oct. 1 enrollment count, and bases the budget on the average of those two counts. The bill would reduce resources for growing districts and delay the impact of declining enrollment for districts with fewer students.

Talking points on Enrollment Count Date for Budgeting:

* What problem is this second count trying to solve?
* Going back an additional year for an enrollment count makes the budget that much further removed from the actual year that students are served.
* There is an extraordinary amount of staff time and capacity that goes into counting resident students some of whom are attending school in another district. Students assigned supplementary weightings for all kinds of services have to be verified (special education, English language learner, concurrent enrollment/community college courses, home school assistance, etc.) With a significant redirection of staff resources to the count, these staff are not available to focus school improvement or student achievement as the second semester is about to wind down.

**Flexible Student and School Support Program:** this provision allows school districts flexibility in adopting innovative programs, such as those focused on STEM, STEAM and work-based learning experiences. Also allows excess TSS and TCL balances to be transferred to the flexibility account and allows the flexibility account to pay for the program. UEN supports this provision, which includes freedom from certain state mandates, rewards innovative approaches and provides funding flexibility.

**In-Person Instruction Parent Option**: [SSB 1064](https://www.legis.iowa.gov/docs/publications/LGI/89/SSB1064.pdf) was signed by subcommittee members Sens. Zaun and Goodwin with Sen. Quirmbach refusing to sign. In the Governor’s Condition of the State speech, Gov. Reynolds asked the legislature to send her this bill immediately so she could sign it.

The bill notwithstands all other Iowa Law to the contrary and requires schools to offer parents an option for full-time in-person instruction beginning no later than the second Monday following the effective date of this Act (which is whenever the Governor signs it). The bill requires schools offer parents the ability to select full time in-person instruction for their student unless this requirement is explicitly waived for one or more school districts or accredited nonpublic schools in a Governor’s Public Health Disaster Emergency proclamation. We would have no opposition to this requirement if school staff were already vaccinated.

The bill requires schools not already offering the full-time option on the effective date of this act to provide parents notice of the opportunity to select full-time in-person instruction and allow the parent at least 5 days to decide their selection if the school will still offer other instructional options. The bill does not require 100% virtual or hybrid learning options to cease, but based on staff capacity for full-time instruction, if enough parents request it, those other options may not be possible. The bill specifics that instructional hours held virtually or via hybrid learning only count if provided in compliance with this law, 2020 legislation, or under the Governor’s proclamation related to COVID-19.

The bill also specifies additional factors that the DE shall consider in granting an exception to allow primarily remote learning, in addition to the 15% positivity rate in the county and student absences, to include the number of teachers in COVID-19 quarantine as well as a scarcity of bus drivers and substitute teachers. UEN is registered as undecided on the bill, opposed to the mandate for parent option but supportive of the additional criteria upon which to grant waiver for 100% remote learning.

[HF 103](https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=HF103) in the House is similar but not as forceful, as it requires that for those districts that offer both 100% virtual and in person options, that parents be given a choice which method they prefer. This bill was approved 2:1 by the Subcommittee, assigned to the House Education Committee agenda for discussion on Monday afternoon, but the Committee recessed until Tuesday morning. UEN is registered as undecided.

In discussing this policy with legislators, please reiterate these points:

* All school leaders and educators want students back in school full time!
* Staff capacity to safely provide in-person instruction and virtual learning for those parents who have already chosen that option varies by school district. In a survey or rural schools, 19% of high schools have an instructional model other than 5-days a week being used to appropriately socially distance and keep staff and students safe. In a survey of urban schools, 71.4% of high schools have an instructional model other than 5-days a week being used to appropriately socially distance and keep staff and students safe.
* Consider a phase-in cycle of allowing elementary school in-person instruction first, middle school second and high school last (based on the ability to provide adequate social distancing in schools and complexity of assigning staff and students to sections in larger high schools.)
* In order to balance the interests of safety and student learning, request an effective date for each school that is triggered by staff offered the opportunity to complete the COVID-19 vaccination cycle.
* A mandated parent option may tie the hands of the school board in reacting to an outbreak of COVID actually requiring the temporary closure of a building, potentially increasing requests to the DE for 100% virtual learning, as the pandemic continues over the next 2-3 months, at least until staff are vaccinated.
* More students and staff in densely populated buildings increases the risk for transfer of the virus and increases the burden on additional contact tracing and subsequent quarantine.
* Local school boards, in consultation with their county public health officials, are in the best position to guide a safe return to school.

**Senate and House Education Committee Members**

The following links will take you to each committee member’s legislative page, with email address and often home or cell phone number so you can easily connect with them. The Governor’s School Choice and in-person learning bills will be in the Senate Education Committee on Monday. The Diversity Plan bill will be in the House Education Committee as early as Monday. Remember to be respectful and explain the impact these bills would have on your school and education for your students.

