

Reprinted 4/78

MAR 21 1978

HOUSE FILE 2361

Place On Calendar

By COMMITTEE ON EDUCATION

(Formerly Study Bill 448)

Passed House, Date 3-29-78 (p. 1234) Passed Senate, Date 4-24-78 (P. 993)

Vote: Ayes 90 Nays 1 Vote: Ayes 39 Nays 2

Approved June 22, 1978

### A BILL FOR

1 An Act relating to moneys available to school districts, pro-  
 2 viding for an additional enrichment amount, funds for  
 3 unusual transportation problems and unique problems of  
 4 school districts, changing the budget certification date  
 5 for the site fund, altering the eligibility for one  
 5770-6 hundred twenty-five percent allowable growth, and pro-  
 7 hibition of reduction of school budgets after their  
 8 certification.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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5786, 5771  
5770, 5806

1 Section 1. Section two hundred ninety-seven point five  
2 (297.5), unnumbered paragraph one (1), Code 1977, is amended  
3 to read as follows:

4 The directors in any high school district maintaining a  
5 program kindergarten through grade twelve may, by ~~February~~  
6 March fifteenth of each year certify an amount not exceeding  
7 twenty-seven cents per thousand dollars of assessed value  
8 to the board of supervisors, who shall levy the amount so  
9 certified, and the tax so levied shall be placed in the  
10 schoolhouse fund and used only for the purchase and improvement  
11 of sites in and for said school district as specified by the  
12 directors.

13 Sec. 2. Section four hundred forty-two point seven (442.7),  
14 subsection seven (7), paragraph a, Code 1977, is amended to  
15 read as follows:

16 a. If the state cost per pupil in the base year minus  
17 the amount added to the state cost per pupil in the base year  
18 to compensate for the additional costs of special education  
19 support services exceeds the district cost per pupil in the  
20 base year minus the amount added to the district cost per  
21 pupil in the base year to compensate for the additional costs  
22 of special education support services, the basic allowable  
23 growth per pupil for the budget year is modified to equal  
24 the lesser of one hundred twenty-five percent of the basic  
25 ~~allowable-growth~~ product obtained by multiplying the state  
26 percent of growth for the budget year times an amount equal  
27 to the difference between the state cost per pupil for the  
28 budget year and the average special education support costs  
29 per pupil for the budget year or an amount sufficient to  
30 equalize the district cost per pupil as modified in this  
31 paragraph in the budget year with the state cost per pupil  
32 as modified in this paragraph in the budget year.

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33 Sec. 3. Section four hundred forty-two point thirteen  
34 (442.13), subsection three (3), Code 1977, is amended to read  
35 as follows:

1 3. The committee shall review the proposed budget and  
2 certified budget of each school district, and may make  
3 recommendations. The committee may make decisions affecting  
4 budgets to the extent ~~provided-in~~ authorized by this chapter,  
5 provided that the committee shall not reduce the budget of  
6 a school district after that budget has been certified by  
7 the state comptroller to the county auditor and the school  
8 district. The costs and computations referred to in this  
9 section relate to the budget year unless otherwise expressly  
10 stated.

11 Sec. 4. Section four hundred forty-two point thirteen  
12 (442.13), subsection five (5), paragraph c, Code 1977, is  
13 amended to read as follows:

14 c. Unusual transportation problems and for which the per  
15 pupil transportation costs are substantially higher than the  
16 state average per pupil transportation costs due to sparsity  
17 of the population, topographical factors, and other obstacles  
18 which hinder the efficient transportation of pupils.

19 Sec. 5. Section four hundred forty-two point thirteen  
20 (442.13), subsection five (5), Code 1977, is amended by adding  
21 the following new paragraph:

22 NEW PARAGRAPH. Any unique problems of districts to include  
23 minority problems, vandalism, civil disobedience and other  
24 costs incurred by school districts.

25 Sec. 6. Section four hundred forty-two point fourteen  
26 (442.14), Code 1977, is amended to read as follows:

27 422.14 ADDITIONAL ENRICHMENT AMOUNT.

28 1. For the budget year beginning July 1, ~~1976~~ 1979, and  
29 each succeeding school year, if a school board wishes to spend  
30 more than the amount permitted under sections 442.1 to 442.13,  
31 and the school board has not attempted by resolution to raise  
32 an additional enrichment amount for that budget year, the  
33 school board may raise an additional enrichment amount not  
34 to exceed ~~five~~ ten percent of the state cost per pupil  
35 multiplied by the adjusted enrollment in the district, as

1 provided in this section. However, the additional enrichment  
2 amount may be used only for educational research, curriculum  
3 maintenance or development, or innovative programs.

4 2. The board shall determine the additional enrichment  
5 amount per pupil needed, within the limits of this section,  
6 and. The board shall publish notice in a newspaper of general  
7 circulation in the school district listing the date, time  
8 and location of each of three public hearings to be held for  
9 reading and approval of the enrichment resolution. The  
10 hearings shall be at least one week apart with the third  
11 hearing to take place at least forty-five days prior to the  
12 school board election in September of the base year. If,  
13 on or before the date of the third hearing, the school board  
14 receives a petition signed by not less than five percent of  
15 the registered voters in the school district protesting the  
16 proposed enrichment resolution or if, by its own motion the  
17 board determines that a referendum should be held, the school  
18 board shall direct the county commissioner of elections to  
19 submit the question of whether to raise that amount under  
20 the provisions of this section and section 442.15, to the  
21 qualified electors of the school district at a regular or  
22 special school election held not-later-than-February-15 during  
23 September of the base year. If a majority of those voting  
24 favours raising the enrichment amount, the board may include  
25 the approved amount in its certified budget.

26 3. The additional enrichment amount needed shall be raised  
27 within the limits provided in this section by a combination  
28 of an enrichment property tax and a school district income  
29 surtax imposed in the proportion of a property tax of twenty-  
30 seven cents per thousand dollars of assessed valuation of  
31 taxable property in the district for each two and one-half  
32 percent of income surtax.

33 4. The additional enrichment amount for a district is  
34 limited to the amount which may be raised by a combination  
35 tax in the prescribed proportion which does not exceed a

1 property tax of ~~fifty-four~~ one dollar and eight cents per  
2 thousand dollars of assessed valuation and an income surtax  
3 of five ten percent.

4 Sec. 7. Section four hundred forty-two point fifteen  
5 (442.15), unnumbered paragraph one (1), Code 1977, is amended  
6 to read as follows:

7 If a petition protesting the enrichment resolution has  
8 not been received on or before the date of the third public  
9 hearing or a majority of those voting in an election approves  
10 raising the additional enrichment amount under section 442.14  
11 and this section, the board shall certify to the state  
12 comptroller that the required procedures have been carried  
13 out, and the state comptroller shall establish the amount  
14 of additional enrichment property tax to be levied and the  
15 amount of school district income surtax to be imposed for  
16 each school year for which the additional enrichment amount  
17 is authorized. The state comptroller shall determine these  
18 amounts based upon the most recent figures available for the  
19 district's valuation of taxable property, individual state  
20 income tax paid, and adjusted enrollment in the district,  
21 and shall certify to the district's county auditor the amount  
22 of enrichment property tax, and to the director of revenue  
23 the amount of school district income surtax to be imposed.

24 Sec. 8. Section four hundred forty-two point fifteen  
25 (442.15), unnumbered paragraph three (3), Code 1977, is amended  
26 to read as follows:

27 An additional enrichment amount authorized under section  
28 442.14 or a lesser amount than the amount so authorized may  
29 be continued as provided in this section for a period of five  
30 school years. If the amount authorized is less than the  
31 maximum of five ten percent of the state cost per pupil and  
32 the board wishes to increase the amount, it shall re-establish  
33 its authority to do so in the manner provided in section  
34 442.14. If the board wishes to continue any additional  
35 enrichment amount beyond the five-year period, it shall re-

1 establish its authority to do so in the manner provided in  
2 section 442.14 within the twelve-month period prior to  
3 termination of the five-year period.

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4 EXPLANATION

5 This bill changes the certification date for the site fund  
6 for school districts to coincide with the budget certification  
7 date of school districts.

8 It discounts area education agency special education support  
9 costs when determining whether a district is eligible for  
10 125% allowable growth.

11 It modifies the authority of the school budget review  
12 committee to aid school districts with unusual transportation  
13 costs and school districts confronting unique problems. It  
14 increases the maximum enrichment amount from 5% to 10% of  
15 the state cost per pupil and allows it to be adopted by the  
16 local board after three hearings unless a referendum is called  
17 for by petition of the voters or the board calls for a  
18 referendum.

19 It prohibits the school budget review committee from  
20 reducing the budget of a school district after the budget  
21 has been certified by the state comptroller to the county  
22 auditor and the school district.

23

HOUSE FILE 2361

H-5813

- 1 Amend House File 2361 as follows:
- 2 1. Page 3, line 3, by inserting after the word
- 3 "development," the words "programs for gifted and
- 4 talented children,".

H-5813 FILED, LOST BY SPEAR of Lee  
MARCH 29, 1978 (p. 1233)

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Sen. Ed 4/10 Amend for 5628 - Division 4/21 (p. 998)  
Budget 4/21 without recommend. 4/21 (p. 997)

HOUSE FILE 2361

By COMMITTEE ON EDUCATION

(As Amended and Passed by the House)

Passed House, Date 4-26-78 (p. 1908) Passed Senate, Date 4-24-78 (p. 993)

Vote: Ayes 94 Nays 1 Vote: Ayes 30 Nays 2

Approved 6-22-78

*Motion to reconsider p 1911 re/2 4/28/2008*

### A BILL FOR

1 An Act relating to moneys available to school districts, pro-  
2 viding for an additional enrichment amount, funds for  
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5 for the site fund, altering the eligibility for one  
6 hundred twenty-five percent allowable growth, and pro-  
7 hibition of reduction of school budgets after their  
8 certification.

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9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

*Conference Committee appointed*

11 *Repres. Patchett chair. Horn, Norland, Daggitt, Keweenaw 5/3 (p. 2210)*  
12 *Senators Willits, chair; Hansen; Orr; Merritt; & Hoff 5/3*

*Passed per Conference Committee Report*

14 House 5-10-78 (p. 2434) Senate 5-11-78 (p. 1452)  
15 79 - 3 40 - 2  
House Amendments \_\_\_\_\_

17 *Certification of Publication 7/11 (p. 2871)*

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1 Section 1. Section two hundred ninety-seven point five  
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 3 to read as follows:

4 The directors in any high school district maintaining a  
 5 program kindergarten through grade twelve may, by February  
 6 1 March fifteenth of each year certify an amount not exceeding  
 7 twenty-seven cents per thousand dollars of assessed value  
 8 to the board of supervisors, who shall levy the amount so  
 9 certified, and the tax so levied shall be placed in the  
 10 schoolhouse fund and used only for the purchase and improvement  
 11 of sites in and for said school district as specified by the  
 12 directors.

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16 a. If the state cost per pupil in the base year minus  
 17 the amount included in the state cost per pupil in the base  
 18 year to compensate for the cost of special education support  
 19 services exceeds the district cost per pupil in the base year  
 20 minus the amount included in the district cost per pupil in  
 21 the base year to compensate for the cost of special education  
 22 support services, the basic allowable growth per pupil for  
 23 the budget year is modified to equal the lesser of one hundred  
 24 twenty-five percent of the basic-allowable-growth product  
 25 obtained by multiplying the state percent of growth for the  
 26 budget year times an amount equal to the state cost per pupil  
 27 for the base year less the average amount for special education  
 28 support service costs per pupil for the budget base year or  
 29 an amount sufficient to equalize the district cost per pupil  
 30 in the budget year, excluding the district's amount per pupil  
 31 for special education support service costs, with the state  
 32 cost per pupil in the budget year, excluding the average  
 33 amount per pupil for special education support service costs.

34 Sec. 3. Section four hundred forty-two point thirteen  
 35 (442.13), subsection three (3), Code 1977, is amended to read

1 as follows:

2 3. The committee shall review the proposed budget and  
 3 certified budget of each school district, and may make  
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 6 provided that the committee shall not reduce the budget of  
 7 a school district after that budget has been certified by  
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 10 section relate to the budget year unless otherwise expressly  
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 18 of the population, topographical factors, and other obstacles  
 19 which hinder the efficient transportation of pupils.

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 25 costs incurred by school districts.

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 27 (442.14), Code 1977, is amended to read as follows:

28 442.14 ADDITIONAL ENRICHMENT AMOUNT.

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 30 each succeeding school year, if a school board wishes to spend  
 31 more than the amount permitted under sections 442.1 to 442.13,  
 32 and the school board has not attempted by resolution to raise  
 33 an additional enrichment amount for that budget year, the  
 34 school board may raise an additional enrichment amount not  
 35 to exceed ~~five~~ ten percent of the state cost per pupil

1 multiplied by the adjusted enrollment in the district, as  
2 provided in this section. However, the additional enrichment  
3 amount may be used only for educational research, curriculum  
4 maintenance or development, or innovative programs.

5 2. The board shall determine the additional enrichment  
6 amount per pupil needed, within the limits of this section,  
7 and shall direct the county commissioner of elections to  
8 submit the question of whether to raise that amount under  
9 the provisions of this section and section 442.15, to the  
10 qualified electors of the school district at a regular ~~or~~  
11 ~~special~~ school election held ~~not-later-than-February-15~~ during  
12 September of the base year. If a majority of those voting  
13 favors raising the enrichment amount, the board may include  
14 the approved amount in its certified budget.

15 3. The additional enrichment amount needed shall be raised  
16 within the limits provided in this section by a combination  
17 of an enrichment property tax and a school district income  
18 surtax imposed in the proportion of a property tax of twenty-  
19 seven cents per thousand dollars of assessed valuation of  
20 taxable property in the district for each two-and-one-half  
21 five percent of income surtax.

22 4. The additional enrichment amount for a district is  
23 limited to the amount which may be raised by a combination  
24 tax in the prescribed proportion which does not exceed a  
25 property tax of ~~fifty-four~~ one dollar and eight cents per  
26 thousand dollars of assessed valuation and an income surtax  
27 of ~~five~~ twenty percent.

28 5. Any additional enrichment amount of a school district,  
29 not exceeding five percent of the state cost per pupil, which  
30 was approved at a referendum prior to July 1, 1978, shall  
31 remain in effect for the period for which it was approved.

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32 Sec. 7. Section four hundred forty-two point fifteen  
33 (442.15), unnumbered paragraph one (1), Code 1977, is amended  
34 to read as follows:

35 If a majority of those voting in an election approves

1 raising the additional enrichment amount under section 442.14  
2 and this section, the board shall certify to the state  
3 comptroller that the required procedures have been carried  
4 out, and the state comptroller shall establish the amount  
5 of additional enrichment property tax to be levied and the  
6 amount of school district income surtax to be imposed for  
7 each school year for which the addition enrichment amount  
8 is authorized. The state comptroller shall determine these  
9 amounts based upon the most recent figures available for the  
10 district's valuation of taxable property, individual state  
11 income tax paid, and adjusted enrollment in the district,  
12 and shall certify to the district's county auditor the amount  
13 of enrichment property tax, and to the director of revenue  
14 the amount of school district income surtax to be imposed.

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16 (442.15), unnumbered paragraph three (3), Code 1977, is amended  
17 to read as follows:

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20 be continued as provided in this section for a period of five  
21 school years. If the amount authorized is less than the  
22 maximum of ~~five~~ ten percent of the state cost per pupil and  
23 the board wishes to increase the amount, it shall re-establish  
24 its authority to do so in the manner provided in section  
25 442.14. If the board wishes to continue any additional  
26 enrichment amount beyond the five-year period, it shall re-  
27 establish its authority to do so in the manner provided in  
28 section 442.14 within the twelve-month period prior to  
29 termination of the five-year period.

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1 Amend House File 2361 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 1, by inserting after line 12 the follow-  
4 ing:

5 "Sec. \_\_\_\_\_. Section four hundred forty-two point  
6 four (442.4), subsections one (1) and two (2), Code  
7 1977, are amended to read as follows:

8 1. Basic enrollment for the budget year is  
9 determined by adding the resident pupils who were  
10 enrolled on the second Friday of ~~January~~ September  
11 in the base year in public elementary and secondary  
12 schools of the district and in public elementary and  
13 secondary schools in another district or state for  
14 which tuition is paid by the district. ~~For the school~~  
15 ~~year beginning July 1, 1975, pupils who were enrolled~~  
16 ~~on the second Friday of January in the base year in~~  
17 ~~special education programs conducted by a county or~~  
18 ~~joint county school system are included in basic~~  
19 enrollment. For the school year beginning July 1,  
20 1975, and each succeeding school year, pupils enrolled  
21 in prekindergarten programs other than special  
22 education programs are not included in basic  
23 enrollment.

24 Resident pupils of high school age for which the  
25 district pays tuition to attend an Iowa area school  
26 are included in basic enrollment on a full-time  
27 equivalent basis as of the second Friday of ~~January~~  
28 September in the base year.

29 ~~Shared-time and part-time pupils of school age,~~  
30 irrespective of the districts in which the pupils  
31 reside, are included in basic enrollment as of the  
32 second Friday of ~~January~~ September in the base year,  
33 in the proportion that the time for which they are  
34 enrolled or receive instruction for the school year  
35 is to the time that full-time pupils carrying a normal  
36 course schedule, at the same grade level, in the same  
37 school district, for the same school year, are enrolled  
38 and receive instruction. Tuition charges to the  
39 parent or guardian of a shared-time or part-time out-  
40 of-district pupil shall be reduced by the amount of  
41 any increased state aid occasioned by the counting  
42 of the pupil.

43 Pupils attending a university laboratory school  
44 are not counted in any district's basic enrollment,  
45 but the laboratory school shall report them directly  
46 to the department of public instruction.

47 A school district shall certify its basic enrollment  
48 to the state department of public instruction by  
49 ~~January-25~~ September twenty-fifth of each year, and  
50 the department shall promptly forward the information

1 to the state comptroller. For purposes of determining  
2 whether a district is entitled to an advance for  
3 increasing enrollment, and for record-keeping purposes,  
4 a determination of enrollment shall be made on the  
5 second Friday of September in the budget year and  
6 the second Friday in January in the base year, in  
7 the same manner as the January September basic  
8 enrollment is determined.

9 ~~However, for the school year beginning July 1,~~  
10 ~~1974, basic enrollment is equal to the actual~~  
11 ~~enrollment used for that year prior to adjustment~~  
12 ~~for decreasing enrollment.~~

13 2. An adjusted enrollment for each district shall  
14 be computed as follows:

15 ~~a. For the school year beginning July 1, 1975~~  
16 ~~if a district has a decrease from the sum of the basic~~  
17 ~~enrollment in the base year plus adjustments for~~  
18 ~~decreasing enrollment made in the base year, to the~~  
19 ~~basic enrollment in the budget year, the state~~  
20 ~~comptroller shall compute an amount to be added to~~  
21 ~~the basic enrollment for the budget year. The amount~~  
22 ~~to be added is equal to fifty percent of this decrease,~~  
23 ~~to the extent that the decrease does not exceed five~~  
24 ~~percent of the sum of the basic enrollment in the~~  
25 ~~base year plus adjustments made for decreasing~~  
26 ~~enrollment in the base year, and twenty-five percent~~  
27 ~~of the remaining decrease. If the district does not~~  
28 ~~experience this decrease, the adjusted enrollment~~  
29 ~~for the budget year is equal to the basic enrollment~~  
30 ~~for the budget year.~~

31 b a. For the school years subsequent to the school  
32 year beginning July 1, 1975, except for the school  
33 year beginning July 1, 1979 if a district has a  
34 decrease from the basic enrollment in the base year  
35 to the basic enrollment in the budget year the state  
36 comptroller shall compute an amount to be added to  
37 the basic enrollment for the budget year. The amount  
38 to be added is equal to fifty percent of the basic  
39 enrollment decrease to the extent that it does not  
40 exceed five percent of the base year's basic  
41 enrollment, and twenty-five percent of the remaining  
42 basic enrollment decrease. If the school district  
43 does not experience a decrease from the basic  
44 enrollment in the base year to the basic enrollment  
45 in the budget year the adjusted enrollment for the  
46 budget year is equal to the basic enrollment for the  
47 budget year.

48 b. For the school year beginning July 1, 1979,  
49 if a district has a decrease from the basic enrollment  
50 in the base year to the basic enrollment in the budget

1 year the state comptroller shall compute an amount  
2 to be added to the basic enrollment for the budget  
3 year. The amount to be added is equal to one hundred  
4 percent of the basic enrollment decrease to the extent  
5 that the decrease does not exceed two percent of the  
6 base year's basic enrollment, and fifty percent of  
7 the remaining basic enrollment decrease to the extent  
8 that the decrease does not exceed five percent of  
9 the base year's basic enrollment, and twenty-five  
10 percent of the remaining basic enrollment decrease.

11 If a district has an increase from the basic  
12 enrollment in the base year to the basic enrollment  
13 in the budget year, the state comptroller shall compute  
14 an amount to be subtracted from the basic enrollment  
15 for the budget year. The amount to be subtracted  
16 is equal to zero percent of the basic enrollment  
17 increase to the extent that the increase does not  
18 exceed two percent of the base year's basic enrollment,  
19 and fifty percent of the remaining basic enrollment,  
20 increase to the extent that the increase does not  
21 exceed five percent of the base year's basic  
22 enrollment, and seventy-five percent of the remaining  
23 basic enrollment increase. However, if the provisions  
24 of this paragraph are inadequate to fund the budget  
25 of a district that has an increase in basic enrollment  
26 an application for an adjustment in the enrollment  
27 may be allowed if approved by the school budget review  
28 committee not to exceed a total adjusted enrollment  
29 equal to the basic enrollment for the budget year.

