

Reprinted

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SENATE FILE 2320
BY COMMITTEE ON EDUCATION
approved (p. 663)
(SUCCESSOR TO SSB 2281.1)

Passed Senate, Date 4/2/92 (p. 1186) Passed House, Date 4/15/92 (P. 1314)
Vote: Ayes 30 Nays 20 Vote: Ayes 67 Nays 30
Approved June 3, 1992
Stewart

A BILL FOR

1 An Act relating to state aid to school corporations and providing
2 effective date and applicability provisions.

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

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SF 2320

1 Section 1. Section 257.6, subsection 1, Code 1991, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. e. Resident pupils receiving competent
4 private instruction from a licensed practitioner provided
5 through a public school district pursuant to chapter 299A
6 shall be counted as two-tenths of one pupil.

7 NEW PARAGRAPH. f. Resident pupils receiving competent
8 private instruction under dual enrollment pursuant to chapter
9 299A shall be counted as one-tenth of one pupil.

10 Sec. 2. Section 299A.2, Code Supplement 1991, is amended
11 to read as follows:

12 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
13 PRACTITIONER.

14 If a licensed practitioner provides competent instruction
15 to a child of compulsory attendance age, the practitioner
16 shall possess a valid license or certificate which has been
17 issued by the state board of educational examiners under
18 chapter 260 and which is appropriate to the ages and grade
19 levels of the children to be taught. Competent private
20 instruction may include, but is not limited to, instruction or
21 instructional supervision offered through an accredited
22 nonpublic school or public school district by a teacher, who
23 is employed by the accredited nonpublic school or public
24 school district, who assists and supervises a parent,
25 guardian, or legal custodian in providing instruction to a
26 child. If competent private instruction is provided through a
27 public school district, the child shall be enrolled and
28 included in the basic enrollment of the school district as
29 provided in section 257.6. Sections 299A.3 through 299A.7 do
30 not apply to competent private instruction provided by a
31 licensed practitioner under this section.

32 Sec. 3. Section 299A.8, Code Supplement 1991, is amended
33 to read as follows:

34 299A.8 DUAL ENROLLMENT.

35 If a parent, guardian, or legal custodian of a child who is

1 receiving competent private instruction under this chapter
 2 submits a request, the child shall also be registered in a
 3 public school for dual enrollment purposes. If the child is
 4 enrolled in a public school district for dual enrollment
 5 purposes, the child shall be permitted to participate in any
 6 academic activities in the district and shall also be
 7 permitted to participate on the same basis as public school
 8 children in any extracurricular activities available to
 9 children in the child's grade or group, and the parent,
 10 guardian, or legal custodian shall not be required to pay the
 11 costs of any annual testing under this chapter. If the child
 12 is enrolled for dual enrollment purposes, the child shall be
 13 included in the public school's basic enrollment ~~under~~
 14 ~~sections 442.4 and as provided in section 257.6 and shall be~~
 15 ~~counted as one pupil.~~

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16 Sec. 4. This Act, being deemed of immediate importance,
 17 takes effect upon enactment for the purpose of computations
 18 required for payment of state aid to and levying of property
 19 taxes by school districts for the budget year beginning July
 20 1, 1992.

EXPLANATION

21
 22 This bill implements changes to the state school finance
 23 formula for the fiscal year beginning July 1, 1992, by
 24 revising the funding for pupils under dual enrollment to allow
 25 a maximum enrollment count per pupil of .1, and revising the
 26 funding for pupils receiving competent private instruction
 27 from a licensed practitioner, sometimes referred to as home
 28 schooling, to allow a maximum enrollment count per pupil of
 29 .2.

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**SENATE FILE 2320
FISCAL NOTE**

A fiscal note for Senate File 2320 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2320 makes modifications to the school finance formula beginning in FY 1993, or school budget year 1992-93.

Sections 1 through 3 change the way students participating in competent private instruction (home schooling) are counted for purposes of the districts' basic enrollment. It reduces the weighting for students in competent private instruction with a licensed practitioner from 1.0 to 0.2, and reduces the weighting for students dually enrolled in the district and competent private instruction from 1.0 to 0.1.

Section 4 provides that bill take effect upon enactment, for purposes of calculating the districts' state aid and property taxes for FY 1993, or school budget year 1992-93.

Assumptions:

- * The reduction in the FY 1991 enrollment is 1,386, from 491,448 to 490,062.
- * The reduction in the FY 1993 budget enrollment is 1,290, from 500,180 to 498,890.

Fiscal Effect:

Senate File 2320 is estimated to reduce FY 1993 state expenditures by \$3,756,000, and reduce FY 1993 property taxes by \$864,000 for a total reduction to districts of \$4,620,000.

Sources: Department of Management
Department of Education

(LSB 6250sv, CRH)

FILED MARCH 10, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 2320

S-5339

1 Amend the Committee amendment, S-5313, to Senate
2 File 2320 as follows:
3 1. Page 1, by striking lines 2 through 14 and
4 inserting the following:
5 "_____. By striking everything after the enacting
6 clause and inserting the following:
7 "Section 1. Section 256.7, subsection 18, Code
8 Supplement 1991, is amended to read as follows:
9 18. a. Adopt, by July 1, 1992, rules and a
10 procedure for accrediting all community college
11 programs in Iowa. Rules adopted shall satisfy the
12 requirements for implementing the educational and
13 service program contained in section 280A.48.
14 b. Adopt, by July 1, 1993, rules and a procedure
15 for review and approval of proposed community college
16 budgets prior to January 1 of the base year.
17 Sec. 2. Section 257.6, subsection 1, unnumbered
18 paragraph 3, Code 1991, is amended to read as follows:
19 A school district shall certify its actual
20 enrollment to the department of education by October 1
21 of each year, and the department shall promptly
22 forward the information to the department of
23 management. ~~The department of management shall~~
24 ~~determine whether a district is entitled to an advance~~
25 ~~for increasing enrollment on the basis of its actual~~
26 ~~enrollment.~~
27 Sec. 3. Section 257.6, subsection 1, Code 1991, is
28 amended by adding the following new paragraphs:
29 NEW PARAGRAPH. e. Resident pupils receiving
30 competent private instruction from a licensed
31 practitioner provided through a public school district
32 pursuant to chapter 299A shall be counted as two-
33 tenths of one pupil.
34 NEW PARAGRAPH. f. Resident pupils receiving
35 competent private instruction under dual enrollment
36 pursuant to chapter 299A shall be counted as one-tenth
37 of one pupil.
38 Sec. 4. Section 257.6, subsection 3, Code 1991, is
39 amended by striking the subsection.
40 Sec. 5. Section 257.6, subsection 4, Code 1991, is
41 amended by striking the subsection and inserting in
42 lieu thereof the following:
43 4. BUDGET ENROLLMENT. Budget enrollment for the
44 budget year is the basic enrollment for the budget
45 year.
46 Sec. 6. Section 257.6, subsection 5, unnumbered
47 paragraph 1, Code 1991, is amended to read as follows:
48 Weighted enrollment is the budget enrollment plus
49 the district's additional enrollment ~~because of~~
50 ~~special education calculated on December 1 of the base~~
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1 year weighting for special education instructional
2 purposes as computed in subsection 6 plus additional
3 pupils added due to the application of the
4 supplementary weighting.

5 Sec. 7. Section 257.6, subsection 5, unnumbered
6 paragraph 2, Code 1991, is amended to read as follows:

7 Weighted enrollment for special education support
8 services costs is equal to the ~~weighted-enrollment~~
9 ~~minus-the-additional-pupils-added-due-to-the~~
10 ~~application-of-the-supplementary-weighting~~ basic
11 enrollment for the budget year.

12 Sec. 8. Section 257.6, Code 1991, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 6. ADDITIONAL WEIGHTING FOR
15 SPECIAL EDUCATION INSTRUCTIONAL PURPOSES.

16 a. Commencing with the budget year beginning July
17 1, 1993, and each budget year thereafter, the
18 department of management shall determine the
19 additional weighting for special education
20 instructional purposes for each school district in the
21 manner provided in this section.

22 For children requiring special education who are
23 defined in section 281.9, subsection 1, paragraph "d",
24 that weight is the product of the weighting for that
25 category and the number of children in that category
26 counted on December 1 of the base year, minus the
27 number of children in that category. For children
28 requiring special education who are defined in section
29 281.9, subsection 1, paragraphs "b" and "c", that
30 weight is calculated under paragraphs "b" and "c",
31 based upon each district's percent of weightedness.

32 b. The maximum percent of weightedness for a
33 school district for the budget years beginning July 1,
34 1993, and July 1, 1994, is nine and nine hundredths
35 percent and the intermediate percent of weightedness
36 is seven and fifty-two hundredths percent. Prior to
37 January 1, 1995, and each two years thereafter, the
38 school budget review committee shall review the
39 maximum percent of weightedness and the intermediate
40 percent of weightedness as they relate to the costs of
41 special education for children requiring special
42 education who are defined in section 281.9, subsection
43 1, paragraphs "b" and "c", and based upon those costs
44 may adjust the maximum percent of weightedness and the
45 intermediate percent of weightedness for the two
46 succeeding fiscal years.

47 c. For the budget year beginning July 1, 1993, the
48 department of management shall calculate for each
49 school district a base year percent of weightedness by
50 dividing each district's additional enrollment because

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1 of special education for those children calculated on
2 December 1, 1991, under section 281.9, subsection 1,
3 paragraphs "b" and "c", Code 1991, by the district's
4 basic enrollment for the budget year beginning July 1,
5 1992. For the budget year beginning July 1, 1993, and
6 succeeding budget years, if the base year percent of
7 weightedness is greater than the maximum percent of
8 weightedness, the district's percent of weightedness
9 for the budget year is the maximum percent of
10 weightedness and the weighting for those children for
11 the budget year is the maximum percent of weightedness
12 multiplied by the district's basic enrollment for the
13 budget year. However, if the maximum percent of
14 weightedness multiplied by regular program district
15 cost for the budget year is less than the district's
16 additional enrollment because of special education for
17 those children calculated on December 1, 1991, under
18 section 281.9, subsection 1, paragraphs "b" and "c",
19 Code 1991, multiplied by the regular program district
20 cost for the budget year beginning July 1, 1992, the
21 percent of weightedness shall be increased to a
22 percent that provides an amount equal to the
23 district's funding for special education instructional
24 purposes for those children for the base year, and the
25 weighting for those children shall be recalculated
26 based upon the revised percent of weightedness. If
27 the base year percent of weightedness for a district
28 is between the maximum percent of weightedness and the
29 intermediate percent of weightedness, the percent of
30 weightedness for the budget year is the base percent
31 of weightedness and the district's weighting for those
32 children for the budget year is the base percent of
33 weightedness multiplied by the district's basic
34 enrollment for the budget year. If the base year
35 percent of weightedness is below the intermediate
36 percent of weightedness, the district's percent of
37 weightedness for the budget year is the sum of the
38 district's base year percent of weightedness and any
39 adjustment granted by the school budget review
40 committee, not exceeding the intermediate percent of
41 weightedness, and the district's weighting for those
42 children for the budget year is the revised percent of
43 weightedness multiplied by the district's basic
44 enrollment for the budget year.

45 Sec. 9. Section 257.8, subsection 1, unnumbered
46 paragraph 2, Code 1991, is amended to read as follows:
47 On or before each September December 15 thereafter,
48 the department of management shall compute a state
49 percent of growth for the budget year next following
50 the budget year. The state percents of growth shall

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1 be forwarded to the director of the department of
2 education.

3 Sec. 10. Section 257.9, subsections 3 and 4, Code
4 1991, are amended to read as follows:

5 3. SPECIAL EDUCATION SUPPORT SERVICES STATE COST
6 PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the budget
7 year beginning July 1, ~~1991~~ 1992, for the special
8 education support services state cost per pupil, the
9 department of management shall divide the total of the
10 approved budgets of the area education agencies for
11 special education support services for that year
12 approved by the state board of education under section
13 273.3, subsection 12, by the total of the weighted
14 basic enrollment for-special-education-support
15 services in the state for the budget year. The
16 special education support services state cost per
17 pupil for the budget year is the amount calculated by
18 the department of management under this subsection.

19 4. SPECIAL EDUCATION SUPPORT SERVICES STATE COST
20 PER PUPIL FOR ~~1992-1993~~ 1993-1994 and succeeding
21 years. For the budget year beginning July 1, ~~1992~~
22 1993, and succeeding budget years, the special
23 education support services state cost per pupil for
24 the budget year is the special education support
25 services state cost per pupil for the base year plus
26 the special education support services allowable
27 growth for the budget year.

28 Sec. 11. Section 257.10, subsections 3 and 4, Code
29 1991, are amended to read as follows:

30 3. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
31 COST PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the
32 budget year beginning July 1, ~~1991~~ 1992, for the
33 special education support services district cost per
34 pupil, the department of management shall divide the
35 approved budget of each area education agency for
36 special education support services for that year
37 approved by the state board of education, under
38 section 273.3, subsection 12, by the total of the
39 weighted basic enrollment for-special-education
40 support-services in the area for that budget year.

41 The special education support services district
42 cost per pupil for each school district in an area for
43 the budget year is the amount calculated by the
44 department of management under this subsection.

45 4. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
46 COST PER PUPIL FOR ~~1992-1993~~ 1993-1994 AND SUCCEEDING
47 YEARS. For the budget year beginning July 1, ~~1992~~
48 1993, and succeeding budget years, the special
49 education support services district cost per pupil for
50 the budget year is the special education support

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1 services district cost per pupil for the base year
2 plus the special education support services allowable
3 growth for the budget year.

4 Notwithstanding the special education support
5 services district cost per pupil for the budget year
6 beginning July 1, 1991, calculated under subsection 3,
7 for area education agencies that have fewer than three
8 and five-tenths public school pupils per square mile,
9 the special education support services district cost
10 per pupil for the budget year beginning July 1, 1991,
11 is one hundred forty-seven dollars.

12 Sec. 12. Section 257.10, subsection 7, Code 1991,
13 is amended to read as follows:

14 7. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
15 COST. Special education support services district
16 cost for a school district for a budget year is equal
17 to the special education support services district
18 cost per pupil for the budget year multiplied by the
19 ~~special-education-support-services-weighted basic~~
20 enrollment for the district for the budget year. ~~If~~
21 ~~the-special-education-support-services-district-cost~~
22 ~~for-a-school-district-for-a-budget-year-is-less-than~~
23 ~~the-special-education-support-services-district-cost~~
24 ~~for-that-district-for-the-base-year,-the-department-of~~
25 ~~management-shall-adjust-the-special-education-support~~
26 ~~services-district-cost-for-that-district-for-the~~
27 ~~budget-year-to-equal-the-special-education-support~~
28 ~~services-district-cost-for-the-base-year.~~

29 Sec. 13. Section 257.14, unnumbered paragraph 1,
30 Code 1991, is amended to read as follows:

31 For the budget years commencing July 1, 1991, and
32 July 1, 1992, and July 1, 1993, if the department of
33 management determines that the regular program
34 district cost of a school district for a budget year
35 is less than the total of the regular program district
36 cost plus any adjustment added under this section for
37 the base year for that school district, the department
38 of management shall provide a budget adjustment for
39 that district for that budget year that is equal to
40 the difference.

41 Sec. 14. Section 257.16, unnumbered paragraph 2,
42 Code Supplement 1991, is amended to read as follows:

43 All state aids paid under this chapter, unless
44 otherwise stated, shall be paid in monthly
45 installments beginning on September 15 of a budget
46 year and ending on or about June 15 of the budget year
47 ~~and-the-installments-shall-be-as-nearly-equal-as~~
48 ~~possible~~ as determined by the department of
49 management, taking into consideration the relative
50 budget and cash position of the state resources.

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~~1 However, the state aid paid to school districts under
2 section 257.13 shall be paid in monthly installments
3 beginning on December 15 and ending on June 15 of a
4 budget year.~~

5 Sec. 15. Section 257.20, unnumbered paragraph 1,
6 Code Supplement 1991, is amended to read as follows:

7 In order to determine the amount of instructional
8 support state aid and the amount of local funding for
9 the instructional support program for a district, the
10 department of management shall divide the total
11 assessed valuation in the state by the total budget
12 enrollment for the budget year in the state to
13 determine a state assessed valuation per pupil and
14 shall divide the assessed valuation in each district
15 by the district's budget enrollment for the budget
16 year to determine the district assessed valuation per
17 pupil. The department of management shall multiply
18 the ratio of the state's valuation per pupil to the
19 district's valuation per pupil by twenty-five
20 hundredths and subtract that result from one to
21 determine the portion of the instructional support
22 program budget that is local funding. The remaining
23 portion of the budget shall be funded by instructional
24 support state aid. However, for the budget year
25 beginning July 1, 1992, only, the amount of state aid
26 is three and one-quarter percent less than the amount
27 computed under this paragraph for that budget year.

28 Sec. 16. Section 257.31, subsection 12, Code
29 Supplement 1991, is amended to read as follows:

30 12. The committee shall review the recommendations
31 of the director of the department of education
32 relating to the special education weighting plan, and
33 shall establish a weighting plan weight for each
34 school year pursuant to section 281.9 for children
35 requiring special education under section 281.9,
36 subsection 1, paragraph "d", and report the plan
37 weight to the director of the department of education.
38 The committee shall also review the maximum and
39 intermediate percents of weightedness and may adjust
40 the percents of weightedness under section 257.6,
41 subsection 6.

42 Sec. 17. Section 257.31, Code Supplement 1991, is
43 amended by adding the following new subsection:

44 NEW SUBSECTION. 12A. The committee may adjust the
45 percent of weightedness of a school district, by not
46 more than one-half of one percent in any year, for
47 which the percent of weightedness is below the
48 intermediate percent of weightedness based upon that
49 district's special education needs.

50 Sec. 18. Section 257.31, subsection 14, paragraph

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1 a, Code Supplement 1991, is amended to read as
2 follows:

3 a. If the amount certified for a school district
4 to the director of the department of management under
5 this subsection for the base year is positive, the
6 director of the department of management shall
7 subtract the amount of the positive balance exceeding
8 five percent of the additional funds generated for
9 special education, not to include any previous
10 carryover, from the amount of state aid remaining to
11 be paid to the district during the budget year. If
12 the positive amount exceeding the five percent amount
13 exceeds the amount of state aid that remains to be
14 paid to the district, not including any previous
15 carryover, the school district shall pay the excess on
16 a quarterly basis prior to June 30 of the budget year
17 to the director of the department of management from
18 other funds received by the district. The director of
19 the department of management shall determine the
20 amount of the positive balance that exceeds the five
21 percent amount that came from local property tax
22 revenues and shall increase the district's total state
23 school aids available under this chapter for the next
24 following budget year by the amount so determined and
25 shall reduce the district's tax levy computed under
26 section 257.4 for the next following budget year by
27 the amount necessary to compensate for the increased
28 state aid.

