

## CHAPTER 195

## SCHOOL LUNCH BUILDING

H. F. 726

AN ACT to authorize school districts to erect, or otherwise acquire, and to equip a building for use as a school lunch facility and to pay for same from certain funds on hand in the schoolhouse fund or from a tax or bonds voted for the purpose.

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

1 SECTION 1. Chapter two hundred eighty-three A (283A), Code  
 2 1973, is amended by adding the following new section:  
 3 NEW SECTION. School districts are authorized to purchase, erect,  
 4 or otherwise acquire a building for use as a school lunch facility, and  
 5 to equip such a building for such use, and pay for same from unen-  
 6 cumbered funds on hand in the schoolhouse fund derived from taxes  
 7 voted under authority of sections two hundred seventy-eight point  
 8 one (278.1), subsection seven (7), or two hundred seventy-five point  
 9 thirty-two (275.32) of the Code, subject to the terms of this section,  
 10 or may pay for same from the proceeds of the sale of school prop-  
 11 erty sold under section two hundred ninety-seven point twenty-two  
 12 (297.22) of the Code, or from surplus remaining in the schoolhouse  
 13 fund after retirement of a bond issue, or from a tax voted for said  
 14 purposes.

Approved June 29, 1973.

## CHAPTER 196

## EDUCATIONAL PERSONNEL COMPACT

H. F. 705

AN ACT entering into the interstate agreement on qualification of educational personnel, and for related purposes.

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

1 SECTION 1. NEW SECTION. The interstate agreement on qualifi-  
 2 cation of educational personnel is hereby enacted into law and entered  
 3 into with all jurisdictions legally joining therein, in the form substan-  
 4 tially as follows:  
 5 ARTICLE I—PURPOSE, FINDINGS, AND POLICY  
 6 1. The states party to this agreement, desiring by common action  
 7 to improve their respective school systems by utilizing the teacher or  
 8 other professional educational person wherever educated, declare that  
 9 it is the policy of each of them, on the basis of cooperation with one  
 10 another, to take advantage of the preparation and experience of such  
 11 persons wherever gained, thereby serving the best interest of society,  
 12 of education, and of the teaching profession. It is the purpose of this  
 13 agreement to provide for the development and execution of such pro-  
 14 grams of cooperation as will facilitate the movement of teachers and  
 15 other professional educational personnel among the states party to it,  
 16 and to authorize specific interstate educational personnel contracts to  
 17 achieve that end.

18 2. The party states find that included in the large movement of  
 19 population among all sections of the nation are many qualified educa-  
 20 tional personnel who move for family and other personal reasons but  
 21 who are hindered in using their professional skill and experience in  
 22 their new locations. Variations from state to state in requirements  
 23 for qualifying educational personnel discourage such personnel from  
 24 taking the steps necessary to qualify in other states. As a conse-  
 25 quence, a significant number of professionally prepared and experi-  
 26 enced educators is lost to our school systems. Facilitating the employ-  
 27 ment of qualified educational personnel, without reference to their  
 28 states of origin, can increase the available educational resources.  
 29 Participation in this agreement can increase the availability of edu-  
 30 cational manpower.

#### 31 ARTICLE II—DEFINITIONS

32 As used in this agreement and contracts made pursuant to it, unless  
 33 the context clearly requires otherwise:

34 1. "Educational personnel" means persons who must meet require-  
 35 ments pursuant to state law as a condition of employment in educa-  
 36 tional programs.

37 2. "Designated state official" means the education official of a state  
 38 selected by that state to negotiate and enter into, on behalf of his  
 39 state, contracts pursuant to this agreement.

40 3. "Accept", or any variant thereof, means to recognize and give  
 41 effect to one or more determinations of another state relating to the  
 42 qualifications of educational personnel in lieu of making or requiring  
 43 a like determination that would otherwise be required by or pursuant  
 44 to the laws of a receiving state.

45 4. "State" means a state, territory, or possession of the United  
 46 States; the District of Columbia; or the Commonwealth of Puerto Rico.

47 5. "Originating state" means a state (and the subdivision thereof,  
 48 if any) whose determination that certain educational personnel are  
 49 qualified to be employed for specific duties in schools is acceptable in  
 50 accordance with the terms of a contract made pursuant to Article  
 51 three (III) of this agreement.

52 6. "Receiving state" means a state (and the subdivisions thereof)  
 53 which accepts educational personnel in accordance with the terms of  
 54 a contract made pursuant to Article three (III) of this agreement.

#### 55 ARTICLE III—INTERSTATE EDUCATIONAL PERSONNEL CONTRACTS

56 1. The designated state official of a party state may make one or  
 57 more contracts on behalf of his state with one or more other party  
 58 states providing for the acceptance of educational personnel. Any  
 59 such contract for the period of its duration shall be applicable to and  
 60 binding on the states whose designated state officials enter into it,  
 61 and the subdivisions of those states, with the same force and effect  
 62 as if incorporated in this agreement. A designated state official may  
 63 enter into a contract pursuant to this Article only with states in  
 64 which he finds that there are programs of education, certification  
 65 standards or other acceptable qualifications that assure preparation  
 66 or qualification of educational personnel on a basis sufficiently com-  
 67 parable, even though not identical to that prevailing in his own state.

