

Education
Taylor, Chairperson
Wells
Jensen _____

FILED MAR 6 1981

SENATE FILE 369
BY PRIEBE

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to programs and financing of services provided
2 by area education agencies, and providing that the Act
3 takes effect upon its publication.

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

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1 Section 1. Section 273.9, subsections 4 and 5, Code 1981,
2 are amended by striking the subsections and inserting in lieu
3 thereof the following:

4 4. For the school year beginning July 1, 1981 and suc-
5 ceeding school years the costs of media and educational ser-
6 vices provided through the area education agency are funded
7 as provided in section 442.27 and from any other funds avail-
8 able to them. The services shall be provided on a contract
9 basis between the school districts and the area education
10 agency. The department of public instruction shall adopt
11 rules under chapter 17A for the providing of media and
12 educational services to pupils and school districts in the
13 areas.

14 Sec. 2. Section 273.12, Code 1981, is amended to read
15 as follows:

16 273.12 FUNDS--USE RESTRICTED. Funds generated for
17 educational services under ~~the provisions of~~ section 442.27
18 and subject to approval under ~~the provisions of~~ section 273-9,
19 ~~subsection-5~~ 1 of this Act, shall not be expended by an area
20 education agency for the purpose of assisting either a public
21 employer or employee organization in collective bargaining
22 negotiations under chapter 20 if the public employer is a
23 school district, or the employee organization consists of
24 employees of a school district, located within the boundaries
25 of the area education agency.

26 Sec. 3. Chapter 273, Code 1981, is amended by adding the
27 following new section:

28 NEW SECTION. REDUCTIONS IN FUNDING. For the school year
29 beginning July 1, 1981 and succeeding school years, area
30 education agencies, to the extent possible with reduced funding
31 available under sections 4, 5, 6, and 8 of this Act, shall
32 continue to meet the mandates of chapter 281 for special edu-
33 cation services and to provide media services and educational
34 services as directed by the school districts of the area.
35 The divisions of media services and educational services shall

1 be combined for administrative purposes. Persons actually
2 providing diagnostic and support services for children
3 requiring special education shall continue to be employed
4 in preference to those persons performing solely administrative
5 functions.

6 Sec. 4. Section 442.7, subsection 6, Code 1981, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. For the school year beginning July 1, 1981,
9 and succeeding school years, the amount included in the
10 district cost per pupil in weighted enrollment for special
11 education support services costs for each district in an area
12 education agency for a budget year is the amount included
13 in the district cost per pupil in weighted enrollment for
14 special education support services costs in the base year
15 plus the allowable growth added to state cost per pupil for
16 special education support services costs for the budget year
17 except as provided in section 6 of this Act. Funds shall
18 be paid to area education agencies as provided in section
19 442.25.

20 Sec. 5. Section 442.7, Code 1981, is amended by adding
21 the following new subsection after subsection 6:

22 NEW SUBSECTION. For the school year beginning July 1,
23 1981, and each succeeding school year, the allowable growth
24 added to state cost per pupil for special education support
25 services costs is the amount included in state cost per pupil
26 for special education support services costs for the base
27 year times the state percent of growth for the budget year
28 except as provided in section 6 of this Act.

29 Sec. 6. Section 442.7, subsection 7, Code 1981, is amended
30 by striking the subsection and inserting in lieu thereof the
31 following:

32 7. For the school year beginning July 1, 1981, notwith-
33 standing the subsections of this section relating to the cal-
34 culation of allowable growth for special education support
35 services costs, the amount included in state cost per pupil

1 in weighted enrollment for special education support services
2 costs for the budget year is fifty-five dollars and the amount
3 included in the district cost per pupil in weighted enrollment
4 for each school district in the state for special education
5 support services costs in the budget year is fifty-five
6 dollars.

7 Sec. 7. Section 442.9, subsection 1, paragraph b, Code
8 1981, is amended to read as follows:

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

18 Sec. 8. Section 442.27, subsections 2, 3, and 4, Code
19 1981, are amended by striking the subsections and inserting
20 in lieu thereof the following:

21 2. For the school year beginning July 1, 1981, the total
22 amount funded for each school district in the state for both
23 media services and educational services is ten dollars times
24 the enrollment served in the district for the budget year.
25 For each succeeding school year, the amount to be funded for
26 both media services and educational services for each district
27 is the amount per pupil in enrollment served for the base
28 year times one hundred percent plus the state percent of
29 growth times the enrollment served in the district for the
30 budget year. Funds received by a school district for media
31 services and educational services shall only be used to
32 contract with area education agencies for media services and
33 educational services.

34 Sec. 9. Section 442.27, subsections 5, 6, 7, 8, 9, and
35 10, Code 1981, are amended to read as follows:

1 5. For each succeeding budget year through the budget
2 year beginning July 1, 1980, the total amount funded in each
3 area for educational services shall be the total amount funded
4 in the area for educational services in the base year times
5 the sum of one hundred percent plus the state percent of
6 growth.