29 Sec. 19. Section 257.31, subsection 14, paragraph
30 b, Code Supplement 1991, is amended by striking the
31 paragraph.

32 Sec. 20. Section 265.6, Code 1991, is amended to
33 read as follows:

34 265.6 STATE AID APPLICABLE.

35 If the state board of regents has established a
36 laboratory school, it shall receive state aid pursuant
37 to chapters 257 and 281 for each pupil enrolled in the
38 laboratory school in the same amount as the public
39 school district in which the pupil resides would
40 receive aid for that pupil and shall transmit the
41 amount received to the institution of higher education
42 at which the laboratory school has been established.

43 If the board of a school district terminates a
44 contract with the state board of regents for
45 attendance of pupils in a laboratory school, the
46 school district shall inform the department of
47 management of the number of these pupils who are
48 enrolled in the district on the third Friday of the
49 following September. The department of management
50 shall pay to the school district, from funds

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1 appropriated in section 257.16, an amount equal to the
2 amount of state aid paid for each pupil in that school
3 district for that school year in payments made as
4 provided in section 257.16. ~~However, payments shall~~
5 ~~not be made for pupils for which an advance is~~
6 ~~received by the district under section 257.13.~~

7 Sec. 21. Section 299A.2, Code Supplement 1991, is
8 amended to read as follows:

9 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
10 PRACTITIONER.

11 If a licensed practitioner provides competent
12 instruction to a child of compulsory attendance age,
13 the practitioner shall possess a valid license or
14 certificate which has been issued by the state board
15 of educational examiners under chapter 260 and which
16 is appropriate to the ages and grade levels of the
17 children to be taught. Competent private instruction
18 may include, but is not limited to, instruction or
19 instructional supervision offered through an
20 accredited nonpublic school or public school district
21 by a teacher, who is employed by the accredited
22 nonpublic school or public school district, who
23 assists and supervises a parent, guardian, or legal
24 custodian in providing instruction to a child. If
25 competent private instruction is provided through a
26 public school district, the child shall be enrolled
27 and included in the basic enrollment of the school
28 district as provided in section 257.6. Sections
29 299A.3 through 299A.7 do not apply to competent
30 private instruction provided by a licensed
31 practitioner under this section.

32 Sec. 22. Section 299A.8, Code Supplement 1991, is
33 amended to read as follows:

34 299A.8 DUAL ENROLLMENT.

35 If a parent, guardian, or legal custodian of a
36 child who is receiving competent private instruction
37 under this chapter submits a request, the child shall
38 also be registered in a public school for dual
39 enrollment purposes. If the child is enrolled in a
40 public school district for dual enrollment purposes,
41 the child shall be permitted to participate in any
42 academic activities in the district and shall also be
43 permitted to participate on the same basis as public
44 school children in any extracurricular activities
45 available to children in the child's grade or group,
46 and the parent, guardian, or legal custodian shall not
47 be required to pay the costs of any annual testing
48 under this chapter. If the child is enrolled for dual
49 enrollment purposes, the child shall be included in
50 the public school's basic enrollment under sections

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1 ~~442-4 and as provided in section 257.6 and shall be~~
2 ~~counted as one pupil.~~

3 Sec. 23. Section 257.13, Code 1991, is repealed.

4 Sec. 24. The state board of education shall
5 conduct a study to review the community college
6 funding formula in relation to the state's ability to
7 provide future increases in the community college
8 funding formula. A report of the findings and
9 recommendations shall be submitted to the general
10 assembly by December 1, 1992.

11 Sec. 25. Sections 2, 3, 5, 7, 10, 11, 12, 14, 15,
12 20, 21, 22, and 23 of this Act, being deemed of
13 immediate importance, take effect upon enactment for
14 the purpose of computations required for payment of
15 state aid to and levying of property taxes by school
16 districts for the budget year beginning July 1, 1992.

17 Sec. 26. Sections 4, 6, 8, 13, 16, 17, 18, and 19
18 of this Act take effect July 1, 1992, for the purpose
19 of computations required for payment of state aid to
20 and levying of property taxes by school districts for
21 the budget year beginning July 1, 1993.

22 Sec. 27. Section 9 of this Act takes effect July
23 1, 1992, for the purpose of computing state percent of
24 growth for the budget year beginning July 1, 1994."

By MIKE CONNOLLY

S-5339 FILED MARCH 23, 1992

File 4/1/92 (182)

SENATE FILE 2320

S-5338

1 Amend the Committee amendment, S-5313, to Senate
2 File 2320, as follows:

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

5 "____. Page 1, by inserting after line 9, the
6 following:

7 "Sec. _____. Section 257.9, subsections 3 and 4,
8 Code 1991, are amended to read as follows:

9 3. Special education support services state cost
10 per pupil for ~~1991-1992~~ 1992-1993. For the budget
11 year beginning July 1, ~~1991~~ 1992, for the special
12 education support services state cost per pupil, the
13 department of management shall divide the total of the
14 approved budgets of the area education agencies for
15 special education support services for that year
16 approved by the state board of education under section
17 273.3, subsection 12, by the total of the weighted
18 enrollment for special education support services in
19 the state for the budget year. The special education
20 support services state cost per pupil for the budget
21 year is the amount calculated by the department of
22 management under this subsection.

23 4. Special education support services state cost
24 per pupil for ~~1992-1993~~ 1993-1994 and succeeding
25 years. For the budget year beginning July 1, ~~1992~~
26 1993, and succeeding budget years, the special
27 education support services state cost per pupil for
28 the budget year is the special education support
29 services state cost per pupil for the base year plus
30 the special education support services allowable
31 growth for the budget year.

32 Sec. _____. Section 257.10, subsections 3 and 4,
33 Code 1991, are amended to read as follows:

34 3. Special education support services district
35 cost per pupil for ~~1991-1992~~ 1992-1993. For the
36 budget year beginning July 1, ~~1991~~ 1992, for the
37 special education support services district cost per
38 pupil, the department of management shall divide the
39 approved budget of each area education agency for
40 special education support services for that year
41 approved by the state board of education, under
42 section 273.3, subsection 12, by the total of the
43 weighted enrollment for special education support
44 services in the area for that budget year.

45 The special education support services district
46 cost per pupil for each school district in an area for
47 the budget year is the amount calculated by the
48 department of management under this subsection.

49 4. Special education support services district
50 cost per pupil for ~~1992-1993~~ 1993-1994 and succeeding

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1 years. For the budget year beginning July 1, 1992
 2 1993, and succeeding budget years, the special
 3 education support services district cost per pupil for
 4 the budget year is the special education support
 5 services district cost per pupil for the base year
 6 plus the special education support services allowable
 7 growth for the budget year.

8 Notwithstanding the special education support
 9 services district cost per pupil for the budget year
 10 beginning July 1, 1991, calculated under subsection 3,
 11 for area education agencies that have fewer than three
 12 and five-tenths public school pupils per square mile,
 13 the special education support services district cost
 14 per pupil for the budget year beginning July 1, 1991,
 15 is one hundred forty-seven dollars."

16 2. Page 1, lines 9 and 10, by striking the words
 17 "sixty-one and sixty-seven" and inserting the
 18 following: "fifty-five and five".

By MIKE CONNOLLY

S-5338 FILED MARCH 23, 1992

w/d 4/2 (p-1182)

SENATE FILE 2320

S-5313

1 Amend Senate File 2320 as follows:

2 1. Page 2, by inserting after line 15 the
 3 following:

4 "Sec. _____. Notwithstanding the standing
 5 appropriation for state foundation aid in section
 6 257.16, the amount of state foundation aid
 7 appropriated to each school district for the budget
 8 year beginning July 1, 1992, pursuant to that section
 9 shall be reduced by an amount equal to sixty-one and
 10 sixty-seven hundredths dollars per pupil multiplied by
 11 the weighted enrollment of the district. A school
 12 district shall not reduce the amount that it is
 13 required to pay the area education agency for costs of
 14 special education support services."

By COMMITTEE ON EDUCATION
 MIKE CONNOLLY, Chairperson

S-5313 FILED MARCH 19, 1992

*lost 4/2 (p. 1183)**Motion to reconsider (1183)**Adopted as amended 4/2 (p. 1185)*

SENATE FILE 2320

S-5518

1 Amend the Committee amendment, S-5313, to Senate
2 File 2320 as follows:

3 1. Page 1, by striking lines 1 through 14 and
4 inserting the following:

5 "Amend Senate File 2320 as follows:

6 _____. By striking everything after the enacting
7 clause and inserting the following:

8 "Section 1. Section 257.6, subsection 1,
9 unnumbered paragraph 3, Code 1991, is amended to read
10 as follows:

11 A school district shall certify its actual
12 enrollment to the department of education by October 1
13 of each year, and the department shall promptly
14 forward the information to the department of
15 management. ~~The department of management shall~~
16 ~~determine whether a district is entitled to an advance~~
17 ~~for increasing enrollment on the basis of its actual~~
18 ~~enrollment.~~

19 Sec. 2. Section 257.6, subsection 1, Code 1991, is
20 amended by adding the following new paragraphs:

21 NEW PARAGRAPH. e. Resident pupils receiving
22 competent private instruction from a licensed
23 practitioner provided through a public school district
24 pursuant to chapter 299A shall be counted as two-
25 tenths of one pupil.

26 NEW PARAGRAPH. f. Resident pupils receiving
27 competent private instruction under dual enrollment
28 pursuant to chapter 299A shall be counted as one-tenth
29 of one pupil.

30 Sec. 3. Section 257.6, subsection 3, Code 1991, is
31 amended by striking the subsection.

32 Sec. 4. Section 257.6, subsection 4, Code 1991, is
33 amended by striking the subsection and inserting in
34 lieu thereof the following:

35 4. BUDGET ENROLLMENT. Budget enrollment for the
36 budget year is the basic enrollment for the budget
37 year.

38 Sec. 5. Section 257.6, subsection 5, unnumbered
39 paragraph 1, Code 1991, is amended to read as follows:

40 Weighted enrollment is the budget enrollment plus
41 the district's additional enrollment ~~because of~~
42 ~~special education calculated on December 1 of the base~~
43 year weighting for special education instructional
44 purposes as computed in subsection 6 plus additional
45 pupils added due to the application of the
46 supplementary weighting.

47 Sec. 6. Section 257.6, subsection 5, unnumbered
48 paragraph 2, Code 1991, is amended to read as follows:

49 Weighted enrollment for special education support
50 services costs is equal to the ~~weighted enrollment~~

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1 ~~minus-the-additional-pupils-added-due-to-the~~
2 ~~application-of-the-supplementary-weighting basic~~
3 ~~enrollment for the budget year.~~

4 Sec. 7. Section 257.6, Code 1991, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 6. ADDITIONAL WEIGHTING FOR
7 SPECIAL EDUCATION INSTRUCTIONAL PURPOSES.

8 a. Commencing with the budget year beginning July
9 1, 1993, and each budget year thereafter, the
10 department of management shall determine the
11 additional weighting for special education
12 instructional purposes for each school district in the
13 manner provided in this section.

14 For children requiring special education who are
15 defined in section 281.9, subsection 1, paragraph "d",
16 that weight is the product of the weighting for that
17 category and the number of children in that category
18 counted on December 1 of the base year, minus the
19 number of children in that category. For children
20 requiring special education who are defined in section
21 281.9, subsection 1, paragraphs "b" and "c", that
22 weight is calculated under paragraphs "b" and "c",
23 based upon each district's percent of weightedness.

24 b. The maximum percent of weightedness for a
25 school district for the budget years beginning July 1,
26 1993, and July 1, 1994, is nine and nine hundredths
27 percent and the intermediate percent of weightedness
28 is seven and fifty-two hundredths percent. Prior to
29 January 1, 1995, and each two years thereafter, the
30 school budget review committee shall review the
31 maximum percent of weightedness and the intermediate
32 percent of weightedness as they relate to the costs of
33 special education for children requiring special
34 education who are defined in section 281.9, subsection
35 1, paragraphs "b" and "c", and based upon those costs
36 may adjust the maximum percent of weightedness and the
37 intermediate percent of weightedness for the two
38 succeeding fiscal years.

39 c. For the budget year beginning July 1, 1993, the
40 department of management shall calculate for each
41 school district a base year percent of weightedness by
42 dividing each district's additional enrollment because
43 of special education for those children calculated on
44 December 1, 1991, under section 281.9, subsection 1,
45 paragraphs "b" and "c", Code 1991, by the district's
46 basic enrollment for the budget year beginning July 1,
47 1992. For the budget year beginning July 1, 1993, and
48 succeeding budget years, if the base year percent of
49 weightedness is greater than the maximum percent of
50 weightedness, the district's percent of weightedness

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1 for the budget year is the maximum percent of
2 weightedness and the weighting for those children for
3 the budget year is the maximum percent of weightedness
4 multiplied by the district's basic enrollment for the
5 budget year. However, if the maximum percent of
6 weightedness multiplied by regular program district
7 cost for the budget year is less than the district's
8 additional enrollment because of special education for
9 those children calculated on December 1, 1991, under
10 section 281.9, subsection 1, paragraphs "b" and "c",
11 Code 1991, multiplied by the regular program district
12 cost for the budget year beginning July 1, 1992, the
13 percent of weightedness shall be increased to a
14 percent that provides an amount equal to the
15 district's funding for special education instructional
16 purposes for those children for the base year, and the
17 weighting for those children shall be recalculated
18 based upon the revised percent of weightedness. If
19 the base year percent of weightedness for a district
20 is between the maximum percent of weightedness and the
21 intermediate percent of weightedness, the percent of
22 weightedness for the budget year is the base percent
23 of weightedness and the district's weighting for those
24 children for the budget year is the base percent of
25 weightedness multiplied by the district's basic
26 enrollment for the budget year. If the base year
27 percent of weightedness is below the intermediate
28 percent of weightedness, the district's percent of
29 weightedness for the budget year is the sum of the
30 district's base year percent of weightedness and any
31 adjustment granted by the school budget review
32 committee, not exceeding the intermediate percent of
33 weightedness, and the district's weighting for those
34 children for the budget year is the revised percent of
35 weightedness multiplied by the district's basic
36 enrollment for the budget year.

37 Sec. 8. Section 257.8, subsection 1, unnumbered
38 paragraph 2, Code 1991, is amended to read as follows:

39 On or before each ~~September~~ December 15 thereafter,
40 the department of management shall compute a state
41 percent of growth for the budget year next following
42 the budget year. The state percents of growth shall
43 be forwarded to the director of the department of
44 education.

45 Sec. 9. Section 257.9, subsections 3 and 4, Code
46 1991, are amended to read as follows:

47 3. SPECIAL EDUCATION SUPPORT SERVICES STATE COST
48 PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the budget
49 year beginning July 1, ~~1991~~ 1992, for the special
50 education support services state cost per pupil, the

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1 department of management shall divide the total of the
2 approved budgets of the area education agencies for
3 special education support services for that year
4 approved by the state board of education under section
5 273.3, subsection 12, by the total of the weighted
6 basic enrollment for special education support
7 services in the state for the budget year. The
8 special education support services state cost per
9 pupil for the budget year is the amount calculated by
10 the department of management under this subsection.

11 4. SPECIAL EDUCATION SUPPORT SERVICES STATE COST
12 PER PUPIL FOR ~~1992-1993~~ 1993-1994 and succeeding
13 years. For the budget year beginning July 1, ~~1992~~
14 1993, and succeeding budget years, the special
15 education support services state cost per pupil for
16 the budget year is the special education support
17 services state cost per pupil for the base year plus
18 the special education support services allowable
19 growth for the budget year.

20 Sec. 10. Section 257.10, subsections 3 and 4, Code
21 1991, are amended to read as follows:

22 3. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
23 COST PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the
24 budget year beginning July 1, ~~1991~~ 1992, for the
25 special education support services district cost per
26 pupil, the department of management shall divide the
27 approved budget of each area education agency for
28 special education support services for that year
29 approved by the state board of education, under
30 section 273.3, subsection 12, by the total of the
31 weighted basic enrollment for special education
32 support services in the area for that budget year.

33 The special education support services district
34 cost per pupil for each school district in an area for
35 the budget year is the amount calculated by the
36 department of management under this subsection.

37 4. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
38 COST PER PUPIL FOR ~~1992-1993~~ 1993-1994 AND SUCCEEDING
39 YEARS. For the budget year beginning July 1, ~~1992~~
40 1993, and succeeding budget years, the special
41 education support services district cost per pupil for
42 the budget year is the special education support
43 services district cost per pupil for the base year
44 plus the special education support services allowable
45 growth for the budget year.

46 Notwithstanding the special education support
47 services district cost per pupil for the budget year
48 beginning July 1, 1991, calculated under subsection 3,
49 for area education agencies that have fewer than three
50 and five-tenths public school pupils per square mile,

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1 the special education support services district cost
2 per pupil for the budget year beginning July 1, 1991,
3 is one hundred forty-seven dollars.

4 Sec. 11. Section 257.10, subsection 7, Code 1991,
5 is amended to read as follows:

6 7. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
7 COST. Special education support services district
8 cost for a school district for a budget year is equal
9 to the special education support services district
10 cost per pupil for the budget year multiplied by the
11 ~~special-education-support-services-weighted basic~~
12 enrollment for the district for the budget year. ~~If~~
13 ~~the-special-education-support-services-district-cost~~
14 ~~for-a-school-district-for-a-budget-year-is-less-than~~
15 ~~the-special-education-support-services-district-cost~~
16 ~~for-that-district-for-the-base-year, the department of~~
17 ~~management shall adjust the special-education support~~
18 ~~services-district-cost-for-that-district-for-the~~
19 ~~budget-year-to-equal-the-special-education-support~~
20 ~~services-district-cost-for-the-base-year.~~

21 Sec. 12. Section 257.14, unnumbered paragraph 1,
22 Code 1991, is amended to read as follows:

23 For the budget years commencing July 1, 1991, and
24 July 1, 1992, and July 1, 1993, if the department of
25 management determines that the regular program
26 district cost of a school district for a budget year
27 is less than the total of the regular program district
28 cost plus any adjustment added under this section for
29 the base year for that school district, the department
30 of management shall provide a budget adjustment for
31 that district for that budget year that is equal to
32 the difference.