30 Sec. \_\_\_\_. Section four hundred forty-two point  
31 seven (442.7), subsections one (1), two (2), three  
32 (3), four (4) and five (5), Code 1977, are amended  
33 to read as follows:

34 ~~4.--For-the-school-year-beginning-July-1,-1975,~~  
35 ~~the-state-percent-of-growth-is-ten-and-seven-tenths~~  
36 ~~percent.~~

37 ~~Seven-tenths-of-one-percent-of-the-state-percent~~  
38 ~~of-growth-is-to-compensate-for-the-cost-of-improvements~~  
39 ~~to-the-Iowa-public-employees'-retirement-system-and~~  
40 ~~also-to-fund-a-portion-of-the-cost-of-driver-education~~  
41 ~~classes-offered-by-the-district-and-formerly-funded~~  
42 ~~partly-by-a-state-appropriation.~~

43 2 1. For school years subsequent to the school  
44 year beginning July 1, 1975 1978, a state percent  
45 of growth for the budget year shall be computed by  
46 the state comptroller prior to ~~February-15-of-each~~  
47 September fifteenth in the base year and forwarded  
48 to the superintendent of public instruction. The  
49 state percent of growth shall be an average of the  
50 following four percentages of growth:

1 a. The difference in the state general fund  
2 revenues received during the year, adjusted for changes  
3 in rates or basis, computed or estimated as a  
4 percentage of change for each of the following periods:

5 (1) From the year immediately preceding the base  
6 year to the base year.

7 (2) From the base year to the budget year.

8 b. The difference in the Iowa consumer price index  
9 which shall be computed by the state comptroller prior  
10 to January 1, 1976, and recomputed each month  
11 subsequent to January 1, 1976, based upon a  
12 comprehensive sampling of the costs of goods and  
13 services within Iowa, and until an Iowa consumer price  
14 index is available, the consumer price index published  
15 by the bureau of labor statistics, United States  
16 department of labor computed or estimated as a  
17 percentage of change for the following periods:

18 (1) From ~~July-4~~ January first of the year prior  
19 to the base year to July-4 January first of the budget  
20 base year.

21 (2) From ~~July-4~~ January first of the budget base  
22 year to July-4 January first of the year-immediately  
23 following-the budget year.

24 3 2. If the state percent of growth so computed  
25 is negative, that percentage shall not be used and  
26 the state percent of growth shall be zero.

27 4 3. Each year prior to ~~February-45~~ September  
28 fifteenth the state comptroller shall recompute the  
29 state percent of growth for the previous year using  
30 adjusted estimates and the actual figures available.  
31 The difference between the recomputed state percent  
32 of growth for the base year and the original  
33 computation shall be added to or subtracted from the  
34 state percent of growth for the budget year, as  
35 applicable.

36 ~~5.--The-state-comptroller-shall-compute-an-estimated~~  
37 ~~state-percent-of-growth-for-the-budget-year-prior~~  
38 ~~to-September-45-in-the-base-year-and-shall-forward~~  
39 ~~this-estimate-to-the-superintendent-of-public~~  
40 ~~instruction."~~

41 2. Striking page 1, line 34 through page 2, line  
42 11.

43 3. Page 3, line 6, by inserting after the word  
44 "section," the following: "If the proposed  
45 additional enrichment amount is less than or equal  
46 to five percent of the state cost per pupil, the board  
47 shall publish notice in a newspaper of general  
48 circulation in the school district listing the date,  
49 time and location of each of three public hearings  
50 to be held for reading and approval of the enrichment

1 resolution. The hearings shall be at least one week  
2 apart with the third hearing to take place at least  
3 forty-five days prior to the school board election  
4 in September of the base year. If, on or before the  
5 date of the third hearing, the school board receives  
6 a petition signed by not less than five percent of  
7 the registered voters in the school district protesting  
8 the proposed enrichment resolution or if, by its own  
9 motion the board determines that a referendum should  
10 be held, the school board shall direct the county  
11 commissioner of elections to submit the question of  
12 whether to raise that amount under the provisions  
13 of this section and section four hundred forty-two  
14 point fifteen (442.15) of the Code, to the qualified  
15 electors of the school district at a regular school  
16 election held during September of the base year.  
17 If the proposed additional enrichment amount exceeds  
18 five percent of the state cost per pupil, the board".

19 4. Page 3, line 7, by striking the word "and"  
20 and inserting in lieu thereof the word "and".

21 5. Page 3, line 35, by inserting after the word  
22 "If" the words "a petition protesting the enrichment  
23 resolution has not been received on or before the  
24 date of the third public hearing or".

25 6. Page 4, by inserting after line 29 the  
26 following:

27 "Sec. \_\_\_\_\_. Section four hundred forty-two point  
28 twenty-eight (442.28), unnumbered paragraph one (1),  
29 Code 1977, is amended to read as follows:

30 If a district's weighted enrollment on the second  
31 Friday of September in the budget year, determined  
32 in the same manner as the ~~January~~ weighted enrollment  
33 is determined under section 442.4, is higher than  
34 its weighted enrollment on the second Friday of ~~January~~  
35 September in the base year, the district is entitled  
36 to an advance from the state of an amount equal to  
37 its district cost per pupil less the amount per pupil  
38 for special education support services, media services  
39 and other services computed as a part of district  
40 cost under the provisions of section 442.7 and section  
41 442.27 for the budget year multiplied by its increase  
42 in weighted enrollment. The advance shall be  
43 miscellaneous income.

44 Sec. \_\_\_\_\_. For the school year beginning July 1,  
45 1979, the state cost per pupil shall be increased  
46 to an amount which would otherwise have resulted for  
47 the school year beginning July 1, 1979, if the surplus  
48 balances for area education agency support services  
49 and for area education inherited funds had not been  
50 offset against the total support budgets for the

1 school year beginning July 1, 1978. This adjustment  
2 is to compensate for the reductions made to state  
3 cost based upon the temporary offset of support budgets  
4 by certain area education agency fund balances."

5 7. Page 4, by inserting after line 29 the  
6 following:

7 "Sec. \_\_\_\_\_. The provisions of section two (2) of  
8 this Act, being deemed of immediate importance, shall  
9 take effect and be in force from and after its  
10 publication in the Ankeny Press Citizen, a newspaper  
11 published in Ankeny, Iowa, and in The Sun & The Hawkeye  
12 Recorder-Herald, a newspaper published in Mount Vernon,  
13 Iowa."

14 8. Renumber the sections as necessary in  
15 conformance with this amendment.

16 9. Title page, by striking lines 5 through 8 and  
17 inserting in lieu thereof the words "for the site  
18 fund, and altering the eligibility for one hundred  
19 twenty-five percent allowable growth."

H-6250 FILED  
RECEIVED FROM SENATE  
APRIL 25, 1978

(6293)  
*House amended concurred 4/26 (p. 1908)*

HOUSE FILE 2361

S-5641

1 Amend the Committee on Education amendment, S-5628,  
2 to House File 2361 as amended, passed and reprinted  
3 by the House as follows:  
4 1. Page 3, by inserting after line 10 the  
5 following:  
6 "If a district has an increase from the basic  
7 enrollment in the base year to the basic enrollment  
8 in the budget year, the state comptroller shall compute  
9 an amount to be subtracted from the basic enrollment  
10 for the budget year. The amount to be subtracted  
11 is equal to one hundred percent of the basic enrollment  
12 increase to the extent that the increase does not  
13 exceed two percent of the base year's basic enrollment,  
14 and fifty percent of the remaining basic enrollment  
15 increase to the extent that the increase does not  
16 exceed five percent of the base year's basic  
17 enrollment, and twenty-five percent of the remaining  
18 basic enrollment increase. However, if the provisions  
19 of this paragraph are inadequate to fund the budget  
20 of a district that has an increase in basic enrollment  
21 an application for an adjustment in the enrollment  
22 may be allowed if approved by the school budget review  
23 committee not to exceed a total adjusted enrollment  
24 equal to the basic enrollment for the budget year."  
25 2. Page 4, by striking line 43 through page 5,  
26 line 3.

S-5641 FILED & WITHDRAWN (p. 989) BY EDGAR H. HOLDEN  
APRIL 24, 1978 JOHN S. MURRAY

HOUSE FILE 2361

S-5648

1 Amend House File 2361 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 4, by inserting after line 29 the  
4 following:  
5 "Sec. \_\_\_\_ . The provisions of section two (2) of  
6 this Act, being deemed of immediate importance, shall  
7 take effect and be in force from and after its  
8 publication in the Ankeny Press Citizen, a newspaper  
9 published in Ankeny, Iowa, and in The Sun & The Hawkeye  
10 Recorder-Herald, a newspaper published in Mount Vernon,  
11 Iowa."  
12 2. Renumber the sections as necessary in  
13 conformance with this amendment.

S-5648 FILED & ADOPTED (p. 991) BY EARL M. WILLITS  
APRIL 24, 1978

HOUSE FILE 2361

S-5649

1 Amend the Committee on Education amendment, S-5628,  
2 to House File 2361 as amended, passed and reprinted  
3 by the House as follows:

4 1. Page 3, by inserting after line 10 the  
5 following:

6 "If a district has an increase from the basic  
7 enrollment in the base year to the basic enrollment  
8 in the budget year, the state comptroller shall compute  
9 an amount to be subtracted from the basic enrollment  
10 for the budget year. The amount to be subtracted  
11 is equal to zero percent of the basic enrollment  
12 increase to the extent that the increase does not  
13 exceed two percent of the base year's basic enrollment,  
14 and fifty percent of the remaining basic enrollment  
15 increase to the extent that the increase does not  
16 exceed five percent of the base year's basic  
17 enrollment, and seventy-five percent of the remaining  
18 basic enrollment increase. However, if the provisions  
19 of this paragraph are inadequate to fund the budget  
20 of a district that has an increase in basic enrollment  
21 an application for an adjustment in the enrollment  
22 may be allowed if approved by the school budget review  
23 committee not to exceed a total adjusted enrollment  
24 equal to the basic enrollment for the budget year."

25 2. Page 4, by striking line 43 through page 5,  
26 line 3.

S-5649 FILED & ADOPTED (p. 990)  
APRIL 24, 1978

BY EDGAR H. HOLDEN  
JOHN S. MURRAY

HOUSE FILE 2361

S-5645

1 Amend S-5628, filed by the Committee on Education,  
2 to House File 2361, as amended, passed and reprinted  
3 by the House as follows:

4 1. Page 4, by inserting after line 23 the  
5 following:

6 "\_\_\_\_. Page 3, line 6, by inserting after the word  
7 "section," the following: "If the proposed  
8 additional enrichment amount is less than or equal  
9 to five percent of the state cost per pupil, the board  
10 shall publish notice in a newspaper of general  
11 circulation in the school district listing the date,  
12 time and location of each of three public hearings  
13 to be held for reading and approval of the enrichment  
14 resolution. The hearings shall be at least one week  
15 apart with the third hearing to take place at least  
16 forty-five days prior to the school board election  
17 in September of the base year. If, on or before the  
18 date of the third hearing, the school board receives  
19 a petition signed by not less than five percent of  
20 the registered voters in the school district protesting  
21 the proposed enrichment resolution or if, by its own  
22 motion the board determines that a referendum should  
23 be held, the school board shall direct the county  
24 commissioner of elections to submit the question of  
25 whether to raise that amount under the provisions  
26 of this section and section four hundred forty-two  
27 point fifteen (442.15) of the Code, to the qualified  
28 electors of the school district at a regular school  
29 election held during September of the base year.  
30 If the proposed additional enrichment amount exceeds  
31 five percent of the state cost per pupil, the board".

32 \_\_\_\_\_. Page 3, line 7, by striking the word "and"  
33 and inserting in lieu thereof the word "and".

34 \_\_\_\_\_. Page 3, line 35, by inserting after the word  
35 "If" the words "a petition protesting the enrichment  
36 resolution has not been received on or before the  
37 date of the third public hearing or".

38 2. Page 5, by inserting after line 14 the  
39 following:

40 "Sec. \_\_\_\_\_. To meet the special problems that  
41 result from budget reductions due to declining  
42 enrollments prior to the modifications in the  
43 adjustments for declining enrollments to take effect  
44 commencing with the school year beginning July 1,  
45 1979, there is appropriated from the general fund  
46 of the state for the fiscal year beginning July 1,  
47 1978 and ending June 30, 1979, to the school budget  
48 review committee the sum of eight hundred thousand  
49 (800,000) dollars, or so much thereof as necessary  
50 to be used to minimize the impact of the factor listed

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A

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B

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B

1 in paragraph two (2) of this section, of the Code.  
2 The school budget review committee may also establish  
3 a modified allowable growth for the school district  
4 by increasing the allowable growth for the school  
5 district to provide additional funds to assist the  
6 school district with hardships which result from the  
7 impact on the school district's budget resulting from  
8 declining enrollment.  
9 To assess whether a district has hardships resulting  
10 from reduced funds because of declining enrollment,  
11 the school budget review committee shall consider  
12 whether the school district will be forced to terminate  
13 an existing educational program because of insufficient  
14 funds and thus diminish the overall quality of the  
15 school program for the budget year from that provided  
16 in the base year."  
17 3. Amend the title, line 8, by inserting after  
18 the word "certification" the words "and to make an  
19 appropriation".

S-5645 FILED  
APRIL 24, 1978  
DIVISION A - ADOPTED (p. 989)  
DIVISION B - ADOPTED, RECONSIDERED & LOST (p. 992)

BY C. W. HUTCHINS  
JOHN SCOTT

HOUSE FILE 2361

S-5650

1 Amend House File 2361 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Title page, by striking lines 1 through 8 and  
4 inserting in lieu thereof the following:  
5 "An Act relating to moneys available to school  
6 districts, providing for an additional enrichment  
7 amount, funds for unusual transportation problems and  
8 unique problems of school districts, changing the  
9 budget certification date for the site fund,  
10 altering the eligibility for one hundred twenty-five  
11 percent allowable growth, and to make an appropriation."

S-5650 FILED & WITHDRAWN (p. 992)  
APRIL 24, 1978

BY EARL M. WILLITS

HOUSE FILE 2361

S-5643

1 Amend the Senate amendment, S-5628, to House File  
2 2361 as amended, passed and reprinted by the House  
3 as follows:

4 1. By striking page 1, line 3, through page 5,  
5 line 3, and inserting in lieu thereof the following:  
6 "\_\_\_\_. Page 4, by inserting after line 29 the  
7 following:

8 "Sec. \_\_\_\_\_. To meet the special problems that  
9 result from budget reductions due to declining  
10 enrollments prior to the modifications in the  
11 adjustments for declining enrollments to take effect  
12 commencing with the school year beginning July 1,  
13 1979, there is appropriated from the general fund  
14 of the state for the fiscal year beginning July 1,  
15 1978 and ending June 30, 1979, to the school budget  
16 review committee the sum of eight hundred thousand  
17 (800,000) dollars, or so much thereof as necessary  
18 to be used to minimize the impact of the factor listed  
19 in paragraph two (2) of this section. The school  
20 budget review committee may also establish a modified  
21 allowable growth for the school district by increasing  
22 the allowable growth for the school district to provide  
23 additional funds to assist the school district with  
24 hardships which result from the impact on the school  
25 district's budget resulting from declining enrollment.

26 To assess whether a district has hardships resulting  
27 from reduced funds because of declining enrollment,  
28 the school budget review committee shall consider  
29 whether the school district will be forced to terminate  
30 an existing educational program because of insufficient  
31 funds and thus diminish the overall quality of the  
32 school program for the budget year from that provided  
33 in the base year.

34 Sec. \_\_\_\_\_. The legislative council is directed  
35 to establish a joint subcommittee of the House and  
36 Senate committees on education composed of members  
37 of both parties to study the information received  
38 from the department of public instruction federally  
39 financed state equalization of educational opportunity  
40 study which is scheduled for completion in September  
41 of 1978. The Sixty-seventh General Assembly recognizes  
42 the needs of pupils for equal educational opportunity  
43 can be improved over the existing school finance  
44 formula. The weighting system to provide the funds  
45 necessary to assist in the education of children  
46 requiring special education has greatly assisted  
47 Iowa's educational program to meet the needs of these  
48 pupils, placing Iowa's program as one of the best  
49 in the nation for children requiring special education.  
50 It is recognized that a funding system designed to

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1 meet the educational and financial needs of children  
2 may require a substantial rewriting of the current  
3 school finance system. The subcommittee shall prepare  
4 a final report and submit necessary bill drafts to  
5 implement the recommendations of the subcommittee  
6 to the Sixty-eighth General Assembly."  
7 2. Page 5, by inserting after line 14 the follow-  
8 ing:  
9 "\_\_\_\_. Amend the title, line 6, by inserting after  
10 the word "growth" the words ", making an appropriation,  
11 providing for a study on the moneys available to  
12 schools".  
13 3. Renumber as necessary in conformance with this  
14 amendment.

S-5643 FILED & LOST (p. 988)  
APRIL 24, 1978

BY WILLARD R. HANSEN

HOUSE FILE 2361

S-5637

1 Amend the Committee on Education Amendment S-5628  
2 to House File 2361 as amended, passed and reprinted by  
3 the House as follows:  
4 1. Page 4, by striking line 43 through page 5,  
5 line 3.

S-5637 FILED & LOST (p. 987)  
APRIL 24, 1978

BY EDGAR H. HOLDEN  
JOHN S. MURRAY

HOUSE FILE 2361

S-5639

1 Amend the Committee on Education amendment to  
2 House File 2361 as amended, passed and reprinted by  
3 the House as follows:  
4 1. Page 5, by inserting after line 14 the follow-  
5 ing:  
6 "\_\_\_\_. Title page, by striking lines 5 through 8  
7 and inserting in lieu thereof the words "for the site  
8 fund, and altering the eligibility for one hundred  
9 twenty-five percent allowable growth."

S-5639 FILED & ADOPTED (p. 987)  
APRIL 24, 1978

BY EARL M. WILLITS

HOUSE FILE 2361

S-5642

1 Amend the Senate amendment S-5628, to House File  
2 2361 as amended, passed and reprinted by the  
3 House as follows:

4 1. By striking page 1, line 1, through page 5,  
5 line 3 and inserting in lieu thereof the following:

6 "Amend House File 2361 as amended, passed and  
7 reprinted by the House as follows:

8 \_\_\_\_\_. Page 1, by inserting after line 12, the  
9 following:

10 "Sec. \_\_\_\_\_. Chapter four hundred forty-two (442),  
11 Code 1977, is amended by adding the following new  
12 section:

13 NEW SECTION. After calculation of the district  
14 cost for the budget year under the provisions of  
15 section four hundred forty-two point nine (442.9),  
16 of the Code, as amended by Acts of the Sixty-seventh  
17 General Assembly, 1977 Extraordinary Session Chapter  
18 two (2), section one (1), is made and prior to  
19 certification of the budget for the school year, the  
20 school district shall recalculate the total budget  
21 for the budget year based on the amount funded for  
22 fixed costs and operating expenditures and other  
23 programs in the following manner:

24 1. For the school year beginning July 1, 1979  
25 programs classified as fixed costs and operating  
26 expenditures shall be funded based upon program costs  
27 to the extent that such program costs for the base  
28 year do not exceed twenty-five percent of the budget  
29 for the base year. The maximum percentage of the  
30 base year budget for each subsequent year for such  
31 cost shall be annually reevaluated by the school  
32 budget review committee as a percentage of the sum  
33 of all district costs for the base year for such costs  
34 for the base year.

35 2. Fixed costs and operating expenditures funded  
36 in the base year in an amount not to exceed the  
37 percentage of district cost for such programs in the  
38 base year fixed by law or the school budget review  
39 committee shall be funded in the budget year based  
40 upon the costs to fund the equivalent programs or  
41 portion of programs from that provided in the base  
42 year. Such program cost shall be approved or  
43 disapproved by the department of public instruction.

44 3. In addition to the programmed costs for fixed  
45 costs and operating expenditures school districts  
46 which have fixed costs and operating expenditures  
47 as a percentage of district cost of less than the  
48 percentage of district cost established for the budget  
49 year, such school district shall receive a percentage  
50 of the district cost, computed prior to adjustment

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1 for fixed costs and operating expenditures, equal  
2 to one hundred percent less the percentage that the  
3 district fixed costs and operating expenditures are  
4 of the district cost for the base year. All other  
5 school districts shall receive for the budget year  
6 as a percentage of district cost, in addition to the  
7 maximum amount programmed for fixed costs and operating  
8 expenditures for the budget year, equal to one hundred  
9 percent less the maximum allowable percentage for  
10 fixed costs and operating expenditures allowed for  
11 the budget year as either established by law or the  
12 school budget review committee.

13 Sec. \_\_\_\_\_. Section four hundred forty-two point  
14 five (442.5), subsection one (1), paragraph a, Code  
15 1977, is amended to read as follows:

16 a. "Miscellaneous income" means all receipts  
17 deposited to the general fund of a school district  
18 which are not obtained from state aid provided under  
19 section 442.1 or 442.11, or from property tax  
20 authorized under section 442.2 or 442.9 or from  
21 property tax levied under the provisions of section  
22 six hundred thirteen A point seven (613A.7) of the  
23 Code, to fund the costs of tort liability insurance  
24 for the school district."

