

during a dissolution and in which action to bring about a reorganization or dissolution was approved in an election pursuant to sections 275.18 and 275.20 or section 275.55 initiated by a vote of the board of directors or jointly by the affected boards of directors prior to July 1, 1989 November 30, 1990, and the reorganization or dissolution takes effect on or after July 1, 1988.

Sec. 2. Section 442.2, subsection 2, unnumbered paragraph 2, Code Supplement 1989, is amended to read as follows:

The reduced property tax rates of those reorganized districts that met the requirements of this section prior to July 1, 1989 November 30, 1990, shall continue to increase as provided in this section until they reach five dollars and forty cents.

Sec. 3. Section 442.9A, unnumbered paragraph 4, Code Supplement 1989, is amended to read as follows:

For purposes of this section, a reorganized school district is one in which action to bring about a reorganization was approved in an election pursuant to sections 275.18 and 275.20 initiated by a vote of the board of directors or jointly by the affected boards of directors prior to July 1, 1989 November 30, 1990, and will take effect on or after July 1, 1986.

Sec. 4. Section 442.39A, Code Supplement 1989, is amended to read as follows:

442.39A SUPPLEMENTARY WEIGHTING AND SCHOOL REORGANIZATION.

In determining weighted enrollment under section 442.4, if the board of directors of a school district has approved a contract for sharing under section 442.39, subsection 2 or 4, and the school district has approved initiated an action prior to November 30, 1990, to bring about a reorganization prior to July 1, 1989, the reorganized school district shall include, for a period of five years following the effective date of the reorganization, additional pupils added by the application of the supplementary weighting plan, equal to the pupils added by the application of the supplementary weighting plan in the year preceding the reorganization. However, the weighting shall be reduced by the supplementary weighting added for a pupil whose residency is not within the reorganized district. For purposes of this section, a reorganized district is one in which the reorganization was approved in an election pursuant to sections 275.18 and 275.20 and takes effect on or after July 1, 1986.

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to May 5, 1989.

Approved April 30, 1990

CHAPTER 1218

CORPORAL PUNISHMENT RULES

H.F. 2416

AN ACT relating to corporal punishment.

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

Section 1. Section 280.21, Code Supplement 1989, is amended to read as follows:

280.21 CORPORAL PUNISHMENT.

An employee of an accredited public school district, accredited nonpublic school, or area education agency shall not inflict, or cause to be inflicted, corporal punishment upon a student. For purposes of this section, "corporal punishment" means the intentional physical punishment of a student. An employee's physical contact with the body of a student is justified shall not

be considered corporal punishment if it is reasonable and necessary under the circumstances and is not designed or intended to cause pain or if the employee uses reasonable force, as defined under section 704.1, for the protection of the employee, the student, or other students; to obtain the possession of a weapon or other dangerous object within a student's control; or for the protection of property. The department of education shall adopt rules to implement this section.

Sec. 2.

By September 1, 1990, the department of education shall adopt rules to be included in 281 I.A.C. ch. 102, and rules in another chapter, entitled "Corporal Punishment Ban," in order to implement section 280.21, as amended in this Act.

Approved April 30, 1990

CHAPTER 1219

PERSONNEL RIGHTS UNDER SCHOOL SHARING AGREEMENTS

H.F. 2459

AN ACT relating to the employment of personnel under sharing agreements between school districts.

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

Section 1. Section 280.15, Code 1989, is amended to read as follows:

280.15 JOINT EMPLOYMENT AND SHARING.

1. Two or more public school districts may jointly employ and share the services of any school personnel, or acquire and share the use of classrooms, laboratories, equipment and facilities. Classes made available to students in the manner provided in this section shall be considered as complying with the requirements of section 275.1 relating to the maintenance of kindergarten and twelve grades by a school district. If students attend classes in another school district under this section under an agreement that provides for whole grade sharing, the boards of directors of districts entering into these agreements shall provide for sharing the costs and expenses as provided in sections 282.10 through 282.12. Sharing agreements that provide for the sharing of personnel shall provide that any person who is not an employee at the time an agreement is signed shall not be employed in any professional position, under the terms of the agreement, for which a current employee of any of the districts involved in the agreement holds an appropriate license, unless the professional position is an administrator position or the professional position is first offered to the current employee.

2. When a special education personnel pooling agreement, which has been entered into between an area education agency and a public school district pursuant to section 273.5, is terminated, the public school district shall assume the contractual obligations for any teachers assigned to the district under the agreement. Teachers, for whom the contractual obligations are assumed by a district, shall retain all leaves, benefits, and seniority rights accumulated under the agreement which exists between the public school district and the district's collective bargaining unit, consistent with the teacher's education and experience.

Approved April 30, 1990