33 Sec. 13. Section 257.16, unnumbered paragraph 2,
34 Code Supplement 1991, is amended to read as follows:

35 All state aids paid under this chapter, unless
36 otherwise stated, shall be paid in monthly
37 installments beginning on September 15 of a budget
38 year and ending on or about June 15 of the budget year
39 ~~and the installments shall be as nearly equal as~~
40 ~~possible~~ as determined by the department of
41 management, taking into consideration the relative
42 budget and cash position of the state resources.
43 ~~However, the state aid paid to school districts under~~
44 ~~section 257.13 shall be paid in monthly installments~~
45 ~~beginning on December 15 and ending on June 15 of a~~
46 ~~budget year.~~

47 Sec. 14. Section 257.20, unnumbered paragraph 1,
48 Code Supplement 1991, is amended to read as follows:

49 In order to determine the amount of instructional
50 support state aid and the amount of local funding for

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1 the instructional support program for a district, the
2 department of management shall divide the total
3 assessed valuation in the state by the total budget
4 enrollment for the budget year in the state to
5 determine a state assessed valuation per pupil and
6 shall divide the assessed valuation in each district
7 by the district's budget enrollment for the budget
8 year to determine the district assessed valuation per
9 pupil. The department of management shall multiply
10 the ratio of the state's valuation per pupil to the
11 district's valuation per pupil by twenty-five
12 hundredths and subtract that result from one to
13 determine the portion of the instructional support
14 program budget that is local funding. The remaining
15 portion of the budget shall be funded by instructional
16 support state aid. However, for the budget year
17 beginning July 1, 1992, only, the amount of state aid
18 is three and one-quarter percent less than the amount
19 computed under this paragraph for that budget year.

20 Sec. 15. Section 257.31, subsection 12, Code
21 Supplement 1991, is amended to read as follows:

22 12. The committee shall review the recommendations
23 of the director of the department of education
24 relating to the special education weighting plan, and
25 shall establish a weighting-plan weight for each
26 school year pursuant-to-section-281.9 for children
27 requiring special education under section 281.9,
28 subsection 1, paragraph "d", and report the plan
29 weight to the director of the department of education.
30 The committee shall also review the maximum and
31 intermediate percents of weightedness and may adjust
32 the percents of weightedness under section 257.6,
33 subsection 6.

34 Sec. 16. Section 257.31, Code Supplement 1991, is
35 amended by adding the following new subsection:

36 NEW SUBSECTION. 12A. The committee may adjust the
37 percent of weightedness of a school district, by not
38 more than one-half of one percent in any year, for
39 which the percent of weightedness is below the
40 intermediate percent of weightedness based upon that
41 district's special education needs.

42 Sec. 17. Section 257.31, subsection 14, paragraph
43 a, Code Supplement 1991, is amended to read as
44 follows:

45 a. If the amount certified for a school district
46 to the director of the department of management under
47 this subsection for the base year is positive, the
48 director of the department of management shall
49 subtract the amount of the positive balance exceeding
50 five percent of the additional funds generated for

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1 special education, not to include any previous
2 carryover, from the amount of state aid remaining to
3 be paid to the district during the budget year. If
4 the positive amount exceeding the five percent amount
5 exceeds the amount of state aid that remains to be
6 paid to the district, not including any previous
7 carryover, the school district shall pay the excess on
8 a quarterly basis prior to June 30 of the budget year
9 to the director of the department of management from
10 other funds received by the district. The director of
11 the department of management shall determine the
12 amount of the positive balance that exceeds the five
13 percent amount that came from local property tax
14 revenues and shall increase the district's total state
15 school aids available under this chapter for the next
16 following budget year by the amount so determined and
17 shall reduce the district's tax levy computed under
18 section 257.4 for the next following budget year by
19 the amount necessary to compensate for the increased
20 state aid.

21 Sec. 18. Section 257.31, subsection 14, paragraph
22 b, Code Supplement 1991, is amended by striking the
23 paragraph.

24 Sec. 19. Section 265.6, Code 1991, is amended to
25 read as follows:

26 265.6 STATE AID APPLICABLE.

27 If the state board of regents has established a
28 laboratory school, it shall receive state aid pursuant
29 to chapters 257 and 281 for each pupil enrolled in the
30 laboratory school in the same amount as the public
31 school district in which the pupil resides would
32 receive aid for that pupil and shall transmit the
33 amount received to the institution of higher education
34 at which the laboratory school has been established.

35 If the board of a school district terminates a
36 contract with the state board of regents for
37 attendance of pupils in a laboratory school, the
38 school district shall inform the department of
39 management of the number of these pupils who are
40 enrolled in the district on the third Friday of the
41 following September. The department of management
42 shall pay to the school district, from funds
43 appropriated in section 257.16, an amount equal to the
44 amount of state aid paid for each pupil in that school
45 district for that school year in payments made as
46 provided in section 257.16. ~~However, payments shall~~
47 ~~not be made for pupils for which an advance is~~
48 ~~received by the district under section 257.13.~~

49 Sec. 20. Section 299A.2, Code Supplement 1991, is
50 amended to read as follows:

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1 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
2 PRACTITIONER.

3 If a licensed practitioner provides competent
4 instruction to a child of compulsory attendance age,
5 the practitioner shall possess a valid license or
6 certificate which has been issued by the state board
7 of educational examiners under chapter 260 and which
8 is appropriate to the ages and grade levels of the
9 children to be taught. Competent private instruction
10 may include, but is not limited to, instruction or
11 instructional supervision offered through an
12 accredited nonpublic school or public school district
13 by a teacher, who is employed by the accredited
14 nonpublic school or public school district, who
15 assists and supervises a parent, guardian, or legal
16 custodian in providing instruction to a child. If
17 competent private instruction is provided through a
18 public school district, the child shall be enrolled
19 and included in the basic enrollment of the school
20 district as provided in section 257.6. Sections
21 299A.3 through 299A.7 do not apply to competent
22 private instruction provided by a licensed
23 practitioner under this section.

24 Sec. 21. Section 299A.8, Code Supplement 1991, is
25 amended to read as follows:

26 299A.8 DUAL ENROLLMENT.

27 If a parent, guardian, or legal custodian of a
28 child who is receiving competent private instruction
29 under this chapter submits a request, the child shall
30 also be registered in a public school for dual
31 enrollment purposes. If the child is enrolled in a
32 public school district for dual enrollment purposes,
33 the child shall be permitted to participate in any
34 academic activities in the district and shall also be
35 permitted to participate on the same basis as public
36 school children in any extracurricular activities
37 available to children in the child's grade or group,
38 and the parent, guardian, or legal custodian shall not
39 be required to pay the costs of any annual testing
40 under this chapter. If the child is enrolled for dual
41 enrollment purposes, the child shall be included in
42 the public school's basic enrollment under sections
43 ~~442-4~~ and as provided in section 257.6 and shall be
44 ~~counted as one pupil.~~

45 Sec. 22. Section 257.13, Code 1991, is repealed.

46 Sec. 23. Sections 1, 2, 4, 6, 9, 10, 11, 13, 14,
47 19, 20, 21, and 22 of this Act, being deemed of
48 immediate importance, take effect upon enactment for
49 the purpose of computations required for payment of
50 state aid to and levying of property taxes by school

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1 districts for the budget year beginning July 1, 1992.
2 Sec. 24. Sections 3, 5, 7, 12, 15, 16, 17, and 18
3 of this Act take effect July 1, 1992, for the purpose
4 of computations required for payment of state aid to
5 and levying of property taxes by school districts for
6 the budget year beginning July 1, 1993.
7 Sec. 25. Section 8 of this Act takes effect July
8 1, 1992, for the purpose of computing state percent of
9 growth for the budget year beginning July 1, 1994."

By JOHN KIBBIE

S-5518 FILED APRIL 2, 1992

WITHDRAWN (p. 1182)

SENATE FILE 2320

S-5519

1 Amend Senate File 2320 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 256.7, subsection 18, Code
5 Supplement 1991, is amended to read as follows:

6 18. a. Adopt, by July 1, 1992, rules and a
7 procedure for accrediting all community college
8 programs in Iowa. Rules adopted shall satisfy the
9 requirements for implementing the educational and
10 service program contained in section 280A.48.

11 b. Adopt, by July 1, 1993, rules and a procedure
12 for review and approval of proposed community college
13 budgets prior to January 1 of the base year.

14 Sec. 2. Section 257.6, subsection 1, unnumbered
15 paragraph 3, Code 1991, is amended to read as follows:

16 A school district shall certify its actual
17 enrollment to the department of education by October 1
18 of each year, and the department shall promptly
19 forward the information to the department of
20 management. ~~The department of management shall
21 determine whether a district is entitled to an advance
22 for increasing enrollment on the basis of its actual
23 enrollment.~~

24 Sec. 3. Section 257.6, subsection 1, Code 1991, is
25 amended by adding the following new paragraphs:

26 NEW PARAGRAPH. e. Resident pupils receiving
27 competent private instruction from a licensed
28 practitioner provided through a public school district
29 pursuant to chapter 299A shall be counted as two-
30 tenths of one pupil.

31 NEW PARAGRAPH. f. Resident pupils receiving
32 competent private instruction under dual enrollment
33 pursuant to chapter 299A shall be counted as one-tenth
34 of one pupil.

35 Sec. 4. Section 257.6, subsection 3, Code 1991, is
36 amended by striking the subsection.

37 Sec. 5. Section 257.6, subsection 4, Code 1991, is
38 amended by striking the subsection and inserting in
39 lieu thereof the following:

40 4. BUDGET ENROLLMENT. Budget enrollment for the
41 budget year is the basic enrollment for the budget
42 year.

43 Sec. 6. Section 257.6, subsection 5, unnumbered
44 paragraph 1, Code 1991, is amended to read as follows:

45 Weighted enrollment is the budget enrollment plus
46 the district's additional ~~enrollment because of
47 special education calculated on December 1 of the base
48 year weighting for special education instructional
49 purposes as computed in subsection 6~~ plus additional
50 pupils added due to the application of the

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1 supplementary weighting.
2 Sec. 7. Section 257.6, subsection 5, unnumbered
3 paragraph 2, Code 1991, is amended to read as follows:
4 Weighted enrollment for special education support
5 services costs is equal to the weighted-enrollment
6 ~~minus-the-additional-pupils-added-due-to-the~~
7 ~~application-of-the-supplementary-weighting basic~~
8 enrollment for the budget year.
9 Sec. 8. Section 257.6, Code 1991, is amended by
10 adding the following new subsection:
11 NEW SUBSECTION. 6. ADDITIONAL WEIGHTING FOR
12 SPECIAL EDUCATION INSTRUCTIONAL PURPOSES.
13 a. Commencing with the budget year beginning July
14 1, 1993, and each budget year thereafter, the
15 department of management shall determine the
16 additional weighting for special education
17 instructional purposes for each school district in the
18 manner provided in this section.
19 For children requiring special education who are
20 defined in section 281.9, subsection 1, paragraph "d",
21 that weight is the product of the weighting for that
22 category and the number of children in that category
23 counted on December 1 of the base year, minus the
24 number of children in that category. For children
25 requiring special education who are defined in section
26 281.9, subsection 1, paragraphs "b" and "c", that
27 weight is calculated under paragraphs "b" and "c",
28 based upon each district's percent of weightedness.
29 b. The maximum percent of weightedness for a
30 school district for the budget years beginning July 1,
31 1993, and July 1, 1994, is nine and nine hundredths
32 percent and the intermediate percent of weightedness
33 is seven and fifty-two hundredths percent. Prior to
34 January 1, 1995, and each two years thereafter, the
35 school budget review committee shall review the
36 maximum percent of weightedness and the intermediate
37 percent of weightedness as they relate to the costs of
38 special education for children requiring special
39 education who are defined in section 281.9, subsection
40 1, paragraphs "b" and "c", and based upon those costs
41 may adjust the maximum percent of weightedness and the
42 intermediate percent of weightedness for the two
43 succeeding fiscal years.
44 c. For the budget year beginning July 1, 1993, the
45 department of management shall calculate for each
46 school district a base year percent of weightedness by
47 dividing each district's additional enrollment because
48 of special education for those children calculated on
49 December 1, 1991, under section 281.9, subsection 1,
50 paragraphs "b" and "c", Code 1991, by the district's

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1 basic enrollment for the budget year beginning July 1,
2 1992. For the budget year beginning July 1, 1993, and
3 succeeding budget years, if the base year percent of
4 weightedness is greater than the maximum percent of
5 weightedness, the district's percent of weightedness
6 for the budget year is the maximum percent of
7 weightedness and the weighting for those children for
8 the budget year is the maximum percent of weightedness
9 multiplied by the district's basic enrollment for the
10 budget year. However, if the maximum percent of
11 weightedness multiplied by regular program district
12 cost for the budget year is less than the district's
13 additional enrollment because of special education for
14 those children calculated on December 1, 1991, under
15 section 281.9, subsection 1, paragraphs "b" and "c",
16 Code 1991, multiplied by the regular program district
17 cost for the budget year beginning July 1, 1992, the
18 percent of weightedness shall be increased to a
19 percent that provides an amount equal to the
20 district's funding for special education instructional
21 purposes for those children for the base year, and the
22 weighting for those children shall be recalculated
23 based upon the revised percent of weightedness. If
24 the base year percent of weightedness for a district
25 is between the maximum percent of weightedness and the
26 intermediate percent of weightedness, the percent of
27 weightedness for the budget year is the base percent
28 of weightedness and the district's weighting for those
29 children for the budget year is the base percent of
30 weightedness multiplied by the district's basic
31 enrollment for the budget year. If the base year
32 percent of weightedness is below the intermediate
33 percent of weightedness, the district's percent of
34 weightedness for the budget year is the sum of the
35 district's base year percent of weightedness and any
36 adjustment granted by the school budget review
37 committee, not exceeding the intermediate percent of
38 weightedness, and the district's weighting for those
39 children for the budget year is the revised percent of
40 weightedness multiplied by the district's basic
41 enrollment for the budget year.

42 Sec. 9. Section 257.8, subsection 1, unnumbered
43 paragraph 2, Code 1991, is amended to read as follows:

44 On or before each ~~September~~ December 15 thereafter,
45 the department of management shall compute a state
46 percent of growth for the budget year next following
47 the budget year. The state percents of growth shall
48 be forwarded to the director of the department of
49 education.

50 Sec. 10. Section 257.8, subsection 7, Code 1991,

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1 is amended by adding the following new unnumbered
2 paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
4 calculation of the regular program allowable growth,
5 for the budget year beginning July 1, 1992, the
6 regular program allowable growth is one hundred forty-
7 five dollars.

8 Sec. 11. Section 257.9, subsections 3 and 4, Code
9 1991, are amended to read as follows:

10 3. SPECIAL EDUCATION SUPPORT SERVICES STATE COST
11 PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the budget
12 year beginning July 1, ~~1991~~ 1992, for the special
13 education support services state cost per pupil, the
14 department of management shall divide the total of the
15 approved budgets of the area education agencies for
16 special education support services for that year
17 approved by the state board of education under section
18 273.3, subsection 12, by the total of the weighted
19 ~~basic enrollment for-special-education-support~~
20 ~~services~~ in the state for the budget year. The
21 special education support services state cost per
22 pupil for the budget year is the amount calculated by
23 the department of management under this subsection.

24 4. SPECIAL EDUCATION SUPPORT SERVICES STATE COST
25 PER PUPIL FOR ~~1992-1993~~ 1993-1994 and succeeding
26 years. For the budget year beginning July 1, ~~1992~~
27 1993, and succeeding budget years, the special
28 education support services state cost per pupil for
29 the budget year is the special education support
30 services state cost per pupil for the base year plus
31 the special education support services allowable
32 growth for the budget year.

33 Sec. 12. Section 257.10, subsections 3 and 4, Code
34 1991, are amended to read as follows:

35 3. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
36 COST PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the
37 budget year beginning July 1, ~~1991~~ 1992, for the
38 special education support services district cost per
39 pupil, the department of management shall divide the
40 approved budget of each area education agency for
41 special education support services for that year
42 approved by the state board of education, under
43 section 273.3, subsection 12, by the total of the
44 ~~weighted basic enrollment for-special-education~~
45 ~~support-services~~ in the area for that budget year.

46 The special education support services district
47 cost per pupil for each school district in an area for
48 the budget year is the amount calculated by the
49 department of management under this subsection.

50 4. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT

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1 COST PER PUPIL FOR ~~1992-1993~~ 1993-1994 AND SUCCEEDING
2 YEARS. For the budget year beginning July 1, ~~1992~~
3 1993, and succeeding budget years, the special
4 education support services district cost per pupil for
5 the budget year is the special education support
6 services district cost per pupil for the base year
7 plus the special education support services allowable
8 growth for the budget year.

9 Notwithstanding the special education support
10 services district cost per pupil for the budget year
11 beginning July 1, 1991, calculated under subsection 3,
12 for area education agencies that have fewer than three
13 and five-tenths public school pupils per square mile,
14 the special education support services district cost
15 per pupil for the budget year beginning July 1, 1991,
16 is one hundred forty-seven dollars.

17 Sec. 13. Section 257.10, subsection 7, Code 1991,
18 is amended to read as follows:

19 7. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT
20 COST. Special education support services district
21 cost for a school district for a budget year is equal
22 to the special education support services district
23 cost per pupil for the budget year multiplied by the
24 ~~special-education-support-services-weighted basic~~
25 enrollment for the district for the budget year. ~~If~~
26 ~~the-special-education-support-services-district-cost~~
27 ~~for-a-school-district-for-a-budget-year-is-less-than~~
28 ~~the-special-education-support-services-district-cost~~
29 ~~for-that-district-for-the-base-year, the department of~~
30 ~~management shall adjust the special-education support~~
31 ~~services-district-cost-for-that-district-for-the~~
32 ~~budget-year-to-equal-the-special-education-support~~
33 ~~services-district-cost-for-the-base-year.~~

34 Sec. 14. Section 257.14, unnumbered paragraph 1,
35 Code 1991, is amended to read as follows:

36 For the budget years commencing July 1, 1991, and
37 July 1, 1992, and July 1, 1993, if the department of
38 management determines that the regular program
39 district cost of a school district for a budget year
40 is less than the total of the regular program district
41 cost plus any adjustment added under this section for
42 the base year for that school district, the department
43 of management shall provide a budget adjustment for
44 that district for that budget year that is equal to
45 the difference.

