

CHAPTER 18

EDUCATION BLOCK GRANTS — EARLY INTERVENTION AND SCHOOL IMPROVEMENT TECHNOLOGY

H.F. 743

AN ACT relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

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

Section 1. NEW SECTION. 256E.1 IOWA EARLY INTERVENTION BLOCK GRANT PROGRAM ESTABLISHED — GOALS.

1. An Iowa early intervention block grant program is established within the department of education. The program's goals for kindergarten through grade three are to provide the resources needed to reduce class sizes in basic skills instruction to the state goal of seventeen students for every one teacher; provide direction and resources for early intervention efforts by school districts to achieve a higher level of student success in the basic skills, especially reading skills; and increase communication and accountability regarding student performance. The Iowa early intervention block grant program shall consist of the following:

a. Class size management. School districts shall develop a class size management strategy to work toward, or to maintain, class sizes in basic skills instruction for kindergarten through grade three that are at the state goal of seventeen students for every one teacher.

b. Improving instruction in the basics. The department of education shall identify diagnostic assessment tools that can be used to assist teachers in measuring reading accuracy and fluency skills, including but not limited to, phonemic awareness, oral reading ability, and comprehensive skills, to improve student achievement in kindergarten through grade three. The department, in collaboration with the area education agencies, school districts, and institutions with approved practitioner preparation programs, shall identify and serve as a clearinghouse on intensive, research-based strategies and programs for training teachers in both diagnosis and appropriate instruction interventions.

(1) A school district shall at a minimum biannually inform parents of their individual child's performance on the diagnostic assessments in kindergarten through grade three. If intervention is appropriate, the school district shall inform the parents of the actions the school district intends to take to improve the child's reading skills and provide the parents with strategies to enable the parents to improve their child's skills. The board of directors of each school district shall adopt a policy indicating the methods the school district will use to inform parents of their individual child's performance.

(2) The department shall also identify for school districts programs and materials by which parents may support classroom reading instruction.

2. A school district shall integrate its specific early intervention block grant program goals and activities into the comprehensive school improvement plan required under section 256.7, subsection 21, paragraph "a".

3. For purposes of this chapter, unless the context otherwise requires, "parent" means a biological or adoptive parent, a stepparent, or a legal guardian or custodian of a student.

Sec. 2. NEW SECTION. 256E.2 PROGRAM EXPENDITURES.

A school district shall expend funds received pursuant to section 256E.4 at the kindergarten through grade three levels to reduce class sizes to the state goal of seventeen students for every one teacher and to achieve a higher level of student success in the basic skills, especially reading. In order to support these efforts, school districts may expend funds received pursuant to section 256E.4 at the kindergarten through grade three level on programs,

instructional support, and materials that include, but are not limited to, the following: additional licensed instructional staff; additional support for students, such as before and after school programs, tutoring, and intensive summer programs; the acquisition and administration of diagnostic reading assessments; the implementation of research-based instructional intervention programs for students needing additional support; the implementation of all-day, everyday kindergarten programs; and the provision of classroom teachers with intensive training programs to improve reading instruction and professional development in best practices, including but not limited to training programs related to instruction to increase students' phonemic awareness, reading abilities, and comprehension skills.

Sec. 3. NEW SECTION. 256E.3 ANNUAL REPORTS.

1. A school district shall report annually to its school community the proportion of fourth grade students who are proficient in reading in accordance with section 256.7, subsection 21, paragraph "c". School districts are encouraged to submit to their communities composite information concerning the reading proficiency of their kindergarten through grade three enrollments, by grade level.

2. The annual report submitted to the department of education in accordance with section 256.7, subsection 21, paragraph "c", shall include the district's current class sizes for kindergarten through grade three.

3. Beginning January 15, 2001, the department shall submit an annual report to the chairpersons and ranking members of the senate and house education committees that includes the statewide average school district class size in basic skills instruction in kindergarten through grade three, by grade level and by district size, and describes school district progress toward achieving early intervention block grant program goals and the ways in which school districts are using moneys received pursuant to section 256E.4.

Sec. 4. NEW SECTION. 256E.4 PROGRAM ALLOCATION.

1. For each fiscal year in the fiscal period beginning July 1, 1999, and ending June 30, 2001, moneys appropriated pursuant to section 256E.5, subsection 1, paragraph "a" or "b", shall be allocated to school districts in accordance with the following formula:

a. Fifty percent of the allocation shall be based upon the proportion that the kindergarten through grade three enrollment of a district bears to the sum of the kindergarten through grade three enrollments of all school districts in the state as reported for the base year.

b. Fifty percent of the allocation shall be based upon the proportion that the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in grades one through three of a school district bears to the sum of the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in grades one through three in all school districts in the state for the base year.