25 \_\_\_\_\_ Page 1, by inserting after line 33 the  
26 following:

27 "Sec. \_\_\_\_\_. Section four hundred forty-two point  
28 nine (442.9), subsection one (1), Code 1977, as amended  
29 by Acts of the Sixty-seventh General Assembly, 1977  
30 Extraordinary Session, chapter two (2), section one  
31 (1), is amended to read as follows:

32 1. The state comptroller shall determine the  
33 additional school district property tax levy for each  
34 school district, which is in addition to the foundation  
35 property tax levy, as follows:

36 a. As used in this chapter, "district cost per  
37 pupil" ~~for the school year beginning July 1, 1974,~~  
38 ~~and for prior school years means the district cost~~  
39 ~~per pupil in enrollment, as enrollment was determined~~  
40 ~~under section 442.4 prior to January 1, 1975, and~~  
41 ~~"district cost per pupil"~~ for the school year beginning  
42 July 1, 1975, and subsequent school years means  
43 district cost per pupil in weighted enrollment. The  
44 district cost per pupil for the budget year is equal  
45 to the district cost per pupil for the base year plus  
46 the allowable growth.

47 b. The district cost for the budget year is equal  
48 to the district cost per pupil for the budget year  
49 multiplied by the weighted enrollment, plus the  
50 additional district cost allocated to the district

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1 under section 442.27 to fund media services and other  
2 services provided through the area education agency  
3 less the percentage of the district cost for the  
4 budget for fixed costs and operating expenditures  
5 not to exceed the maximum percentage provided by law  
6 or the school budget review committee plus the amount  
7 programmed for the district for such costs for the  
8 budget year. A school district may not increase its  
9 district cost for the budget year except to the extent  
10 that an excess tax levy is authorized by the school  
11 budget review committee as provided in section 442.13,  
12 subsection 7.

13 c. The amount to be raised by the additional  
14 school district property tax levy is equal to the  
15 district cost for the budget year as modified in this  
16 section to reflect the programmed costs for fixed  
17 costs and operating expenditures, less the product  
18 of the state or district foundation base and the  
19 weighted enrollment.

20 Sec. \_\_\_\_\_. Section four hundred forty-two point  
21 thirteen (442.13), Code 1977, is amended by adding  
22 the following new subsection:

23 NEW SUBSECTION. 14. For the school year beginning  
24 July 1, 1980, and each subsequent school year the  
25 school budget review committee shall annually  
26 recalculate the average percentage that fixed costs  
27 and operating expenditures are of the sum of the  
28 district costs in the state based upon the most  
29 accurate accounting information available for the  
30 school districts."

31 \_\_\_\_\_. Page 4, by inserting after line 29 the  
32 following:

33 "Sec. \_\_\_\_\_. To meet the special problems that  
34 result from budget reductions due to declining  
35 enrollments prior to the modifications in the  
36 adjustments for declining enrollments to take effect  
37 commencing with the school year beginning July 1,  
38 1979, there is appropriated from the general fund  
39 of the state for the fiscal year beginning July 1;  
40 1978 and ending June 30, 1979, to the school budget  
41 review committee the sum of eight hundred thousand  
42 (800,000) dollars, or so much thereof as necessary  
43 to be used to minimize the impact of the factor listed  
44 in paragraph two (2) of this section, of the Code.  
45 The school budget review committee may also establish  
46 a modified allowable growth for the school district  
47 by increasing the allowable growth for the school  
48 district to provide additional funds to assist the  
49 school district with hardships which result from the  
50 impact on the school district's budget resulting from

- 1 declining enrollment.
- 2 To assess whether a district has hardships resulting
- 3 from reduced funds because of declining enrollment,
- 4 the school budget review committee shall consider
- 5 whether the school district will be forced to terminate
- 6 an existing educational program because of insufficient
- 7 funds and thus diminish the overall quality of the
- 8 school program for the budget year from that provided
- 9 in the base year."
- 10 2. Renumber the sections as necessary in
- 11 conformance with this amendment.

S-5642 FILED & LOST (p. 988)  
APRIL 24, 1978

BY WILLARD R. HANSEN  
FORREST V. SCHWENGELS

HOUSE FILE 2361

S-5635

- 1 Amend House File 2361 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 3, by inserting after line 31 the follow-
- 4 ing:
- 5 "6. If a school district is unable to raise an
- 6 amount equal to the product of ten percent of the
- 7 state cost per pupil times the adjusted enrollment
- 8 in the school district, by imposing the maximum income
- 9 surtax and maximum property tax provided in this
- 10 section, the school district shall receive in state
- 11 aid an amount which together with the funds raised
- 12 from the maximum income surtax and the maximum local
- 13 property tax is equal to ten percent of the state
- 14 cost per pupil times the adjusted enrollment in the
- 15 district. There is hereby appropriated each year
- 16 from the general fund of the state an amount sufficient
- 17 to fund the provisions of this section."
- 18 2. Page 4, by inserting after line 29 the follow-
- 19 ing:
- 20 "Sec. \_\_\_\_\_. Notwithstanding the provisions of House
- 21 File four hundred sixty-three (463), as enacted by
- 22 the Sixty-seventh General Assembly, 1978 Session,
- 23 as it pertains to the amount of the reduction to the
- 24 support service costs to be allocated among the school
- 25 districts, the amount of the special education support
- 26 services cost to be reduced for area education agency
- 27 XIII is equal to ninety-nine thousand eight hundred
- 28 ninety-nine dollars rather than a reduction of one
- 29 hundred twenty-one thousand one hundred twenty
- 30 dollars."
- 31 3. Amend the title, line 6, by inserting after
- 32 the word "growth" the words ", providing a reduction
- 33 in an area education agency balance, modifying the
- 34 state cost per pupil".

S-5635 FILED  
APRIL 24, 1978  
DIVISION A - LOST (p. 971)  
DIVISION B \_ RULED NOT GERMANE

BY JOAN ORR

HOUSE FILE 2361

S-5640

1 Amend House File 2361 as amended, passed and  
2 reprinted by the House as follows:

3 1. Page 1, by inserting after line 12 the  
4 following:

5 "Sec. \_\_\_\_\_. Section four hundred forty-two point  
6 five (442.5), subsection one (1), paragraph a, Code  
7 1977, is amended to read as follows:

8 a. "Miscellaneous income" means all receipts  
9 deposited to the general fund of a school district  
10 which are not obtained from state aid provided under  
11 section 442.1 or 442.11, or from property tax  
12 authorized under section 442.2 or 442.9.

13 Notwithstanding the provisions of section six hundred  
14 thirteen A point seven (613A.7) of the Code, the  
15 amount raised to fund the costs of tort liability  
16 insurance for the school district shall not exceed  
17 the property tax levy authorized under sections four  
18 hundred forty-two point two (442.2) and four hundred  
19 forty-two point nine (442.9) of the Code and funds  
20 for such costs shall not be miscellaneous income."

S-5640 FILED & LOST (p. 990) BY ROGER J. SHAFF  
APRIL 24, 1978

HOUSE FILE 2361

S-5647

1 Amend the Committee on Education amendment,  
2 S-5628, to House File 2361 as amended, passed and  
3 reprinted by the House as follows:

4 1. Page 4, by inserting after line 23 the  
5 following:

6 "\_\_\_\_\_. Page 2, by inserting after line 19 the  
7 following new section:

8 "Sec. \_\_\_\_\_. Section three hundred twenty-four  
9 point three (324.3), subsection four (4), Code 1977,  
10 is amended to read as follows:

11 4. Motor fuel sold to the state of Iowa or any  
12 of its agencies and public school districts, but this  
13 exemption shall not apply to any other political  
14 subdivisions of this state."

S-5647 FILED & WITHDRAWN (p. ) BY RICHARD R. RAMSEY  
APRIL 24, 1978

S-5628

1 Amend House File 2361 as amended, passed and  
2 reprinted by the House as follows:

3 1. Page 1, by inserting after line 12 the follow-  
4 ing:

5 "Sec. \_\_\_\_\_. Section four hundred forty-two point  
6 four (442.4), subsections one (1) and two (2), Code  
7 1977, are amended to read as follows:

8 1. Basic enrollment for the budget year is  
9 determined by adding the resident pupils who were  
10 enrolled on the second Friday of ~~January~~ September  
11 in the base year in public elementary and secondary  
12 schools of the district and in public elementary and  
13 secondary schools in another district or state for  
14 which tuition is paid by the district. ~~For the school~~  
15 ~~year beginning July 1, 1975, pupils who were enrolled~~  
16 ~~on the second Friday of January in the base year in~~  
17 ~~special education programs conducted by a county or~~  
18 ~~joint county school system are included in basic~~  
19 ~~enrollment.~~ For the school year beginning July 1,  
20 1975, and each succeeding school year, pupils enrolled  
21 in prekindergarten programs other than special  
22 education programs are not included in basic  
23 enrollment.

24 Resident pupils of high school age for which the  
25 district pays tuition to attend an Iowa area school  
26 are included in basic enrollment on a full-time  
27 equivalent basis as of the second Friday of ~~January~~  
28 September in the base year.

29 ~~Shared-time and part-time pupils of school age,~~  
30 ~~irrespective of the districts in which the pupils~~  
31 ~~reside, are included in basic enrollment as of the~~  
32 ~~second Friday of January~~ September in the base year,  
33 in the proportion that the time for which they are  
34 enrolled or receive instruction for the school year  
35 is to the time that full-time pupils carrying a normal  
36 course schedule, at the same grade level, in the same  
37 school district, for the same school year, are enrolled  
38 and receive instruction. Tuition charges to the  
39 parent or guardian of a shared-time or part-time out-  
40 of-district pupil shall be reduced by the amount of  
41 any increased state aid occasioned by the counting  
42 of the pupil.

43 Pupils attending a university laboratory school  
44 are not counted in any district's basic enrollment,  
45 but the laboratory school shall report them directly  
46 to the department of public instruction.

47 A school district shall certify its basic enrollment  
48 to the state department of public instruction by  
49 ~~January-25~~ September twenty-fifth of each year, and  
50 the department shall promptly forward the information

1 to the state comptroller. For purposes of determining  
2 whether a district is entitled to an advance for  
3 increasing enrollment, and for record-keeping purposes,  
4 a determination of enrollment shall be made on the  
5 second Friday of September in the budget year and  
6 the second Friday in January in the base year, in  
7 the same manner as the ~~January~~ September basic  
8 enrollment is determined.

9 ~~However, for the school year beginning July 1,~~  
10 ~~1974, basic enrollment is equal to the actual~~  
11 ~~enrollment used for that year prior to adjustment~~  
12 ~~for decreasing enrollment.~~

13 2. An adjusted enrollment for each district shall  
14 be computed as follows:

15 ~~a. For the school year beginning July 1, 1975,~~  
16 ~~if a district has a decrease from the sum of the basic~~  
17 ~~enrollment in the base year plus adjustments for~~  
18 ~~decreasing enrollment made in the base year, to the~~  
19 ~~basic enrollment in the budget year, the state~~  
20 ~~comptroller shall compute an amount to be added to~~  
21 ~~the basic enrollment for the budget year. The amount~~  
22 ~~to be added is equal to fifty percent of this decrease,~~  
23 ~~to the extent that the decrease does not exceed five~~  
24 ~~percent of the sum of the basic enrollment in the~~  
25 ~~base year plus adjustments made for decreasing~~  
26 ~~enrollment in the base year, and twenty-five percent~~  
27 ~~of the remaining decrease. If the district does not~~  
28 ~~experience this decrease, the adjusted enrollment~~  
29 ~~for the budget year is equal to the basic enrollment~~  
30 ~~for the budget year.~~

31 b a. For the school years subsequent to the school  
32 year beginning July 1, 1975, except for the school  
33 year beginning July 1, 1979 if a district has a  
34 decrease from the basic enrollment in the base year  
35 to the basic enrollment in the budget year the state  
36 comptroller shall compute an amount to be added to  
37 the basic enrollment for the budget year. The amount  
38 to be added is equal to fifty percent of the basic  
39 enrollment decrease to the extent that it does not  
40 exceed five percent of the base year's basic  
41 enrollment, and twenty-five percent of the remaining  
42 basic enrollment decrease. If the school district  
43 does not experience a decrease from the basic  
44 enrollment in the base year to the basic enrollment  
45 in the budget year the adjusted enrollment for the  
46 budget year is equal to the basic enrollment for the  
47 budget year.

48 b. For the school year beginning July 1, 1979,  
49 if a district has a decrease from the basic enrollment  
50 in the base year to the basic enrollment in the budget

1 year the state comptroller shall compute an amount  
2 to be added to the basic enrollment for the budget  
3 year. The amount to be added is equal to one hundred  
4 percent of the basic enrollment decrease to the extent  
5 that the decrease does not exceed two percent of the  
6 base year's basic enrollment, and fifty percent of  
7 the remaining basic enrollment decrease to the extent  
8 that the decrease does not exceed five percent of  
9 the base year's basic enrollment, and twenty-five  
10 percent of the remaining basic enrollment decrease.

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11 Sec. . Section four hundred forty-two point  
12 seven (442.7), subsections one (1), two (2), three  
13 (3), four (4) and five (5), Code 1977, are amended  
14 to read as follows:

15 4.--For-the-school-year-beginning-July-17-1975,  
16 the-state-percent-of-growth-is-ten-and-seven-tenths  
17 percent.

18 Seven-tenths-of-one-percent-of-the-state-percent  
19 of-growth-is-to-compensate-for-the-cost-of-improvements  
20 to-the-Iowa-public-employees'-retirement-system-and  
21 also-to-fund-a-portion-of-the-cost-of-driver-education  
22 classes-offered-by-the-district-and-formerly-funded  
23 partly-by-a-state-appropriation.

24 2 1. For school years subsequent to the school  
25 year beginning July 1, 1975 1978, a state percent  
26 of growth for the budget year shall be computed by  
27 the state comptroller prior to February-15-of-each  
28 September fifteenth in the base year and forwarded  
29 to the superintendent of public instruction. The  
30 state percent of growth shall be an average of the  
31 following four percentages of growth:

32 a. The difference in the state general fund  
33 revenues received during the year, adjusted for changes  
34 in rates or basis, computed or estimated as a  
35 percentage of change for each of the following periods:

36 (1) From the year immediately preceding the base  
37 year to the base year.

38 (2) From the base year to the budget year.

39 b. The difference in the Iowa consumer price index  
40 which shall be computed by the state comptroller prior  
41 to January 1, 1976, and recomputed each month  
42 subsequent to January 1, 1976, based upon a  
43 comprehensive sampling of the costs of goods and  
44 services within Iowa, and until an Iowa consumer price  
45 index is available, the consumer price index published  
46 by the bureau of labor statistics, United States  
47 department of labor computed or estimated as a  
48 percentage of change for the following periods:

49 (1) From July-4 January first of the year prior  
50 to the base year to July-4 January first of the budget

1 base year.

2 (2) From ~~July-4~~ January first of the budget base  
3 year to ~~July-4~~ January first of the year-immediately  
4 ~~following-the~~ budget year.

5 3 2. If the state percent of growth so computed  
6 is negative, that percentage shall not be used and  
7 the state percent of growth shall be zero.

8 4 3. Each year prior to ~~February-15~~ September  
9 fifteenth the state comptroller shall recompute the  
10 state percent of growth for the previous year using  
11 adjusted estimates and the actual figures available.  
12 The difference between the recomputed state percent  
13 of growth for the base year and the original  
14 computation shall be added to or subtracted from the  
15 state percent of growth for the budget year, as  
16 applicable.

17 ~~5.--The-state-comptroller-shall-compute-an-estimated~~  
18 ~~state-percent-of-growth-for-the-budget-year-prior~~  
19 ~~to-September-15-in-the-base-year-and-shall-forward~~  
20 ~~this-estimate-to-the-superintendent-of-public~~  
21 ~~instruction."~~

22 2. By striking page 1, line 34 through page 2,  
23 line 11.

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24 3. Page 4, by inserting after line 29 the  
25 following:

26 "Sec. \_\_\_\_\_. Section four hundred forty-two point  
27 twenty-eight (442.28), unnumbered paragraph one (1),  
28 Code 1977, is amended to read as follows:

29 If a district's weighted enrollment on the second  
30 Friday of September in the budget year, determined  
31 in the same manner as the ~~January~~ weighted enrollment  
32 is determined under section 442.4, is higher than  
33 its weighted enrollment on the second Friday of ~~January~~  
34 September in the base year, the district is entitled  
35 to an advance from the state of an amount equal to  
36 its district cost per pupil less the amount per pupil  
37 for special education support services, media services  
38 and other services computed as a part of district  
39 cost under the provisions of section 442.7 and section  
40 442.27 for the budget year multiplied by its increase  
41 in weighted enrollment. The advance shall be  
42 miscellaneous income.

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43 Sec. \_\_\_\_\_. Notwithstanding the provisions of section  
44 four hundred forty-two point four (442.4), of the  
45 Code, for the school year beginning July 1, 1979,  
46 if a school district has an increase from the basic  
47 enrollment in the base year to the basic enrollment  
48 for the budget year, the school district shall be  
49 able to count only so much of the increase in the  
50 basic enrollment from the base year to the budget

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5641 { 1 year as approved by the school budget review committee  
2 based upon applications submitted by the school  
3 district.

4 Sec. \_\_\_\_\_. For the school year beginning July 1,  
5 1979, the state cost per pupil shall be increased  
6 to an amount which would otherwise have resulted for  
7 the school year beginning July 1, 1979, if the surplus  
8 balances for area education agency support services  
9 and for area education inherited funds had not been  
10 offset against the total support budgets for the  
11 school year beginning July 1, 1978. This adjustment  
12 is to compensate for the reductions made to state  
13 cost based upon the temporary offset of support budgets  
14 by certain area education agency fund balances."

5639  
5645 { 15 4. Renumber sections and correct internal  
16 references as necessary in conformance with this  
17 amendment.

S-5628 FILED *Adopted* BY COMMITTEE ON EDUCATION  
APRIL 21, 1978 *amended by* JOAN ORR, CHAIRPERSON  
*5639, 5645, 5649*  
*4/24 (p. 990)*  
*Reconsidered & re-adopted p. 992*

HOUSE FILE 2361

H-6340

- 1 Amend the amendment, H-6293, to the Senate amend-
- 2 ment, H-6250, to House File 2361, as amended, passed
- 3 and reprinted by the House as follows:
- 4 1. Page 1, by striking lines 10 through 41.
- 5 2. Renumber as necessary in conformance with this
- 6 amendment.

H-6340 FILED, ADOPTED  
APRIL 26, 1978

BY DAVITT of Warren  
DAGGETT of Adams  
HANSEN of O'Brien  
HULLINGER of Decatur  
MIDDLESWART of Warren  
DANKER of Pottawattamie  
SCHROEDER of Pottawattamie  
JUNKER of Woodbury  
DIELEMAN of Marion  
WYCKOFF of Benton  
LONERGAN of Boone  
MILLER (SERGEANT) of Calhoun  
DOYLE of Woodbury  
OXLEY of Linn  
TOFTE of Winneshiek  
STROMER of Hancock  
CLARK of Cerro Gordo  
HOFFMANN of Muscatine  
CONLON of Muscatine  
PELTON of Clinton  
SHIMANEK of Jones  
MILLER of Buchanan  
SCHNEKLOTH of Scott  
WEST of Marshall  
PELLETT of Cass  
HARBOR of Mills  
HALVORSON of Clayton  
EVANS of Grundy  
STEPHENS of Plymouth  
LINDEEN of Henry  
KOOGLER of Mahaska  
RINAS of Linn  
EGENES of Story  
CRABB of Crawford  
BROCKETT of Marshall  
SMALLEY of Polk  
BINNEBOESE of Plymouth  
HINKHOUSE of Cedar  
HUSAK of Tama  
THOMPSON of Polk  
SVOBODA of Iowa  
GARRISON of Black Hawk  
VARLEY of Adair  
BENNETT of Ida  
LAGESCHULTE of Bremer  
SCHEELHAASE of Woodbury  
GENTLEMAN of Polk

HOUSE FILE 2361

H-6337

- 1 Amend H-6293 to Senate Amendment H-6250 to
- 2 House File 2361 as passed and reprinted by the House
- 3 as follows:
- 4 1. Page 8 by striking lines 44 through 50.
- 5 2. Page 9 by striking lines 1 through 16.

H-6337 FILED (Loss 4/26) BY WELDEN of Hardin  
APRIL 26, 1978 (p. 1907)

HOUSE FILE 2361

H-6338

- 1 Amend the amendment, H-6293, to Senate amendment,
- 2 H-6250, to House File 2361 as amended, passed and
- 3 reprinted by the House as follows:
- 4 1. Page 8, line 35, by inserting after the period
- 5 the following: "The school budget review committee,
- 6 in modifying the allowable growth of a school district
- 7 and in appropriating funds under the provisions of
- 8 this section shall not grant more than fifty percent
- 9 of a school district's request from the funds
- 10 appropriated under this section and the remaining
- 11 portion shall be based upon an increase to the
- 12 allowable growth of the school district. School
- 13 districts with an allowable growth increase under
- 14 the provisions of this section for the school year
- 15 beginning July 1, 1978, shall have an equivalent
- 16 reduction in the allowable growth otherwise calculated
- 17 for the school year beginning July 1, 1979."

H-6338 FILED, LOST (p. 1907) BY BAKER of Buena Vista  
APRIL 26, 1978 SPEAR of Lee

HOUSE FILE 2361

H-6339

- 1 Amend the amendment, H-6293, to the Senate amend-
- 2 ment, H-6250, to House File 2361 as amended, passed
- 3 and reprinted by the House as follows:
- 4 1. By striking page 3, line 50, through page 4,
- 5 line 14, and inserting in lieu thereof the following:
- 6 "b. For the school years beginning July 1, 1979
- 7 and July 1, 1980, each school district shall compute
- 8 an adjusted enrollment. The adjusted enrollment shall
- 9 be equal to thirty-five percent of the adjusted
- 10 enrollment used for calculation of the school
- 11 district's budget for the school year beginning July
- 12 1, 1978, plus sixty-five percent of the adjusted
- 13 enrollment for the budget year as calculated for the
- 14 budget year under the provisions of paragraph a of
- 15 this subsection."