46 Sec. 15. Section 257.16, unnumbered paragraph 2,
47 Code Supplement 1991, is amended to read as follows:

48 All state aids paid under this chapter, unless
49 otherwise stated, shall be paid in monthly
50 installments beginning on September 15 of a budget

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1 year and ending on or about June 15 of the budget year
2 ~~and the installments shall be as nearly equal as~~
3 ~~possible as determined by the department of~~
4 ~~management, taking into consideration the relative~~
5 ~~budget and cash position of the state resources.~~
6 ~~However, the state aid paid to school districts under~~
7 ~~section 257.13 shall be paid in monthly installments~~
8 ~~beginning on December 15 and ending on June 15 of a~~
9 ~~budget year.~~

10 Sec. 16. Section 257.20, unnumbered paragraph 1,
11 Code Supplement 1991, is amended to read as follows:

12 In order to determine the amount of instructional
13 support state aid and the amount of local funding for
14 the instructional support program for a district, the
15 department of management shall divide the total
16 assessed valuation in the state by the total budget
17 enrollment for the budget year in the state to
18 determine a state assessed valuation per pupil and
19 shall divide the assessed valuation in each district
20 by the district's budget enrollment for the budget
21 year to determine the district assessed valuation per
22 pupil. The department of management shall multiply
23 the ratio of the state's valuation per pupil to the
24 district's valuation per pupil by twenty-five
25 hundredths and subtract that result from one to
26 determine the portion of the instructional support
27 program budget that is local funding. The remaining
28 portion of the budget shall be funded by instructional
29 support state aid. However, for the budget year
30 beginning July 1, 1992, only, the amount of state aid
31 is three and one-quarter percent less than the amount
32 computed under this paragraph for that budget year.

33 Sec. 17. Section 257.31, subsection 12, Code
34 Supplement 1991, is amended to read as follows:

35 12. The committee shall review the recommendations
36 of the director of the department of education
37 relating to the special education weighting plan, and
38 shall establish a weighting plan weight for each
39 school year pursuant to section 281.9 for children
40 requiring special education under section 281.9,
41 subsection 1, paragraph "d", and report the plan
42 weight to the director of the department of education.
43 The committee shall also review the maximum and
44 intermediate percents of weightedness and may adjust
45 the percents of weightedness under section 257.6,
46 subsection 6.

47 Sec. 18. Section 257.31, Code Supplement 1991, is
48 amended by adding the following new subsection:

49 NEW SUBSECTION. 12A. The committee may adjust the
50 percent of weightedness of a school district, by not

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1 more than one-half of one percent in any year, for
2 which the percent of weightedness is below the
3 intermediate percent of weightedness based upon that
4 district's special education needs.

5 Sec. 19. Section 257.31, subsection 14, paragraph
6 a, Code Supplement 1991, is amended to read as
7 follows:

8 a. If the amount certified for a school district
9 to the director of the department of management under
10 this subsection for the base year is positive, the
11 director of the department of management shall
12 subtract the amount of the positive balance exceeding
13 five percent of the additional funds generated for
14 special education, not to include any previous
15 carryover, from the amount of state aid remaining to
16 be paid to the district during the budget year. If
17 the positive amount exceeding the five percent amount
18 exceeds the amount of state aid that remains to be
19 paid to the district, not including any previous
20 carryover, the school district shall pay the excess on
21 a quarterly basis prior to June 30 of the budget year
22 to the director of the department of management from
23 other funds received by the district. The director of
24 the department of management shall determine the
25 amount of the positive balance that exceeds the five
26 percent amount that came from local property tax
27 revenues and shall increase the district's total state
28 school aids available under this chapter for the next
29 following budget year by the amount so determined and
30 shall reduce the district's tax levy computed under
31 section 257.4 for the next following budget year by
32 the amount necessary to compensate for the increased
33 state aid.

34 Sec. 20. Section 257.31, subsection 14, paragraph
35 b, Code Supplement 1991, is amended by striking the
36 paragraph.

37 Sec. 21. Section 265.6, Code 1991, is amended to
38 read as follows:

39 265.6 STATE AID APPLICABLE.

40 If the state board of regents has established a
41 laboratory school, it shall receive state aid pursuant
42 to chapters 257 and 281 for each pupil enrolled in the
43 laboratory school in the same amount as the public
44 school district in which the pupil resides would
45 receive aid for that pupil and shall transmit the
46 amount received to the institution of higher education
47 at which the laboratory school has been established.
48 If the board of a school district terminates a
49 contract with the state board of regents for
50 attendance of pupils in a laboratory school, the

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1 school district shall inform the department of
2 management of the number of these pupils who are
3 enrolled in the district on the third Friday of the
4 following September. The department of management
5 shall pay to the school district, from funds
6 appropriated in section 257.16, an amount equal to the
7 amount of state aid paid for each pupil in that school
8 district for that school year in payments made as
9 provided in section 257.16. ~~However, payments shall~~
10 ~~not be made for pupils for which an advance is~~
11 ~~received by the district under section 257.13.~~

12 Sec. 22. Section 299A.2, Code Supplement 1991, is
13 amended to read as follows:

14 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
15 PRACTITIONER.

16 If a licensed practitioner provides competent
17 instruction to a child of compulsory attendance age,
18 the practitioner shall possess a valid license or
19 certificate which has been issued by the state board
20 of educational examiners under chapter 260 and which
21 is appropriate to the ages and grade levels of the
22 children to be taught. Competent private instruction
23 may include, but is not limited to, instruction or
24 instructional supervision offered through an
25 accredited nonpublic school or public school district
26 by a teacher, who is employed by the accredited
27 nonpublic school or public school district, who
28 assists and supervises a parent, guardian, or legal
29 custodian in providing instruction to a child. If
30 competent private instruction is provided through a
31 public school district, the child shall be enrolled
32 and included in the basic enrollment of the school
33 district as provided in section 257.6. Sections
34 299A.3 through 299A.7 do not apply to competent
35 private instruction provided by a licensed
36 practitioner under this section.

37 Sec. 23. Section 299A.8, Code Supplement 1991, is
38 amended to read as follows:

39 299A.8 DUAL ENROLLMENT.

40 If a parent, guardian, or legal custodian of a
41 child who is receiving competent private instruction
42 under this chapter submits a request, the child shall
43 also be registered in a public school for dual
44 enrollment purposes. If the child is enrolled in a
45 public school district for dual enrollment purposes,
46 the child shall be permitted to participate in any
47 academic activities in the district and shall also be
48 permitted to participate on the same basis as public
49 school children in any extracurricular activities
50 available to children in the child's grade or group,

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1 and the parent, guardian, or legal custodian shall not
 2 be required to pay the costs of any annual testing
 3 under this chapter. If the child is enrolled for dual
 4 enrollment purposes, the child shall be included in
 5 the public school's basic enrollment under sections
 6 ~~442.4 and as provided in section 257.6 and shall be~~
 7 ~~counted as one pupil.~~

8 Sec. 24. Section 257.13, Code 1991, is repealed.

9 Sec. 25. The state board of education shall
 10 conduct a study to review the community college
 11 funding formula in relation to the state's ability to
 12 provide future increases in the community college
 13 funding formula. A report of the findings and
 14 recommendations shall be submitted to the general
 15 assembly by December 1, 1992.

16 Sec. 26. Sections 2, 3, 5, 7, 10, 11, 12, 13, 15,
 17 16, 21, 22, 23, and 24 of this Act, being deemed of
 18 immediate importance, take effect upon enactment for
 19 the purpose of computations required for payment of
 20 state aid to and levying of property taxes by school
 21 districts for the budget year beginning July 1, 1992.

22 Sec. 27. Sections 4, 6, 8, 14, 17, 18, 19, and 20
 23 of this Act take effect July 1, 1992, for the purpose
 24 of computations required for payment of state aid to
 25 and levying of property taxes by school districts for
 26 the budget year beginning July 1, 1993.

27 Sec. 28. Section 9 of this Act takes effect July
 28 1, 1992, for the purpose of computing state percent of
 29 growth for the budget year beginning July 1, 1994."

By MAGGIE TINSMAN

HARRY G. SLIFE

JIM LIND

MARY E. KRAMER

DALE L. TIEDEN

S-5519 FILED APRIL 2, 1992

LOST (p. 1181)

SENATE FILE 2320

S-5520

1 Amend the amendment, S-5519, to Senate File 2320 as
 2 follows:

3 1. Page 1, by striking lines 4 through 14, and
 4 inserting the following:

5 "Section 1. Section 257.6, subsection 1,
 6 unnumbered".

7 2. Page 9, by striking lines 9 through 15.

By JOHN P. KIBBIE

S-5520 FILED APRIL 2, 1992

ADOPTED (p. 1182)

SENATE FILE 2320

S-5521

1 Amend Senate File 2320 as follows:

2 1. Page 2, by inserting after line 15, the
3 following:
4 "Sec. _____. If a school district will receive less
5 state foundation aid under chapter 257 for a budget
6 year because of enactment of this Act, the district
7 may make up the lost state aid by a combination
8 property tax levy and income surtax. For each budget
9 year, the board of directors shall determine the
10 percent of income surtax that shall be imposed,
11 expressed as full percentage points, not to exceed 20
12 percent, subject to section 298.14. The property tax
13 levy and income surtax imposed under this section
14 shall be computed and imposed in the manner provided
15 for instructional support program funding. This
16 section applies to the school budget years beginning
17 July 1, 1992, July 1, 1993, and July 1, 1994, only."

By BEVERLY HANNON

JAMES R. RIORDAN

JOHN P. KIBBIE

S-5521 FILED APRIL 2, 1992

ADOPTED (p. 1185)

SENATE FILE 2320

S-5523

1 Amend the Tinsman et al amendment, S-5519, to
2 Senate File 2320 as follows:

3 1. Page 9, by inserting after line 15, the
4 following:
5 "Sec. 100. If a school district will receive less
6 state foundation aid under chapter 257 for a budget
7 year because of enactment of this Act, the district
8 may make up the lost state aid by a combination
9 property tax levy and income surtax. For each budget
10 year, the board of directors shall determine the
11 percent of income surtax that shall be imposed,
12 expressed as full percentage points, not to exceed 20
13 percent, subject to section 298.14. The property tax
14 levy and income surtax imposed under this section
15 shall be computed and imposed in the manner provided
16 for instructional support program funding. This
17 section applies to the school budget years beginning
18 July 1, 1992, July 1, 1993, and July 1, 1994, only."
19 2. Page 9, by inserting after line 29 the
20 following:
21 "Sec. _____. Section 100 of this Act, being deemed
22 of immediate importance, takes effect upon enactment."

By BEVERLY HANNON

JOHN P. KIBBIE

S-5523 FILED APRIL 2, 1992

ADOPTED (p. 1180)

SENATE FILE 2320

S-5525

1 Amend the Committee amendment, S-5313, to Senate
2 File 2320, as follows:

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

5 "_____. Page 1, by inserting after line 9, the
6 following:

7 "Sec. _____. Section 257.9, subsections 3 and 4,
8 Code 1991, are amended to read as follows:

9 3. Special education support services state cost
10 per pupil for ~~1991-1992~~ 1992-1993. For the budget
11 year beginning July 1, ~~1991~~ 1992, for the special
12 education support services state cost per pupil, the
13 department of management shall divide the total of the
14 approved budgets of the area education agencies for
15 special education support services for that year
16 approved by the state board of education under section
17 273.3, subsection 12, by the total of the weighted
18 enrollment for special education support services in
19 the state for the budget year. The special education
20 support services state cost per pupil for the budget
21 year is the amount calculated by the department of
22 management under this subsection.

23 4. Special education support services state cost
24 per pupil for ~~1992-1993~~ 1993-1994 and succeeding
25 years. For the budget year beginning July 1, ~~1992~~
26 1993, and succeeding budget years, the special
27 education support services state cost per pupil for
28 the budget year is the special education support
29 services state cost per pupil for the base year plus
30 the special education support services allowable
31 growth for the budget year.

32 Sec. _____. Section 257.10, subsections 3 and 4,
33 Code 1991, are amended to read as follows:

34 3. Special education support services district
35 cost per pupil for ~~1991-1992~~ 1992-1993. For the
36 budget year beginning July 1, ~~1991~~ 1992, for the
37 special education support services district cost per
38 pupil, the department of management shall divide the
39 approved budget of each area education agency for
40 special education support services for that year
41 approved by the state board of education, under
42 section 273.3, subsection 12, by the total of the
43 weighted enrollment for special education support
44 services in the area for that budget year.

45 The special education support services district
46 cost per pupil for each school district in an area for
47 the budget year is the amount calculated by the
48 department of management under this subsection.

49 4. Special education support services district
50 cost per pupil for ~~1992-1993~~ 1993-1994 and succeeding

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1 years. For the budget year beginning July 1, 1992
2 1993, and succeeding budget years, the special
3 education support services district cost per pupil for
4 the budget year is the special education support
5 services district cost per pupil for the base year
6 plus the special education support services allowable
7 growth for the budget year.

8 Notwithstanding the special education support
9 services district cost per pupil for the budget year
10 beginning July 1, 1991, calculated under subsection 3,
11 for area education agencies that have fewer than three
12 and five-tenths public school pupils per square mile,
13 the special education support services district cost
14 per pupil for the budget year beginning July 1, 1991,
15 is one hundred forty-seven dollars."

16 2. Page 1, lines 9 and 10, by striking the words
17 "sixty-one and sixty-seven" and inserting the
18 following: "fifty-nine and forty-one".

By MIKE CONNOLLY

S-5525 FILED APRIL 2, 1992

ADOPTED (p. 1182)

SENATE FILE 2320

S-5526

1 Amend Senate File 2320 as follows:

2 1. Page 1, by inserting before line 10, the
3 following:

4 "Sec. ____ . Section 298.10, Code 1991, is amended
5 by adding the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. However, for school
7 years which begin on or after the effective date of
8 this Act and which conclude on or before June 30,
9 1993, a levy for a cash reserve under this section
10 shall not be allowed unless a proposition for
11 authorization of the levy is submitted for adoption at
12 the regular school election held in September 1992.
13 The board of directors of a school district wishing to
14 place the levy proposition on the ballot shall so
15 certify to the county commissioner of elections. The
16 proposition is adopted if a majority of those voting
17 on the proposition at the election approve it."

By LARRY MURPHY
BERL E. PRIEBE
JOHN P. KIBBIE

JAMES R. RIORDAN
EMIL J. HUSAK
EUGENE S. FRAISE

S-5526 FILED APRIL 2, 1992

RULED OUT OF ORDER (p. 1185)

SENATE FILE 2320

S-5527

1 Amend the amendment, S-5339, to Senate File 2320,
2 as follows:
3 1. Page 8, by inserting after line 6 the
4 following:
5 "Sec. _____. Section 298.10, Code 1991, is amended
6 by adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. However, for school
8 years which begin on or after the effective date of
9 this Act and which conclude on or before June 30,
10 1993, a levy for a cash reserve under this section
11 shall not be allowed unless a proposition for
12 authorization of the levy is submitted for adoption at
13 the regular school election held in September 1992.
14 The board of directors of a school district wishing to
15 place the levy proposition on the ballot shall so
16 certify to the county commissioner of elections. The
17 proposition is adopted if a majority of those voting
18 on the proposition at the election approve it."

By LARRY MURPHY
BERL E. PRIEBE
JAMES R. RIORDAN

JOHN P. KIBBIE
EUGENE S. FRAISE
EMIL J. HUSAK

S-5527 FILED APRIL 2, 1992
RULED OUT OF ORDER (p. 1182)

SENATE FILE 2320

S-5532

1 Amend the amendment, S-5313, to Senate File 2320,
2 as follows:
3 1. Page 1, by inserting after line 1 the
4 following:
5 "_____. Page 1, by inserting after line 10 the
6 following:
7 "Sec. _____. Section 298.10, Code 1991, is amended
8 by adding the following new unnumbered paragraph:
9 NEW UNNUMBERED PARAGRAPH. However, for school
10 years which begin on or after the effective date of
11 this Act and which conclude on or before June 30,
12 1993, a levy for a cash reserve under this section
13 shall not be allowed unless a proposition for
14 authorization of the levy is submitted for adoption at
15 the regular school election held in September 1992.
16 The board of directors of a school district wishing to
17 place the levy proposition on the ballot shall so
18 certify to the county commissioner of elections. The
19 proposition is adopted if a majority of those voting
20 on the proposition at the election approve it.""

By LARRY MURPHY
JOHN P. KIBBIE

EMIL J. HUSAK
DALE L. TIEDEN

S-5532 FILED APRIL 2, 1992
ADOPTED (p. 1185)

SENATE FILE 2320

S-5524

1 Amend the amendment, S-5519, to Senate File 2320 as
2 follows:

3 1. Page 8, by inserting after line 11, the
4 following:

5 "Sec. ____ . Section 298.10, Code 1991, is amended
6 by adding the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. However, for school
8 years which begin on or after the effective date of
9 this Act and which conclude on or before June 30,
10 1993, a levy for a cash reserve under this section
11 shall not be allowed unless a proposition for
12 authorization of the levy is submitted for adoption at
13 the regular school election held in September 1992.
14 The board of directors of a school district wishing to
15 place the levy proposition on the ballot shall so
16 certify to the county commissioner of elections. The
17 proposition is adopted if a majority of those voting
18 on the proposition at the election approve it."

By LARRY MURPHY
BERL E. PRIEBE
JAMES R. RIORDAN

JOHN P. KIBBIE
EMIL J. HUSAK
EUGENE S. FRAISE

S-5524 FILED APRIL 2, 1992

WITHDRAWN (p.1180)

1 Section 1. Section 257.6, subsection 1, Code 1991, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. e. Resident pupils receiving competent
4 private instruction from a licensed practitioner provided
5 through a public school district pursuant to chapter 299A
6 shall be counted as two-tenths of one pupil.

7 NEW PARAGRAPH. f. Resident pupils receiving competent
8 private instruction under dual enrollment pursuant to chapter
9 299A shall be counted as one-tenth of one pupil.

10 Sec. 2. Section 257.9, subsections 3 and 4, Code 1991, are
11 amended to read as follows:

12 3. Special education support services state cost per pupil
13 for ~~1991-1992~~ 1992-1993. For the budget year beginning July
14 1, ~~1991~~ 1992, for the special education support services state
15 cost per pupil, the department of management shall divide the
16 total of the approved budgets of the area education agencies
17 for special education support services for that year approved
18 by the state board of education under section 273.3,
19 subsection 12, by the total of the weighted enrollment for
20 special education support services in the state for the budget
21 year. The special education support services state cost per
22 pupil for the budget year is the amount calculated by the
23 department of management under this subsection.

24 4. Special education support services state cost per pupil
25 for ~~1992-1993~~ 1993-1994 and succeeding years. For the budget
26 year beginning July 1, ~~1992~~ 1993, and succeeding budget years,
27 the special education support services state cost per pupil
28 for the budget year is the special education support services
29 state cost per pupil for the base year plus the special
30 education support services allowable growth for the budget
31 year.

32 Sec. 3. Section 257.10, subsections 3 and 4, Code 1991,
33 are amended to read as follows:

34 3. Special education support services district cost per
35 pupil for ~~1991-1992~~ 1992-1993. For the budget year beginning

1 July 1, ~~1991~~ 1992, for the special education support services
2 district cost per pupil, the department of management shall
3 divide the approved budget of each area education agency for
4 special education support services for that year approved by
5 the state board of education, under section 273.3, subsection
6 12, by the total of the weighted enrollment for special
7 education support services in the area for that budget year.