2. For each fiscal year in the fiscal period beginning July 1, 2001, and ending June 30, 2003, moneys appropriated pursuant to section 256E.5, subsection 1, paragraph "c", shall be allocated to school districts as follows:

a. Allocation of the sum of twenty million dollars shall be based upon the proportion that the kindergarten through grade three enrollment of a district bears to the sum of the kindergarten through grade three enrollments of all school districts in the state as reported for the base year.

b. Allocation of the sum of ten million dollars shall be based upon the proportion that the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in grades one through three of a school district bears to the sum of the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in grades one through three in all school districts in the state for the base year.

3. For each year in which an appropriation is made to the Iowa early intervention block grant program, the department of education shall notify the department of revenue and finance of the amount of the allocation to be paid to each school district as provided in subsections 1 and 2. The allocation to each school district shall be made in one payment on or about October 15 of the fiscal year for which the appropriation is made, taking into consideration the relative budget and cash position of the state resources. Moneys received under this section shall not be commingled with state aid payments made under section 257.16 to a school district and shall be accounted for by the local school district separately from state aid payments. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257. A school district shall maintain a separate listing within its budget for payments received and expenditures made pursuant to this section. A school district shall certify to the department of education that moneys received under this section were used to supplement, not supplant, moneys otherwise received and used by the school district.

4. For purposes of this section, unless the context otherwise requires, "kindergarten through grade three enrollment" means the enrollment as reported in the basic educational data survey for the base year.

Sec. 5. NEW SECTION. 256E.5 APPROPRIATIONS.

1. There is appropriated from the general fund of the state to the department of education, the following amounts, for the following fiscal years, for the Iowa early intervention block grant program:

a. For the fiscal year beginning July 1, 1999, and ending June 30, 2000, the sum of ten million dollars.

b. For the fiscal year beginning July 1, 2000, and ending June 30, 2001, the sum of twenty million dollars.

c. For each fiscal year of the fiscal period beginning July 1, 2001, and ending June 30, 2003, the sum of thirty million dollars.

2. There is appropriated from the general fund of the state to the department of education for each fiscal year of the fiscal period beginning July 1, 2001, and ending June 30, 2003, the sum of thirty million dollars for the school improvement technology block grant program.

Sec. 6. NEW SECTION. 256E.6 DISTRIBUTION OF SCHOOL IMPROVEMENT TECHNOLOGY BLOCK GRANT FUNDS.

1. From the moneys appropriated in section 256E.5, subsection 2, other than the moneys allocated in subsection 2 of this section, for each fiscal year in which moneys are appropriated, the amount of moneys allocated to school districts shall be in the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state for the budget year. However, except as provided in subsection 6, a district shall not receive less than ten thousand dollars in a fiscal year. The Iowa braille and sight saving school, the state school for the deaf, and the Price laboratory school at the university of northern Iowa shall annually certify their basic enrollments to the department of education by October 1. The department of human services shall certify the average student yearly enrollments of the institutions under department of human services control as provided in section 218.1, subsections 1 through 3, 5, 7, and 8, to the department of education by October 1.

2. From the moneys appropriated in section 256E.5, subsection 2, for each fiscal year in which moneys are appropriated, the sum of one hundred fifty thousand dollars shall be divided among the area education agencies based upon each area education agency's percentage of the total full-time equivalent elementary and secondary teachers employed in the school districts in this state. An area education agency may contract with an appropriate accredited institution of higher education in Iowa to provide staff development and training in accordance with section 256E.7.

3. For each year in which an appropriation is made to the school improvement technology block grant program, the department of education shall notify the department of revenue and finance of the amount to be paid to each school district and area education agency based upon the distribution plan set forth for the appropriation made pursuant to this section. The allocation to each school district and area education agency under this section shall be made in one payment on or about October 15 of the fiscal year in which the appropriation is made, taking into consideration the relative budget and cash position of the state resources.

4. Payments made to school districts and area education agencies under this section are miscellaneous income for purposes of chapter 257. Moneys received under this section shall not be commingled with state aid payments made under sections 257.16 and 257.35 to a school district or area education agency and shall be accounted for by the local school district or area education agency separately from state aid payments.