H-6339 FILED (Loss 4/26) BY STROMER of Hancock  
APRIL 26, 1978 (p. 1903) WELDEN of Hardin  
CLARK of Cerro Gordo  
WEST of Marshall

HOUSE FILE 2361

H-6359

- 1 Amend amendment H-6293, to Senate amendment H-6250,
- 2 to House File 2361 as follows:
- 3 1. Page 9, by inserting after line 16 the following:
- 4 "\_\_\_\_\_. Title page, by striking lines 1 through 8 and
- 5 inserting in lieu thereof the following:
- 6 "An Act relating to elementary and secondary
- 7 education and providing an appropriation."

H-6359 FILED, ADOPTED BY PATCHETT of Johnson  
BY UNANIMOUS CONSENT (p. 190)  
APRIL 26, 1978

HOUSE FILE 2361

H-6344

- 1 Amend H-6293, filed by Patchett, et al, to H-6250,
- 2 the Senate amendment to House File 2361, as amended,
- 3 passed and reprinted by the House, as follows:
- 4 1. Page 4, line 11, by striking the words "or
- 5 less than".
- 6 2. Page 4, by inserting after line 14 the follow-
- 7 ing:
- 8 "c. For the school years beginning July 1, 1979,
- 9 and July 1, 1980, if a district has an increase from
- 10 the basic enrollment in the base year to the basic
- 11 enrollment in the budget year, the state comptroller
- 12 shall compute an amount to be subtracted from the
- 13 basic enrollment for the budget year. The amount
- 14 to be subtracted is equal to one hundred percent of
- 15 the basic enrollment increase to the extent that it
- 16 does not exceed three percent of the base year's basic
- 17 enrollment, and zero percent of the remaining basic
- 18 enrollment increase. However, if the provisions of
- 19 this paragraph are inadequate to fund the budget of
- 20 a district that has an increase in basic enrollment,
- 21 an application for an adjustment in the enrollment
- 22 may be allowed if approved by the school budget review
- 23 committee not to exceed a total adjusted enrollment
- 24 equal to the basic enrollment for the budget year."

H-6344 FILED BY NORLAND of Worth  
APRIL 26, 1978 (p. 1905) HANSEN of O'Brien

H-6342

1 Amend H-6293, filed by Patchett, et al, to H-6250,  
2 the Senate amendment to House File 2361, as amended,  
3 passed and reprinted by the House, as follows:

4 1. Page 2, by striking lines 45 and 46 and  
5 inserting in lieu thereof the words "~~are not counted~~  
6 in any district's basic enrollment shall be counted  
7 in a school district of residence basic enrollment  
8 only for pupils attending the laboratory school who  
9 are nonresident pupils of the school district within  
10 which the laboratory school is located, but and the  
11 laboratory school shall report them all pupils  
12 directly".

13 2. Page 9, by inserting after line 16 the follow-  
14 ing:

15 "Sec. \_\_\_\_ . Funds appropriated pursuant to Senate  
16 File two thousand one hundred twenty-five (2125),  
17 section seven (7), subsection four (4), paragraph  
18 a, enacted by the Sixty-seventh General Assembly,  
19 1978 Session, shall be reduced for each pupil attending  
20 the laboratory school who is a nonresident pupil of  
21 the school district within which the laboratory school  
22 is located by an amount equal to the district cost  
23 per pupil, minus the amount included in the district..  
24 cost per pupil added for special education support  
25 services, for the school district of residence of  
26 each such pupil. The total amount of the reduction  
27 shall be deposited in the general fund of the state."

28 3. By numbering and renumbering sections as  
29 necessary.

H-6342 FILED *Withdrawn* BY LIND of Black Hawk  
APRIL 26, 1978 *4/26(1900)*

HOUSE FILE 2361

H-6343

1 Amend the amendment, H-6293, to the Senate  
2 amendment, H-6250, to House File 2361, as amended,  
3 passed and reprinted by the House, as follows:

4 1. Page 4, line 41, by striking the figures "4975  
5 1978" and inserting in lieu thereof the figure "1975".

6 2. Page 4, line 43, by striking the words and  
7 figure "~~February-45-of-each~~" and inserting in lieu  
8 thereof the words "February 45 fifteenth of each".

9 3. Page 4, line 44, by striking the words  
10 "September fifteenth in the base".

11 4. Page 5, by striking lines 15 through 20 and  
12 inserting in lieu thereof the following:

13 "(1) From July 4 first of the base year to July  
14 4 first of the budget year."

15 (2) From July 4 first of the budget year to July  
16 4 first of the year immediate following the budget  
17 year."

18 5. Page 5, lines 24 and 25, by striking the words  
19 and figure "~~February-45 September fifteenth~~" and  
20 inserting in lieu thereof the words and figure  
21 "February 45 fifteenth".

22 6. Page 5, by striking lines 33 through 37 and  
23 inserting in lieu thereof the following:

24 "5. The state comptroller shall compute an  
25 estimated state percent of growth for the budget year  
26 prior to September 45 fifteenth in the base year and  
27 shall forward this estimate to the superintendent  
28 of public instruction."

H-6343 FILED *Lost 4/26* BY PONCY of Wapello  
APRIL 26, 1978 *(p. 1906)*

1 Amend the Senate amendment, H-6250, to House File  
2 2361, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. By striking page 1, line 1, through page 6,  
5 line 19, and inserting in lieu thereof the following:

6 "Amend House File 2361 as amended, passed and  
7 reprinted by the House as follows:

8 1. By striking page 1, line 34 through page 2,  
9 line 11.

10 2. Page 3, line 6, by inserting after the word  
11 "section," the following: "If the proposed  
12 additional enrichment amount is less than or equal  
13 to five percent of the state cost per pupil, the board  
14 shall publish notice in a newspaper of general  
15 circulation in the school district listing the date,  
16 time and location of each of three public hearings  
17 to be held for reading and approval of the enrichment  
18 resolution. The hearings shall be at least one week  
19 apart with the third hearing to take place at least  
20 forty-five days prior to the school board election  
21 in September of the base year. If, on or before the  
22 date of the third hearing, the school board receives  
23 a petition signed by not less than five percent of  
24 the registered voters in the school district protesting  
25 the proposed enrichment resolution or if, by its own  
26 motion the board determines that a referendum should  
27 be held, the school board shall direct the county  
28 commissioner of elections to submit the question of  
29 whether to raise that amount under the provisions  
30 of this section and section four hundred forty-two  
31 point fifteen (442.15) of the Code, to the qualified  
32 electors of the school district at a regular school  
33 election held during September of the base year.  
34 If the proposed additional enrichment amount exceeds  
35 five percent of the state cost per pupil, the board".

36 3. Page 3, line 7, by striking the word "and"  
37 and inserting in lieu thereof the word "and".

38 4. Page 3, line 35, by inserting after the word  
39 "If" the words "a petition protesting the enrichment  
40 resolution has not been received on or before the  
41 date of the third public hearing or".

42 5. Page 4, by inserting after line 29 the follow-  
43 ing sections:

44 "Sec. 9. The purpose of sections ten (10) through  
45 twenty (20) of this Act is to allow school districts  
46 to meet the increasing financial pressures caused  
47 by declining enrollment by providing an appropriation  
48 to the school budget review committee for the 1978-  
49 1979 school year and establishing a modified adjusted  
50 enrollment for the 1979-1980 and 1980-1981 school

1 years.  
2 Sec. 10. Section four hundred forty-two point  
3 four (442.4), subsections one (1) and two (2), Code  
4 1977, are amended to read as follows:  
5 1. Basic enrollment for the budget year beginning  
6 July 1, 1979 and each subsequent budget year is  
7 determined by adding the resident pupils who were  
8 enrolled on the second Friday of ~~January~~ September  
9 in the base year in public elementary and secondary  
10 schools of the district and in public elementary and  
11 secondary schools in another district or state for  
12 which tuition is paid by the district. ~~For the school~~  
13 year beginning July 1, 1975, pupils who were enrolled  
14 on the second Friday of January in the base year in  
15 special education programs conducted by a county or  
16 joint county school system are included in basic  
17 enrollment. For the school year beginning July 1,  
18 1975, and each succeeding school year, pupils enrolled  
19 in prekindergarten programs other than special  
20 education programs are not included in basic  
21 enrollment.

22 Resident pupils of high school age for which the  
23 district pays tuition to attend an Iowa area school  
24 are included in basic enrollment on a full-time  
25 equivalent basis as of the second Friday of ~~January~~  
26 September in the base year for the budget year  
27 beginning July 1, 1979 and each subsequent budget  
28 year.

29 Shared-time and part-time pupils of school age,  
30 irrespective of the districts in which the pupils  
31 reside, are included in basic enrollment as of the  
32 second Friday of ~~January~~ September in the base year  
33 for the budget year beginning July 1, 1979 and each  
34 subsequent budget year, in the proportion that the  
35 time for which they are enrolled or receive instruction  
36 for the school year is to the time that full-time  
37 pupils carrying a normal course schedule, at the same  
38 grade level, in the same school district, for the  
39 same school year, are enrolled and receive instruction.  
40 Tuition charges to the parent or guardian of a shared-  
41 time or part-time out-of-district pupil shall be  
42 reduced by the amount of any increased state aid  
43 occasioned by the counting of the pupil.

44 Pupils attending a university laboratory school  
45 are not counted in any district's basic enrollment,  
46 but the laboratory school shall report them directly  
47 to the department of public instruction.

48 A school district shall certify its basic enrollment  
49 to the state department of public instruction by  
50 January-25 September twenty-fifth of each year, and

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H=6293  
Page 3

1 the department shall promptly forward the information  
2 to the state comptroller. For purposes of determining  
3 whether a district is entitled to an advance for  
4 increasing enrollment, and for record-keeping purposes,  
5 a determination of enrollment shall be made on the  
6 second Friday of September in the budget year and  
7 the second Friday of January in the base year, in  
8 the same manner as the January September basic  
9 enrollment is determined.

10 ~~However, for the school year beginning July 1,~~  
11 ~~1974, basic enrollment is equal to the actual~~  
12 ~~enrollment used for that year prior to adjustment~~  
13 ~~for decreasing enrollment.~~

14 2. An adjusted enrollment for each district shall  
15 be computed as follows:

16 ~~a. For the school year beginning July 1, 1975,~~  
17 ~~if a district has a decrease from the sum of the basic~~  
18 ~~enrollment in the base year plus adjustments for~~  
19 ~~decreasing enrollment made in the base year, to the~~  
20 ~~basic enrollment in the budget year, the state~~  
21 ~~comptroller shall compute an amount to be added to~~  
22 ~~the basic enrollment for the budget year. The amount~~  
23 ~~to be added is equal to fifty percent of this decrease,~~  
24 ~~to the extent that the decrease does not exceed five~~  
25 ~~percent of the sum of the basic enrollment in the~~  
26 ~~base year plus adjustments made for decreasing~~  
27 ~~enrollment in the base year, and twenty-five percent~~  
28 ~~of the remaining decrease. If the district does not~~  
29 ~~experience this decrease, the adjusted enrollment~~  
30 ~~for the budget year is equal to the basic enrollment~~  
31 ~~for the budget year.~~

32 b a. For the school years subsequent to the school  
33 year beginning July 1, 1975, and prior to the school  
34 year beginning July 1, 1979, and for the school years  
35 subsequent to the school year beginning July 1, 1980,  
36 if a district has a decrease from the basic enrollment  
37 in the base year to the basic enrollment in the budget  
38 year the state comptroller shall compute an amount  
39 to be added to the basic enrollment for the budget  
40 year. The amount to be added is equal to fifty percent  
41 of the basic enrollment decrease to the extent that  
42 it does not exceed five percent of the base year's  
43 basic enrollment, and twenty-five percent of the  
44 remaining basic enrollment decrease. If the school  
45 district does not experience a decrease from the basic  
46 enrollment in the base year to the basic enrollment  
47 in the budget year the adjusted enrollment for the  
48 budget year is equal to the basic enrollment for the  
49 budget year.

6339 - 50 b. For the school years beginning July 1, 1979,

1 and July 1, 1980, if a district has a decrease from  
2 the basic enrollment in the base year to the basic  
3 enrollment in the budget year the state comptroller  
4 shall compute an amount to be added to the basic  
5 enrollment for the budget year. The amount to be  
6 added is equal to one hundred percent of the basic  
7 enrollment decrease to the extent that it does not  
8 exceed three percent of the base year's basic  
9 enrollment, and fifty percent of the remaining basic  
10 enrollment decrease. If the school district's basic  
11 enrollment in the base year is equal to or less than  
12 the basic enrollment for budget year the adjusted  
13 enrollment shall equal the basic enrollment for the  
14 budget year.  
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6344  
15 Sec. 11. Section four hundred forty-two point  
16 five (442.5), subsection one (1), paragraph a, Code  
17 1977, is amended to read as follows:  
18 a. "Miscellaneous income" means all receipts  
19 deposited to the general fund of a school district  
20 which are not obtained from state aid provided under  
21 section 442.1 or 442.11, or from property tax  
22 authorized under section 442.2 or 442.9. Miscellaneous  
23 income includes property tax levied under the  
6324 24 provisions of section six hundred thirteen A point  
25 seven (613A.7) of the Code, to fund the costs of tort  
26 liability insurance for the school district.  
27 Sec. 12. Section four hundred forty-two point  
28 seven (442.7), subsections one (1), two (2), three  
29 (3), four (4), and five (5), Code 1977, are amended  
30 to read as follows:  
31 ~~1. For the school year beginning July 1, 1975,~~  
32 ~~the state percent of growth is ten and seven tenths~~  
33 ~~percent.~~  
34 ~~Seven tenths of one percent of the state percent~~  
35 ~~of growth is to compensate for the cost of improvements~~  
36 ~~to the Iowa public employees' retirement system and~~  
37 ~~also to fund a portion of the cost of driver education~~  
38 ~~classes offered by the district and formerly funded~~  
39 ~~partly by a state appropriation.~~  
6343 40 2 1. For school years subsequent to the school  
41 year beginning July 1, 1975 1978, a state percent  
42 of growth for the budget year shall be computed by  
6343 43 the state comptroller prior to ~~February 15 of each~~  
44 September fifteenth in the base year and forwarded  
45 to the superintendent of public instruction. The  
46 state percent of growth shall be an average of the  
47 following four percentages of growth:  
48 a. The difference in the state general fund  
49 revenues received during the year, adjusted for changes  
50 in rates or basis, computed or estimated as a

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1 percentage of change for each of the following periods:  
2 (1) From the year immediately preceding the base  
3 year to the base year.

4 (2) From the base year to the budget year.  
5 b. The difference in the Iowa consumer price index  
6 which shall be computed by the state comptroller prior  
7 to January 1, 1976, and recomputed each month  
8 subsequent to January 1, 1976, based upon a  
9 comprehensive sampling of the costs of goods and  
10 services within Iowa, and until an Iowa consumer price  
11 index is available, the consumer price index published  
12 by the bureau of labor statistics, United States  
13 department of labor computed or estimated as a  
14 percentage of change for the following periods:

15 (1) From ~~July-4~~ January first of the year prior  
16 to the base year to July-4 January first of the budget  
17 base year.

6343 { 18 (2) From ~~July-4~~ January first of the budget base  
19 year to July-4 January first of the year-immediately  
20 following-the budget year.

21 3 2. If the state percent of growth so computed  
22 is negative, that percentage shall not be used and  
23 the state percent of growth shall be zero.

6343 { 24 4 3. Each year prior to ~~February-15~~ September  
25 fifteenth the state comptroller shall recompute the  
26 state percent of growth for the previous year using  
27 adjusted estimates and the actual figures available.  
28 The difference between the recomputed state percent  
29 of growth for the base year and the original  
30 computation shall be added to or subtracted from the  
31 state percent of growth for the budget year, as  
32 applicable.

6343 { 33 ~~5---The-state-comptroller-shall-compute-an-estimated~~  
34 ~~state-percent-of-growth-for-the-budget-year-prior~~  
35 ~~to-September-15-in-the-base-year-and-shall-forward~~  
36 ~~this-estimate-to-the-superintendent-of-public~~  
37 ~~instruction.~~

38 Sec. 13. Section four hundred forty-two point  
39 seven (442.7), subsection eight (8), Code 1977, is  
40 amended by striking the subsection.

41 Sec. 14. Section four hundred forty-two point  
42 eight (442.8), Code 1977, is amended to read as  
43 follows:

44 442.8 STATE COST PER PUPIL. As used in this  
45 chapter, ~~"state-cost-per-pupil"-for-the-school-year~~  
46 ~~beginning-July-1,-1974,-and-prior-school-years-means~~  
47 ~~state-cost-per-pupil-in-enrollment-as-enrollment-was~~  
48 ~~determined-under-section-442.4-prior-to-January-1,~~  
49 ~~1975,-and "state cost per pupil" for the school year~~  
50 beginning July 1, 1975, and subsequent school years

1 means state cost per pupil in weighted enrollment.  
2 The state cost per pupil for the school year beginning  
3 July 1, 1972, is nine hundred three dollars. The  
4 state cost per pupil for the school year beginning  
5 on July 1, 1973, and for each succeeding school year  
6 is the base year's state cost per pupil plus the  
7 allowable growth for the budget year. If the state  
8 percent of growth is zero, the state cost per pupil  
9 shall be the same as the base year's state cost per  
10 pupil.

11 ~~For the school year beginning July 1, 1975, the~~  
12 ~~allowable growth added to the state cost per pupil~~  
13 ~~shall be the basic allowable growth as otherwise~~  
14 ~~computed under section 442.7, increased by an amount~~  
15 ~~equal to the average of the amounts of allowable~~  
16 ~~growth added for each school district in the state~~  
17 ~~for special education support services provided through~~  
18 ~~the area education agencies under sections 273.9,~~  
19 ~~subsection 3, and 442.7, subsection 7, paragraph "c".~~  
20 For each succeeding school year subsequent to the  
21 school year beginning July 1, 1975, the allowable  
22 growth added to the state cost per pupil as otherwise  
23 computed under section 442.7 shall be the basic  
24 allowable growth increased by an amount equal to the  
25 average of the amounts of allowable growth added for  
26 each school district in the state for additional  
27 special education support services needed for that  
28 year to serve newly identified children who require  
29 the services, under sections 273.9, subsection 3 and  
30 442.7, subsection 7, paragraph "d". The state  
31 comptroller shall compute the applicable amount of  
32 allowable growth to be added to the state cost per  
33 pupil for each school year.

34 Sec. 15. Section four hundred forty-two point  
35 nine (442.9), Code 1977, as amended by Acts of the  
36 Sixty-seventh General Assembly, 1977 Extraordinary  
37 Session, chapter two (2), section one (1), is amended  
38 to read as follows:

39 442.9 DISTRICT COST PER PUPIL--DISTRICT COST--  
40 ADDITIONAL SCHOOL DISTRICT PROPERTY TAX LEVY.

41 1. The state comptroller shall determine the  
42 additional school district property tax levy for each  
43 school district, which is in addition to the foundation  
44 property tax levy, as follows:

45 a. As used in this chapter, "district cost per  
46 pupil" ~~for the school year beginning July 1, 1974,~~  
47 ~~and for prior school years means the district cost~~  
48 ~~per pupil in enrollment, as enrollment was determined~~  
49 ~~under section 442.4 prior to January 1, 1975, and~~  
50 "district cost per pupil" for the school year beginning

1 July 1, 1975, and subsequent school years means  
2 district cost per pupil in weighted enrollment. The  
3 district cost per pupil for the budget year is equal  
4 to the district cost per pupil for the base year plus  
5 the allowable growth.

6 b. The district cost for the budget year is equal  
7 to the district cost per pupil for the budget year  
8 multiplied by the weighted enrollment, plus the  
9 additional district cost allocated to the district  
10 under section 442.27 to fund media services and other  
11 services provided through the area education agency.  
12 A school district may not increase its district cost  
13 for the budget year except to the extent that an  
14 excess tax levy is authorized by the school budget  
15 review committee as provided in section 442.13,  
16 subsection-7.

17 c. The amount to be raised by the additional  
18 school district property tax levy is equal to the  
19 district cost for the budget year, less the product  
20 of the state or district foundation base and the  
21 weighted enrollment.

22 2. No later than May 4 first of each year, the  
23 state comptroller shall notify the county auditor  
24 of each county the amount, in dollars and cents per  
25 thousand dollars of assessed value, of the additional  
26 property tax levy in each school district in the  
27 county. Each county auditor shall spread the  
28 additional property tax levy for each school district  
29 over all taxable property in the district.

30 Sec. 16. Section four hundred forty-two point  
31 twenty-eight (442.28), unnumbered paragraph one (1),  
32 Code 1977, is amended to read as follows:

33 If a district's weighted enrollment on the second  
34 Friday of September in the budget year, determined  
35 in the same manner as the ~~January~~ September weighted  
36 enrollment is determined under section 442.4, is  
37 higher than its weighted enrollment on the second  
38 Friday of ~~January~~ September in the base year, the  
39 district is entitled to an advance from the state  
40 of an amount equal to its district cost per pupil  
41 less the amount per pupil for special education support  
42 services, media services and other services computed  
43 as a part of district cost under the provisions of  
44 section 442.7 and section 442.27 for the budget year  
45 multiplied by its increase in weighted enrollment.  
46 The advance shall be miscellaneous income.