68 2. Any such contract shall provide for:

69 a. Its duration.

70 b. The criteria to be applied by an originating state in qualifying

71 educational personnel for acceptance by a receiving state.

72 c. Such waivers, substitutions, and conditional acceptances as shall  
73 aid the practical effectuation of the contract without sacrifice of basic  
74 educational standards.

75 d. Any other necessary matters.

76 3. No contract made pursuant to this agreement shall be for a term  
77 longer than five years but any such contract may be renewed for like  
78 or lesser periods.

79 4. Any contract dealing with acceptance of educational personnel  
80 on the basis of their having completed an educational program shall  
81 specify the earliest date or dates on which originating state approval  
82 of the program or programs involved can have occurred. No contract  
83 made pursuant to this agreement shall require acceptance by a receiv-  
84 ing state of any persons qualified because of successful completion of  
85 a program prior to January 1, 1954.

86 5. The certification or other acceptance of a person who has been  
87 accepted pursuant to the terms of a contract shall not be revoked or  
88 otherwise impaired because the contract has expired or been termi-  
89 nated. However, any certificate or other qualifying document may be  
90 revoked or suspended on any ground which would be sufficient for  
91 revocation or suspension of a certificate or other qualifying document  
92 initially granted or approved in the receiving state.

93 6. A contract committee composed of the designated state officials  
94 of the contracting states or their representatives shall keep the con-  
95 tract under continuous review, study means of improving its admin-  
96 istration, and report no less frequently than once a year to the heads  
97 of the appropriate education agencies of the contracting states.

#### 98 ARTICLE IV—APPROVED AND ACCEPTED PROGRAMS

99 1. Nothing in this agreement shall be construed to repeal or other-  
100 wise modify any law or regulation of a party state relating to the  
101 approval of programs of educational preparation having effect solely  
102 on the qualification of educational personnel within that state.

103 2. To the extent that contracts made pursuant to this agreement  
104 deal with the educational requirements for the proper qualification  
105 of educational personnel, acceptance of a program of educational  
106 preparation shall be in accordance with such procedures and require-  
107 ments as may be provided in applicable contract.

#### 108 ARTICLE V—INTERSTATE COOPERATION

109 The party states agree that:

110 1. They will, so far as practicable, prefer the making of multi-  
111 lateral contracts pursuant to Article three (III) of this agreement.

112 2. They will facilitate and strengthen cooperation in interstate  
113 certification and other elements of educational personnel qualifica-  
114 tion and for this purpose shall cooperate with agencies, organizations,  
115 and associations interested in certification and other elements of  
116 educational personnel qualification.

#### 117 ARTICLE VI—AGREEMENT EVALUATION

118 The designated state officials of any party states may meet from  
119 time to time as a group to evaluate programs under the agreement,  
120 and to formulate recommendations for changes.

#### 121 ARTICLE VII—OTHER ARRANGEMENTS

122 Nothing in this agreement shall be construed to prevent or inhibit  
123 other arrangements or practices of any party state or states to facili-

124 tate the interchange of educational personnel.

125 ARTICLE VIII—EFFECT AND WITHDRAWAL

126 1. This agreement shall become effective when enacted into law by  
127 two states. Thereafter it shall become effective as to any state upon  
128 its enactment of this agreement.

129 2. Any party state may withdraw from this agreement by enacting  
130 a statute repealing the same, but no such withdrawal shall take effect  
131 until one year after the governor of the withdrawing state has given  
132 notice in writing of the withdrawal to the governors of all other party  
133 states.

134 3. No withdrawal shall relieve the withdrawing state of any obli-  
135 gation imposed upon it by a contract to which it is a party. The  
136 duration of contracts and the methods and conditions of withdrawal  
137 therefrom shall be those specified in their terms.

138 ARTICLE IX—CONSTRUCTION AND SEVERABILITY

139 This agreement shall be liberally construed so as to effectuate the  
140 purposes thereof. The provisions of this agreement shall be sever-  
141 able and if any phrase, clause, sentence, or provision of this agree-  
142 ment is declared to be contrary to the constitution of any state or of  
143 the United States, or the application thereof to any government,  
144 agency, person, or circumstance is held invalid, the validity of the  
145 remainder of this agreement and the applicability thereof to any  
146 government, agency, person, or circumstance shall not be affected  
147 thereby. If this agreement shall be held contrary to the constitution  
148 of any state participating therein, the agreement shall remain in full  
149 force and effect as to the state affected as to all severable matters.

1 SEC. 2. NEW SECTION. The designated state official for this  
2 state, within the meaning of Article two (II), paragraph two (2),  
3 of the interstate agreement on qualification of educational personnel  
4 as set forth in section one (1) of this Act, shall be the superintendent  
5 of public instruction. He shall enter into contracts pursuant to  
6 Article three (III) of the agreement only with the approval of the  
7 specific text thereof by the state board of public instruction.

1 SEC. 3. NEW SECTION. True copies of all contracts made on  
2 behalf of this state pursuant to the interstate agreement on qualifi-  
3 cation of educational personnel shall be kept on file in the department  
4 of public instruction and in the office of the secretary of state. The  
5 department of public instruction shall publish all such contracts in  
6 convenient form.

Approved July 12, 1973.

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