



Bill: House File 2033
Committee: Education
Date: January 13, 2010
Ranking Member: All Republican members on House Education Committee
Staff: Ann McCarthy (1-3015)

House File 2033 - Race to the Top

The immediacy of this bill is due to the January 19, 2010, deadline for this state to submit its initial opportunity to apply to the U.S. Department of Education for federal Race to the Top funding. A second opportunity is available June 1, 2010.

According to the Iowa Department of Education the legislative changes contained in HF 2033 are necessary in order for Iowa to apply for these federal funds.

Iowa is eligible to receive \$60 - \$175 million should the federal government accept Iowa's application. There are several key dates in the application process by which states may improve or otherwise change their application to gain approval

The Obama administration's Race to the Top is a \$4 billion education reform competitive grant. States are required states to focus on four areas of reform:

1. Standards and assessments;
2. Comprehensive, longitudinal data systems;
3. Great teachers and leaders; and
4. Turning around our lowest-achieving schools.

Summary of Action

The House Education Committee **PASSED** House File 2033 (formerly House Study Bill 527) on January 12, 2010 by a vote of 13-4.

Section-by-Section Analysis

Section 1 –Low performing schools and subsequent Memorandum of Understanding.

- Requires a school district with a low performing school as identified by the Iowa Department of Education to implement one or more interventions mandated by the U.S. Department of Education for persistently lowest-achieving schools under No

Child Left Behind Act of 2001 (NCLB) and any other federal regulations adopted pursuant to NCLB.

- Requires a Memorandum of Understanding (MOU) between the district with a persistently lowest-achieving school and the union to be negotiated within 45 days of the district being notified of the school's status. The MOU must spell out the specific intervention to be implemented and state that the collective bargaining agreement remains in effect and unaltered except as agreed to under the MOU.
- Withholds the school building's federal Title I elementary education funds if the MOU goes to mediation and there is no resolution within 30 days.

Sections 2,3,6,9,10-12, 14-19, 21 and 22 –Removes Cap on Charter Schools, Creates charter-look alike an “Innovation Zone Consortium”

- Inserts and defines “innovation zone” into Iowa’s current charter school law. An “innovation zone” is simply two or more school districts and an AEA joining together to form a charter school. The “Innovation Zone” is subject to the same requirements as a charter school.
- Removes the current cap of 20 charter schools. Currently there are 8 charters in Iowa.
- Limits the number of Innovation Zone Consortiums to 10.

Section 7 - Adds definition of AEA as a sponsor of an innovation zone.

Section 13 Adds sexual orientation and gender identity as protected classes in terms of applicability to charter schools. According to the Iowa Department of Education they believe that omission of these two phrases in the charter school was inadvertent. The Department believes that regardless of the addition of these phrases current Iowa civil rights law governs and schools have had to comply. The Department believes this removes any possible ambiguity.

Section 19 –No progress on student achievement added as reason to revoke charter status Current law contains four reasons to revoke a charter:

1. Failure to meet education goals
2. Failure to comply with applicable laws
3. Failure to meet Generally Accepted Accounting Practices
4. Failure to meet the provisions of the contract between the Department of Education and the school district that sponsors the charter.

This section adds a fifth reason to revoke: Student achievement is not higher than before the charter started.

Section 20 - Requires school boards to follow “Barker School Closing” Guidelines upon revocation. The Barker Guidelines require a public hearing process prior to a board vote to close the building.

Section 23 - Repeals sunset of charters which is scheduled for 2011.

Amendments

H-8020 by Ford: Strikes Status Quo Collective Bargaining. Would have struck new language that says the collective bargaining agreement stays “as-is” when school building identified as persistently low performing.

The bill says that the collective bargaining agreement stays in place and the district and the teacher’s union negotiate a new “memorandum of understanding” (MOU) Rep. Ford’s amendment would struck the requirement that the collective bargaining agreement stay in place. **WITHDRAWN.**

H-8022 by Ford: Strikes MOU and reference to Collective Bargaining. This amendment would have struck the section in the bill dealing with the Memorandum of Understanding between the district and the union and the language that states that the collective bargaining agreement stays in place when a district is identified as persistently low performing. **WITHDRAWN.**

H-8012 by Koester: Identical to Ford Amendment H-8022. Strikes MOU and any reference to collective bargaining. **LOST** on a record roll call vote of

H-8011 by Chambers. Parent Involvement. Requires RTTT application to include parent involvement. **LOST** on a record roll call vote of

H-8019 by Schultz Strikes sexual orientation and gender identity. **LOST** on a record roll call vote of

H-8021 by Ford: Multicultural Training. Requires AEA participating in an innovation zone to expand multicultural training for teachers in that innovation zone. **WITHDRAWN.**

H-8016 by Dolecheck: Broader Charter School Option. New form of charter school – Frontier schools - that is not subject to chapter 20. **LOST** on a record roll call vote of

H-8017 by Heaton: RTTT funds used for performance based or merit pay are not subject to collective bargaining. **WITHDRAWN.**

H-8018 by Heaton: New federal money can’t replace state money. This amendment avoids a repeat of the federal stimulus funding cliff by saying that Race to the Top federal funds must supplement and not supplant moneys appropriated or allocated by the general assembly. **LOST** on a record roll call vote of

H-8010 May: Repeals SF2033 if state does not receive federal funds. **LOST** on a record roll call vote of