47 Sec. 17. For the school year beginning July 1,  
48 1979, the state cost per pupil shall be increased  
49 to an amount which would otherwise have resulted for  
50 the school year beginning July 1, 1979, if the surplus

1 balances for area education agency support services  
2 and for area education inherited funds had not been  
3 offset against the total support budgets for the  
4 school year beginning July 1, 1978. This adjustment  
5 is to compensate for the reductions made to state  
6 cost based upon the temporary offset of support budgets  
7 by certain area education agency fund balances.

8 Sec. 18. Notwithstanding the provisions of House  
9 File 463, as enacted by the Sixty-seventh General  
10 Assembly, 1978 Session, as it pertains to the amount  
11 of the reduction to the support service costs to be  
12 allocated among the school districts, the amount of  
13 the special education support services cost to be  
14 reduced for area education agency XIII is equal to  
15 ninety-nine thousand eight hundred ninety-nine dollars  
16 rather than a reduction of one hundred twenty-one  
17 thousand one hundred twenty dollars.

18 Sec. 19. To meet the special problems that result  
19 from budget reductions due to declining enrollments  
20 prior to the modifications in the adjustments for  
21 declining enrollments to take effect commencing with  
22 the school year beginning July 1, 1979, there is  
23 appropriated from the general fund of the state for  
24 the fiscal year beginning July 1, 1978 and ending  
25 June 30, 1979, to the school budget review committee  
26 the sum of eight hundred thousand (800,000) dollars,  
27 or so much thereof as necessary to be used to minimize  
28 the impact of the factor listed in paragraph two (2)  
29 of this section, of the Code. The school budget  
30 review committee may also establish a modified  
31 allowable growth for the school district by increasing  
32 the allowable growth for the school district to provide  
33 additional funds to assist the school district with  
34 hardships which result from the impact on the school  
6338-35 district's budget resulting from declining enrollment.

36 To assess whether a district has hardships resulting  
37 from reduced funds because of declining enrollment,  
38 the school budget review committee shall consider  
39 whether the school district will be forced to terminate  
40 an existing educational program because of insufficient  
41 funds and thus diminish the overall quality of the  
42 school program for the budget year from that provided  
43 in the base year.

44 Sec. 20. The legislative council is directed to  
45 establish a joint subcommittee of the House and Senate  
6337-46 committees on education composed of members of both  
47 parties to study the information received from the  
48 department of public instruction federally financed  
49 state equalization of educational opportunity study  
50 which is scheduled for completion in September of

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1 1978. The Sixty-seventh General Assembly recognizes  
 2 the needs of pupils for equal educational opportunity  
 3 can be improved over the existing school finance  
 4 formula. The weighting system to provide the funds  
 5 necessary to assist in the education of children  
 6 requiring special education has greatly assisted  
 7 Iowa's educational program to meet the needs of these  
 8 pupils, placing Iowa's program as one of the best  
 9 in the nation for children requiring special education.  
 10 It is recognized that a funding system designed to  
 11 meet the educational and financial needs of children  
 12 may require a substantial rewriting of the current  
 13 school finance system. The subcommittee shall prepare  
 14 a final report and submit necessary bill drafts to  
 15 implement the recommendations of the subcommittee  
 16 to the Sixty-eighth General Assembly.

17 Sec. 21. This Act, being deemed of immediate  
 18 importance, shall take effect and be in force from-  
 19 and after its publication in The Sun & The Hawkeye  
 20 Record-Herald, a newspaper published in Mount Vernon,  
 21 Iowa, and in the Adams County Free Press, a newspaper  
 22 published in Corning, Iowa."

23 6. Renumber as necessary in conformance with this  
 24 amendment."

H-6293 FILED *Adopted as* BY PATCHETT of Johnson  
 APRIL 25, 1978 *amended by* DAGGETT of Adams  
 6340, 6359 4/26 (1978) NORLAND of Worth  
 KREWSON of Polk  
 SERGEANT of Calhoun  
 GILSON of Guthrie  
 SPEAR of Lee  
 LIND of Black Hawk  
 CRAWFORD of Story  
 THOMPSON of Polk  
 PONCY of Wapello  
 HANSEN Of O'Brien  
 SMALL of Johnson  
 BYERLY of Polk  
 HORN of Linn  
 CUSACK of Scott  
 ANDERSON of Jasper  
 FITZGERALD of Webster  
 AVENSON of Fayette  
 HARGRAVE of Johnson

HOUSE FILE 2361

H-6324

1 Amend amendment H-6293, the amendment to the  
 2 Senate amendment H-6250 to House File 2361 as  
 3 amended, passed and reprinted by the House as  
 4 follows:  
 5 1. Page 4, strike lines 22 through 26 and  
 6 insert in lieu thereof: "authorized under section  
 7 442.2 or 442.9. No property tax shall be used to  
 8 fund the provisions of section six hundred thirteen  
 9 A point seven (613A.7) of the Code for the costs  
 10 of tort liability insurance for the school district."

H-6324 FILED *withdrawn* BY STROMER of Hancock

HOUSE AMENDMENT TO SENATE AMENDMENT TO

HOUSE FILE 2361

S-5734

1 Amend the Senate amendment, H-6250, to House File  
2 2361, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. By striking page 1, line 1, through page 6,  
5 line 19, and inserting in lieu thereof the following:

6 "Amend House File 2361 as amended, passed and  
7 reprinted by the House as follows:

8 1. By striking page 1, line 34 through page 2,  
9 line 11.

10 2. Page 4, by inserting after line 29 the follow-  
11 ing sections:

12 "Sec. 9. The purpose of sections ten (10) through  
13 twenty (20) of this Act is to allow school districts  
14 to meet the increasing financial pressures caused  
15 by declining enrollment by providing an appropriation  
16 to the school budget review committee for the 1978-  
17 1979 school year and establishing a modified adjusted  
18 enrollment for the 1979-1980 and 1980-1981 school  
19 years.

20 Sec. 10. Section four hundred forty-two point  
21 four (442.4), subsections one (1) and two (2), Code  
22 1977, are amended to read as follows:

23 1. Basic enrollment for the budget year beginning  
24 July 1, 1979 and each subsequent budget year is  
25 determined by adding the resident pupils who were  
26 enrolled on the second Friday of ~~January~~ September  
27 in the base year in public elementary and secondary  
28 schools of the district and in public elementary and  
29 secondary schools in another district or state for  
30 which tuition is paid by the district. ~~For the school~~  
31 ~~year beginning July 1, 1975, pupils who were enrolled~~  
32 ~~on the second Friday of January in the base year in~~  
33 ~~special education programs conducted by a county or~~  
34 ~~joint county school system are included in basic~~  
35 ~~enrollment.~~ For the school year beginning July 1,  
36 1975, and each succeeding school year, pupils enrolled  
37 in prekindergarten programs other than special  
38 education programs are not included in basic  
39 enrollment.

40 Resident pupils of high school age for which the  
41 district pays tuition to attend an Iowa area school  
42 are included in basic enrollment on a full-time  
43 equivalent basis as of the second Friday of January  
44 September in the base year for the budget year  
45 beginning July 1, 1979 and each subsequent budget  
46 year.

47 Shared-time and part-time pupils of school age,  
48 irrespective of the districts in which the pupils  
49 reside, are included in basic enrollment as of the  
50 second Friday of ~~January~~ September in the base year

1 for the budget year beginning July 1, 1979 and each  
 2 subsequent budget year, in the proportion that the  
 3 time for which they are enrolled or receive instruction  
 4 for the school year is to the time that full-time  
 5 pupils carrying a normal course schedule, at the same  
 6 grade level, in the same school district, for the  
 7 same school year, are enrolled and receive instruction.  
 8 Tuition charges to the parent or guardian of a shared-  
 9 time or part-time out-of-district pupil shall be  
 10 reduced by the amount of any increased state aid  
 11 occasioned by the counting of the pupil.

12 Pupils attending a university laboratory school  
 13 are not counted in any district's basic enrollment,  
 14 but the laboratory school shall report them directly  
 15 to the department of public instruction.

16 A school district shall certify its basic enrollment  
 17 to the state department of public instruction by  
 18 ~~January-25~~ September twenty-fifth of each year, and  
 19 the department shall promptly forward the information  
 20 to the state comptroller. For purposes of determining  
 21 whether a district is entitled to an advance for  
 22 increasing enrollment, and for record-keeping purposes,  
 23 a determination of enrollment shall be made on the  
 24 second Friday of September in the budget year and  
 25 the second Friday of January in the base year, in  
 26 the same manner as the ~~January~~ September basic  
 27 enrollment is determined.

28 ~~However, for the school year beginning July 1,~~  
 29 ~~1974, basic enrollment is equal to the actual~~  
 30 ~~enrollment used for that year prior to adjustment~~  
 31 ~~for decreasing enrollment.~~

32 2. An adjusted enrollment for each district shall  
 33 be computed as follows:

34 ~~a. For the school year beginning July 1, 1975,~~  
 35 ~~if a district has a decrease from the sum of the basic~~  
 36 ~~enrollment in the base year plus adjustments for~~  
 37 ~~decreasing enrollment made in the base year, to the~~  
 38 ~~basic enrollment in the budget year, the state~~  
 39 ~~comptroller shall compute an amount to be added to~~  
 40 ~~the basic enrollment for the budget year. The amount~~  
 41 ~~to be added is equal to fifty percent of this decrease,~~  
 42 ~~to the extent that the decrease does not exceed five~~  
 43 ~~percent of the sum of the basic enrollment in the~~  
 44 ~~base year plus adjustments made for decreasing~~  
 45 ~~enrollment in the base year, and twenty-five percent~~  
 46 ~~of the remaining decrease. If the district does not~~  
 47 ~~experience this decrease, the adjusted enrollment~~  
 48 ~~for the budget year is equal to the basic enrollment~~  
 49 ~~for the budget year.~~

50 b a. For the school years subsequent to the school

1 year beginning July 1, 1975, and prior to the school  
2 year beginning July 1, 1979, and for the school years  
3 subsequent to the school year beginning July 1, 1980,  
4 if a district has a decrease from the basic enrollment  
5 in the base year to the basic enrollment in the budget  
6 year the state comptroller shall compute an amount  
7 to be added to the basic enrollment for the budget  
8 year. The amount to be added is equal to fifty percent  
9 of the basic enrollment decrease to the extent that  
10 it does not exceed five percent of the base year's  
11 basic enrollment, and twenty-five percent of the  
12 remaining basic enrollment decrease. If the school  
13 district does not experience a decrease from the basic  
14 enrollment in the base year to the basic enrollment  
15 in the budget year the adjusted enrollment for the  
16 budget year is equal to the basic enrollment for the  
17 budget year.

18 b. For the school years beginning July 1, 1979,  
19 and July 1, 1980, if a district has a decrease from  
20 the basic enrollment in the base year to the basic  
21 enrollment in the budget year the state comptroller  
22 shall compute an amount to be added to the basic  
23 enrollment for the budget year. The amount to be  
24 added is equal to one hundred percent of the basic  
25 enrollment decrease to the extent that it does not  
26 exceed three percent of the base year's basic  
27 enrollment, and fifty percent of the remaining basic  
28 enrollment decrease. If the school district's basic  
29 enrollment in the base year is equal to or less than  
30 the basic enrollment for budget year the adjusted  
31 enrollment shall equal the basic enrollment for the  
32 budget year.

33 Sec. 11. Section four hundred forty-two point  
34 five (442.5), subsection one (1), paragraph a, Code  
35 1977, is amended to read as follows:

36 a. "Miscellaneous income" means all receipts  
37 deposited to the general fund of a school district  
38 which are not obtained from state aid provided under  
39 section 442.1 or 442.11, or from property tax  
40 authorized under section 442.2 or 442.9. Miscellaneous  
41 income includes property tax levied under the  
42 provisions of section six hundred thirteen A point  
43 seven (613A.7) of the Code, to fund the costs of tort  
44 liability insurance for the school district.

45 Sec. 12. Section four hundred forty-two point  
46 seven (442.7), subsections one (1), two (2), three  
47 (3), four (4), and five (5), Code 1977, are amended  
48 to read as follows:

49 ~~1. For the school year beginning July 1, 1975,~~  
50 ~~the state percent of growth is ten and seven tenths~~

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1 percent-

2 ~~Seven-tenths-of-one-percent-of-the-state-percent~~  
3 ~~of-growth-is-to-compensate-for-the-cost-of-improvements~~  
4 ~~to-the-Iowa-public-employees'-retirement-system-and~~  
5 ~~also-to-fund-a-portion-of-the-cost-of-driver-education~~  
6 ~~classes-offered-by-the-district-and-formerly-funded~~  
7 ~~partly-by-a-state-appropriation-~~

8 2 1. For school years subsequent to the school  
9 year beginning July 1, ~~1975~~ 1978, a state percent  
10 of growth for the budget year shall be computed by  
11 the state comptroller prior to February-15-of-each  
12 September fifteenth in the base year and forwarded  
13 to the superintendent of public instruction. The  
14 state percent of growth shall be an average of the  
15 following four percentages of growth:

16 a. The difference in the state general fund  
17 revenues received during the year, adjusted for changes  
18 in rates or basis, computed or estimated as a  
19 percentage of change for each of the following periods:

20 (1) From the year immediately preceding the base  
21 year to the base year.

22 (2) From the base year to the budget year.

23 b. The difference in the Iowa consumer price index  
24 which shall be computed by the state comptroller prior  
25 to January 1, 1976, and recomputed each month  
26 subsequent to January 1, 1976, based upon a  
27 comprehensive sampling of the costs of goods and  
28 services within Iowa, and until an Iowa consumer price  
29 index is available, the consumer price index published  
30 by the bureau of labor statistics, United States  
31 department of labor computed or estimated as a  
32 percentage of change for the following periods:

33 (1) From ~~July-1~~ January first of the year prior  
34 to the base year to July-1 January first of the budget  
35 base year.

36 (2) From ~~July-1~~ January first of the budget base  
37 year to July-1 January first of the year-immediately  
38 following-the budget year.

39 3 2. If the state percent of growth so computed  
40 is negative, that percentage shall not be used and  
41 the state percent of growth shall be zero.

42 4 3. Each year prior to February-15 September  
43 fifteenth the state comptroller shall recompute the  
44 state percent of growth for the previous year using  
45 adjusted estimates and the actual figures available.  
46 The difference between the recomputed state percent  
47 of growth for the base year and the original  
48 computation shall be added to or subtracted from the  
49 state percent of growth for the budget year, as  
50 applicable.

1       ~~5.--The state comptroller shall compute an estimated~~  
2 ~~state percent of growth for the budget year prior~~  
3 ~~to September 15 in the base year and shall forward~~  
4 ~~this estimate to the superintendent of public~~  
5 ~~instruction.~~

6       Sec. 13. Section four hundred forty-two point  
7 seven (442.7), subsection eight (8), Code 1977, is  
8 amended by striking the subsection.

9       Sec. 14. Section four hundred forty-two point  
10 eight (442.8), Code 1977, is amended to read as  
11 follows:

12       442.8 STATE COST PER PUPIL. As used in this  
13 chapter, ~~"state cost per pupil" for the school year~~  
14 ~~beginning July 1, 1974, and prior school years means~~  
15 ~~state cost per pupil in enrollment as enrollment was~~  
16 ~~determined under section 442.4 prior to January 1,~~  
17 ~~1975, and "state cost per pupil" for the school year~~  
18 ~~beginning July 1, 1975, and subsequent school years~~  
19 ~~means state cost per pupil in weighted enrollment.~~  
20 The state cost per pupil for the school year beginning  
21 July 1, 1972, is nine hundred three dollars. The  
22 state cost per pupil for the school year beginning  
23 on July 1, 1973, and for each succeeding school year  
24 is the base year's state cost per pupil plus the  
25 allowable growth for the budget year. If the state  
26 percent of growth is zero, the state cost per pupil  
27 shall be the same as the base year's state cost per  
28 pupil.

29       ~~For the school year beginning July 1, 1975, the~~  
30 ~~allowable growth added to the state cost per pupil~~  
31 ~~shall be the basic allowable growth as otherwise~~  
32 ~~computed under section 442.7, increased by an amount~~  
33 ~~equal to the average of the amounts of allowable~~  
34 ~~growth added for each school district in the state~~  
35 ~~for special education support services provided through~~  
36 ~~the area education agencies under sections 273.9,~~  
37 ~~subsection 3, and 442.7, subsection 7, paragraph "e".~~

38 For each succeeding school year subsequent to the  
39 school year beginning July 1, 1975, the allowable  
40 growth added to the state cost per pupil as otherwise  
41 computed under section 442.7 shall be the basic  
42 allowable growth increased by an amount equal to the  
43 average of the amounts of allowable growth added for  
44 each school district in the state for additional  
45 special education support services needed for that  
46 year to serve newly identified children who require  
47 the services, under sections 273.9, subsection 3 and  
48 442.7, subsection 7, paragraph "d". The state  
49 comptroller shall compute the applicable amount of  
50 allowable growth to be added to the state cost per

1 pupil for each school year.

2 Sec. 15. Section four hundred forty-two point  
3 nine (442.9), Code 1977, as amended by Acts of the  
4 Sixty-seventh General Assembly, 1977 Extraordinary  
5 Session, chapter two (2), section one (1), is amended  
6 to read as follows:

7 442.9 DISTRICT COST PER PUPIL--DISTRICT COST--  
8 ADDITIONAL SCHOOL DISTRICT PROPERTY TAX LEVY.

9 1. The state comptroller shall determine the  
10 additional school district property tax levy for each  
11 school district, which is in addition to the foundation  
12 property tax levy, as follows:

13 a. As used in this chapter, "district cost per  
14 pupil" ~~for the school year beginning July 1, 1974,~~  
15 ~~and for prior school years means the district cost~~  
16 ~~per pupil in enrollment, as enrollment was determined~~  
17 ~~under section 442.4 prior to January 1, 1975, and~~  
18 ~~"district cost per pupil"~~ for the school year beginning  
19 July 1, 1975, and subsequent school years means  
20 district cost per pupil in weighted enrollment. The  
21 district cost per pupil for the budget year is equal  
22 to the district cost per pupil for the base year plus  
23 the allowable growth.

24 b. The district cost for the budget year is equal  
25 to the district cost per pupil for the budget year  
26 multiplied by the weighted enrollment, plus the  
27 additional district cost allocated to the district  
28 under section 442.27 to fund media services and other  
29 services provided through the area education agency.  
30 A school district may not increase its district cost  
31 for the budget year except to the extent that an  
32 excess tax levy is authorized by the school budget  
33 review committee as provided in section 442.13,  
34 ~~subsection 7.~~

35 c. The amount to be raised by the additional  
36 school district property tax levy is equal to the  
37 district cost for the budget year, less the product  
38 of the state or district foundation base and the  
39 weighted enrollment.

40 2. No later than May 1 first of each year, the  
41 state comptroller shall notify the county auditor  
42 of each county the amount, in dollars and cents per  
43 thousand dollars of assessed value, of the additional  
44 property tax levy in each school district in the  
45 county. Each county auditor shall spread the  
46 additional property tax levy for each school district  
47 over all taxable property in the district.

48 Sec. 16. Section four hundred forty-two point  
49 twenty-eight (442.28), unnumbered paragraph one (1),  
50 Code 1977, is amended to read as follows:

1 If a district's weighted enrollment on the second  
2 Friday of September in the budget year, determined  
3 in the same manner as the January September weighted  
4 enrollment is determined under section 442.4, is  
5 higher than its weighted enrollment on the second  
6 Friday of January September in the base year, the  
7 district is entitled to an advance from the state  
8 of an amount equal to its district cost per pupil  
9 less the amount per pupil for special education support  
10 services, media services and other services computed  
11 as a part of district cost under the provisions of  
12 section 442.7 and section 442.27 for the budget year  
13 multiplied by its increase in weighted enrollment.  
14 The advance shall be miscellaneous income.

15 Sec. 17. For the school year beginning July 1,  
16 1979, the state cost per pupil shall be increased  
17 to an amount which would otherwise have resulted for  
18 the school year beginning July 1, 1979, if the surplus  
19 balances for area education agency support services  
20 and for area education inherited funds had not been  
21 offset against the total support budgets for the  
22 school year beginning July 1, 1978. This adjustment  
23 is to compensate for the reductions made to state  
24 cost based upon the temporary offset of support budgets  
25 by certain area education agency fund balances.

26 Sec. 18. Notwithstanding the provisions of House  
27 File 463, as enacted by the Sixty-seventh General  
28 Assembly, 1978 Session, as it pertains to the amount  
29 of the reduction to the support service costs to be  
30 allocated among the school districts, the amount of  
31 the special education support services cost to be  
32 reduced for area education agency XIII is equal to  
33 ninety-nine thousand eight hundred ninety-nine dollars  
34 rather than a reduction of one hundred twenty-one  
35 thousand one hundred twenty dollars.

36 Sec. 19. To meet the special problems that result  
37 from budget reductions due to declining enrollments  
38 prior to the modifications in the adjustments for  
39 declining enrollments to take effect commencing with  
40 the school year beginning July 1, 1979, there is  
41 appropriated from the general fund of the state for  
42 the fiscal year beginning July 1, 1978 and ending  
43 June 30, 1979, to the school budget review committee  
44 the sum of eight hundred thousand (800,000) dollars,  
45 or so much thereof as necessary to be used to minimize  
46 the impact of the factor listed in paragraph two (2)  
47 of this section, of the Code. The school budget  
48 review committee may also establish a modified  
49 allowable growth for the school district by increasing  
50 the allowable growth for the school district to provide

1 additional funds to assist the school district with  
2 hardships which result from the impact on the school  
3 district's budget resulting from declining enrollment.  
4 To assess whether a district has hardships resulting  
5 from reduced funds because of declining enrollment,  
6 the school budget review committee shall consider  
7 whether the school district will be forced to terminate  
8 an existing educational program because of insufficient  
9 funds and thus diminish the overall quality of the  
10 school program for the budget year from that provided  
11 in the base year.