8 The special education support services district cost per
9 pupil for each school district in an area for the budget year
10 is the amount calculated by the department of management under
11 this subsection.

12 4. Special education support services district cost per
13 pupil for ~~1992-1993~~ 1993-1994 and succeeding years. For the
14 budget year beginning July 1, ~~1992~~ 1993, and succeeding budget
15 years, the special education support services district cost
16 per pupil for the budget year is the special education support
17 services district cost per pupil for the base year plus the
18 special education support services allowable growth for the
19 budget year.

20 Notwithstanding the special education support services
21 district cost per pupil for the budget year beginning July 1,
22 1991, calculated under subsection 3, for area education
23 agencies that have fewer than three and five-tenths public
24 school pupils per square mile, the special education support
25 services district cost per pupil for the budget year beginning
26 July 1, 1991, is one hundred forty-seven dollars.

27 Sec. 4. Section 298.10, Code 1991, is amended by adding
28 the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. However, for school years which
30 begin on or after the effective date of this Act and which
31 conclude on or before June 30, 1993, a levy for a cash reserve
32 under this section shall not be allowed unless a proposition
33 for authorization of the levy is submitted for adoption at the
34 regular school election held in September 1992. The board of
35 directors of a school district wishing to place the levy

1 proposition on the ballot shall so certify to the county
2 commissioner of elections. The proposition is adopted if a
3 majority of those voting on the proposition at the election
4 approve it.

5 Sec. 5. Section 299A.2, Code Supplement 1991, is amended
6 to read as follows:

7 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
8 PRACTITIONER.

9 If a licensed practitioner provides competent instruction
10 to a child of compulsory attendance age, the practitioner
11 shall possess a valid license or certificate which has been
12 issued by the state board of educational examiners under
13 chapter 260 and which is appropriate to the ages and grade
14 levels of the children to be taught. Competent private
15 instruction may include, but is not limited to, instruction or
16 instructional supervision offered through an accredited
17 nonpublic school or public school district by a teacher, who
18 is employed by the accredited nonpublic school or public
19 school district, who assists and supervises a parent,
20 guardian, or legal custodian in providing instruction to a
21 child. If competent private instruction is provided through a
22 public school district, the child shall be enrolled and
23 included in the basic enrollment of the school district as
24 provided in section 257.6. Sections 299A.3 through 299A.7 do
25 not apply to competent private instruction provided by a
26 licensed practitioner under this section.

27 Sec. 6. Section 299A.8, Code Supplement 1991, is amended
28 to read as follows:

29 299A.8 DUAL ENROLLMENT.

30 If a parent, guardian, or legal custodian of a child who is
31 receiving competent private instruction under this chapter
32 submits a request, the child shall also be registered in a
33 public school for dual enrollment purposes. If the child is
34 enrolled in a public school district for dual enrollment
35 purposes, the child shall be permitted to participate in any

1 academic activities in the district and shall also be
2 permitted to participate on the same basis as public school
3 children in any extracurricular activities available to
4 children in the child's grade or group, and the parent,
5 guardian, or legal custodian shall not be required to pay the
6 costs of any annual testing under this chapter. If the child
7 is enrolled for dual enrollment purposes, the child shall be
8 included in the public school's basic enrollment ~~under~~
9 ~~sections-442-4-and~~ as provided in section 257.6 and shall be
10 counted-as-one-pupil.

11 Sec. 7. Notwithstanding the standing appropriation for
12 state foundation aid in section 257.16, the amount of state
13 foundation aid appropriated to each school district for the
14 budget year beginning July 1, 1992, pursuant to that section
15 shall be reduced by an amount equal to fifty-nine and forty-
16 one hundredths dollars per pupil multiplied by the weighted
17 enrollment of the district. A school district shall not
18 reduce the amount that it is required to pay the area
19 education agency for costs of special education support
20 services.

21 Sec. 8. If a school district will receive less state
22 foundation aid under chapter 257 for a budget year because of
23 enactment of this Act, the district may make up the lost state
24 aid by a combination property tax levy and income surtax. For
25 each budget year, the board of directors shall determine the
26 percent of income surtax that shall be imposed, expressed as
27 full percentage points, not to exceed 20 percent, subject to
28 section 298.14. The property tax levy and income surtax
29 imposed under this section shall be computed and imposed in
30 the manner provided for instructional support program funding.
31 This section applies to the school budget years beginning July
32 1, 1992, July 1, 1993, and July 1, 1994, only.

33 Sec. 9. This Act, being deemed of immediate importance,
34 takes effect upon enactment for the purpose of computations
35 required for payment of state aid to and levying of property

1 taxes by school districts for the budget year beginning July
2 1, 1992.

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SENATE FILE 2320

H-5722

1 Amend Senate File 2320, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 26 the
4 following:
5 "Sec. _____. Section 257.28, Code 1991, is amended
6 by adding the following new unnumbered paragraphs:
7 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
8 requirement in the first unnumbered paragraph of
9 section 257.29 that the regular program district cost
10 per pupil for a budget year is one hundred ten percent
11 of the regular state cost per pupil, if a school
12 district had adopted an enrichment levy of fifteen
13 percent of the state cost per pupil multiplied by the
14 budget enrollment in the district prior to July 1,
15 1992, and upon expiration of the period for which the
16 enrichment levy was adopted, adopts a resolution for
17 the use of the instructional support program
18 established in section 257.18, the board of directors
19 may participate in the educational improvement program
20 as provided in section 257.29. The maximum percent of
21 the regular district cost of the district that may be
22 used under this paragraph shall not exceed five
23 percent.
24 NEW UNNUMBERED PARAGRAPH. Once approved at an
25 election, the authority of the board to use the
26 educational improvement program shall continue until
27 the expiration of the period of time for which the
28 instructional support program was adopted. The use of
29 the educational improvement program may continue for
30 subsequent periods provided it is voted on and adopted
31 at the same time as the instructional support program
32 is adopted."

By BARTZ of Worth

H-5722 FILED APRIL 6, 1992

Placed o/o 4/15 (p.1513)

SENATE FILE 2320

H-5895

1 Amend Senate File 2320, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, by inserting after line 32 the
4 following:
5 "Sec. _____. If a school district will receive less
6 state foundation aid under chapter 257 for the budget
7 year beginning July 1, 1992, because of the enactment
8 of this Act or other Act enacted during the 1992
9 Session, the board of directors may use up to one-half
10 of any phase III moneys available to that district
11 under chapter 294A for purposes of the district's
12 controlled budget. The amount of phase III moneys
13 used shall not exceed the amount of state foundation
14 aid the school district did not receive."

By LAGESCHULTE of Bremer
HANSON of Black Hawk

H-5895 FILED APRIL 14, 1992

Placed o/o 4/15

SENATE FILE 2320

H-5888

1 Amend the amendment, H-5722, to Senate File 2320,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 23, by inserting after the word
5 "percent." the following: "If a school district
6 participates in the educational improvement program
7 pursuant to authority in this paragraph, funding shall
8 only be through a combination of an educational
9 improvement property tax and an educational
10 improvement income surtax as provided in section
11 257.29."

By MAULSBY of Calhoun

H-5888 FILED APRIL 13, 1992

Placed o/o 4/15 (p. 1513)

SENATE FILE 2320

H-5871

1 Amend Senate File 2320 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, by inserting before line 33, the
4 following:
5 "Sec. _____. Notwithstanding the appropriation
6 provided in section 294A.25, subsection 1, from the
7 general fund of the state to the department of
8 education for the fiscal year beginning July 1, 1992,
9 for the educational excellence program, if as a result
10 of insufficient general fund of the state revenues or
11 as a result of executive action pursuant to section
12 8.31, the amount appropriated for state foundation aid
13 to school districts under section 257.16 is
14 insufficient to fully fund such aid to school
15 districts, the department of management may transfer
16 from the amount appropriated pursuant to section
17 294A.25 which is available for phase III payments, the
18 amount of the shortfall for state foundation aid for
19 school districts, not to exceed the amount available
20 for phase III. Before moneys shall be transferred
21 pursuant to this section, the department of management
22 shall notify the legislative fiscal bureau and the
23 chairpersons and ranking members of the committees on
24 appropriation."

By BRAMMER of Linn

H-5871 FILED APRIL 13, 1992

Placed o/o 4/15

SENATE FILE 2320

H-5925

1 Amend Senate File 2320, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.6, subsection 1,
6 unnumbered paragraph 3, Code 1991, is amended to read
7 as follows:

8 A school district shall certify its actual
9 enrollment to the department of education by October 1
10 of each year, and the department shall promptly
11 forward the information to the department of
12 management. ~~The department of management shall~~
13 ~~determine whether a district is entitled to an advance~~
14 ~~for increasing enrollment on the basis of its actual~~
15 ~~enrollment.~~

16 Sec. 2. Section 257.6, subsection 4, Code 1991, is
17 amended by striking the subsection and inserting in
18 lieu thereof the following:

19 4. BUDGET ENROLLMENT. Budget enrollment for the
20 budget year is the basic enrollment for the budget
21 year.

22 Sec. 3. Section 257.8, subsection 1, unnumbered
23 paragraph 2, Code 1991, is amended to read as follows:

24 On or before each ~~September~~ December 15 thereafter,
25 the department of management shall compute a state
26 percent of growth for the budget year next following
27 the budget year. The state percents of growth shall
28 be forwarded to the director of the department of
29 education.

30 Sec. 4. Section 257.9, subsections 3 and 4, Code
31 1991, are amended to read as follows:

32 3. Special education support services state cost
33 per pupil for ~~1991-1992~~ 1992-1993. For the budget
34 year beginning July 1, ~~1991~~ 1992, for the special
35 education support services state cost per pupil, the
36 department of management shall divide the total of the
37 approved budgets of the area education agencies for
38 special education support services for that year as
39 approved by the state board of education within the
40 time frames specified under section 273.3, subsection
41 12, by the total of the weighted enrollment for
42 special education support services in the state for
43 the budget year. The special education support
44 services state cost per pupil for the budget year is
45 the amount calculated by the department of management
46 under this subsection.

47 4. Special education support services state cost
48 per pupil for ~~1992-1993~~ 1993-1994 and succeeding
49 years. For the budget year beginning July 1, ~~1992~~
50 1993, and succeeding budget years, the special

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1 education support services state cost per pupil for
2 the budget year is the special education support
3 services state cost per pupil for the base year plus
4 the special education support services allowable
5 growth for the budget year.

6 Sec. 5. Section 257.10, subsections 3 and 4, Code
7 1991, are amended to read as follows:

8 3. Special education support services district
9 cost per pupil for ~~1991-1992~~ 1992-1993. For the
10 budget year beginning July 1, ~~1991~~ 1992, for the
11 special education support services district cost per
12 pupil, the department of management shall divide the
13 approved budget of each area education agency for
14 special education support services for that year as
15 approved by the state board of education, within the
16 time frames specified under section 273.3, subsection
17 12, by the total of the weighted enrollment for
18 special education support services in the area for
19 that budget year.

20 The special education support services district
21 cost per pupil for each school district in an area for
22 the budget year is the amount calculated by the
23 department of management under this subsection.

24 4. Special education support services district
25 cost per pupil for ~~1992-1993~~ 1993-1994 and succeeding
26 years. For the budget year beginning July 1, ~~1992~~
27 1993, and succeeding budget years, the special
28 education support services district cost per pupil for
29 the budget year is the special education support
30 services district cost per pupil for the base year
31 plus the special education support services allowable
32 growth for the budget year.

33 Notwithstanding the special education support
34 services district cost per pupil for the budget year
35 beginning July 1, 1991, calculated under subsection 3,
36 for area education agencies that have fewer than three
37 and five-tenths public school pupils per square mile,
38 the special education support services district cost
39 per pupil for the budget year beginning July 1, 1991,
40 is one hundred forty-seven dollars.

41 Sec. 6. Section 257.14, unnumbered paragraph 1,
42 Code 1991, is amended to read as follows:

43 For the budget years commencing July 1, 1991, and
44 July 1, 1992, and July 1, 1993, if the department of
45 management determines that the regular program
46 district cost of a school district for a budget year
47 is less than the total of the regular program district
48 cost plus any adjustment added under this section for
49 the base year for that school district, the department
50 of management shall provide a budget adjustment for

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1 that district for that budget year that is equal to
2 the difference.

3 Sec. 7. Section 257.16, unnumbered paragraph 2,
4 Code Supplement 1991, is amended to read as follows:

5 All state aids paid under this chapter, unless
6 otherwise stated, shall be paid in monthly
7 installments beginning on September 15 of a budget
8 year and ending on or about June 15 of the budget year
9 ~~and the installments shall be as nearly equal as~~
10 possible as determined by the department of
11 management, taking into consideration the relative
12 budget and cash position of the state resources.
13 ~~However, the state aid paid to school districts under~~
14 ~~section 257.13 shall be paid in monthly installments~~
15 ~~beginning on December 15 and ending on June 15 of a~~
16 ~~budget year.~~

17 Sec. 8. Section 257.20, unnumbered paragraph 1,
18 Code Supplement 1991, is amended to read as follows:

19 In order to determine the amount of instructional
20 support state aid and the amount of local funding for
21 the instructional support program for a district, the
22 department of management shall divide the total
23 assessed valuation in the state by the total budget
24 enrollment for the budget year in the state to
25 determine a state assessed valuation per pupil and
26 shall divide the assessed valuation in each district
27 by the district's budget enrollment for the budget
28 year to determine the district assessed valuation per
29 pupil. The department of management shall multiply
30 the ratio of the state's valuation per pupil to the
31 district's valuation per pupil by twenty-five
32 hundredths and subtract that result from one to
33 determine the portion of the instructional support
34 program budget that is local funding. The remaining
35 portion of the budget shall be funded by instructional
36 support state aid. However, for the budget year
37 beginning July 1, 1992, only, the amount of state aid
38 is three and one-quarter percent less than the amount
39 computed under this paragraph for that budget year.

40 Sec. 9. Section 265.6, Code 1991, is amended to
41 read as follows:

42 265.6 STATE AID APPLICABLE.

43 If the state board of regents has established a
44 laboratory school, it shall receive state aid pursuant
45 to chapters 257 and 281 for each pupil enrolled in the
46 laboratory school in the same amount as the public
47 school district in which the pupil resides would
48 receive aid for that pupil and shall transmit the
49 amount received to the institution of higher education
50 at which the laboratory school has been established.

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1 If the board of a school district terminates a
2 contract with the state board of regents for
3 attendance of pupils in a laboratory school, the
4 school district shall inform the department of
5 management of the number of these pupils who are
6 enrolled in the district on the third Friday of the
7 following September. The department of management
8 shall pay to the school district, from funds
9 appropriated in section 257.16, an amount equal to the
10 amount of state aid paid for each pupil in that school
11 district for that school year in payments made as
12 provided in section 257.16. ~~However, payments shall~~
13 ~~not be made for pupils for which an advance is~~
14 ~~received by the district under section 257.13.~~

15 Sec. 10. NEW SECTION. 282.27 CHILDREN LIVING IN
16 PSYCHIATRIC HOSPITALS OR INSTITUTIONS -- PAYMENT.

17 The public school district in which is located a
18 psychiatric unit of a hospital licensed under chapter
19 135B or a psychiatric medical institution for children
20 licensed under chapter 135H, which is not operated by
21 the state, shall be responsible for the provision of
22 educational services to children residing in the unit
23 or institution. Children residing in the unit or
24 institution shall be included in the basic enrollment
25 of their districts of residence, as defined in section
26 282.31, subsection 4.

27 The board of directors of each district of
28 residence shall pay to the school district in which is
29 located such psychiatric unit or institution, for the
30 provision of educational services to the child, a
31 portion of the district of residence's district cost
32 per pupil for each of such children based upon the
33 proportion that the time each child is provided
34 educational services while in such unit or institution
35 is to the total time for which the child is provided
36 educational services during a normal school year.

37 Sec. 11. Section 299A.8, Code Supplement 1991, is
38 amended to read as follows:

39 299A.8 DUAL ENROLLMENT.

40 If a parent, guardian, or legal custodian of a
41 child who is receiving competent private instruction
42 under this chapter submits a request, the child shall
43 also be registered in a public school for dual
44 enrollment purposes. If the child is enrolled in a
45 public school district for dual enrollment purposes,
46 the child shall be permitted to participate in any
47 academic activities in the district and shall also be
48 permitted to participate on the same basis as public
49 school children in any extracurricular activities
50 available to children in the child's grade or group,

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1 and the parent, guardian, or legal custodian shall not
2 be required to pay the costs of any annual testing
3 under this chapter. If the child is enrolled for dual
4 enrollment purposes, the child shall be included in
5 the public school's basic enrollment under sections
6 ~~442.4 and section 257.6 and shall be counted as one~~
7 pupil in the proportion that the time for which the
8 child is enrolled and receives instruction from
9 practitioners employed by the public school district
10 for the school year is to the time that a full-time
11 pupil carrying a normal course schedule, at the same
12 grade level, in the same school district, and for the
13 same school year, is enrolled and receives
14 instruction.

15 If a child is receiving competent private
16 instruction through a home school assistance program
17 which provides instruction or instructional
18 supervision through a public school district by a
19 teacher who is employed by the district, the child
20 shall be registered in the public school district for
21 dual enrollment purposes, included in the public
22 school's basic enrollment under section 257.6, and
23 counted as one pupil.

24 Sec. 12. Section 257.13, Code 1991, is repealed.

25 Sec. 13. If as a result of the provisions in this
26 Act the amount of state foundation aid appropriated to
27 a school district is reduced below the amount the
28 school district would have otherwise received, that
29 school district shall not reduce the amount that it is
30 required to pay the area education agency for costs of
31 special education support services in order to
32 compensate for the reduced state aid.

33 Sec. 14. Sections 1, 2, 7, 8, 9, 10, 11, and 12 of
34 this Act, being deemed of immediate importance, take
35 effect upon enactment for the purpose of computations
36 required for payment of state aid to and levying of
37 property taxes by school districts for the budget year
38 beginning July 1, 1992.

39 Sec. 15. Section 6 of this Act takes effect July
40 1, 1992, for the purpose of computations required for
41 payment of state aid to and levying of property taxes
42 by school districts for the budget year beginning July
43 1, 1993.

44 Sec. 16. Section 3 of this Act takes effect July
45 1, 1992, for the purpose of computing state percent of
46 growth for the budget year beginning July 1, 1994."