5. Moneys received under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

6. For purposes of this section and section 256E.8, "school district" means a school district, the Iowa braille and sight saving school, the state school for the deaf, the Price laboratory school at the university of northern Iowa, and the institutions under the control of the department of human services as provided in section 218.1, subsections 1 through 3, 5, 7, and 8. However, notwithstanding subsection 1, the amount of moneys allocated to the institutions under the control of the department of human services as provided in section 218.1, subsections 1, 2, 3, and 5, shall be a total of not more than twenty thousand dollars for each fiscal year, to be distributed proportionately between the four institutions by the department of education.

Sec. 7. NEW SECTION. 256E.7 SCHOOL IMPROVEMENT TECHNOLOGY PLANNING.

1. Commencing with the fiscal year beginning July 1, 2001, each school district shall include a technology plan as a component of the annual report submitted to the department of education in accordance with section 256.7, subsection 21, paragraphs "a" and "c". The plan shall be developed by licensed professional staff of the district, including both teachers and administrators. The plan shall, at a minimum, focus on the attainment of student achievement goals on academic and other core indicators, consider the district's interconnectivity with the Iowa communications network, and demonstrate how the board will utilize technology to improve student achievement. The technology plan shall be kept on file in the district and a copy of the plan, and any subsequent amendments to the plan, shall be sent to the appropriate area education agency.

2. Prior to receiving funds under this chapter, each area education agency shall develop a plan to assist school districts in the development of a technology planning process to meet the purposes of the school improvement technology block grant program. The plan shall describe how the area education agency intends to support school districts with instructional technology staff development and training. The department shall approve each plan prior to the disbursement of funds. An area education agency needs to develop only one plan and send it to the department of education while this chapter is effective. An area education agency may submit a plan that meets the requirements of chapter 295, Code 2001. An annual progress report shall be submitted to the department of education.

3. Prior to receiving funds pursuant to section 256E.5, subsection 2, the Iowa braille and sight saving school, the state school for the deaf, and the Price laboratory school at the university of northern Iowa shall each submit to the state board of regents and the department of education a technology plan that supports and improves student achievement, demonstrates how technology will be utilized to improve student achievement, and includes an evaluation component. The schools listed in this subsection need to develop only one plan each to send to the state board of regents and the department of education while this chapter is effective. An annual progress report shall be submitted to the state board of regents and the department of education.

4. Prior to receiving funds pursuant to section 256E.5, subsection 2, the institutions under the control of the department of human services as provided in section 218.1, subsections 1 through 3, 5, 7, and 8, shall each submit to the departments of education and human services a technology plan that supports and improves student achievement, demonstrates the manner in which technology will be utilized to improve student achievement, and includes an evaluation component. Each institution developing a plan under this subsection needs to develop only one plan to send to the departments of education and human services while this chapter is effective. Each institution shall submit an annual progress report to the departments of education and human services. Each institution shall submit an annual progress report to the departments of education and human services.*

Sec. 8. NEW SECTION. 256E.8 SCHOOL IMPROVEMENT TECHNOLOGY BLOCK GRANT EXPENDITURES.

1. Except as provided in subsection 2, a school district shall expend funds received pursuant to section 256E.5, subsection 2, for the acquisition, lease, lease-purchase, installation, and maintenance of instructional technology equipment, including hardware and software, materials and supplies related to instructional technology, and staff development and training related to instructional technology, and shall establish priorities for the use of the funds. However, funds received by a school district pursuant to section 256E.5, subsection 2, shall not be expended to add a full-time equivalent position or otherwise increase staffing.

2. A school district may expend up to two-thirds of the funds received annually pursuant to section 256E.5, subsection 2, for any of the purposes described in section 256E.2, including for the employment of additional licensed instructional staff.

3. Funds received by an area education agency pursuant to section 256E.6, subsection 2, shall be expended for the costs related to supporting school districts within the area served with technology planning and equipment, including hardware and software, materials and supplies related to instructional technology, and staff development and training related to instructional technology.

Sec. 9. NEW SECTION. 256E.9 FUTURE REPEAL.

This chapter is repealed effective July 1, 2003.

Approved April 13, 1999

CHAPTER 19

BOARD OF NURSING EXAMINERS — COMPOSITION

S.F. 99

AN ACT providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

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

Section 1. Section 147.14, subsection 3, Code 1999, is amended to read as follows:

3. For nursing examiners, four registered nurses, ~~one~~ two of whom shall be actively engaged in practice, ~~three~~ two of whom shall be nurse educators from nursing education programs; of these, one in higher education, ~~one in diploma education~~, and one in area community and vocational-technical registered nurse education; one licensed practical nurse actively engaged in practice; and two members not registered nurses or licensed practical nurses and who shall represent the general public. The representatives of the general public

* See chapter 208, §51 herein