12 Sec. 20. The legislative council is directed to  
13 establish a joint subcommittee of the House and Senate  
14 committees on education composed of members of both  
15 parties to study the information received from the  
16 department of public instruction federally financed  
17 state equalization of educational opportunity study  
18 which is scheduled for completion in September of  
19 1978. The Sixty-seventh General Assembly recognizes  
20 the needs of pupils for equal educational opportunity  
21 can be improved over the existing school finance  
22 formula. The weighting system to provide the funds  
23 necessary to assist in the education of children  
24 requiring special education has greatly assisted  
25 Iowa's educational program to meet the needs of these  
26 pupils, placing Iowa's program as one of the best  
27 in the nation for children requiring special education.  
28 It is recognized that a funding system designed to  
29 meet the educational and financial needs of children  
30 may require a substantial rewriting of the current  
31 school finance system. The subcommittee shall prepare  
32 a final report and submit necessary bill drafts to  
33 implement the recommendations of the subcommittee  
34 to the Sixty-eighth General Assembly.

35 Sec. 21. This Act, being deemed of immediate  
36 importance, shall take effect and be in force from  
37 and after its publication in The Sun & The Hawkeye  
38 Record-Herald, a newspaper published in Mount Vernon,  
39 Iowa, and in the Adams County Free Press, a newspaper  
40 published in Corning, Iowa."

41 3. Renumber as necessary in conformance with this  
42 amendment."

S-5734 FILED  
MAY 1, 1978

RECEIVED FROM THE HOUSE  
*Senate refused to concur 5/2 (p. 1189)*  
*House insisted 5/2 (p. 2144)*

HOUSE CLIP SHEET

THURSDAY, MAY 11, 1978

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 2361

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 2361, a bill for an Act relating to elementary and secondary education and providing an appropriation, respectfully make the following report:

1. That the House recede from its amendment, S-5734, to Senate amendment, H-6250, to House File 2361 as amended, passed and reprinted by the House.

2. That the Senate recede from its amendment, H-6250, to House File 2361 as amended, passed and reprinted by the House.

3. That House File 2361 as amended, passed and reprinted by the House be amended as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. NEW SECTION. TITLE. Sections one (1) through eleven (11) of this Act shall be known and may be cited as the "Iowa community education Act".

Sec. 2. NEW SECTION. PURPOSE. It is the purpose of this Act to provide educational, recreational, cultural, and other community services and programs through the establishment of the concept of community education with the community school serving as the center for such activity. In cooperation with other community agencies and groups, it is the purpose of the community education act to mobilize community resources to solve identified community concerns and to promote a more efficient and expanded use of existing school buildings and equipment, to provide leadership in working with other

entities, to mobilize the human and financial resources of a community, and to provide a wide range of opportunities for all socio-economic, ethnic, and age groups. A related purpose of this Act is to develop a sense of community in which the citizenry cooperates with the school and community agencies and groups to resolve their school and community concerns and to recognize that the schools belong to the people, and that as the entity located in every neighborhood, the schools are available for use by the community day and night, year-round or any time when the programming will not interfere with the elementary and secondary program.

Sec. 3. NEW SECTION. DEFINITIONS. As used in sections one (1) through eleven (11) of this Act unless the context otherwise requires:

1. "Community education" means a life-long education process concerning itself with every facet that affects the well-being of all citizens within a given community. It extends the role of the school from one of teaching children through an elementary and secondary program to one of providing for citizen participation in identifying the wants, needs, and concerns of the neighborhood community and coordinating all educational, recreational, and cultural opportunities within the community with community education being the catalyst for providing for citizen participation in the development and implementation of programs toward the goal of improving the entire community.

Community education energizes people to strive for the achievement of determined goals and stimulates capable persons to assume leadership responsibilities. It welcomes and works with all groups, it draws no lines. It is the one institution in the entire community that has the opportunity to reach all people and groups and to gain their cooperation.

2. "Community school" means any elementary or secondary school.

3. "Community" means the area located within the boundaries

of the local school district.

4. "State consultant" means the state community education consultant.

5. "Department" means the department of public instruction.

6. "State advisory council" means the council established by section six (6) of this Act.

7. "Director" means the local community school director who assumes responsibility for making the process function effectively.

8. "District-wide advisory council" means a broadly-representative group of persons selected from the entire school district with at least one representative from each of the local advisory councils after they are formed. At least one member of the council shall be a representative from the local public recreation department or agency, if one exists.

9. "Local advisory council" means a broadly-representative group of persons living within the attendance boundaries of an individual neighborhood school.

10. "Board" means the local board of directors of school districts.

Sec. 4. NEW SECTION. STATE CONSULTANT. State consultant of community education shall serve district and local advisory councils in accordance with rules promulgated by the superintendent of public instruction and in compliance with public law ninety-three dash three hundred eighty (P.L. 93-380).

Sec. 5. NEW SECTION. LOCAL DIRECTOR. The local community education director shall:

1. Serve as staff person to district-wide and local advisory councils.

2. Promote, publicize, and interpret the community education programs to the schools and community.

3. Facilitate community needs and resources after adequate assessment.

4. Seek ideas, promote people involvement in the process, and open lines of communication and coordination.
5. Stimulate planning to meet needs.
6. Schedule community-use hours available in school-plant facilities and related equipment and coordinate such use with building principals or designated representatives.
7. Prepare the community education budget in concert and with approval of the district-wide advisory council, and administer the budget after final approval by the board of directors.

Sec. 6. NEW SECTION. STATE ADVISORY COUNCIL.

1. The state advisory council is established consisting of nine members appointed by the state board of public instruction for three-year terms. The purpose of the community school advisory council is to promote educational, recreational, cultural and other community services through the maximum use of school facilities. The state council shall consist of members who are broadly representative of the educational, recreational, cultural, and social entities of the state. Members shall be appointed from various geographic locations throughout the state and shall represent various socio-economic, ethnic, and age groups. Terms of office shall commence on July first of the year in which the appointment is made and shall continue until a successor is appointed and qualifies. However, for the initial council, three members shall be appointed for three-year terms, three members for two-year terms, and three members for one-year terms. Vacancies occurring on the state council shall be filled for the unexpired term in the same manner as the original appointment.
2. The members of the state council shall serve without compensation, but shall be reimbursed for actual expenses and travel incurred while the member is on official business of the state council.
3. The members of the council shall meet annually as soon

after July first as possible to organize at a time and place designated by the state consultant. Thereafter, meetings may be called by the chairperson or a majority of members. The state council shall elect a chairperson and such other officers as it deems necessary. The state consultant shall serve as secretary for the state council.

Sec. 7. NEW SECTION. DUTIES OF STATE COUNCIL. The state council shall:

1. Establish and maintain close cooperation and understanding among the various groups throughout the state affected by community education programs.

2. Provide a forum for the discussion, development, and recommendation of public policy alternatives for community education programs.

3. Serve as a clearinghouse for information on matters relating to community education programs and similar programs throughout the United States.

4. Serve as a clearinghouse for resource persons, associations, and groups of all kinds, coordinating assistance to school districts which have specific needs.

5. Provide an annual report to the state board of public instruction.

6. Perform other functions necessary to insure the orderly and coordinated development of community school programs in the state.

Sec. 8. NEW SECTION. DUTIES OF DISTRICT-WIDE ADVISORY COUNCIL. The district-wide advisory council shall:

1. Provide guidance to local advisory councils, training and orientation for community persons, evaluation and assessment of needs and delivery systems for school districts.

2. Develop a "sense of total community" and promote democratic thinking and action.

3. Promote meaningful involvement of total community in the identifying, prioritizing, and resolving of school-community concerns.

4. Serve as an advocate of community education and foster community cooperation.

5. Provide an annual budget recommendation and annual report to the local board of education.

6. Mobilize available human and financial resources of the community to meet needs, interests, and concerns of people in the total community.

7. Make school facilities and resources available to all age groups from the total community, day and night, year round.

8. Facilitate the assessment of community-wide needs with the understanding that local advisory councils will manage their own assessments of needs.

9. Provide support and act as a resource group for local advisory councils and the community education director.

10. Help plan and recommend a community education budget for approval by the local board of education.

11. Recommend to the board, regulations, guidelines, and fees, if any, for facility useage.

12. Define short and long-range community education goals and objectives.

13. Communicate through inquiring, informing, suggesting, recommending and evaluating community education for the community.

14. Cooperate with other agencies and organizations including the merged area schools and institutions under the control of the state board of regents toward common goals.

15. Perform the functions of the local advisory council in the event that the board determines that the size of the district does not warrant the establishment of a local advisory council.

Sec. 9. NEW SECTION. DUTIES OF LOCAL ADVISORY COUNCIL.  
The local advisory council shall:

1. Determine needs and priorities and provide programs to serve the needs of the community located within the

attendance boundaries of an individual school.

2. Provide programming which is available to any community resident.
3. Promote meaningful involvement of the total neighborhood community in its identification and resolution of school and community concerns.
4. Mobilize available human and financial resources of the community to meet the wants and needs in that neighborhood community.
5. Use existing programs and community resources for delivery of services whenever feasible.
6. Use funds as allocated by district-wide advisory council after budget approval by board.
7. Evaluate the success of programs in meeting needs, interests, and concerns and in resolving responsible needs and concerns.

Sec. 10. NEW SECTION. ESTABLISHMENT OF PROGRAM.

1. The board of directors of a local school district may establish a community education program for schools in the district and provide for the general supervision of the program. Financial support for the program shall be provided from funds raised pursuant to chapter three hundred (300) of the Code and from any private funds and any federal funds made available for the purpose of implementing this Act. The program which recognizes that the schools belong to the people and which shall be centered in the schools may include but shall not be limited to the use of the school facilities day and night, year round including weekends and regular school vacation periods for educational, recreational, cultural, and other community services and programs for all age, ethnic, and socio-economic groups residing in the community.
2. If a community education program is established, the board shall appoint a community education director who shall have professional training in the field of community education,

recreation, or comparable experience.

3. Upon establishment of a community education program, the board shall provide for the selection of a district-wide advisory council which shall be responsible to the board and shall cooperate with and assist the board and the local community education director. The board shall also provide for the selection of local advisory councils.

4. The board shall receive an annual report and budget recommendation from the district-wide advisory council and may request supplementary reports as needed.

5. The school districts may cooperate with merged area schools, institutions under the control of the state board of regents, and area education agencies in providing community education programs.

6. The board may use opportunities available under public law ninety-three dash three hundred eighty (P.L. 93-380).

7. The board may approve cooperation and pooling of funds with other school districts.

Sec. 11. NEW SECTION. FUNDING OF COMMUNITY EDUCATION CONCEPT. Residents of the affected school district shall determine if community education will function in their community by providing for funding pursuant to chapter three hundred (300) of the Code.

Sec. 12. Section two hundred eighty-five point one (285.1), subsection twenty-one (21), Code 1977, is amended to read as follows:

21. Boards in districts operating buses may in their discretion transport senior citizens, children, and handicapped and other persons and groups, who are not otherwise entitled to free transportation, and shall collect the pro rata cost of transportation. Transportation under this subsection shall not be provided when the school bus is being used to transport pupils to or from school unless the board determines that such transportation is desirable and will not interfere with or delay the transportation of pupils.

Sec. 13. Section two hundred eighty-five point ten (285.10), subsection nine (9), Code 1977, is amended to read as follows:

9. In the discretion of the board, furnish a school bus and services of a qualified driver to an organization of, or sponsoring activities for, senior citizens, children, ~~or~~ handicapped or other persons and groups in this state. The board shall charge and collect an amount sufficient to reimburse all costs of furnishing the bus and driver except when the bus is used for transporting pupils to and from extracurricular activities sponsored by the school. A school bus shall be used as provided in this subsection only at times when it is not needed for transportation of pupils.

Sec. 14. Section two hundred ninety-seven point five (297.5), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

The directors in any high school district maintaining a program kindergarten through grade twelve may, by February 4 March fifteenth of each year certify an amount not exceeding twenty-seven cents per thousand dollars of assessed value to the board of supervisors, who shall levy the amount so certified, and the tax so levied shall be placed in the schoolhouse fund and used only for the purchase and improvement of sites in and for said school district as specified by the directors.

Sec. 15. Section two hundred ninety-seven point nine (297.9), Code 1977, is amended to read as follows:

297.9 USE FOR OTHER THAN SCHOOL PURPOSES. The board of directors of any school district may authorize the use of any schoolhouse and its grounds within such district for the purpose of meetings of granges, lodges, agricultural societies, and similar ~~rural-secter-orders-and~~ societies, for parent-teacher associations, for community recreational activities, ~~for~~ community education programs, election purposes, other meetings of public interest, public forums and similar

community purposes; ~~provided, however, that the board may not grant such permission to any organization known or believed to hold views that are in conflict with the republican form of government as set forth in the Constitution of the United States, and for election purposes, and for other meetings of public interest;~~ provided that such use shall in no way interfere with school activities; such use to be for such compensation and upon such terms and conditions as may be fixed by said board for the proper protection of the schoolhouse and the property belonging therein, including that of pupils, except that in the case of community education programs, any compensation necessary for programs provided specifically by community education and not those provided through community education by other agencies or organizations shall be compensated from the funding provided for community education programs.

Sec. 16. Section three hundred point one (300.1), Code 1977, is amended to read as follows:

300.1 ESTABLISHMENT--MAINTENANCE--SUPERVISION. Boards of school directors in school districts containing or contained in any city are hereby authorized to establish and maintain for children and adults in the public school buildings and on the public school grounds under the custody and management of such boards, public recreation places and playgrounds and necessary accommodations for same, without charge to the residents of said school district; also to co-operate with the commissioners or boards having the custody and management in such cities of public parks and public buildings and grounds of whatever sort, and, by making arrangements satisfactory to such boards controlling public parks and grounds, to provide for the supervision, instruction, and oversight necessary to carry on public educational and recreational activities, as described in this section in buildings and upon grounds in the custody and under the management of such commissioners or boards having charge public parks and public buildings

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PAGE 11 on grounds of whatever sort, in such cities.

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Sec. 17. Section four hundred forty-two point four (442.4), subsections one (1) and two (2), Code 1977, are amended to read as follows:

1. Basic enrollment for the budget year beginning July 1, 1979 and each subsequent budget year is determined by adding the resident pupils who were enrolled on the second Friday of ~~January~~ September in the base year in public elementary and secondary schools of the district and in public elementary and secondary schools in another district or state for which tuition is paid by the district. ~~For the school year beginning July 1, 1975, pupils who were enrolled on the second Friday of January in the base year in special education programs conducted by a county or joint county school system are included in basic enrollment.~~ For the school year beginning July 1, 1975, and each succeeding school year, pupils enrolled in prekindergarten programs other than special education programs are not included in basic enrollment.

Resident pupils of high school age for which the district pays tuition to attend an Iowa area school are included in basic enrollment on a full-time equivalent basis as of the second Friday of ~~January~~ September in the base year for the budget year beginning July 1, 1979 and each subsequent budget year.

~~Shared-time and part-time pupils of school age, irrespective of the districts in which the pupils reside, are included in basic enrollment as of the second Friday of January~~ September in the base year for the budget year beginning July 1, 1979 and each subsequent budget year, in the proportion that the time for which they are enrolled or receive instruction for the school year is to the time that full-time pupils carrying a normal course schedule, at the same grade level, in the same school district, for the same school year, are enrolled and receive instruction. Tuition charges to the parent or guardian of a shared-time or part-time out-of-

district pupil shall be reduced by the amount of any increased state aid occasioned by the counting of the pupil.

Pupils attending a university laboratory school are not counted in any district's basic enrollment, but the laboratory school shall report them directly to the department of public instruction.

A school district shall certify its basic enrollment to the state department of public instruction by January-25 September twenty-fifth of each year, and the department shall promptly forward the information to the state comptroller. For purposes of determining whether a district is entitled to an advance for increasing enrollment, and for record-keeping purposes, a determination of enrollment shall be made on the second Friday of September in the budget year and the second Friday of January in the base year, in the same manner as the January September basic enrollment is determined.

~~However, for the school year beginning July 1, 1974, basic enrollment is equal to the actual enrollment used for that year prior to adjustment for decreasing enrollment.~~

2. An adjusted enrollment for each district shall be computed as follows:

~~a. For the school year beginning July 1, 1975, if a district has a decrease from the sum of the basic enrollment in the base year plus adjustments for decreasing enrollment made in the base year, to the basic enrollment in the budget year, the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of this decrease, to the extent that the decrease does not exceed five percent of the sum of the basic enrollment in the base year plus adjustments made for decreasing enrollment in the base year, and twenty-five percent of the remaining decrease. If the district does not experience this decrease, the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year.~~

a. For the school years subsequent to the school year beginning July 1, 1975, and prior to the school year beginning July 1, 1979, and for the school years subsequent to the school year beginning July 1, 1979, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of the basic enrollment decrease to the extent that it does not exceed five percent of the base year's basic enrollment, and twenty-five percent of the remaining basic enrollment decrease. If the school district does not experience a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year.

b. For the school year beginning July 1, 1979, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to one hundred percent of the basic enrollment decrease to the extent that it does not exceed two and one-half percent of the base year's basic enrollment, and fifty percent of the remaining basic enrollment decrease. If the school district's basic enrollment in the base year is equal to or less than the basic enrollment for budget year the adjusted enrollment shall equal the basic enrollment for the budget year.

Sec. 18. Section four hundred forty-two point five (442.5), subsection one (1), paragraph a, Code 1977, is amended to read as follows:

a. "Miscellaneous income" means all receipts deposited to the general fund of a school district which are not obtained from state aid provided under section 442.1 or 442.11, or

from property tax authorized under section 442.2 or 442.9.

Miscellaneous income includes property tax levied under the provisions of section six hundred thirteen A point seven (613A.7) of the Code, to fund the costs of tort liability insurance for the school district.

Sec. 19. Section four hundred forty-two point seven (442.7), subsections one (1), two (2), three (3), four (4), and five (5), Code 1977, are amended to read as follows:

~~4.--For-the-school-year-beginning-July-1-1975-the-state percent-of-growth-is-ten-and-seven-tenths-percent.~~

~~Seven-tenths-of-one-percent-of-the-state-percent-of-growth is-to-compensate-for-the-cost-of-improvements-to-the-Iowa public-employees'-retirement-system-and-also-to-fund-a-portion of-the-cost-of-driver-education-classes-offered-by-the-district and-formerly-funded-partly-by-a-state-appropriation.~~

2 1. For school years subsequent to the school year beginning July 1, 1975 1978, a state percent of growth for the budget year shall be computed by the state comptroller prior to ~~February-15-of-each~~ September fifteenth in the base year and forwarded to the superintendent of public instruction. The state percent of growth shall be an average of the following four percentages of growth:

a. The difference in the state general fund revenues received during the year, adjusted for changes in rates or basis, computed or estimated as a percentage of change for each of the following periods:

(1) From the year immediately preceding the base year to the base year.

(2) From the base year to the budget year.

b. The difference in the Iowa consumer price index which shall be computed by the state comptroller prior to January 1, 1976, and recomputed each month subsequent to January 1, 1976, based upon a comprehensive sampling of the costs of goods and services within Iowa, and until an Iowa consumer price index is available, the consumer price index published

by the bureau of labor statistics, United States department of labor computed or estimated as a percentage of change for the following periods:

(1) From ~~July-1~~ January first of the year prior to the base year to ~~July-1~~ January first of the budget base year.

(2) From ~~July-1~~ January first of the budget base year to ~~July-1~~ January first of the year-immediately-following the budget year.

3 2. If the state percent of growth so computed is negative, that percentage shall not be used and the state percent of growth shall be zero.

4 3. Each year prior to February-15 September fifteenth the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available. The difference between the recomputed state percent of growth for the base year and the original computation shall be added to or subtracted from the state percent of growth for the budget year, as applicable.

~~5. The state comptroller shall compute an estimated state percent of growth for the budget year prior to September-15 in the base year and shall forward this estimate to the superintendent of public instruction.~~

Sec. 20. Section four hundred forty-two point seven (442.7), subsection seven (7), paragraph a, Code 1977, is amended to read as follows:

a. If the state cost per pupil in the base year minus the amount included in the state cost per pupil in the base year to compensate for the cost of special education support services exceeds the district cost per pupil in the base year minus the amount included in the district cost per pupil in the base year to compensate for the cost of special education support services, the basic allowable growth per pupil for the budget year is modified to equal the lesser of one hundred twenty-five percent of the basic allowable growth product obtained by multiplying the state percent of growth for the

budget year times an amount equal to the state cost per pupil for the base year less the average amount for special education support service costs per pupil for the budget base year or an amount sufficient to equalize the district cost per pupil in the budget year, excluding the district's amount per pupil for special education support service costs, with the state cost per pupil in the budget year, excluding the average amount per pupil for special education support service costs.

Sec. 21. Section four hundred forty-two point seven (442.7), subsection eight (8), Code 1977, is amended by striking the subsection.

Sec. 22. Section four hundred forty-two point eight (442.8), Code 1977, is amended to read as follows:

442.8 STATE COST PER PUPIL. As used in this chapter, ~~"state-cost-per-pupil"-for-the-school-year-beginning-July-1-1974-and-prior-school-years-means-state-cost-per-pupil-in-enrollment-as-enrollment-was-determined-under-section-442.4-prior-to-January-1-1975-and~~ "state cost per pupil" for the school year beginning July 1, 1975, and subsequent school years means state cost per pupil in weighted enrollment. The state cost per pupil for the school year beginning July 1, 1972, is nine hundred three dollars. The state cost per pupil for the school year beginning on July 1, 1973, and for each succeeding school year is the base year's state cost per pupil plus the allowable growth for the budget year. If the state percent of growth is zero, the state cost per pupil shall be the same as the base year's state cost per pupil.