By OLLIE of Clinton

H-5925 FILED APRIL 15, 1992

ADOPTED (p. 1513)

SENATE FILE 2320

H-5929

1 Amend the amendment, H-5925, to Senate File 2320 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 21 and
5 inserting the following:

6 ""Section 1. Section 257.6, subsection 4, Code
7 1991, is amended to read as follows:

8 4. BUDGET ENROLLMENT. Budget enrollment for the
9 budget year shall be calculated for each school
10 district by the department of management in the manner
11 provided in this subsection. If the basic enrollment
12 of a school district has declined from one year to the
13 next during any of the five years prior to the base
14 year, the district may be eligible for an enrollment
15 adjustment based upon the percent of the enrollment
16 decline and the number of years that have elapsed
17 since the decline occurred. The budget enrollment for
18 the budget year shall be calculated by adding together
19 the following percents of enrollment decline in the
20 district's basic enrollment from one base year to the
21 preceding base year for each of the five preceding
22 base years, commencing with the percent of change
23 between the basic enrollment for the budget year and
24 the basic enrollment for the base year, adding the sum
25 of the percents to one hundred and multiplying the
26 total by the basic enrollment for the budget year:

	Years between the Base Year and the Year of Decline				
Percent of Decline	1	2	3	4	5
Less than 1	0	0	0	0	0
1.0 through 2.9	2	2	± 0	± 0	0
3.0 through 4.9	4	3	2	$2 \frac{1}{2}$	± 0
5.0 through 6.9	6	5	4	$3 \frac{2}{3}$	$2 \frac{1}{2}$
7.0 and over	8	7	5	$4 \frac{3}{4}$	$3 \frac{2}{3}$

36 However, if a district's actual enrollment for a
37 budget year is greater than its budget enrollment, the
38 district is eligible for an advance for increasing
39 enrollment as provided in section 257.13."

40 2. Page 2, by inserting after line 40 the
41 following:

42 "Sec. 20. Section 257.13, unnumbered paragraph 1,
43 Code 1991, is amended by striking the unnumbered
44 paragraph and inserting in lieu thereof the following:

45 If a district's actual enrollment for the budget
46 year, determined under section 257.6, is greater than
47 its budget enrollment for the budget year, the
48 district is granted an advance from the state of an
49 amount equal to the product of the applicable
50 percentage multiplied by its regular program district

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1 cost per pupil for the budget year and further
 2 multiplied by the difference between the actual
 3 enrollment for that budget year and the budget
 4 enrollment for that budget year. For purposes of the
 5 computation in this section, the applicable percentage
 6 is determined by the following schedule:

7	Percent Increase in	
8	<u>Budget to Actual Enrollment</u>	<u>Applicable Percentage</u>
9	1. Less than 3%	50%
10	2. 3% or more	75%

11 The advance under this paragraph is miscellaneous
 12 income."

13 3. Page 3, by striking lines 13 through 16 and
 14 inserting the following: "However, the state aid paid
 15 to school districts under section 257.13 shall be paid
 16 in monthly installments beginning on December 15 and
 17 ending on June 15 of a budget year."

18 4. Page 4, by inserting after line 36, the
 19 following:

20 "Sec. ____ . Section 294A.25, subsection 1, Code
 21 1991, is amended to read as follows:

22 1. For the fiscal year beginning July 1, ~~±990~~
 23 1992, there is appropriated from the general fund of
 24 the state to the department of education the amount of
 25 ~~ninety-two~~ sixty-two million ~~one~~ five hundred ~~seven~~
 26 thousand ~~eighty-five~~ dollars to be used to improve
 27 teacher salaries. For each fiscal year thereafter,
 28 there is appropriated an amount equal to the amount
 29 appropriated for the fiscal year beginning July 1,
 30 ~~±990~~ 1992, plus an amount sufficient to pay the costs
 31 of the additional funding provided for school
 32 districts and area education agencies under sections
 33 294A.9 and 294A.14. The moneys shall be distributed
 34 as provided in this section."

35 5. Page 5, by striking line 24.

36 6. Page 5, line 33, by inserting after the figure
 37 "12," the following: "20,".

38 7. By numbering, renumbering, and correcting
 39 internal references.

By DAGGETT of Adams

H-5929 FILED APRIL 15, 1992

LOST (p. 1510)

SENATE FILE 2320

H-5931

1 Amend amendment, H-5925 to Senate File 2320 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 5, by inserting before line 33, the
5 following:

6 "Sec. _____. Notwithstanding the appropriation
7 provided in section 294A.25, subsection 1, from the
8 general fund of the state to the department of
9 education for the fiscal year beginning July 1, 1992,
10 for the educational excellence program, if as a result
11 of insufficient general fund of the state revenues or
12 as a result of executive action pursuant to section
13 8.31, the amount appropriated for state foundation aid
14 to school districts under section 257.16 is
15 insufficient to fully fund such aid to school
16 districts, the department of management may transfer
17 from the amount appropriated pursuant to section
18 294A.25 which is available for phase III payments, the
19 amount of the shortfall for state foundation aid for
20 school districts, not to exceed the amount available
21 for phase III. Before moneys shall be transferred
22 pursuant to this section, the department of management
23 shall notify the legislative fiscal bureau and the
24 chairpersons and ranking members of the committees on
25 appropriation."

By BRAMMER of Linn

H-5931 FILED APRIL 15, 1992

LOST (p. 1513)

SENATE FILE 2320

H-5926

1 Amend the amendment, H-5925, to Senate File 2320,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 3, by inserting after line 39 the
5 following:
6 "Sec. ____ . Section 257.28, Code 1991, is amended
7 by adding the following new unnumbered paragraphs:
8 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
9 requirement in the first unnumbered paragraph of
10 section 257.29 that the regular program district cost
11 per pupil for a budget year is one hundred ten percent
12 of the regular state cost per pupil, if a school
13 district had adopted an enrichment levy of fifteen
14 percent of the state cost per pupil multiplied by the
15 budget enrollment in the district prior to July 1,
16 1992, and upon expiration of the period for which the
17 enrichment levy was adopted, adopts a resolution for
18 the use of the instructional support program
19 established in section 257.18, the board of directors
20 may participate in the educational improvement program
21 as provided in section 257.29. The maximum percent of
22 the regular district cost of the district that may be
23 used under this paragraph shall not exceed five
24 percent.
25 NEW UNNUMBERED PARAGRAPH. Once approved at an
26 election, the authority of the board to use the
27 educational improvement program shall continue until
28 the expiration of the period of time for which the
29 instructional support program was adopted. The use of
30 the educational improvement program may continue for
31 subsequent periods provided it is voted on and adopted
32 at the same time as the instructional support program
33 is adopted."

By BARTZ of Worth

H-5926 FILED APRIL 15, 1992

WITHDRAWN (p. 1510)

SENATE FILE 2320

H-5927

1 Amend amendment, H-5925, to Senate File 2320, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 5, by inserting after line 32 the
5 following:
6 "Sec. ____ . If a school district will receive less
7 state foundation aid under chapter 257 for the budget
8 year beginning July 1, 1992, because of the enactment
9 of this Act or other Act enacted during the 1992
10 Session, the board of directors may use up to one-half
11 of any phase III moneys available to that district
12 under chapter 294A for purposes of the district's
13 controlled budget. The amount of phase III moneys
14 used shall not exceed the amount of state foundation
15 aid the school district did not receive."

By LAGESCHULTE of Bremer
HANSON of Black Hawk

H-5927 FILED APRIL 15, 1992

LOST (p. 1512)

HOUSE AMENDMENT TO
SENATE FILE 2320

S-5722

1 Amend Senate File 2320, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.6, subsection 1,
6 unnumbered paragraph 3, Code 1991, is amended to read
7 as follows:

8 A school district shall certify its actual
9 enrollment to the department of education by October 1
10 of each year, and the department shall promptly
11 forward the information to the department of
12 management. ~~The department of management shall~~
13 ~~determine whether a district is entitled to an advance~~
14 ~~for increasing enrollment on the basis of its actual~~
15 ~~enrollment.~~

16 Sec. 2. Section 257.6, subsection 4, Code 1991, is
17 amended by striking the subsection and inserting in
18 lieu thereof the following:

19 4. BUDGET ENROLLMENT. Budget enrollment for the
20 budget year is the basic enrollment for the budget
21 year.

22 Sec. 3. Section 257.8, subsection 1, unnumbered
23 paragraph 2, Code 1991, is amended to read as follows:

24 On or before each ~~September~~ December 15 thereafter,
25 the department of management shall compute a state
26 percent of growth for the budget year next following
27 the budget year. The state percents of growth shall
28 be forwarded to the director of the department of
29 education.

30 Sec. 4. Section 257.9, subsections 3 and 4, Code
31 1991, are amended to read as follows:

32 3. Special education support services state cost
33 per pupil for ~~1991-1992~~ 1992-1993. For the budget
34 year beginning July 1, ~~1991~~ 1992, for the special
35 education support services state cost per pupil, the
36 department of management shall divide the total of the
37 approved budgets of the area education agencies for
38 special education support services for that year as
39 approved by the state board of education within the
40 time frames specified under section 273.3, subsection
41 12, by the total of the weighted enrollment for
42 special education support services in the state for
43 the budget year. The special education support
44 services state cost per pupil for the budget year is
45 the amount calculated by the department of management
46 under this subsection.

47 4. Special education support services state cost
48 per pupil for ~~1992-1993~~ 1993-1994 and succeeding
49 years. For the budget year beginning July 1, ~~1992~~
50 1993, and succeeding budget years, the special

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1 education support services state cost per pupil for
2 the budget year is the special education support
3 services state cost per pupil for the base year plus
4 the special education support services allowable
5 growth for the budget year.

6 Sec. 5. Section 257.10, subsections 3 and 4, Code
7 1991, are amended to read as follows:

8 3. Special education support services district
9 cost per pupil for ~~1991-1992~~ 1992-1993. For the
10 budget year beginning July 1, ~~1991~~ 1992, for the
11 special education support services district cost per
12 pupil, the department of management shall divide the
13 approved budget of each area education agency for
14 special education support services for that year as
15 approved by the state board of education, within the
16 time frames specified under section 273.3, subsection
17 12, by the total of the weighted enrollment for
18 special education support services in the area for
19 that budget year.

20 The special education support services district
21 cost per pupil for each school district in an area for
22 the budget year is the amount calculated by the
23 department of management under this subsection.

24 4. Special education support services district
25 cost per pupil for ~~1992-1993~~ 1993-1994 and succeeding
26 years. For the budget year beginning July 1, ~~1992~~
27 1993, and succeeding budget years, the special
28 education support services district cost per pupil for
29 the budget year is the special education support
30 services district cost per pupil for the base year
31 plus the special education support services allowable
32 growth for the budget year.

33 Notwithstanding the special education support
34 services district cost per pupil for the budget year
35 beginning July 1, 1991, calculated under subsection 3,
36 for area education agencies that have fewer than three
37 and five-tenths public school pupils per square mile,
38 the special education support services district cost
39 per pupil for the budget year beginning July 1, 1991,
40 is one hundred forty-seven dollars.

41 Sec. 6. Section 257.14, unnumbered paragraph 1,
42 Code 1991, is amended to read as follows:

43 For the budget years commencing July 1, 1991, and
44 July 1, 1992, and July 1, 1993, if the department of
45 management determines that the regular program
46 district cost of a school district for a budget year
47 is less than the total of the regular program district
48 cost plus any adjustment added under this section for
49 the base year for that school district, the department
50 of management shall provide a budget adjustment for

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Page 3

1 that district for that budget year that is equal to
2 the difference.

3 Sec. 7. Section 257.16, unnumbered paragraph 2,
4 Code Supplement 1991, is amended to read as follows:

5 All state aids paid under this chapter, unless
6 otherwise stated, shall be paid in monthly
7 installments beginning on September 15 of a budget
8 year and ending on or about June 15 of the budget year
9 ~~and the installments shall be as nearly equal as~~
10 ~~possible~~ as determined by the department of
11 management, taking into consideration the relative
12 budget and cash position of the state resources.
13 ~~However, the state aid paid to school districts under~~
14 ~~section 257.13 shall be paid in monthly installments~~
15 ~~beginning on December 15 and ending on June 15 of a~~
16 ~~budget year.~~

17 Sec. 8. Section 257.20, unnumbered paragraph 1,
18 Code Supplement 1991, is amended to read as follows:

19 In order to determine the amount of instructional
20 support state aid and the amount of local funding for
21 the instructional support program for a district, the
22 department of management shall divide the total
23 assessed valuation in the state by the total budget
24 enrollment for the budget year in the state to
25 determine a state assessed valuation per pupil and
26 shall divide the assessed valuation in each district
27 by the district's budget enrollment for the budget
28 year to determine the district assessed valuation per
29 pupil. The department of management shall multiply
30 the ratio of the state's valuation per pupil to the
31 district's valuation per pupil by twenty-five
32 hundredths and subtract that result from one to
33 determine the portion of the instructional support
34 program budget that is local funding. The remaining
35 portion of the budget shall be funded by instructional
36 support state aid. However, for the budget year
37 beginning July 1, 1992, only, the amount of state aid
38 is three and one-quarter percent less than the amount
39 computed under this paragraph for that budget year.

40 Sec. 9. Section 265.6, Code 1991, is amended to
41 read as follows:

42 265.6 STATE AID APPLICABLE.

43 If the state board of regents has established a
44 laboratory school, it shall receive state aid pursuant
45 to chapters 257 and 281 for each pupil enrolled in the
46 laboratory school in the same amount as the public
47 school district in which the pupil resides would
48 receive aid for that pupil and shall transmit the
49 amount received to the institution of higher education
50 at which the laboratory school has been established.

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Page 4

1 If the board of a school district terminates a
2 contract with the state board of regents for
3 attendance of pupils in a laboratory school, the
4 school district shall inform the department of
5 management of the number of these pupils who are
6 enrolled in the district on the third Friday of the
7 following September. The department of management
8 shall pay to the school district, from funds
9 appropriated in section 257.16, an amount equal to the
10 amount of state aid paid for each pupil in that school
11 district for that school year in payments made as
12 provided in section 257.16. ~~However, payments shall~~
13 ~~not be made for pupils for which an advance is~~
14 ~~received by the district under section 257.13.~~

15 Sec. 10. NEW SECTION. 282.27 CHILDREN LIVING IN
16 PSYCHIATRIC HOSPITALS OR INSTITUTIONS -- PAYMENT.

17 The public school district in which is located a
18 psychiatric unit of a hospital licensed under chapter
19 135B or a psychiatric medical institution for children
20 licensed under chapter 135H, which is not operated by
21 the state, shall be responsible for the provision of
22 educational services to children residing in the unit
23 or institution. Children residing in the unit or
24 institution shall be included in the basic enrollment
25 of their districts of residence, as defined in section
26 282.31, subsection 4.

27 The board of directors of each district of
28 residence shall pay to the school district in which is
29 located such psychiatric unit or institution, for the
30 provision of educational services to the child, a
31 portion of the district of residence's district cost
32 per pupil for each of such children based upon the
33 proportion that the time each child is provided
34 educational services while in such unit or institution
35 is to the total time for which the child is provided
36 educational services during a normal school year.

37 Sec. 11. Section 299A.8, Code Supplement 1991, is
38 amended to read as follows:

39 299A.8 DUAL ENROLLMENT.

40 If a parent, guardian, or legal custodian of a
41 child who is receiving competent private instruction
42 under this chapter submits a request, the child shall
43 also be registered in a public school for dual
44 enrollment purposes. If the child is enrolled in a
45 public school district for dual enrollment purposes,
46 the child shall be permitted to participate in any
47 academic activities in the district and shall also be
48 permitted to participate on the same basis as public
49 school children in any extracurricular activities
50 available to children in the child's grade or group,

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Page 5

1 and the parent, guardian, or legal custodian shall not
2 be required to pay the costs of any annual testing
3 under this chapter. If the child is enrolled for dual
4 enrollment purposes, the child shall be included in
5 the public school's basic enrollment under sections
6 ~~442-4 and section 257.6 and shall be counted as one~~
7 pupil in the proportion that the time for which the
8 child is enrolled and receives instruction from
9 practitioners employed by the public school district
10 for the school year is to the time that a full-time
11 pupil carrying a normal course schedule, at the same
12 grade level, in the same school district, and for the
13 same school year, is enrolled and receives
14 instruction.

15 If a child is receiving competent private
16 instruction through a home school assistance program
17 which provides instruction or instructional
18 supervision through a public school district by a
19 teacher who is employed by the district, the child
20 shall be registered in the public school district for
21 dual enrollment purposes, included in the public
22 school's basic enrollment under section 257.6, and
23 counted as one pupil.

24 Sec. 12. Section 257.13, Code 1991, is repealed.

25 Sec. 13. If as a result of the provisions in this
26 Act the amount of state foundation aid appropriated to
27 a school district is reduced below the amount the
28 school district would have otherwise received, that
29 school district shall not reduce the amount that it is
30 required to pay the area education agency for costs of
31 special education support services in order to
32 compensate for the reduced state aid.

33 Sec. 14. Sections 1, 2, 7, 8, 9, 10, 11, and 12 of
34 this Act, being deemed of immediate importance, take
35 effect upon enactment for the purpose of computations
36 required for payment of state aid to and levying of
37 property taxes by school districts for the budget year
38 beginning July 1, 1992.

39 Sec. 15. Section 6 of this Act takes effect July
40 1, 1992, for the purpose of computations required for
41 payment of state aid to and levying of property taxes
42 by school districts for the budget year beginning July
43 1, 1993.

44 Sec. 16. Section 3 of this Act takes effect July
45 1, 1992, for the purpose of computing state percent of
46 growth for the budget year beginning July 1, 1994."

RECEIVED FROM THE HOUSE

S-5722 FILED APRIL 16, 1992

Senate concurred 5/1 (p.1750)

CONNOLLY, CH.
H. AN
TIEDEN

SSB 2281.1

EDUCATION

SENATE FILE 2320
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON CONNOLLY)

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

A BILL FOR

1 An Act relating to state aid to school corporations and providing
2 effective dates and applicability provisions.

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

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1 Section 1. Section 257.1, subsection 2, unnumbered
2 paragraph 2, Code Supplement 1991, is amended to read as
3 follows:

4 For the budget year commencing July 1, 1991, and for each
5 succeeding budget year the regular program foundation base per
6 pupil is eighty-three eighty-one and five-tenths percent of
7 the regular program state cost per pupil, except that the
8 regular program foundation base per pupil for the portion of
9 weighted enrollment that is additional enrollment because of
10 special education is seventy-nine percent of the regular
11 program state cost per pupil. For the budget year commencing
12 July 1, 1991, and for each succeeding budget year the special
13 education support services foundation base is seventy-nine
14 percent of the special education support services state cost
15 per pupil. The combined foundation base is the sum of the
16 regular program foundation base and the special education
17 support services foundation base.

18 Sec. 2. Section 257.6, subsection 1, Code 1991, is amended
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. e. Resident pupils receiving competent
21 private instruction from a licensed practitioner provided
22 through a public school district pursuant to chapter 299A
23 shall be counted as two-tenths of one pupil.