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| Senate Members (Contact regarding SF 159 Governor’s School Choice bill.)  * [**Dan Dawson**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=18072)**(R, District**[**8**](https://www.legis.iowa.gov/docs/publications/DMP/925092.pdf)**), Chair** * [**Tim Goodwin**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30550)**(R, District**[**44**](https://www.legis.iowa.gov/docs/publications/DMP/925128.pdf)**), Vice Chair** * [**Pam Jochum**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=35)**(D, District**[**50**](https://www.legis.iowa.gov/docs/publications/DMP/925134.pdf)**), Ranking Member** * [Joe Bolkcom](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=123) (D, District [43](https://www.legis.iowa.gov/docs/publications/DMP/925127.pdf)) * [Waylon Brown](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=18074) (R, District [26](https://www.legis.iowa.gov/docs/publications/DMP/925110.pdf)) * [Jim Carlin](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=18041) (R, District [3](https://www.legis.iowa.gov/docs/publications/DMP/925087.pdf)) * [William A. Dotzler Jr.](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=157) (D, District [31](https://www.legis.iowa.gov/docs/publications/DMP/925115.pdf)) * [Dawn Driscoll](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30548) (R, District [38](https://www.legis.iowa.gov/docs/publications/DMP/925122.pdf)) * [Jesse Green](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30546) (R, District [24](https://www.legis.iowa.gov/docs/publications/DMP/925108.pdf)) * [Janet Petersen](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=72) (D, District [18](https://www.legis.iowa.gov/docs/publications/DMP/925102.pdf)) * [Herman C. Quirmbach](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=161) (D, District [23](https://www.legis.iowa.gov/docs/publications/DMP/925107.pdf)) * [Jason Schultz](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=6588) (R, District [9](https://www.legis.iowa.gov/docs/publications/DMP/925093.pdf)) * [Amy Sinclair](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=10729) (R, District [14](https://www.legis.iowa.gov/docs/publications/DMP/925098.pdf)) * [Roby Smith](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=9386) (R, District [47](https://www.legis.iowa.gov/docs/publications/DMP/925131.pdf)) * [Annette Sweeney](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=6585) (R, District [25](https://www.legis.iowa.gov/docs/publications/DMP/925109.pdf)) * [Todd E. Taylor](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=54) (D, District [35](https://www.legis.iowa.gov/docs/publications/DMP/925119.pdf)) * [Zach Whiting](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=26997) (R, District [1](https://www.legis.iowa.gov/docs/publications/DMP/925085.pdf))   To call and leave a message at the statehouse during Session, the House switchboard operator number is 515.281.3221 and the Senate switchboard operator number is 515.281.3371. You can ask if they are available, leave a message for them to call you back, or leave a short message to “oppose SF 159 Governor’s School Choice bill.” Legislators are typically back home over the weekend. | House Members (Contact regarding HSB 64 Diversity Plan Open Enrollment and HF 103 Parent Option for Virtual or In-person Instruction)  * [**Dustin D. Hite**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=27034)**(R, District**[**79**](https://www.legis.iowa.gov/docs/publications/DMP/925062.pdf)**), Chair** * [**Skyler Wheeler**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=18040)**(R, District**[**4**](https://www.legis.iowa.gov/docs/publications/DMP/924985.pdf)**), Vice Chair** * [**RasTafari Smith**](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=18048)**(D, District**[**62**](https://www.legis.iowa.gov/docs/publications/DMP/925045.pdf)**), Ranking Member** * [Jacob Bossman](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=25497) (R, District [6](https://www.legis.iowa.gov/docs/publications/DMP/924987.pdf)) * [Holly Brink](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=27035) (R, District [80](https://www.legis.iowa.gov/docs/publications/DMP/925063.pdf)) * [Sue Cahill](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30660) (D, District [71](https://www.legis.iowa.gov/docs/publications/DMP/925054.pdf)) * [Cecil Dolecheck](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=88) (R, District [24](https://www.legis.iowa.gov/docs/publications/DMP/925007.pdf)) * [Molly Donahue](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=27031) (D, District [68](https://www.legis.iowa.gov/docs/publications/DMP/925051.pdf)) * [Tracy Ehlert](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=27032) (D, District [70](https://www.legis.iowa.gov/docs/publications/DMP/925053.pdf)) * [Joel Fry](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=9409) (R, District [27](https://www.legis.iowa.gov/docs/publications/DMP/925010.pdf)) * [Ruth Ann Gaines](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=9413) (D, District [32](https://www.legis.iowa.gov/docs/publications/DMP/925015.pdf)) * [Garrett Gobble](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30649) (R, District [38](https://www.legis.iowa.gov/docs/publications/DMP/925021.pdf)) * [Chad Ingels](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30653) (R, District [64](https://www.legis.iowa.gov/docs/publications/DMP/925047.pdf)) * [David Kerr](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=18051) (R, District [88](https://www.legis.iowa.gov/docs/publications/DMP/925071.pdf)) * [Mary Mascher](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=46) (D, District [86](https://www.legis.iowa.gov/docs/publications/DMP/925069.pdf)) * [Thomas Jay Moore](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=17112) (R, District [21](https://www.legis.iowa.gov/docs/publications/DMP/925003.pdf)) * [Sandy Salmon](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=10754) (R, District [63](https://www.legis.iowa.gov/docs/publications/DMP/925046.pdf)) * [Ray Sorensen](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=27020) (R, District [20](https://www.legis.iowa.gov/docs/publications/DMP/925002.pdf)) * [Sharon Sue Steckman](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=6580) (D, District [53](https://www.legis.iowa.gov/docs/publications/DMP/925036.pdf)) * [Henry Stone](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=30645) (R, District [7](https://www.legis.iowa.gov/docs/publications/DMP/924988.pdf)) * [Phil Thompson](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=27028) (R, District [47](https://www.legis.iowa.gov/docs/publications/DMP/925030.pdf)) * [John H. Wills](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=13794) (R, District [1](https://www.legis.iowa.gov/docs/publications/DMP/924982.pdf)) * [Cindy Winckler](https://www.legis.iowa.gov/legislators/legislator?ga=89&personID=44) (D, District [90](https://www.legis.iowa.gov/docs/publications/DMP/925073.pdf)) |