~~For-the-school-year-beginning-July-1-1975-the-allowable-growth-added-to-the-state-cost-per-pupil-shall-be-the-basic-allowable-growth-as-otherwise-computed--under-section-442.7-increased-by-an-amount-equal-to-the-average-of-the-amounts-of-allowable-growth-added-for-each-school-district-in-the-state-for-special-education-support-services-provided-through-the-area-education-agencies-under-sections-273.9-subsection~~

~~37-and-442.77-subsection-77-paragraph-"e"~~. For each succeeding school year subsequent to the school year beginning July 1, 1975, the allowable growth added to the state cost per pupil as otherwise computed under section 442.7 shall be the basic allowable growth increased by an amount equal to the average of the amounts of allowable growth added for each school district in the state for additional special education support services needed for that year to serve newly identified children who require the services, under sections 273.9, subsection 3 and 442.7, subsection 7, paragraph "d". The state comptroller shall compute the applicable amount of allowable growth to be added to the state cost per pupil for each school year.

Sec. 23. Section four hundred forty-two point nine (442.9), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Extraordinary Session, chapter two (2), section one (1), is amended to read as follows:

442.9 DISTRICT COST PER PUPIL--DISTRICT COST--ADDITIONAL SCHOOL DISTRICT PROPERTY TAX LEVY.

1. The state comptroller shall determine the additional school district property tax levy for each school district, which is in addition to the foundation property tax levy, as follows:

a. As used in this chapter, "district cost per pupil" ~~for the school year beginning July 1, 1977, and for prior school years means the district cost per pupil in enrollment, as enrollment was determined under section 442.4 prior to January 1, 1975, and "district cost per pupil"~~ for the school year beginning July 1, 1975, and subsequent school years means district cost per pupil in weighted enrollment. The district cost per pupil for the budget year is equal to the district cost per pupil for the base year plus the allowable growth.

b. The district cost for the budget year is equal to the district cost per pupil for the budget year multiplied by

the weighted enrollment, plus the additional district cost allocated to the district under section 442.27 to fund media services and other services provided through the area education agency. A school district may not increase its district cost for the budget year except to the extent that an excess tax levy is authorized by the school budget review committee as provided in section 442.137--~~subsection~~-7.

c. The amount to be raised by the additional school district property tax levy is equal to the district cost for the budget year, less the product of the state or district foundation base and the weighted enrollment.

2. No later than May 4 first of each year, the state comptroller shall notify the county auditor of each county the amount, in dollars and cents per thousand dollars of assessed value, of the additional property tax levy in each school district in the county. Each county auditor shall spread the additional property tax levy for each school district over all taxable property in the district.

Sec. 24. Section four hundred forty-two point thirteen (442.13), subsection five (5), paragraph c, Code 1977, is amended to read as follows:

c. Unusual transportation problems and for which the per pupil transportation costs are substantially higher than the state average per pupil transportation costs due to sparsity of the population, topographical factors, and other obstacles which hinder the efficient transportation of pupils.

Sec. 25. Section four hundred forty-two point thirteen (442.13), subsection five (5), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. Any unique problems of districts to include minority problems, vandalism, civil disobedience and other costs incurred by school districts.

Sec. 26. Section four hundred forty-two point fourteen (442.14), Code 1977, is amended to read as follows:

442.14 ADDITIONAL ENRICHMENT AMOUNT.

1. For the budget year beginning July 1, ~~1976~~ 1979, and each succeeding school year, if a school board wishes to spend more than the amount permitted under sections 442.1 to 442.13, and the school board has not attempted by resolution to raise an additional enrichment amount for that budget year, the school board may raise an additional enrichment amount not to exceed ~~five~~ ten percent of the state cost per pupil multiplied by the adjusted enrollment in the district, as provided in this section. However, the additional enrichment amount may be used only for educational research, curriculum maintenance or development, or innovative programs.

2. The board shall determine the additional enrichment amount per pupil needed, within the limits of this section, and shall direct the county commissioner of elections to submit the question of whether to raise that amount under the provisions of this section and section 442.15, to the qualified electors of the school district at a regular or ~~special~~ school election held ~~not later than February 15~~ during September of the base year. If a majority of those voting favors raising the enrichment amount, the board may include the approved amount in its certified budget.

3. The additional enrichment amount needed shall be raised within the limits provided in this section by a combination of an enrichment property tax and a school district income surtax imposed in the proportion of a property tax of twenty-seven cents per thousand dollars of assessed valuation of taxable property in the district for each ~~two-and-one-half~~ five percent of income surtax.

4. The additional enrichment amount for a district is limited to the amount which may be raised by a combination tax in the prescribed proportion which does not exceed a property tax of ~~fifty-four~~ one dollar and eight cents per thousand dollars of assessed valuation and an income surtax of ~~five~~ twenty percent.

5. Any additional enrichment amount of a school district,

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not exceeding five percent of the state cost per pupil, which was approved at a referendum prior to July 1, 1978, shall remain in effect for the period for which it was approved.

Sec. 27. Section four hundred forty-two point fifteen (442.15), unnumbered paragraph three (3), Code 1977, is amended to read as follows:

An additional enrichment amount authorized under section 442.14 or a lesser amount than the amount so authorized may be continued as provided in this section for a period of five school years. If the amount authorized is less than the maximum of five ten percent of the state cost per pupil and the board wishes to increase the amount, it shall re-establish its authority to do so in the manner provided in section 442.14. If the board wishes to continue any additional enrichment amount beyond the five-year period, it shall re-establish its authority to do so in the manner provided in section 442.14 within the twelve-month period prior to termination of the five-year period.

Sec. 28. Section four hundred forty-two point twenty-eight (442.28), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

If a district's weighted enrollment on the second Friday of September in the budget year, determined in the same manner as the January September weighted enrollment is determined under section 442.4, is higher than its weighted enrollment on the second Friday of January September in the base year, the district is entitled to an advance from the state of an amount equal to its district cost per pupil less the amount per pupil for special education support services, media services and other services computed as a part of district cost under the provisions of section 442.7 and section 442.27 for the budget year multiplied by its increase in weighted enrollment. The advance shall be miscellaneous income.

Sec. 29. For the school year beginning July 1, 1979, the state cost per pupil shall be increased to an amount which

would otherwise have resulted for the school year beginning July 1, 1979, if the surplus balances for area education agency support services and for area education inherited funds had not been offset against the total support budgets for the school year beginning July 1, 1978. This adjustment is to compensate for the reductions made to state cost based upon the temporary offset of support budgets by certain area education agency fund balances.

Sec. 30. Notwithstanding the provisions of House File four hundred sixty-three (463), as enacted by the Sixty-seventh General Assembly, 1978 Session, as it pertains to the amount of the reduction to the support service costs to be allocated among the school districts, the amount of the special education support services cost to be reduced for area education agency thirteen (XIII) is equal to ninety-nine thousand eight hundred ninety-nine dollars rather than a reduction of one hundred twenty-one thousand one hundred twenty dollars.

Sec. 31. To meet the special problems that result from budget reductions due to declining enrollments prior to the modifications in the adjustments for declining enrollments to take effect commencing with the school year beginning July 1, 1979, there is appropriated from the general fund of the state for the fiscal years beginning July 1, 1978 and ending June 30, 1980, to the school budget review committee the sum of two million five hundred thousand (2,500,000) dollars, or so much thereof as necessary to be used to minimize the impact of the factor listed in paragraph two (2) of this section. The school budget review committee may also establish a modified allowable growth for the school district by increasing the allowable growth for the school district to provide additional funds to assist the school district with hardships which result from the impact on the school district's budget resulting from declining enrollment.

To assess whether a district has hardships resulting from

reduced funds because of declining enrollment, the school budget review committee shall consider whether the school district will be forced to terminate an existing educational program because of insufficient funds and thus diminish the overall quality of the school program for the budget year from that provided in the base year.

Sec. 32. The legislative council is directed to establish a joint subcommittee of the House and Senate committees on education composed of members of both parties to study the information received from the department of public instruction federally financed state equalization of educational opportunity study which is scheduled for completion in September of 1978. The Sixty-seventh General Assembly recognizes the needs of pupils for equal educational opportunity can be improved over the existing school finance formula. The weighting system to provide the funds necessary to assist in the education of children requiring special education has greatly assisted Iowa's educational program to meet the needs of these pupils, placing Iowa's program as one of the best in the nation for children requiring special education. It is recognized that a funding system designed to meet the educational and financial needs of children may require a substantial rewriting of the current school finance system. The subcommittee shall prepare a final report and submit necessary bill drafts to implement the recommendations of the subcommittee to the Sixty-eighth General Assembly.

Sec. 33. For the school years beginning July 1, 1979 and July 1, 1980 only, a school district may make application to the department of public instruction for approval of a program of instruction for gifted and talented children to be funded by an increase in allowable growth, as defined in section four hundred forty-two point seven (442.7) of the Code. The department shall promulgate rules under the provisions of chapter seventeen A (17A) of the Code relating

to administration of sections thirty-three (33) through thirty-eight (38) of this Act.

Sec. 34. The program plans submitted by school districts shall describe the type of program to be offered and shall establish all of the following:

1. That there are sufficient gifted and talented children within the district.

2. That the gifted and talented children program will be provided by the most appropriate educational agency.

3. That the school district or other educational agency providing the gifted and talented children program has employed qualified personnel.

4. That the instruction is a natural and normal progression of a planned course of instruction.

5. That the revenue raised for support of the gifted and talented program will be expended for actual delivery of a gifted and talented children program.

6. Other factors as the department may require.

Sec. 35. "Gifted and talented children" are those identified as possessing outstanding abilities who are capable of high performance. Gifted and talented children are children who require differentiated educational programs or services beyond those provided by the regular school program.

Gifted and talented children include those with demonstrated achievement or potential ability in any two or more of the following areas:

1. Creative thinking.

2. Leadership ability.

3. Visual and performing arts ability.

4. Specific ability aptitude.

5. Intellectual ability.

Sec. 36. The department of public instruction may approve gifted and talented children programs for the school years beginning July 1, 1979 and July 1, 1980 only, for not

H.F. 236 more than ten school districts in this state, including districts of various enrollments and geographic locations.

Sec. 37. The department shall inform the school budget review committee of the names of the school districts approved for gifted and talented children programs and the approved budget of each program. The school budget review committee shall approve a modified allowable growth for each such district as an unusual circumstance, under the authority granted to it in section four hundred forty-two point thirteen (442.13) of the Code, to provide funds equal to the budget approved by the department of public instruction.

Sec. 38. The area education agencies in which the school districts having approved gifted and talented children programs are located shall cooperate with the school district in the identification and placement of gifted and talented children and may assist school districts in the establishment of such programs.

Sec. 39. If the voters of a school district have approved the levying of a tax pursuant to section three hundred point two (300.2) of the Code prior to the effective date of this Act, moneys collected pursuant to the voted tax levy after the effective date of this Act may be used for community education programs.

Sec. 40. The purpose of sections seventeen (17) and thirty-one (31) of this Act is to allow school districts to meet the increasing financial pressures caused by declining enrollment by providing an appropriation to the school budget review committee for the 1978-1980 school years and establishing a temporary modified adjusted enrollment for the 1979-1980 school year.

Sec. 41. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Sun & The Hawkeye Record-Herald, a newspaper published in Mount Vernon, Iowa, and in the Adams County Free

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Press, a newspaper published in Corning, Iowa."

2. Amend the title, by striking lines 1 through 8 and inserting in lieu thereof the following:--"An Act relating to education providing for a tax and an appropriation."

ON THE PART OF THE SENATE:

Earl M. Willits, Chair  
Joan Orr  
Milo Merritt  
Willard Hansen

FILED

MAY 10, 1978

ON THE PART OF THE HOUSE:

John E. Patchett, Chair  
Horace Daggett  
Lowell E. Norland  
Wally Horn  
Lyle Krewson

*House adopted 5/10 (p. 243.3)*  
*Senate adopted 5/11 (p. 1452)*

## HOUSE FILE 2361

## AN ACT

## RELATING TO EDUCATION PROVIDING FOR A TAX AND AN APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. TITLE. Sections one (1) through eleven (11) of this Act shall be known and may be cited as the "Iowa community education Act".

Sec. 2. NEW SECTION. PURPOSE. It is the purpose of this Act to provide educational, recreational, cultural, and other community services and programs through the establishment of the concept of community education with the community school serving as the center for such activity. In cooperation with other community agencies and groups, it is the purpose of the community education Act to mobilize community resources to solve identified community concerns and to promote a more efficient and expanded use of existing school buildings and equipment, to provide leadership in working with other entities, to mobilize the human and financial resources of a community, and to provide a wide range of opportunities for all socioeconomic, ethnic, and age groups. A related purpose of this Act is to develop a sense of community in which the citizenry cooperates with the school and community agencies and groups to resolve their school and community concerns and to recognize that the schools belong to the people, and that as the entity located in every neighborhood, the schools are available for use by the community day and night, year-round or any time when the programming will not interfere with the elementary and secondary program.

Sec. 3. NEW SECTION. DEFINITIONS. As used in sections one (1) through eleven (11) of this Act unless the context otherwise requires:

1. "Community education" means a life-long education

process concerning itself with every facet that affects the well-being of all citizens within a given community. It extends the role of the school from one of teaching children through an elementary and secondary program to one of providing for citizen participation in identifying the wants, needs, and concerns of the neighborhood community and coordinating all educational, recreational, and cultural opportunities within the community with community education being the catalyst for providing for citizen participation in the development and implementation of programs toward the goal of improving the entire community.

Community education energizes people to strive for the achievement of determined goals and stimulates capable persons to assume leadership responsibilities. It welcomes and works with all groups, it draws no lines. It is the one institution in the entire community that has the opportunity to reach all people and groups and to gain their cooperation.

2. "Community school" means any elementary or secondary school.

3. "Community" means the area located within the boundaries of the local school district.

4. "State consultant" means the state community education consultant.

5. "Department" means the department of public instruction.

6. "State advisory council" means the council established by section six (6) of this Act.

7. "Director" means the local community school director who assumes responsibility for making the process function effectively.

8. "District-wide advisory council" means a broadly-representative group of persons selected from the entire school district with at least one representative from each of the local advisory councils after they are formed. At least one member of the council shall be a representative from the local public recreation department or agency, if

one exists.

9. "Local advisory council" means a broadly-representative group of persons living within the attendance boundaries of an individual neighborhood school.

10. "Board" means the local board of directors of school districts.

Sec. 4. NEW SECTION. STATE CONSULTANT. State consultant of community education shall serve district and local advisory councils in accordance with rules promulgated by the superintendent of public instruction and in compliance with public law ninety-three dash three hundred eighty (P.L. 93-380).

Sec. 5. NEW SECTION. LOCAL DIRECTOR. The local community education director shall:

1. Serve as staff person to district-wide and local advisory councils.

2. Promote, publicize, and interpret the community education programs to the schools and community.

3. Facilitate community needs and resources after adequate assessment.

4. Seek ideas, promote people involvement in the process, and open lines of communication and coordination.

5. Stimulate planning to meet needs.

6. Schedule community-use hours available in school-plant facilities and related equipment and coordinate such use with building principals or designated representatives.

7. Prepare the community education budget in concert and with approval of the district-wide advisory council, and administer the budget after final approval by the board of directors.

Sec. 6. NEW SECTION. STATE ADVISORY COUNCIL.

1. The state advisory council is established consisting of nine members appointed by the state board of public instruction for three-year terms. The purpose of the community school advisory council is to promote educational,

recreational, cultural and other community services through the maximum use of school facilities. The state council shall consist of members who are broadly representative of the educational, recreational, cultural, and social entities of the state. Members shall be appointed from various geographic locations throughout the state and shall represent various socioeconomic, ethnic, and age groups. Terms of office shall commence on July first of the year in which the appointment is made and shall continue until a successor is appointed and qualifies. However, for the initial council, three members shall be appointed for three-year terms, three members for two-year terms, and three members for one-year terms. Vacancies occurring on the state council shall be filled for the unexpired term in the same manner as the original appointment.

2. The members of the state council shall serve without compensation, but shall be reimbursed for actual expenses and travel incurred while the member is on official business of the state council.

3. The members of the council shall meet annually as soon after July first as possible to organize at a time and place designated by the state consultant. Thereafter, meetings may be called by the chairperson or a majority of members. The state council shall elect a chairperson and such other officers as it deems necessary. The state consultant shall serve as secretary for the state council.

Sec. 7. NEW SECTION. DUTIES OF STATE COUNCIL. The state council shall:

1. Establish and maintain close cooperation and understanding among the various groups throughout the state affected by community education programs.

2. Provide a forum for the discussion, development, and recommendation of public policy alternatives for community education programs.

3. Serve as a clearinghouse for information on matters

relating to community education programs and similar programs throughout the United States.

4. Serve as a clearinghouse for resource persons, associations, and groups of all kinds, coordinating assistance to school districts which have specific needs.

5. Provide an annual report to the state board of public instruction.

6. Perform other functions necessary to insure the orderly and coordinated development of community school programs in the state.

Sec. 8. NEW SECTION. DUTIES OF DISTRICT-WIDE ADVISORY COUNCIL. The district-wide advisory council shall:

1. Provide guidance to local advisory councils, training and orientation for community persons, evaluation and assessment of needs and delivery systems for school districts.

2. Develop a "sense of total community" and promote democratic thinking and action.

3. Promote meaningful involvement of total community in the identifying, prioritizing, and resolving of school-community concerns.

4. Serve as an advocate of community education and foster community cooperation.

5. Provide an annual budget recommendation and annual report to the local board of education.

6. Mobilize available human and financial resources of the community to meet needs, interests, and concerns of people in the total community.

7. Make school facilities and resources available to all age groups from the total community, day and night, year round.

8. Facilitate the assessment of community-wide needs with the understanding that local advisory councils will manage their own assessments of needs.

9. Provide support and act as a resource group for local advisory councils and the community education director.

10. Help plan and recommend a community education budget for approval by the local board of education.

11. Recommend to the board, regulations, guidelines, and fees, if any, for facility usage.

12. Define short and long-range community education goals and objectives.

13. Communicate through inquiring, informing, suggesting, recommending and evaluating community education for the community.

14. Cooperate with other agencies and organizations including the merged area schools and institutions under the control of the state board of regents toward common goals.

15. Perform the functions of the local advisory council in the event that the board determines that the size of the district does not warrant the establishment of a local advisory council.

Sec. 9. NEW SECTION. DUTIES OF LOCAL ADVISORY COUNCIL. The local advisory council shall:

1. Determine needs and priorities and provide programs to serve the needs of the community located within the attendance boundaries of an individual school.

2. Provide programming which is available to any community resident.

3. Promote meaningful involvement of the total neighborhood community in its identification and resolution of school and community concerns.

4. Mobilize available human and financial resources of the community to meet the wants and needs in that neighborhood community.

5. Use existing programs and community resources for delivery of services whenever feasible.

6. Use funds as allocated by district-wide advisory council after budget approval by board.

7. Evaluate the success of programs in meeting needs, interests, and concerns and in resolving responsible needs

and concerns.

Sec. 10. NEW SECTION. ESTABLISHMENT OF PROGRAM.

1. The board of directors of a local school district may establish a community education program for schools in the district and provide for the general supervision of the program. Financial support for the program shall be provided from funds raised pursuant to chapter three hundred (300) of the Code and from any private funds and any federal funds made available for the purpose of implementing this Act. The program which recognizes that the schools belong to the people and which shall be centered in the schools may include but shall not be limited to the use of the school facilities day and night, year round including weekends and regular school vacation periods for educational, recreational, cultural, and other community services and programs for all age, ethnic, and socioeconomic groups residing in the community.

2. If a community education program is established, the board shall appoint a community education director who shall have professional training in the field of community education, recreation, or comparable experience.

3. Upon establishment of a community education program, the board shall provide for the selection of a district-wide advisory council which shall be responsible to the board and shall cooperate with and assist the board and the local community education director. The board shall also provide for the selection of local advisory councils.

4. The board shall receive an annual report and budget recommendation from the district-wide advisory council and may request supplementary reports as needed.

5. The school districts may cooperate with merged area schools, institutions under the control of the state board of regents, and area education agencies in providing community education programs.

6. The board may use opportunities available under public

law ninety-three dash three hundred eighty (P.L. 93-380).

7. The board may approve cooperation and pooling of funds with other school districts.

Sec. 11. NEW SECTION. FUNDING OF COMMUNITY EDUCATION CONCEPT. Residents of the affected school district shall determine if community education will function in their community by providing for funding pursuant to chapter three hundred (300) of the Code.

Sec. 12. Section two hundred eighty-five point one (285.1), subsection twenty-one (21), Code 1977, is amended to read as follows:

21. Boards in districts operating buses may in their discretion transport senior citizens, children, and handicapped and other persons and groups, who are not otherwise entitled to free transportation, and shall collect the pro rata cost of transportation. Transportation under this subsection shall not be provided when the school bus is being used to transport pupils to or from school unless the board determines that such transportation is desirable and will not interfere with or delay the transportation of pupils.