24 NEW PARAGRAPH. f. Resident pupils receiving competent
25 private instruction under dual enrollment pursuant to chapter
26 299A shall be counted as one-tenth of one pupil.

27 Sec. 3. Section 257.15, subsection 1, unnumbered paragraph
28 2, Code Supplement 1991, is amended to read as follows:

29 For purposes of this subsection, in computing the amount of
30 revenues generated by the foundation property tax and the
31 additional property tax under chapter 442, Code 1989, the
32 computation shall be based on a regular program foundation
33 base per pupil of eighty-three eighty-one and five-tenths
34 percent of the regular program state cost per pupil except
35 that for the portion of weighted enrollment that is additional

1 enrollment because of special education the regular program
2 foundation base per pupil shall be seventy-nine percent of the
3 regular program state cost per pupil. The special education
4 support services foundation base shall be seventy-nine percent
5 of the special education support services state cost per
6 pupil.

7 Sec. 4. Section 299A.2, Code Supplement 1991, is amended
8 to read as follows:

9 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
10 PRACTITIONER.

11 If a licensed practitioner provides competent instruction
12 to a child of compulsory attendance age, the practitioner
13 shall possess a valid license or certificate which has been
14 issued by the state board of educational examiners under
15 chapter 260 and which is appropriate to the ages and grade
16 levels of the children to be taught. Competent private
17 instruction may include, but is not limited to, instruction or
18 instructional supervision offered through an accredited
19 nonpublic school or public school district by a teacher, who
20 is employed by the accredited nonpublic school or public
21 school district, who assists and supervises a parent,
22 guardian, or legal custodian in providing instruction to a
23 child. If competent private instruction is provided through a
24 public school district, the child shall be enrolled and
25 included in the basic enrollment of the school district as
26 provided in section 257.6. Sections 299A.3 through 299A.7 do
27 not apply to competent private instruction provided by a
28 licensed practitioner under this section.

29 Sec. 5. Section 299A.8, Code Supplement 1991, is amended
30 to read as follows:

31 299A.8 DUAL ENROLLMENT.

32 If a parent, guardian, or legal custodian of a child who is
33 receiving competent private instruction under this chapter
34 submits a request, the child shall also be registered in a
35 public school for dual enrollment purposes. If the child is

1 enrolled in a public school district for dual enrollment
2 purposes, the child shall be permitted to participate in any
3 academic activities in the district and shall also be
4 permitted to participate on the same basis as public school
5 children in any extracurricular activities available to
6 children in the child's grade or group, and the parent,
7 guardian, or legal custodian shall not be required to pay the
8 costs of any annual testing under this chapter. If the child
9 is enrolled for dual enrollment purposes, the child shall be
10 included in the public school's basic enrollment under
11 ~~sections-442-4*-and~~ as provided in section 257.6 ~~and-shall-be~~
12 ~~counted-as-one-pupil.~~

13 Sec. 6. This Act, being deemed of immediate importance,
14 takes effect upon enactment for the purpose of computations
15 required for payment of state aid to and levying of property
16 taxes by school districts for the budget year beginning July
17 1, 1992.

18 EXPLANATION

19 This bill implements changes to the state school finance
20 formula.

21 It makes the following changes for the fiscal year
22 beginning July 1, 1992: revises the funding for pupils under
23 dual enrollment to allow a maximum enrollment count per pupil
24 of .1, revises the funding for pupils under home schooling to
25 allow a maximum enrollment count per pupil of .2, and reduces
26 the regular program foundation base per pupil to 81.5 percent.

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CONNOLLY, CH.
HOAN
TIEDEN

SSB 2281.1

EDUCATION now —

SENATE FILE 2320
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON CONNOLLY)

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

A BILL FOR

1 An Act relating to state aid to school corporations and providing
2 effective dates and applicability provisions.

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

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1 Section 1. Section 257.1, subsection 2, unnumbered
2 paragraph 2, Code Supplement 1991, is amended to read as
3 follows:

4 For the budget year commencing July 1, 1991, and for each
5 succeeding budget year the regular program foundation base per
6 pupil is eighty-three eighty-one and five-tenths percent of
7 the regular program state cost per pupil, except that the
8 regular program foundation base per pupil for the portion of
9 weighted enrollment that is additional enrollment because of
10 special education is seventy-nine percent of the regular
11 program state cost per pupil. For the budget year commencing
12 July 1, 1991, and for each succeeding budget year the special
13 education support services foundation base is seventy-nine
14 percent of the special education support services state cost
15 per pupil. The combined foundation base is the sum of the
16 regular program foundation base and the special education
17 support services foundation base.

18 Sec. 2. Section 257.6, subsection 1, Code 1991, is amended
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. e. Resident pupils receiving competent
21 private instruction from a licensed practitioner provided
22 through a public school district pursuant to chapter 299A
23 shall be counted as two-tenths of one pupil.

24 NEW PARAGRAPH. f. Resident pupils receiving competent
25 private instruction under dual enrollment pursuant to chapter
26 299A shall be counted as one-tenth of one pupil.

27 Sec. 3. Section 257.15, subsection 1, unnumbered paragraph
28 2, Code Supplement 1991, is amended to read as follows:

29 For purposes of this subsection, in computing the amount of
30 revenues generated by the foundation property tax and the
31 additional property tax under chapter 442, Code 1989, the
32 computation shall be based on a regular program foundation
33 base per pupil of eighty-three eighty-one and five-tenths
34 percent of the regular program state cost per pupil except
35 that for the portion of weighted enrollment that is additional

1 enrollment because of special education the regular program
2 foundation base per pupil shall be seventy-nine percent of the
3 regular program state cost per pupil. The special education
4 support services foundation base shall be seventy-nine percent
5 of the special education support services state cost per
6 pupil.

7 Sec. 4. Section 299A.2, Code Supplement 1991, is amended
8 to read as follows:

9 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
10 PRACTITIONER.

11 If a licensed practitioner provides competent instruction
12 to a child of compulsory attendance age, the practitioner
13 shall possess a valid license or certificate which has been
14 issued by the state board of educational examiners under
15 chapter 260 and which is appropriate to the ages and grade
16 levels of the children to be taught. Competent private
17 instruction may include, but is not limited to, instruction or
18 instructional supervision offered through an accredited
19 nonpublic school or public school district by a teacher, who
20 is employed by the accredited nonpublic school or public
21 school district, who assists and supervises a parent,
22 guardian, or legal custodian in providing instruction to a
23 child. If competent private instruction is provided through a
24 public school district, the child shall be enrolled and
25 included in the basic enrollment of the school district as
26 provided in section 257.6. Sections 299A.3 through 299A.7 do
27 not apply to competent private instruction provided by a
28 licensed practitioner under this section.

29 Sec. 5. Section 299A.8, Code Supplement 1991, is amended
30 to read as follows:

31 299A.8 DUAL ENROLLMENT.

32 If a parent, guardian, or legal custodian of a child who is
33 receiving competent private instruction under this chapter
34 submits a request, the child shall also be registered in a
35 public school for dual enrollment purposes. If the child is

1 enrolled in a public school district for dual enrollment
2 purposes, the child shall be permitted to participate in any
3 academic activities in the district and shall also be
4 permitted to participate on the same basis as public school
5 children in any extracurricular activities available to
6 children in the child's grade or group, and the parent,
7 guardian, or legal custodian shall not be required to pay the
8 costs of any annual testing under this chapter. If the child
9 is enrolled for dual enrollment purposes, the child shall be
10 included in the public school's basic enrollment under
11 ~~sections-442-4*-and~~ as provided in section 257.6 ~~and-shall-be~~
12 ~~counted-as-one-pupil.~~

13 Sec. 6. This Act, being deemed of immediate importance,
14 takes effect upon enactment for the purpose of computations
15 required for payment of state aid to and levying of property
16 taxes by school districts for the budget year beginning July
17 1, 1992.

18 EXPLANATION

19 This bill implements changes to the state school finance
20 formula.

21 It makes the following changes for the fiscal year
22 beginning July 1, 1992: revises the funding for pupils under
23 dual enrollment to allow a maximum enrollment count per pupil
24 of .1, revises the funding for pupils under home schooling to
25 allow a maximum enrollment count per pupil of .2, and reduces
26 the regular program foundation base per pupil to 81.5 percent.

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CONNOLLY, CH.

HORN

TIEDEN

SSB 2281
EDUCATION

SENATE/HOUSE FILE 23.20
BY (PROPOSED GOVERNOR'S BILL)

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

A BILL FOR

1 An Act relating to state aid to school corporations and providing
2 effective dates and applicability provisions.

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

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1 Section 1. Section 256.7, subsection 18, Code Supplement
2 1991, is amended to read as follows:

3 18. a. Adopt, by July 1, 1992, rules and a procedure for
4 accrediting all community college programs in Iowa. Rules
5 adopted shall satisfy the requirements for implementing the
6 educational and service program contained in section 280A.48.

7 b. Adopt, by July 1, 1993, rules and a procedure for
8 review and approval of proposed community college budgets
9 prior to January 1 of the base year.

10 Sec. 2. Section 257.6, subsection 1, unnumbered paragraph
11 3, Code 1991, is amended to read as follows:

12 A school district shall certify its actual enrollment to
13 the department of education by October 1 of each year, and the
14 department shall promptly forward the information to the
15 department of management. ~~The department of management shall~~
16 ~~determine whether a district is entitled to an advance for~~
17 ~~increasing enrollment on the basis of its actual enrollment.~~

18 Sec. 3. Section 257.6, subsection 1, Code 1991, is amended
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. e. Resident pupils receiving competent
21 private instruction from a licensed practitioner provided
22 through a public school district pursuant to chapter 299A
23 shall be counted as two-tenths of one pupil.

24 NEW PARAGRAPH. f. Resident pupils receiving competent
25 private instruction under dual enrollment pursuant to chapter
26 299A shall be counted as one-tenth of one pupil.

27 Sec. 4. Section 257.6, subsection 3, Code 1991, is amended
28 by striking the subsection.

29 Sec. 5. Section 257.6, subsection 4, Code 1991, is amended
30 by striking the subsection and inserting in lieu thereof the
31 following:

32 4. BUDGET ENROLLMENT. Budget enrollment for the budget
33 year is the basic enrollment for the budget year.

34 Sec. 6. Section 257.6, subsection 5, unnumbered paragraph
35 1, Code 1991, is amended to read as follows:

1 Weighted enrollment is the budget enrollment plus the
2 district's additional enrollment-because-of-special-education
3 calculated-on-December-1-of-the-base-year weighting for
4 special education instructional purposes as computed in
5 subsection 6 plus additional pupils added due to the
6 application of the supplementary weighting.

7 Sec. 7. Section 257.6, subsection 5, unnumbered paragraph
8 2, Code 1991, is amended to read as follows:

9 Weighted enrollment for special education support services
10 costs is equal to the weighted-enrollment-minus-the-additional
11 pupils-added-due-to-the-application-of-the-supplementary
12 weighting basic enrollment for the budget year.

13 Sec. 8. Section 257.6, Code 1991, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 6. ADDITIONAL WEIGHTING FOR SPECIAL
16 EDUCATION INSTRUCTIONAL PURPOSES.

17 a. Commencing with the budget year beginning July 1, 1993,
18 and each budget year thereafter, the department of management
19 shall determine the additional weighting for special education
20 instructional purposes for each school district in the manner
21 provided in this section.

22 For children requiring special education who are defined in
23 section 281.9, subsection 1, paragraph "d", that weight is the
24 product of the weighting for that category and the number of
25 children in that category counted on December 1 of the base
26 year, minus the number of children in that category. For
27 children requiring special education who are defined in
28 section 281.9, subsection 1, paragraphs "b" and "c", that
29 weight is calculated under paragraphs "b" and "c", based upon
30 each district's percent of weightedness.

31 b. The maximum percent of weightedness for a school
32 district for the budget years beginning July 1, 1993, and July
33 1, 1994, is nine and nine hundredths percent and the
34 intermediate percent of weightedness is seven and fifty-two
35 hundredths percent. Prior to January 1, 1995, and each two

1 years thereafter, the school budget review committee shall
2 review the maximum percent of weightedness and the
3 intermediate percent of weightedness as they relate to the
4 costs of special education for children requiring special
5 education who are defined in section 281.9, subsection 1,
6 paragraphs "b" and "c", and based upon those costs may adjust
7 the maximum percent of weightedness and the intermediate
8 percent of weightedness for the two succeeding fiscal years.

9 c. For the budget year beginning July 1, 1993, the
10 department of management shall calculate for each school
11 district a base year percent of weightedness by dividing each
12 district's additional enrollment because of special education
13 for those children calculated on December 1, 1991, under
14 section 281.9, subsection 1, paragraphs "b" and "c", Code
15 1991, by the district's basic enrollment for the budget year
16 beginning July 1, 1992. For the budget year beginning July 1,
17 1993, and succeeding budget years, if the base year percent of
18 weightedness is greater than the maximum percent of
19 weightedness, the district's percent of weightedness for the
20 budget year is the maximum percent of weightedness and the
21 weighting for those children for the budget year is the
22 maximum percent of weightedness multiplied by the district's
23 basic enrollment for the budget year. However, if the maximum
24 percent of weightedness multiplied by regular program district
25 cost for the budget year is less than the district's
26 additional enrollment because of special education for those
27 children calculated on December 1, 1991, under section 281.9,
28 subsection 1, paragraphs "b" and "c", Code 1991, multiplied by
29 the regular program district cost for the budget year
30 beginning July 1, 1992, the percent of weightedness shall be
31 increased to a percent that provides an amount equal to the
32 district's funding for special education instructional
33 purposes for those children for the base year, and the
34 weighting for those children shall be recalculated based upon
35 the revised percent of weightedness. If the base year percent

1 of weightedness for a district is between the maximum percent
2 of weightedness and the intermediate percent of weightedness,
3 the percent of weightedness for the budget year is the base
4 percent of weightedness and the district's weighting for those
5 children for the budget year is the base percent of
6 weightedness multiplied by the district's basic enrollment for
7 the budget year. If the base year percent of weightedness is
8 below the intermediate percent of weightedness, the district's
9 percent of weightedness for the budget year is the sum of the
10 district's base year percent of weightedness and any
11 adjustment granted by the school budget review committee, not
12 exceeding the intermediate percent of weightedness, and the
13 district's weighting for those children for the budget year is
14 the revised percent of weightedness multiplied by the
15 district's basic enrollment for the budget year.

16 Sec. 9. Section 257.8, subsection 1, unnumbered paragraph
17 2, Code 1991, is amended to read as follows:

18 On or before each ~~September~~ December 15 thereafter, the
19 department of management shall compute a state percent of
20 growth for the budget year next following the budget year.
21 The state percents of growth shall be forwarded to the
22 director of the department of education.

23 Sec. 10. Section 257.9, subsections 3 and 4, Code 1991,
24 are amended to read as follows:

25 3. Special education support services state cost per pupil
26 for ~~1991-1992~~ 1992-1993. For the budget year beginning July
27 1, ~~1991~~ 1992, for the special education support services state
28 cost per pupil, the department of management shall divide the
29 total of the approved budgets of the area education agencies
30 for special education support services for that year approved
31 by the state board of education under section 273.3,
32 subsection 12, by the total of the weighted basic enrollment
33 ~~for-special-education-support-services~~ in the state for the
34 budget year. The special education support services state
35 cost per pupil for the budget year is the amount calculated by

1 the department of management under this subsection.

2 4. Special education support services state cost per pupil
3 for ~~1992-1993~~ 1993-1994 and succeeding years. For the budget
4 year beginning July 1, ~~1992~~ 1993, and succeeding budget years,
5 the special education support services state cost per pupil
6 for the budget year is the special education support services
7 state cost per pupil for the base year plus the special
8 education support services allowable growth for the budget
9 year.

10 Sec. 11. Section 257.10, subsections 3 and 4, Code 1991,
11 are amended to read as follows:

12 3. Special education support services district cost per
13 pupil for ~~1991-1992~~ 1992-1993. For the budget year beginning
14 July 1, ~~1991~~ 1992, for the special education support services
15 district cost per pupil, the department of management shall
16 divide the approved budget of each area education agency for
17 special education support services for that year approved by
18 the state board of education, under section 273.3, subsection
19 12, by the total of the weighted basic enrollment ~~for-special~~
20 ~~education-support-services~~ in the area for that budget year.

21 The special education support services district cost per
22 pupil for each school district in an area for the budget year
23 is the amount calculated by the department of management under
24 this subsection.

25 4. Special education support services district cost per
26 pupil for ~~1992-1993~~ 1993-1994 and succeeding years. For the
27 budget year beginning July 1, ~~1992~~ 1993, and succeeding budget
28 years, the special education support services district cost
29 per pupil for the budget year is the special education support
30 services district cost per pupil for the base year plus the
31 special education support services allowable growth for the
32 budget year.

33 Notwithstanding the special education support services
34 district cost per pupil for the budget year beginning July 1,
35 1991, calculated under subsection 3, for area education

1 agencies that have fewer than three and five-tenths public
2 school pupils per square mile, the special education support
3 services district cost per pupil for the budget year beginning
4 July 1, 1991, is one hundred forty-seven dollars.

5 Sec. 12. Section 257.10, subsection 7, Code 1991, is
6 amended to read as follows:

7 7. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST.

8 Special education support services district cost for a school
9 district for a budget year is equal to the special education
10 support services district cost per pupil for the budget year
11 multiplied by the ~~special-education-support-services-weighted~~
12 basic enrollment for the district for the budget year. ~~If the~~
13 ~~special-education-support-services-district-cost-for-a-school~~
14 ~~district-for-a-budget-year-is-less-than-the-special-education~~
15 ~~support-services-district-cost-for-that-district-for-the-base~~
16 ~~year, the department of management shall adjust the special~~
17 ~~education-support-services-district-cost-for-that-district-for~~
18 ~~the-budget-year-to-equal-the-special-education-support~~
19 ~~services-district-cost-for-the-base-year.~~

20 Sec. 13. Section 257.14, unnumbered paragraph 1, Code
21 1991, is amended to read as follows:

22 For the budget years commencing July 1, 1991, and July 1,
23 1992, and July 1, 1993, if the department of management
24 determines that the regular program district cost of a school
25 district for a budget year is less than the total of the
26 regular program district cost plus any adjustment added under
27 this section for the base year for that school district, the
28 department of management shall provide a budget adjustment for
29 that district for that budget year that is equal to the
30 difference.

