

1 SEC. 2. Before any of the funds appropriated by this Act shall be  
 2 expended, it shall be determined by the department of social services  
 3 that the expenditure shall be pursuant to provisions of law providing  
 4 for the establishment of community-based correctional programs and  
 5 services.

1 SEC. 3. The department of social services, the governor, and the  
 2 state comptroller may obtain federal funds for the state to be used  
 3 in connection with the funds appropriated by this Act.

1 SEC. 4. Any unencumbered balance of the funds appropriated by  
 2 this Act remaining as of June 30, 1975 shall revert to the general fund  
 3 of the state as of June 30, 1975.

Approved July 20, 1973.

This Act was passed by the G. A. before July 1, 1973.

## CHAPTER 110

### MERGED AREA SCHOOLS

H. F. 775

AN ACT relating to merged area schools, providing for the appropriation and payment of state aid, and providing for the salaries of area superintendents.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. There is appropriated from the general fund of the  
 2 state to the department of public instruction for each fiscal year of  
 3 the biennium beginning July 1, 1973, and ending June 30, 1975, the  
 4 following amounts, or so much thereof as may be necessary, to be used  
 5 for the purposes designated:

6 For general state financial aid to merged areas as defined in section  
 7 two hundred eighty A point two (280A.2) of the Code.

8 1. For the 1973-74 fiscal year, sixteen million one hundred four  
 9 thousand three hundred (16,104,300) dollars to be allocated as fol-  
 10 lows:

11	Merged area I .....	\$ 556,825
12	Merged area II .....	1,114,265
13	Merged area III .....	724,350
14	Merged area IV .....	344,370
15	Merged area V .....	1,334,440
16	Merged area VI .....	1,521,630
17	Merged area VII .....	1,042,945
18	Merged area IX .....	1,162,505
19	Merged area X .....	1,952,755
20	Merged area XI .....	2,190,205
21	Merged area XII .....	716,725
22	Merged area XIII .....	1,109,545
23	Merged area XIV .....	451,405
24	Merged area XV .....	1,006,320
25	Merged area XVI .....	876,015
26	Total for the 1973-74 fiscal year.....	\$16,104,300

27 2. For the 1974-75 fiscal year, seventeen million three hundred fifty-  
 28 seven thousand three hundred (17,357,300) dollars to be allocated as  
 29 follows:

30	Merged area I .....	\$ 490,605
31	Merged area II .....	1,222,930
32	Merged area III .....	794,085
33	Merged area IV .....	325,135
34	Merged area V .....	1,427,105
35	Merged area VI .....	1,645,445
36	Merged area VII .....	1,114,315
37	Merged area IX .....	1,321,205
38	Merged area X .....	2,172,155
39	Merged area XI .....	2,283,180
40	Merged area XII .....	750,965
41	Merged area XIII .....	1,267,650
42	Merged area XIV .....	455,515
43	Merged area XV .....	1,121,330
44	Merged area XVI .....	965,680
45	Total for the 1974-75 fiscal year .....	\$17,357,300
46	Total for the 1973-75 fiscal biennium .....	\$33,461,600

1 SEC. 2. The superintendent of public instruction may with the  
 2 approval of the state board of public instruction reallocate from line  
 3 item appropriations as provided in section one (1) of this Act, funds  
 4 as circumstances require among the merged area schools limited to a  
 5 reduction of not more than one percent from each of the merged areas.

1 SEC. 3. There is appropriated from the general fund of the state  
 2 to the department of public instruction for each year of the fiscal bien-  
 3 nium commencing July 1, 1973 and ending June 30, 1975 the sum of  
 4 two hundred thousand (200,000) dollars, or so much thereof as may  
 5 be necessary, to be allocated to merged area schools for equipment  
 6 replacement.

1 SEC. 4. There is appropriated from the general fund of the state  
 2 for the biennium beginning July 1, 1973 and ending June 30, 1975,  
 3 to the department of public instruction, the following amounts, or so  
 4 much thereof as may be necessary, to be used in the manner desig-  
 5 nated:

6 For vocational education aid to merged area schools:

7		1973-74	1974-75
8		<u>Fiscal Year</u>	<u>Fiscal Year</u>

9 AREA SCHOOLS:  
 10 Matching federal reimbursement for continuing programs and new  
 11 approved programs: .....\$ 6,200,000 \$ 6,656,000  
 12 Funds appropriated under this section shall be used for aid to area  
 13 schools for development and the conduct of programs, services and  
 14 activities of vocational education in accordance with the provisions of  
 15 chapter two hundred fifty-eight (258) and chapter two hundred eighty  
 16 A (280A) of the Code, and further to purchase instructional equip-  
 17 ment for vocational and technical courses of instruction in such schools.

1 SEC. 5. The total expenditure for arts and sciences in each area  
 2 school in the 1973-1974 fiscal year, computed on the basis consistent

3 with current accounting procedures, shall not exceed one hundred five  
4 percent of the budget for arts and sciences during the 1972-1973 fis-  
5 cal year, except that this provision shall not apply to those area schools  
6 where no expenditures were made for arts and sciences during the  
7 1972-1973 fiscal year. Any area school which budgets funds for arts  
8 and sciences for the first time in the 1973-1974 fiscal year by contract  
9 with other schools or colleges shall limit such a budgetary item to not  
10 more than five percent of its total budget.

11 The total expenditure for arts and sciences in each area school in  
12 the 1974-1975 fiscal year, computed on the basis consistent with cur-  
13 rent accounting procedures, shall not exceed one hundred five percent  
14 of the budget for arts and sciences during the 1973-1974 fiscal year,  
15 except that this provision shall not apply to those area schools where  
16 no expenditures were made for arts and sciences during the 1973-1974  
17 fiscal year. Any area school which budgets funds for arts and sciences  
18 for the first time in the 1974-1975 fiscal year by contract with other  
19 schools or colleges shall limit such a budgetary item to not more than  
20 five percent of its total budget.

1 SEC. 6. In exercising its powers under chapter two hundred eighty  
2 A (280A) of the Code, the state board shall take all necessary action  
3 to assure that each area community college, including a college which  
4 was formerly a public community or junior college, shall be allocated  
5 a sufficient share of its area budget to provide adequate funding for  
6 its existing programs and approved new programs, and shall also take  
7 all necessary action to assure that no area vocational school which is  
8 not presently qualified as a "junior college" or "community college",  
9 as those terms are defined in section two hundred eighty A point two  
10 (280A.2), subsections two (2) and three (3), of the Code, shall ex-  
11 pand its liberal arts or preprofessional programs, or other instruction  
12 partially fulfilling the requirements for a baccalaureate degree, except  
13 in cooperation with existing liberal arts facilities, in order to so  
14 qualify.

1 SEC. 7. No moneys appropriated by this Act shall be used for cap-  
2 ital improvements.

1 SEC. 8. Notwithstanding the provisions of section eight point  
2 thirty-three (8.33) of the Code, all unencumbered or unobligated bal-  
3 ances of appropriations made by this Act for the first fiscal year of the  
4 biennium commencing July 1, 1973 shall on August 31, 1974, revert  
5 to the state treasury and to the credit of the fund from which appro-  
6 priated. In all other respects the provisions of section eight point  
7 thirty-three (8.33) of the Code shall apply to appropriations made  
8 for the first fiscal year of such biennium. Unencumbered or unob-  
9 ligated balances of appropriations made for the second fiscal year of  
10 such biennium shall be subject to section eight point thirty-three  
11 (8.33) of the Code.

1 SEC. 9. Where any of the laws of this state are in conflict with sec-  
2 tions one (1) through eight (8) of this Act, the provisions of this Act  
3 shall govern for the biennium.

1 SEC. 10. Section two hundred eighty A point eighteen (280A.18),  
 2 Code 1973, is amended by striking subsection three (3) and inserting  
 3 in lieu thereof the following:

4 3. Tuition in accordance with section two hundred eighty A point  
 5 twenty-three (280A.23), subsection three (3), of the Code.

1 SEC. 11. Section two hundred eighty A point twenty-three  
 2 (280A.23), subsection three (3), Code 1973, is amended to read as  
 3 follows:

4 3. Have authority to determine tuition rates for instruction ~~as~~  
 5 ~~authorized under section 280A.18, subsection 3.~~ Tuition for residents  
 6 of Iowa shall not exceed the lowest tuition rate per semester, or the  
 7 equivalent, charged by an institution of higher education under the  
 8 state board of regents for a full-time resident student. *However, if a*  
 9 *local school district pays tuition for a resident pupil of high school age,*  
 10 *the limitation on tuition for residents of Iowa shall not apply, the*  
 11 *amount of tuition shall be determined by the board of directors of the*  
 12 *area school with the consent of the local school board, and the pupil*  
 13 *shall not be included in the full-time equivalent enrollment of the area*  
 14 *school for the purpose of computing general aid to the area school.*  
 15 Tuition for nonresidents of Iowa shall be not less than one hundred  
 16 fifty percent and not more than two hundred percent of the tuition  
 17 established for residents of Iowa. Tuition for resident or nonresident  
 18 students may be set at a higher figure with the approval of the state  
 19 board. A lower tuition for nonresidents may be permitted under a  
 20 reciprocal tuition agreement between a merged area and an educa-  
 21 tional institution in another state, if the agreement is approved by the  
 22 state board.

1 SEC. 12. Section two hundred eighty A point twenty-three  
 2 (280A.23), subsection nine (9), Code 1973, is amended to read as fol-  
 3 lows:

4 9. The area board, when setting the salary of the area superintend-  
 5 ent, shall take into consideration the salaries of administrators of edu-  
 6 cational institutions in the area, and the enrollment of the area  
 7 schools; the salary range shall be from seventeen thousand dollars to  
 8 ~~twenty-five thousand~~ *twenty-seven thousand five hundred dollars per*  
 9 *annum including additional benefits, over and above the additional*  
 10 *benefits given all full-time employees.* The superintendent shall not be  
 11 required to hold any teacher's certificate.

1 SEC. 13. Section two hundred eighty-two point six (282.6), Code  
 2 1973, is amended by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. This section shall not apply to  
 4 tuition authorized by chapter two hundred eighty A (280A) of the  
 5 Code.

Approved July 21, 1973.

This Act was passed by the G. A. before July 1, 1973.