Sec. 13. Section two hundred eighty-five point ten (285.10), subsection nine (9), Code 1977, is amended to read as follows:

9. In the discretion of the board, furnish a school bus and services of a qualified driver to an organization of, or sponsoring activities for, senior citizens, children, or handicapped or other persons and groups in this state. The board shall charge and collect an amount sufficient to reimburse all costs of furnishing the bus and driver except when the bus is used for transporting pupils to and from extracurricular activities sponsored by the school. A school bus shall be used as provided in this subsection only at times when it is not needed for transportation of pupils.

Sec. 14. Section two hundred ninety-seven point five (297.5), unnumbered paragraph one (1), Code 1977, is amended

to read as follows:

The directors in any high school district maintaining a program kindergarten through grade twelve may, by ~~February 4 March fifteenth~~ of each year certify an amount not exceeding twenty-seven cents per thousand dollars of assessed value to the board of supervisors, who shall levy the amount so certified, and the tax so levied shall be placed in the schoolhouse fund and used only for the purchase and improvement of sites in and for said school district as specified by the directors.

Sec. 15. Section two hundred ninety-seven point nine (297.9), Code 1977, is amended to read as follows:

297.9 USE FOR OTHER THAN SCHOOL PURPOSES. The board of directors of any school district may authorize the use of any schoolhouse and its grounds within such district for the purpose of meetings of granges, lodges, agricultural societies, and similar ~~rural-secret-orders-and~~ societies, for parent-teacher associations, for community recreational activities, for community education programs, election purposes, other meetings of public interest, public forums and similar community purposes; provided, however, that the board may not grant such permission to any organization known or believed to hold views that are in conflict with the republican form of government as set forth in the Constitution of the United States, and for election purposes, and for other meetings of public interest; provided that such use shall in no way interfere with school activities; such use to be for such compensation and upon such terms and conditions as may be fixed by said board for the proper protection of the schoolhouse and the property belonging therein, including that of pupils, except that in the case of community education programs, any compensation necessary for programs provided specifically by community education and not those provided through community education by other agencies or organizations shall be compensated from the funding provided for community

education programs.

Sec. 16. Section three hundred point one (300.1), Code 1977, is amended to read as follows:

300.1 ESTABLISHMENT--MAINTENANCE--SUPERVISION. Boards of ~~school~~ directors in school districts containing or contained in any city are hereby authorized to establish and maintain for children and adults in the public school buildings and on the public school grounds under the custody and management of such boards, public recreation places and playgrounds and necessary accommodations for same, without charge to the residents of said school district; also to co-operate with the commissioners or boards having the custody and management in such cities of public parks and public buildings and grounds of whatever sort, and, by making arrangements satisfactory to such boards controlling public parks and grounds, to provide for the supervision, instruction, and oversight necessary to carry on public educational and recreational activities, as described in this section in buildings and upon grounds in the custody and under the management of such commissioners or boards having charge of public parks and public buildings on grounds of whatever sort, in such cities.

Sec. 17. Section four hundred forty-two point four (442.4), subsections one (1) and two (2), Code 1977, are amended to read as follows:

1. Basic enrollment for the budget year beginning July 1, 1979 and each subsequent budget year is determined by adding the resident pupils who were enrolled on the second Friday of ~~January~~ September in the base year in public elementary and secondary schools of the district and in public elementary and secondary schools in another district or state for which tuition is paid by the district. ~~For the school year beginning July 1, 1975, pupils who were enrolled on the second Friday of January in the base year in special education programs conducted by a county or joint county school system are included in basic enrollment.~~ For the school year

beginning July 1, 1975, and each succeeding school year, pupils enrolled in prekindergarten programs other than special education programs are not included in basic enrollment.

Resident pupils of high school age for which the district pays tuition to attend an Iowa area school are included in basic enrollment on a full-time equivalent basis as of the second Friday of January September in the base year for the budget year beginning July 1, 1979 and each subsequent budget year.

Shared-time and part-time pupils of school age, irrespective of the districts in which the pupils reside, are included in basic enrollment as of the second Friday of January September in the base year for the budget year beginning July 1, 1979 and each subsequent budget year, in the proportion that the time for which they are enrolled or receive instruction for the school year is to the time that full-time pupils carrying a normal course schedule, at the same grade level, in the same school district, for the same school year, are enrolled and receive instruction. Tuition charges to the parent or guardian of a shared-time or part-time out-of-district pupil shall be reduced by the amount of any increased state aid occasioned by the counting of the pupil.

Pupils attending a university laboratory school are not counted in any district's basic enrollment, but the laboratory school shall report them directly to the department of public instruction.

A school district shall certify its basic enrollment to the state department of public instruction by January-25 September twenty-fifth of each year, and the department shall promptly forward the information to the state comptroller. For purposes of determining whether a district is entitled to an advance for increasing enrollment, and for record-keeping purposes, a determination of enrollment shall be made on the second Friday of September in the budget year and the second Friday of January in the base year, in the same manner as

the January September basic enrollment is determined.

~~However, for the school year beginning July 1, 1974, basic enrollment is equal to the actual enrollment used for that year prior to adjustment for decreasing enrollment:~~

2. An adjusted enrollment for each district shall be computed as follows:

~~a. For the school year beginning July 1, 1975, if a district has a decrease from the sum of the basic enrollment in the base year plus adjustments for decreasing enrollment made in the base year, to the basic enrollment in the budget year, the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of this decrease, to the extent that the decrease does not exceed five percent of the sum of the basic enrollment in the base year plus adjustments made for decreasing enrollment in the base year and twenty-five percent of the remaining decrease. If the district does not experience this decrease, the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year.~~

b a. For the school years subsequent to the school year beginning July 1, 1975, and prior to the school year beginning July 1, 1979, and for the school years subsequent to the school year beginning July 1, 1979, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of the basic enrollment decrease to the extent that it does not exceed five percent of the base year's basic enrollment, and twenty-five percent of the remaining basic enrollment decrease. If the school district does not experience a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the adjusted enrollment for the budget year is equal to the basic enrollment

for the budget year.

b. For the school year beginning July 1, 1979, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to one hundred percent of the basic enrollment decrease to the extent that it does not exceed two and one-half percent of the base year's basic enrollment, and fifty percent of the remaining basic enrollment decrease. If the school district's basic enrollment in the base year is equal to or less than the basic enrollment for budget year the adjusted enrollment shall equal the basic enrollment for the budget year.

Sec. 18. Section four hundred forty-two point five (442.5), subsection one (1), paragraph a, Code 1977, is amended to read as follows:

a. "Miscellaneous income" means all receipts deposited to the general fund of a school district which are not obtained from state aid provided under section 442.1 or 442.11, or from property tax authorized under section 442.2 or 442.9. Miscellaneous income includes property tax levied under the provisions of section six hundred thirteen A point seven (613A.7) of the Code, to fund the costs of tort liability insurance for the school district.

Sec. 19. Section four hundred forty-two point seven (442.7), subsections one (1), two (2), three (3), four (4), and five (5), Code 1977, are amended to read as follows:

~~4. For the school year beginning July 1, 1975, the state percent of growth is ten and seven-tenths percent.~~

~~Seven-tenths of one percent of the state percent of growth is to compensate for the cost of improvements to the Iowa public employees' retirement system and also to fund a portion of the cost of driver education classes offered by the district and formerly funded partly by a state appropriation.~~

2 1. For school years subsequent to the school year beginning July 1, ~~1975~~ 1978, a state percent of growth for the budget year shall be computed by the state comptroller prior to ~~February 15 of each~~ September fifteenth in the base year and forwarded to the superintendent of public instruction. The state percent of growth shall be an average of the following four percentages of growth:

a. The difference in the state general fund revenues received during the year, adjusted for changes in rates or basis, computed or estimated as a percentage of change for each of the following periods:

- (1) From the year immediately preceding the base year to the base year.
- (2) From the base year to the budget year.

b. The difference in the Iowa consumer price index which shall be computed by the state comptroller prior to January 1, 1976, and recomputed each month subsequent to January 1, 1976, based upon a comprehensive sampling of the costs of goods and services within Iowa, and until an Iowa consumer price index is available, the consumer price index published by the bureau of labor statistics, United States department of labor computed or estimated as a percentage of change for the following periods:

- (1) From ~~July 1~~ January first of the year prior to the base year to ~~July 1~~ January first of the budget base year.
- (2) From ~~July 1~~ January first of the budget base year to ~~July 1~~ January first of the year-immediately-following the budget year.

3 2. If the state percent of growth so computed is negative, that percentage shall not be used and the state percent of growth shall be zero.

4 3. Each year prior to ~~February 15~~ September fifteenth the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available. The difference between the

recomputed state percent of growth for the base year and the original computation shall be added to or subtracted from the state percent of growth for the budget year, as applicable.

~~5.--The state comptroller shall compute an estimated state percent of growth for the budget year prior to September 15 in the base year and shall forward this estimate to the superintendent of public instruction.~~

Sec. 20. Section four hundred forty-two point seven (442.7), subsection seven (7), paragraph a, Code 1977, is amended to read as follows:

a. If the state cost per pupil in the base year minus the amount included in the state cost per pupil in the base year to compensate for the cost of special education support services exceeds the district cost per pupil in the base year minus the amount included in the district cost per pupil in the base year to compensate for the cost of special education support services, the basic allowable growth per pupil for the budget year is modified to equal the lesser of one hundred twenty-five percent of the basic allowable growth product obtained by multiplying the state percent of growth for the budget year times an amount equal to the state cost per pupil for the base year less the average amount for special education support service costs per pupil for the budget base year or an amount sufficient to equalize the district cost per pupil in the budget year, excluding the district's amount per pupil for special education support service costs, with the state cost per pupil in the budget year, excluding the average amount per pupil for special education support service costs.

Sec. 21. Section four hundred forty-two point seven (442.7), subsection eight (8), Code 1977, is amended by striking the subsection.

Sec. 22. Section four hundred forty-two point eight (442.8), Code 1977, is amended to read as follows:

442.8 STATE COST PER PUPIL. As used in this chapter, ~~"state cost per pupil" for the school year beginning July~~

~~17-1974 and prior school years means state cost per pupil in enrollment as enrollment was determined under section 442.4 prior to January 17, 1975, and "state cost per pupil" for the school year beginning July 1, 1975, and subsequent school years means state cost per pupil in weighted enrollment. The state cost per pupil for the school year beginning July 1, 1972, is nine hundred three dollars. The state cost per pupil for the school year beginning on July 1, 1973, and for each succeeding school year is the base year's state cost per pupil plus the allowable growth for the budget year. If the state percent of growth is zero, the state cost per pupil shall be the same as the base year's state cost per pupil.~~

~~For the school year beginning July 1, 1975, the allowable growth added to the state cost per pupil shall be the basic allowable growth as otherwise computed under section 442.7 increased by an amount equal to the average of the amounts of allowable growth added for each school district in the state for special education support services provided through the area education agencies under sections 273.9, subsection 3, and 442.7, subsection 7, paragraph "c".~~ For each succeeding school year subsequent to the school year beginning July 1, 1975, the allowable growth added to the state cost per pupil as otherwise computed under section 442.7 shall be the basic allowable growth increased by an amount equal to the average of the amounts of allowable growth added for each school district in the state for additional special education support services needed for that year to serve newly identified children who require the services, under sections 273.9, subsection 3 and 442.7, subsection 7, paragraph "d". The state comptroller shall compute the applicable amount of allowable growth to be added to the state cost per pupil for each school year.

Sec. 23. Section four hundred forty-two point nine (442.9), Code 1977, as amended by Acts of the Sixty-seventh General

Assembly, 1977 Extraordinary Session, chapter two (2), section one (1), is amended to read as follows:

442.9 DISTRICT COST PER PUPIL--DISTRICT COST--ADDITIONAL SCHOOL DISTRICT PROPERTY TAX LEVY.

1. The state comptroller shall determine the additional school district property tax levy for each school district, which is in addition to the foundation property tax levy, as follows:

a. As used in this chapter, "~~district cost per pupil for the school year beginning July 1, 1974, and for prior school years means the district cost per pupil in enrollment, as enrollment was determined under section 442.4 prior to January 1, 1975, and~~" district cost per pupil" for the school year beginning July 1, 1975, and subsequent school years means district cost per pupil in weighted enrollment. The district cost per pupil for the budget year is equal to the district cost per pupil for the base year plus the allowable growth.

b. The district cost for the budget year is equal to the district cost per pupil for the budget year multiplied by the weighted enrollment, plus the additional district cost allocated to the district under section 442.27 to fund media services and other services provided through the area education agency. A school district may not increase its district cost for the budget year except to the extent that an excess tax levy is authorized by the school budget review committee as provided in section 442.13, ~~subsection-7~~.

c. The amount to be raised by the additional school district property tax levy is equal to the district cost for the budget year, less the product of the state or district foundation base and the weighted enrollment.

2. No later than May 4 first of each year, the state comptroller shall notify the county auditor of each county the amount, in dollars and cents per thousand dollars of assessed value, of the additional property tax levy in each

school district in the county. Each county auditor shall spread the additional property tax levy for each school district over all taxable property in the district.

Sec. 24. Section four hundred forty-two point thirteen (442.13), subsection five (5), paragraph c, Code 1977, is amended to read as follows:

c. Unusual transportation problems and for which the per pupil transportation costs are substantially higher than the state average per pupil transportation costs due to sparsity of the population, topographical factors, and other obstacles which hinder the efficient transportation of pupils.

Sec. 25. Section four hundred forty-two point thirteen (442.13), subsection five (5), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. Any unique problems of districts to include minority problems, vandalism, civil disobedience and other costs incurred by school districts.

Sec. 26. Section four hundred forty-two point fourteen (442.14), Code 1977, is amended to read as follows:

442.14 ADDITIONAL ENRICHMENT AMOUNT.

1. For the budget year beginning July 1, ~~1976~~ 1979, and each succeeding school year, if a school board wishes to spend more than the amount permitted under sections 442.1 to 442.13, and the school board has not attempted by resolution to raise an additional enrichment amount for that budget year, the school board may raise an additional enrichment amount not to exceed five ten percent of the state cost per pupil multiplied by the adjusted enrollment in the district, as provided in this section. However, the additional enrichment amount may be used only for educational research, curriculum maintenance or development, or innovative programs.

2. The board shall determine the additional enrichment amount per pupil needed, within the limits of this section, and shall direct the county commissioner of elections to submit the question of whether to raise that amount under

the provisions of this section and section 442.15, to the qualified electors of the school district at a regular ~~or special~~ school election held ~~not later than February 15~~ during September of the base year. If a majority of those voting favors raising the enrichment amount, the board may include the approved amount in its certified budget.

3. The additional enrichment amount needed shall be raised within the limits provided in this section by a combination of an enrichment property tax and a school district income surtax imposed in the proportion of a property tax of twenty-seven cents per thousand dollars of assessed valuation of taxable property in the district for each ~~two-and-one-half~~ five percent of income surtax.

4. The additional enrichment amount for a district is limited to the amount which may be raised by a combination tax in the prescribed proportion which does not exceed a property tax of ~~fifty-four~~ one dollar and eight cents per thousand dollars of assessed valuation and an income surtax of five ~~twenty~~ percent.

5. Any additional enrichment amount of a school district, not exceeding five percent of the state cost per pupil, which was approved at a referendum prior to July 1, 1978, shall remain in effect for the period for which it was approved.

Sec. 27. Section four hundred forty-two point fifteen (442.15), unnumbered paragraph three (3), Code 1977, is amended to read as follows:

An additional enrichment amount authorized under section 442.14 or a lesser amount than the amount so authorized may be continued as provided in this section for a period of five school years. If the amount authorized is less than the maximum of five ~~ten~~ percent of the state cost per pupil and the board wishes to increase the amount, it shall re-establish its authority to do so in the manner provided in section 442.14. If the board wishes to continue any additional enrichment amount beyond the five-year period, it shall re-

establish its authority to do so in the manner provided in section 442.14 within the twelve-month period prior to termination of the five-year period.

Sec. 28. Section four hundred forty-two point twenty-eight (442.28), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

If a district's weighted enrollment on the second Friday of September in the budget year, determined in the same manner as the ~~January~~ September weighted enrollment is determined under section 442.4, is higher than its weighted enrollment on the second Friday of ~~January~~ September in the base year, the district is entitled to an advance from the state of an amount equal to its district cost per pupil less the amount per pupil for special education support services, media services and other services computed as a part of district cost under the provisions of section 442.7 and section 442.27 for the budget year multiplied by its increase in weighted enrollment. The advance shall be miscellaneous income.

Sec. 29. For the school year beginning July 1, 1979, the state cost per pupil shall be increased to an amount which would otherwise have resulted for the school year beginning July 1, 1979, if the surplus balances for area education agency support services and for area education inherited funds had not been offset against the total support budgets for the school year beginning July 1, 1978. This adjustment is to compensate for the reductions made to state cost based upon the temporary offset of support budgets by certain area education agency fund balances.

Sec. 30. Notwithstanding the provisions of House File four hundred sixty-three (463), as enacted by the Sixty-seventh General Assembly, 1978 Session, as it pertains to the amount of the reduction to the support service costs to be allocated among the school districts, the amount of the special education support services cost to be reduced for area education agency thirteen (XIII) is equal to ninety-nine thousand eight hundred

ninety-nine dollars rather than a reduction of one hundred twenty-one thousand one hundred twenty dollars.

Sec. 31. To meet the special problems that result from budget reductions due to declining enrollments prior to the modifications in the adjustments for declining enrollments to take effect commencing with the school year beginning July 1, 1979, there is appropriated from the general fund of the state for the fiscal years beginning July 1, 1978 and ending June 30, 1980, to the school budget review committee the sum of two million five hundred thousand (2,500,000) dollars, or so much thereof as necessary to be used to minimize the impact of the factor listed in paragraph two (2) of this section. The school budget review committee may also establish a modified allowable growth for the school district by increasing the allowable growth for the school district to provide additional funds to assist the school district with hardships which result from the impact on the school district's budget resulting from declining enrollment.

To assess whether a district has hardships resulting from reduced funds because of declining enrollment, the school budget review committee shall consider whether the school district will be forced to terminate an existing educational program because of insufficient funds and thus diminish the overall quality of the school program for the budget year from that provided in the base year.

Sec. 32. The legislative council is directed to establish a joint subcommittee of the House and Senate committees on education composed of members of both parties to study the information received from the department of public instruction federally financed state equalization of educational opportunity study which is scheduled for completion in September of 1978. The Sixty-seventh General Assembly recognizes the needs of pupils for equal educational opportunity can be improved over the existing school finance formula. The weighting system to provide the funds necessary

to assist in the education of children requiring special education has greatly assisted Iowa's educational program to meet the needs of these pupils, placing Iowa's program as one of the best in the nation for children requiring special education. It is recognized that a funding system designed to meet the educational and financial needs of children may require a substantial rewriting of the current school finance system. The subcommittee shall prepare a final report and submit necessary bill drafts to implement the recommendations of the subcommittee to the Sixty-eighth General Assembly.

Sec. 33. For the school years beginning July 1, 1979 and July 1, 1980 only, a school district may make application to the department of public instruction for approval of a program of instruction for gifted and talented children to be funded by an increase in allowable growth, as defined in section four hundred forty-two point seven (442.7) of the Code. The department shall promulgate rules under the provisions of chapter seventeen A (17A) of the Code relating to administration of sections thirty-three (33) through thirty-eight (38) of this Act.

Sec. 34. The program plans submitted by school districts shall describe the type of program to be offered and shall establish all of the following:

1. That there are sufficient gifted and talented children within the district.
2. That the gifted and talented children program will be provided by the most appropriate educational agency.
3. That the school district or other educational agency providing the gifted and talented children program has employed qualified personnel.
4. That the instruction is a natural and normal progression of a planned course of instruction.
5. That the revenue raised for support of the gifted and talented program will be expended for actual delivery of a gifted and talented children program.

6. Other factors as the department may require.

Sec. 35. "Gifted and talented children" are those identified as possessing outstanding abilities who are capable of high performance. Gifted and talented children are children who require differentiated educational programs or services beyond those provided by the regular school program.

Gifted and talented children include those with demonstrated achievement or potential ability in any two or more of the following areas:

1. Creative thinking.
2. Leadership ability.
3. Visual and performing arts ability.
4. Specific ability aptitude.
5. Intellectual ability.

Sec. 36. The department of public instruction may approve gifted and talented children programs for the school years beginning July 1, 1979 and July 1, 1980 only, for not more than ten school districts in this state, including districts of various enrollments and geographic locations.

Sec. 37. The department shall inform the school budget review committee of the names of the school districts approved for gifted and talented children programs and the approved budget of each program. The school budget review committee shall approve a modified allowable growth for each such district as an unusual circumstance, under the authority granted to it in section four hundred forty-two point thirteen (442.13) of the Code, to provide funds equal to the budget approved by the department of public instruction.

Sec. 38. The area education agencies in which the school districts having approved gifted and talented children programs are located shall cooperate with the school district in the identification and placement of gifted and talented children and may assist school districts in the establishment of such programs.

Sec. 39. If the voters of a school district have approved

the levying of a tax pursuant to section three hundred point two (300.2) of the Code prior to the effective date of this Act, moneys collected pursuant to the voted tax levy after the effective date of this Act may be used for community education programs.

Sec. 40. The purpose of sections seventeen (17) and thirty-one (31) of this Act is to allow school districts to meet the increasing financial pressures caused by declining enrollment by providing an appropriation to the school budget review committee for the 1978-1980 school years and establishing a temporary modified adjusted enrollment for the 1979-1980 school year.

Sec. 41. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Sun & The Hawkeye Record-Herald, a newspaper published in Mount Vernon, Iowa, and in the Adams County Free Press, a newspaper published in Corning, Iowa.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2361, Sixty-seventh General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved June 22, 1978

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ROBERT D. RAY  
Governor