7 6. ~~Of~~ For school years prior to the school year beginning
8 July 1, 1981, of the total amounts funded in each area each
9 year for media services and educational services, a portion
10 shall be allocated to each district in the area. The portion
11 to be allocated to each district in an area shall be the same
12 percentage of the total amount that the enrollment served
13 in the budget year in the district is of the enrollment served
14 in the budget year in the area.

15 7. ~~The portion allocated to~~ For the school year beginning
16 July 1, 1981 and succeeding school years, the amount for each
17 district ~~in an area~~ for each budget year for media services
18 and educational services shall be added to the district cost
19 of that district for the budget year as provided in section
20 442.9.

21 8. ~~The~~ For school years prior to the school year beginning
22 July 1, 1981, the state board of public instruction and the
23 state comptroller shall determine the total amounts funded
24 in each area for media services and educational services each
25 year, and the amounts to be allocated to each district. The
26 state comptroller shall deduct the amounts so calculated for
27 each school district from the state aid due to the district
28 pursuant to this chapter and shall pay the amounts to the
29 districts' area education agencies on a quarterly basis during
30 each school year. The state comptroller shall notify each
31 school district the amount of state aid deducted for this
32 purpose and the balance which will be paid to the district.
33 If a district does not qualify for state aid under this chapter
34 in an amount sufficient to cover the amount due to its area
35 education agency as calculated by the state comptroller, the

1 school district shall pay the deficiency to its area education
2 agency from other moneys received by the district, on a
3 quarterly basis during each school year.

4 9. "Enrollment served", for the school year beginning
5 July 1, 1981 and succeeding school years, means the basic
6 enrollment plus the number of nonpublic school pupils served
7 with media services or educational services, as applicable,
8 ~~except that if a nonpublic school pupil receives services~~
9 ~~through an area other than the area of the pupil's residence,~~
10 ~~the pupil shall be deemed to be served by the area of the~~
11 ~~pupil's residence, which shall by contractual arrangement~~
12 ~~reimburse the area through which the pupil actually receives~~
13 ~~services~~ through the school district. For the budget year
14 beginning July 1, 1975, the total number of nonpublic pupils
15 served by each area education agency and the number of
16 nonpublic school pupils residing within each school district
17 in the area to be served by the area education agency for
18 media and educational services shall be submitted by the
19 department of public instruction as approved by the state
20 board to the state comptroller within one week after this
21 Act is duly published. For school years subsequent to the
22 school year beginning July 1, 1979, each school district shall
23 include in the second Friday in September enrollment report
24 the number of nonpublic school pupils within each school
25 district for media and educational services ~~served by the~~
26 ~~area~~.

27 10. For the school year beginning July 1, ~~1978~~ 1981, and
28 for each subsequent school year, if ~~an area education agency~~
29 a school district does not ~~serve~~ provide for serving nonpublic
30 school pupils in a manner comparable to services provided
31 public school pupils for media and educational services, as
32 determined by the state board of public instruction, the state
33 board shall instruct the state comptroller to reduce the funds
34 for media services and educational services one time by an
35 amount to compensate for such reduced services. The media

1 services budget shall be reduced by an amount equal to the
 2 product of the cost per pupil in basic enrollment for media
 3 the services in the budget year times the difference between
 4 the enrollment served and the basic enrollment recorded for
 5 the area district for the budget year beginning July 1, 1975.
 6 ~~The-educational-services-budget-shall-be-reduced-by-an-amount~~
 7 ~~equal-to-the-product-of-the-cost-per-pupil-in-basic-enrollment~~
 8 ~~for-educational-services-in-the-budget-year-times-the~~
 9 ~~difference-between-the-enrollment-served-and-the-basic~~
 10 ~~enrollment-recorded-for-the-budget-year-beginning-July-1,~~
 11 ~~1975.~~

12 ~~The-provisions-of-this~~ This subsection shall ~~apply~~ applies
 13 only to media and educational services which cannot be diverted
 14 for religious purposes.

15 ~~Notwithstanding-the-provisions-of-this-subsection,-an-area~~
 16 ~~education-agency-shall-distribute-to-nonpublic-schools-media~~
 17 ~~materials-purchased-wholly-or-partially-with-federal-funds~~
 18 ~~in-a-manner-comparable-to-the-distribution-of-such-media~~
 19 ~~materials-to-public-schools-as-determined-by-the-state-board~~
 20 ~~of-public-instruction.~~

21 Sec. 10. This Act, being deemed of immediate importance,
 22 takes effect from and after its publication in The Algona
 23 Upper Des Moines, a newspaper published in Algona, Iowa, and
 24 in The Forest City Summit, a newspaper published in Forest
 25 City, Iowa.

26 EXPLANATION

27 This bill reduces funding for special education support
 28 services of area education agencies to \$55 per pupil in
 29 weighted enrollment for the year beginning July 1, 1981 and
 30 provides for allowable growth for the services thereafter.
 31 It combines media services and educational services, reduces
 32 the funding to \$10 per pupil for public and nonpublic school
 33 pupils for the school year beginning July 1, 1981 and provides
 34 that the school districts retain the funds and contract with
 35 the area education agencies for the services. The bill takes
 36 effect upon its publication.