31 Sec. 14. Section 257.16, unnumbered paragraph 2, Code
32 1991, is amended to read as follows:

33 All state aids paid under this chapter, unless otherwise
34 stated, shall be paid in monthly installments beginning on
35 September 15 of a budget year and ending on or about June 15

1 of the budget year ~~and the installments shall be as nearly~~
2 ~~equal as possible~~ as determined by the department of
3 management, taking into consideration the relative budget and
4 cash position of the state resources. ~~However, the state aid~~
5 ~~paid to school districts under section 257.13 shall be paid in~~
6 ~~monthly installments beginning on December 15 and ending on~~
7 ~~June 15 of a budget year.~~

8 Sec. 15. Section 257.20, unnumbered paragraph 1, Code
9 Supplement 1991, is amended to read as follows:

10 In order to determine the amount of instructional support
11 state aid and the amount of local funding for the
12 instructional support program for a district, the department
13 of management shall divide the total assessed valuation in the
14 state by the total budget enrollment for the budget year in
15 the state to determine a state assessed valuation per pupil
16 and shall divide the assessed valuation in each district by
17 the district's budget enrollment for the budget year to
18 determine the district assessed valuation per pupil. The
19 department of management shall multiply the ratio of the
20 state's valuation per pupil to the district's valuation per
21 pupil by twenty-five hundredths and subtract that result from
22 one to determine the portion of the instructional support
23 program budget that is local funding. The remaining portion
24 of the budget shall be funded by instructional support state
25 aid. However, for the budget year beginning July 1, 1992,
26 only, the amount of state aid is three and one-quarter percent
27 less than the amount computed under this paragraph for that
28 budget year.

29 Sec. 16. Section 257.31, subsection 12, Code Supplement
30 1991, is amended to read as follows:

31 12. The committee shall review the recommendations of the
32 director of the department of education relating to the
33 special education weighting plan, and shall establish a
34 weighting-plan weight for each school year ~~pursuant to section~~
35 281-9 for children requiring special education under section

1 281.9, subsection 1, paragraph "d", and report the plan weight
2 to the director of the department of education. The committee
3 shall also review the maximum and intermediate percents of
4 weightedness and may adjust the percents of weightedness under
5 section 257.6, subsection 6.

6 Sec. 17. Section 257.31, Code Supplement 1991, is amended
7 by adding the following new subsection:

8 NEW SUBSECTION. 12A. The committee may adjust the percent
9 of weightedness of a school district, by not more than one-
10 half of one percent in any year, for which the percent of
11 weightedness is below the intermediate percent of weightedness
12 based upon that district's special education needs.

13 Sec. 18. Section 257.31, subsection 14, paragraph a, Code
14 Supplement 1991, is amended to read as follows:

15 a. If the amount certified for a school district to the
16 director of the department of management under this subsection
17 for the base year is positive, the director of the department
18 of management shall subtract the amount of the positive
19 balance exceeding five percent of the additional funds
20 generated for special education, not to include any previous
21 carryover, from the amount of state aid remaining to be paid
22 to the district during the budget year. If the positive
23 amount exceeding the five percent amount exceeds the amount of
24 state aid that remains to be paid to the district, not
25 including any previous carryover, the school district shall
26 pay the excess on a quarterly basis prior to June 30 of the
27 budget year to the director of the department of management
28 from other funds received by the district. The director of
29 the department of management shall determine the amount of the
30 positive balance that exceeds the five percent amount that
31 came from local property tax revenues and shall increase the
32 district's total state school aids available under this
33 chapter for the next following budget year by the amount so
34 determined and shall reduce the district's tax levy computed
35 under section 257.4 for the next following budget year by the

1 amount necessary to compensate for the increased state aid.

2 Sec. 19. Section 257.31, subsection 14, paragraph b, Code
3 Supplement 1991, is amended by striking the paragraph.

4 Sec. 20. Section 265.6, Code 1991, is amended to read as
5 follows:

6 265.6 STATE AID APPLICABLE.

7 If the state board of regents has established a laboratory
8 school, it shall receive state aid pursuant to chapters 257
9 and 281 for each pupil enrolled in the laboratory school in
10 the same amount as the public school district in which the
11 pupil resides would receive aid for that pupil and shall
12 transmit the amount received to the institution of higher
13 education at which the laboratory school has been established.
14 If the board of a school district terminates a contract with
15 the state board of regents for attendance of pupils in a
16 laboratory school, the school district shall inform the
17 department of management of the number of these pupils who are
18 enrolled in the district on the third Friday of the following
19 September. The department of management shall pay to the
20 school district, from funds appropriated in section 257.16, an
21 amount equal to the amount of state aid paid for each pupil in
22 that school district for that school year in payments made as
23 provided in section 257.16. ~~However, payments shall not be~~
24 ~~made for pupils for which an advance is received by the~~
25 ~~district under section 257.13.~~

26 Sec. 21. Section 299A.2, Code Supplement 1991, is amended
27 to read as follows:

28 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
29 PRACTITIONER.

30 If a licensed practitioner provides competent instruction
31 to a child of compulsory attendance age, the practitioner
32 shall possess a valid license or certificate which has been
33 issued by the state board of educational examiners under
34 chapter 260 and which is appropriate to the ages and grade
35 levels of the children to be taught. Competent private

1 instruction may include, but is not limited to, instruction or
2 instructional supervision offered through an accredited
3 nonpublic school or public school district by a teacher, who
4 is employed by the accredited nonpublic school or public
5 school district, who assists and supervises a parent,
6 guardian, or legal custodian in providing instruction to a
7 child. If competent private instruction is provided through a
8 public school district, the child shall be enrolled and
9 included in the basic enrollment of the school district as
10 provided in section 257.6. Sections 299A.3 through 299A.7 do
11 not apply to competent private instruction provided by a
12 licensed practitioner under this section.

13 Sec. 22. Section 299A.8, Code Supplement 1991, is amended
14 to read as follows:

15 299A.8 DUAL ENROLLMENT.

16 If a parent, guardian, or legal custodian of a child who is
17 receiving competent private instruction under this chapter
18 submits a request, the child shall also be registered in a
19 public school for dual enrollment purposes. If the child is
20 enrolled in a public school district for dual enrollment
21 purposes, the child shall be permitted to participate in any
22 academic activities in the district and shall also be
23 permitted to participate on the same basis as public school
24 children in any extracurricular activities available to
25 children in the child's grade or group, and the parent,
26 guardian, or legal custodian shall not be required to pay the
27 costs of any annual testing under this chapter. If the child
28 is enrolled for dual enrollment purposes, the child shall be
29 included in the public school's basic enrollment under
30 ~~sections-442-4*~~ and as provided in section 257.6 ~~and-shall-be~~
31 ~~counted-as-one-pupil.~~

32 Sec. 23. Section 257.13, Code 1991, is repealed.

33 Sec. 24. The state board of education shall conduct a
34 study to review the community college funding formula in
35 relation to the state's ability to provide future increases in

1 the community college funding formula. A report of the
2 findings and recommendations shall be submitted to the general
3 assembly by December 1, 1992.

4 Sec. 25. Sections 2, 3, 5, 7, 10, 11, 12, 14, 15, 20, 21,
5 22, and 23 of this Act, being deemed of immediate importance,
6 take effect upon enactment for the purpose of computations
7 required for payment of state aid to and levying of property
8 taxes by school districts for the budget year beginning July
9 1, 1992.

10 Sec. 26. Sections 4, 6, 8, 13, 16, 17, 18, and 19 of this
11 Act take effect July 1, 1992, for the purpose of computations
12 required for payment of state aid to and levying of property
13 taxes by school districts for the budget year beginning July
14 1, 1993.

15 Sec. 27. Section 9 of this Act takes effect July 1, 1992,
16 for the purpose of computing state percent of growth for the
17 budget year beginning July 1, 1994.

18

EXPLANATION

19 This bill implements changes to the state school finance
20 formula and to the community college funding formula.

21 It makes the following changes for the fiscal year
22 beginning July 1, 1992: Eliminates the advance given to
23 increasing enrollment school districts, eliminates the
24 declining enrollment matrix, revises the funding for pupils
25 under dual enrollment to allow a maximum enrollment count per
26 pupil of .1, and revises the funding for pupils under home
27 schooling to allow a maximum enrollment count per pupil of .2.

28 It makes the following changes for the fiscal year
29 beginning July 1, 1993: Extends the budget guarantee for an
30 additional fiscal year, revises the special education support
31 services cost per pupil calculation, implements the revised
32 special education formula based upon special education weights
33 as they existed during the fiscal year beginning July 1, 1991.
34 Carryover balances of 5 percent are allowed, but the
35 provisions relating to negative special education balances are

1 eliminated.

2 It makes the following changes for the fiscal year
3 beginning July 1, 1994: Eliminates the special education
4 support services adjustment.

5 The bill also incorporates language directing the state
6 board of education to review the community college funding
7 formula in relation to the state's ability to provide future
8 increases in the community college funding formula with a
9 report due in December 1992.

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OFFICE OF THE GOVERNOR

STATE CAPITOL

DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD
GOVERNOR

June 3, 1992

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2320, an act relating to state aid to school corporations and providing effective date and applicability provisions.

Senate File 2320 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Section 3 and Section 16, in their entirety. These provisions would change the date on which the Department of Management is required to compute a state percent of growth under Chapter 257, the school foundation program. Because the provisions of Senate File 2351 establish a new method for determining the state percent of growth, and are in conflict with Senate File 2320, these items cannot be approved.

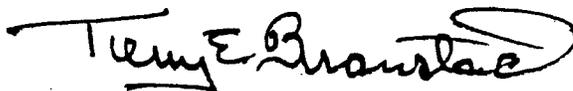
I am unable to approve the items designated as Section 4, Section 5, and Section 13, in their entirety. These sections would recalculate the special education support services cost per pupil based on the revised weighted enrollment established by this Act. The special education support services cost per pupil for the 1993 fiscal year should not be changed, and I am unable to approve these items. Notwithstanding the disapproval of these provisions, the budget for area education agency special education support services will increase by more than \$5 million in the 1993 fiscal year.

I am unable to approve the item designated as Section 7, in its entirety. Because the provisions of this section are inconsistent with the provisions of Senate File 2371, which has previously been approved, this item cannot be approved.

The Honorable Elaine Baxter
June 3, 1992
Page 2

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2320 are hereby approved as of this date.

Sincerely,



Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

SENATE FILE 2320

AN ACT

RELATING TO STATE AID TO SCHOOL CORPORATIONS AND PROVIDING
EFFECTIVE DATE AND APPLICABILITY PROVISIONS.

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

Section 1. Section 257.6, subsection 1, unnumbered paragraph 3, Code 1991, is amended to read as follows:

A school district shall certify its actual enrollment to the department of education by October 1 of each year, and the department shall promptly forward the information to the department of management. ~~The department of management shall determine whether a district is entitled to an advance for increasing enrollment on the basis of its actual enrollment.~~

Sec. 2. Section 257.6, subsection 4, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

4. BUDGET ENROLLMENT. Budget enrollment for the budget year is the basic enrollment for the budget year.

Sec. 3. Section 257.8, subsection 1, unnumbered paragraph 2, Code 1991, is amended to read as follows:

On or before each ~~September~~ December 15 thereafter, the department of management shall compute a state percent of growth for the budget year next following the budget year. The state percents of growth shall be forwarded to the director of the department of education.

Sec. 4. Section 257.9, subsections 3 and 4, Code 1991, are amended to read as follows:

3. SPECIAL EDUCATION SUPPORT SERVICES STATE COST PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the budget year beginning July 1, ~~1991~~ 1992, for the special education support services state cost per pupil, the department of management shall divide the total of the approved budgets of the area education agencies

for special education support services for that year as approved by the state board of education within the time frames specified under section 273.3, subsection 12, by the total of the weighted enrollment for special education support services in the state for the budget year. The special education support services state cost per pupil for the budget year is the amount calculated by the department of management under this subsection.

4. SPECIAL EDUCATION SUPPORT SERVICES STATE COST PER PUPIL FOR ~~1992-1993~~ 1993-1994 AND SUCCEEDING YEARS. For the budget year beginning July 1, ~~1992~~ 1993, and succeeding budget years, the special education support services state cost per pupil for the budget year is the special education support services state cost per pupil for the base year plus the special education support services allowable growth for the budget year.

Sec. 5. Section 257.10, subsections 3 and 4, Code 1991, are amended to read as follows:

3. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST PER PUPIL FOR ~~1991-1992~~ 1992-1993. For the budget year beginning July 1, ~~1991~~ 1992, for the special education support services district cost per pupil, the department of management shall divide the approved budget of each area education agency for special education support services for that year as approved by the state board of education, within the time frames specified under section 273.3, subsection 12, by the total of the weighted enrollment for special education support services in the area for that budget year.

The special education support services district cost per pupil for each school district in an area for the budget year is the amount calculated by the department of management under this subsection.

4. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST PER PUPIL FOR ~~1992-1993~~ 1993-1994 AND SUCCEEDING YEARS. For the budget year beginning July 1, ~~1992~~ 1993, and succeeding budget

years, the special education support services district cost per pupil for the budget year is the special education support services district cost per pupil for the base year plus the special education support services allowable growth for the budget year.

Notwithstanding the special education support services district cost per pupil for the budget year beginning July 1, 1991, calculated under subsection 3, for area education agencies that have fewer than three and five-tenths public school pupils per square mile, the special education support services district cost per pupil for the budget year beginning July 1, 1991, is one hundred forty-seven dollars.

Sec. 6. Section 257.14, unnumbered paragraph 1, Code 1991, is amended to read as follows:

For the budget years commencing July 1, 1991, and July 1, 1992, and July 1, 1993, if the department of management determines that the regular program district cost of a school district for a budget year is less than the total of the regular program district cost plus any adjustment added under this section for the base year for that school district, the department of management shall provide a budget adjustment for that district for that budget year that is equal to the difference.

Sec. 7. Section 257.16, unnumbered paragraph 2, Code Supplement 1991, is amended to read as follows:

All state aids paid under this chapter, unless otherwise stated, shall be paid in monthly installments beginning on September 15 of a budget year and ending on or about June 15 of the budget year ~~and the installments shall be as nearly equal as possible~~ as determined by the department of management, taking into consideration the relative budget and cash position of the state resources. ~~However, the state aid paid to school districts under section 257.13 shall be paid in monthly installments beginning on December 15 and ending on June 15 of a budget year.~~

Sec. 8. Section 257.20, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

In order to determine the amount of instructional support state aid and the amount of local funding for the instructional support program for a district, the department of management shall divide the total assessed valuation in the state by the total budget enrollment for the budget year in the state to determine a state assessed valuation per pupil and shall divide the assessed valuation in each district by the district's budget enrollment for the budget year to determine the district assessed valuation per pupil. The department of management shall multiply the ratio of the state's valuation per pupil to the district's valuation per pupil by twenty-five hundredths and subtract that result from one to determine the portion of the instructional support program budget that is local funding. The remaining portion of the budget shall be funded by instructional support state aid. However, for the budget year beginning July 1, 1992, only, the amount of state aid is three and one-quarter percent less than the amount computed under this paragraph for that budget year.

Sec. 9. Section 265.6, Code 1991, is amended to read as follows:

265.6 STATE AID APPLICABLE.

If the state board of regents has established a laboratory school, it shall receive state aid pursuant to chapters 257 and 281 for each pupil enrolled in the laboratory school in the same amount as the public school district in which the pupil resides would receive aid for that pupil and shall transmit the amount received to the institution of higher education at which the laboratory school has been established. If the board of a school district terminates a contract with the state board of regents for attendance of pupils in a laboratory school, the school district shall inform the department of management of the number of these pupils who are

enrolled in the district on the third Friday of the following September. The department of management shall pay to the school district, from funds appropriated in section 257.16, an amount equal to the amount of state aid paid for each pupil in that school district for that school year in payments made as provided in section 257.16. ~~However, payments shall not be made for pupils for which an advance is received by the district under section 257.13.~~

Sec. 10. NEW SECTION. 282.27 CHILDREN LIVING IN PSYCHIATRIC HOSPITALS OR INSTITUTIONS -- PAYMENT.

The public school district in which is located a psychiatric unit of a hospital licensed under chapter 135B or a psychiatric medical institution for children licensed under chapter 135H, which is not operated by the state, shall be responsible for the provision of educational services to children residing in the unit or institution. Children residing in the unit or institution shall be included in the basic enrollment of their districts of residence, as defined in section 282.31, subsection 4.

The board of directors of each district of residence shall pay to the school district in which is located such psychiatric unit or institution, for the provision of educational services to the child, a portion of the district of residence's district cost per pupil for each of such children based upon the proportion that the time each child is provided educational services while in such unit or institution is to the total time for which the child is provided educational services during a normal school year.

Sec. 11. Section 299A.8, Code Supplement 1991, is amended to read as follows:

299A.8 DUAL ENROLLMENT.

If a parent, guardian, or legal custodian of a child who is receiving competent private instruction under this chapter submits a request, the child shall also be registered in a public school for dual enrollment purposes. If the child is

enrolled in a public school district for dual enrollment purposes, the child shall be permitted to participate in any academic activities in the district and shall also be permitted to participate on the same basis as public school children in any extracurricular activities available to children in the child's grade or group, and the parent, guardian, or legal custodian shall not be required to pay the costs of any annual testing under this chapter. If the child is enrolled for dual enrollment purposes, the child shall be included in the public school's basic enrollment under ~~sections 442.4 and section 257.6 and shall be counted as one pupil~~ in the proportion that the time for which the child is enrolled and receives instruction from practitioners employed by the public school district for the school year is to the time that a full-time pupil carrying a normal course schedule, at the same grade level, in the same school district, and for the same school year, is enrolled and receives instruction.

If a child is receiving competent private instruction through a home school assistance program which provides instruction or instructional supervision through a public school district by a teacher who is employed by the district, the child shall be registered in the public school district for dual enrollment purposes, included in the public school's basic enrollment under section 257.6, and counted as one pupil.

Sec. 12. Section 257.13, Code 1991, is repealed.

Sec. 13. If as a result of the provisions in this Act the amount of state foundation aid appropriated to a school district is reduced below the amount the school district would have otherwise received, that school district shall not reduce the amount that it is required to pay the area education agency for costs of special education support services in order to compensate for the reduced state aid.

Sec. 14. Sections 1, 2, 7, 8, 9, 10, 11, and 12 of this Act, being deemed of immediate importance, take effect upon

enactment for the purpose of computations required for payment of state aid to and levying of property taxes by school districts for the budget year beginning July 1, 1992.

Sec. 15. Section 6 of this Act takes effect July 1, 1992, for the purpose of computations required for payment of state aid to and levying of property taxes by school districts for the budget year beginning July 1, 1993.

Sec. 16. Section 3 of this Act takes effect July 1, 1992, for the purpose of computing state percent of growth for the budget year beginning July 1, 1994.

MICHAEL E. GRONSTAL
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2320, Seventy-fourth General Assembly.

Item 2320
Approved June 3, 1992

JOHN F. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor