

History

The Federal Lands Impacted Schools Association (FLISA) is an association of public school districts financially impacted, in a negative way, by the presence of the Federal government. When the Federal government assumes ownership of property within a school district, that district loses the property tax revenue that land once generated. These districts must continue to educate the same number of students, but now with much less revenue. The Impact Aid Law is found within the Elementary and Secondary Education Act of 1965 (ESEA) and is meant to make up for a small portion of this lost revenue. FLISA represents such districts now and into the future. Any vision of the future must, by necessity, be built on both the present and the past. Understanding the past is key to understanding the present. And both the past and present lay the foundation on which the future will be built.

Prior to 1988

Section 2 (the Federal Properties section at that time) entitlement was fully funded. There was no Federal Properties organization other than a steering committee appointed by NAFIS (National Association of Federally Impact Schools) and comprised of those few people who regularly attended the NAFIS Conferences. Gordon Griffin of Adams County, Colorado was the “unofficial” spokesperson for the group. Others involved at that time were Dennis Jarrett from York County, Virginia and Jerry Kleinsasser from Stanley County South Dakota.

October 1990

Tom Madden, newly appointed superintendent of the Lemont High School District in Illinois set a meeting with Tom Davenport and Lemont High School's attorney, Scott Nemanich in Dallas. Dr. Madden explained that he had been in contact with Gordon Griffin and John Forkenbrock, Executive Director of NAFIS, about the constant annual reduction in funding for Section 2 (down to 67% of entitlement in 1990). It was decided that we Madden and Davenport would meet at the Spring NAFIS Conference of 1991 and begin pursuing additional funding for Section 2.

1991

Madden and Davenport met with the NAFIS Board and asked for a permanent Section 2 board member. The board listened but did not act on the request. Consideration was given to establishing a coalition to hire a lobbyist and to sue the federal government for not following its own laws. By law, Section 2 was to be fully funded before any other sections received payments. The law was never followed.

1992

In January, 11 representatives of Section 2 school districts met with John Forkenbrock and Charles Hansen, Director of the Impact Aid Program for the Department of Education at the Burr Ridge (IL) School District 180. The meeting was the first organizational meeting for this newly forming group. It was decided to request the NAFIS Board to approve the formation of a Section 2 Advisory Committee comprised of seven elected representatives and three of the seven comprising an executive committee. A dues structure was recommended but not implemented. The rest of the meeting

was dedicated to discussing the upcoming reauthorization language for the program. Other interesting topics were discussed including: prior year funding, not transferring authority for implementing the program from DOE to DOD, doing away with the needs based formula, and staying with the comparable value method of determining the value of federal property.

1994

Reauthorization becomes a reality beginning for FY 95. FY 94 was the last year under the old needs based/comparable value formulas. At that time there were many different formulas depending upon the individual characteristics of states. Section 2 becomes Section 8002.

1995

Proration and hold harmless provisions become reality. A district's maximum entitlement is determined under the "highest and best use" of property rather than utilizing the previous comparables method. Districts who applied in FY 94 were assured of receiving in FY 95 at least 85% of what they received in FY 94. California districts begin to requalify. Problems begin to surface about the proper interpretation of "highest and best use" of property. The US Department of Education does not conduct any audits or question any values submitted by districts. A Section 8002 presence on the NAFIS executive board was realized with the nomination and election of Tom Madden as Region III Director.

1996

Section 8002 entitlement continues to be prorated at 85% of the FY 95 amount received. Federal properties districts formally

organize, adopt by-laws, and elect officers. The group begins to look at the need for a new formula that will be more equitable.

1997

At the Colorado Springs summer meeting the three assumptions that are still used as criteria for any changes in reauthorization were developed.

The exact wording of the assumptions follows:

1. No district should be seriously harmed financially
 2. All districts that share in increased appropriations
 3. Keep the base (number of districts) as broad as possible.
- Also, the basics of the highest and best use formula emerged as a prototype. Proration of entitlement continued because of inadequate funding. The proration was once again no less than 85% of what a district received in the prior year. Also, a technical amendment was approved by Congress, freezing proration at no less than what was received in 1997. The provision was effective through FY 2000.

1998

The first Section 8002 Federal Relations Outreach Congressional Briefing was conducted. Work continued on revising the new formula for reauthorization.

1999

It was discovered that districts were not using a uniform method of determining the highest and best use of federal property. Some were including assumed improvements and some were including the value of land only.

2000

Congress gives short-term approval of reauthorization for Section 8002 using the formula proposed by the 8002 organization.

2001

Schools are paid based upon the new formula:

Foundation Formula:

Districts in the program in 1994 and prior qualify for the foundation payment. The amount necessary to fund the payment is approximately \$12,500,000. A district's share is based upon 38% of the district's FY 94 maximum entitlement. The foundation formula replaced the old hold harmless provision and provided a funding floor for districts that have been in the program for several years.

A Second Tier

This second tier was included to provide funding for the California districts that once again qualified for 8002 funding. The amount necessary to fund the payment is approximately \$3,750,000.

25% of Remaining Funds

Twenty-five percent of remaining funds were to be distributed back to foundation payment recipients to insure they receive an increase if funds are appropriated above the foundation level. The payment was to be based upon a district's percentage of total foundation payment amount (\$12,500,000) multiplied by the amount of remaining funds.

75% of remaining funds

All districts received funding under this section. The payment is based upon a district's percentage of the total national entitlement multiplied by the amount of remaining funds. It should be noted that originally, the 75% of remaining funds section was to be based upon percentage of valuation rather than percentage of entitlement. The provision was changed by a technical amendment.

2001 – 2015

For a number of reasons, the reauthorization that was scheduled for 2006, did not occur until December, 2015. During this fourteen year period, the Federal properties group (currently FLISA) did some of its best work in representing its members and bringing about fairness and equity to the funding of these districts through the Impact Aid Program. The new funding formula was actually implemented earlier through a technical amendment to a Department of Defense annual appropriations bill. This new formula, which is now officially part of the law, provides a foundation payment allowing for prompt payment to eligible districts. In addition, the formula introduces a new, per acre valuing method for the distribution of any funds still available after foundation payments are made as well as payments to districts new to the program. The reauthorization of December, 2015 should provide stability to the program **until the next reauthorization**. FLISA's energies will need to be directed toward increased funding for Federal properties districts, now referred to as Section 7002 under the new law. In addition, FLISA will continue to monitor the implementation of the new law and continue to strive for fairness and equity for all Section 7002 school districts. But how did we and are we changing as an organization? Well, it involved a number of questions and steps:

1. Do you ever get bored? Feel like you're in a rut? That's where we were as an organization with reauthorization taking so long!
2. We decided we needed some type of stimulus. In the past, we knew that reauthorization was for a period of five years....but we also knew it was usually six. But we always prepared for a five year period. That meant that when a reauthorization was approved, we had about a year before we needed to analyze its effects and begin preparing for the next one.
3. When the 2001 reauthorization happened, we figured the next one could be 2006, more likely 2007. Who would have thought it would take until the winter of 2015-16?
4. As what eventually took eight additional years started playing out, we started to become a bit boring, an "in-a-rut" organization. Our normal routine of preparing for the next reauthorization became repetitive.
5. So, we decided to change. We had always been an "in the present" type of organization. We had reauthorization to constantly prepare for, and there were always pressing issues to address. We still needed to be in the present and able to respond to current needs. But as reauthorization dragged on and on, we decided to also be in the future.

6. So, like many school districts across the nation, we began seriously looking to the future. We decide we needed to develop a long-range, comprehensive plan that we now refer to as our Advocacy Action Plan. It has three main components, each of which has an ongoing working committee:
 - a. A Messaging Committee that focuses on the message we need to deliver to Congress, our members and our district communities
 - b. An Involvement Committee that focuses on outreach and involving 7002 recipients that can't afford to travel to D.C. for the NAFIS conferences or to our FLISA summer and winter meetings.
 - c. And a Technology Committee that focuses on technology and how to best use it to support the other two committees and their respective missions. This committee has developed a new website: www.flisa.org.
7. All three committees are doing excellent work. Each of our meeting is now much less of a "business" meeting, and much more of a working meeting.....working to solidify our self as an organization.....working to define and achieve our future....and working to tap the brainpower and leadership of our membership.
8. We should all be excited and enthused by the work of our membership. We work to advance the mission of Section 7002, while also working to advance the mission of the entire impact aid community. We work for ourselves as an

organization of Federal Lands school district and are close to 900,000 Federally impacted children. And we work for the entire Impact Aid community.

As one of the four sub-groups under the umbrella of NAFIS (National Association of Impacted Schools) we believe in ALL FOR ONE, ONE FOR ALL. And this belief will continue to drive us as an organization in the years to come.