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SENATE FILE 2323

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KIBBIE, and GRONSTAL

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

A BILL FOR

1 An Act relating to efforts to improve school safety and making
2 appropriations.

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

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SF 2323 EDUCATION

1 Section 1. DEPARTMENT OF EDUCATION.

2 1. There is appropriated from the rebuild Iowa
3 infrastructure fund to the department of education for the
4 fiscal year beginning July 1, 2000, and ending June 30, 2001,
5 the following amount, or so much thereof as is necessary, to
6 be used for the purpose designated:

7 For fire and health safety grants for eligible school
8 districts:
9 \$ 3,400,000

10 From the funds appropriated in this section, the sum of
11 \$100,000 may be allocated for use by the state fire marshal
12 for a collection and reporting system of fire code violations.

13 2. There is appropriated from the general fund of the
14 state to the department of education for the fiscal year
15 beginning July 1, 2000, and ending June 30, 2001, the
16 following amounts, or so much thereof as is necessary, to be
17 used for the purposes designated:

18 a. For life safety grants for eligible school districts:
19 \$ 6,600,000

20 b. For character education through service learning
21 incentive grants for school districts to implement programs
22 that integrate service learning into the school district's
23 curriculum and graduation requirements:
24 \$ 300,000

25 The director of the department of education shall develop
26 grant approval criteria and procedures. In developing grant
27 criteria and awarding grants, the director shall consider
28 equity concerns and options for distributing grant amounts
29 based on service population size groupings to accommodate
30 small, medium, and large population school districts. The
31 deadline for applications for character education through
32 service learning incentive grants in the fiscal year beginning
33 July 1, 2000, shall be August 31, 2000, with grant awards to
34 be made on or about October 1, 2000.

35 c. For purposes of entering into a competitively bid

1 contract with a not-for-profit organization to conduct a
2 series of training programs for adult volunteers who work with
3 adolescent youths in after school mentoring programs,
4 including youth-service organizations such as a big brothers-
5 big sisters association:

6 \$ 600,000

7 (1) To be eligible for a contract under this section, a
8 not-for-profit organization must be able to demonstrate that
9 leading national experts in adolescent development
10 intervention programs will be utilized and that the programs
11 will use a variety of media to engage participants and assist
12 them in attaining the goals of the program. Programs shall be
13 designed to focus on the adult volunteers who assist in youth
14 development. Training content shall focus on all of the
15 following:

16 (a) Development issues for youth.

17 (b) Best practices to motivate, guide, and communicate
18 with youth.

19 (c) Strategies for successful adult-to-youth interpersonal
20 relationships that are necessary for ongoing learning and
21 support.

22 (2) The training programs shall strive to accomplish the
23 following:

24 (a) Improve the quality and effectiveness of adult
25 volunteers to motivate, supervise, and communicate with youth,
26 and to sustain and encourage their continued involvement with
27 youth over time.

28 (b) Improve the quality and effectiveness of adult
29 volunteers so that the children they mentor, coach, teach, or
30 befriend maintain their involvement with youth-service
31 organizations over time.

32 (c) Encourage collaboration between all youth-service
33 organizations throughout the state.

34 (d) Provide cost-efficient, sustainable distance learning
35 to both rural and urban sites.

1 (3) The department shall prepare and submit a report of
2 the activities and expenditures funded under the contract to
3 the chairpersons and ranking members of the standing
4 committees on education and to the joint appropriations
5 subcommittees on education by December 1, 2002.

6 d. For deposit in the school ready children grants account
7 of the Iowa empowerment fund created in section 28.9:

8 \$ 15,600,000

9 From the moneys deposited in the school ready children
10 grants account pursuant to this subsection, not more than
11 \$200,000 is allocated for the community empowerment office and
12 other technical assistance activities.

13 From the moneys deposited in the school ready children
14 grants account pursuant to this subsection, not less than
15 \$5,200,000 shall be used for grants focused on providing
16 quality preschool programs, quality health care, and strong
17 parent education programs. It is the intent of the general
18 assembly that all school ready children grant applicants be
19 awarded funds if the applicants meet standards for approval as
20 established by the Iowa empowerment board. If the amount
21 available for distribution is insufficient for full funding of
22 all allocations to community empowerment areas receiving a
23 school ready children grant, the shortfall shall be
24 distributed by reductions in the allocations to all community
25 empowerment areas in the proportion that an individual
26 allocation bears to the total amount of allocations.

27 Sec. 2. JUVENILE INSTITUTIONS. There is appropriated from
28 the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2000, and
30 ending June 30, 2001, the following amount, or so much thereof
31 as is necessary, to be used for the purpose designated:

32 For purposes of additional middle school juvenile court
33 liaisons, including salaries, support, maintenance, and
34 miscellaneous purposes, and for not more than the following
35 full-time equivalent positions:

1 \$ 1,380,000
2 FTEs 52.00

3 Sec. 3. NEW SECTION. 16.110 IOWA SCHOOL DISTRICT
4 REVOLVING LOAN FUND PROGRAM -- DEFINITIONS.

5 1. If funds are appropriated by the general assembly, the
6 Iowa school district revolving loan fund program is
7 established for the purpose of making loans available to
8 school districts to finance all or part of the costs of a
9 capital project. The purpose of the program is to provide a
10 means for Iowa schools to reduce their long-term borrowing
11 costs and thus reduce costs to taxpayers.

12 2. The authority shall process, review, and approve loan
13 applications which satisfy the rules adopted by the authority
14 in implementing the Iowa school district revolving loan fund
15 program. The authority shall determine, in accordance with
16 its rules, which school districts are to be made loans and for
17 what purposes, the amount of each loan, the interest rate of
18 the loan, and the repayment terms of the loan.

19 3. For purposes of this section and sections 16.111
20 through 16.115, "capital project" means any undertaking by a
21 school district for which financing is authorized under
22 chapter 296 or 298 to the extent the project replaces or
23 repairs a school building that is a danger to public health or
24 safety, or is otherwise dangerous to human life, including all
25 costs and expenses associated with authorization for, and
26 commencement of, the capital project. "School district" means
27 a public school district as governed by chapter 274.

28 Sec. 4. NEW SECTION. 16.111 REVOLVING LOAN FUND
29 ESTABLISHED.

30 1. The Iowa school district revolving loan fund is
31 established in the state treasury under the control of the
32 authority. The revolving loan fund shall include sums
33 appropriated to the fund by the general assembly, all receipts
34 from loans made to school districts by the authority, and any
35 other sums designated for deposit in the revolving loan fund

1 from any public or private source. All moneys appropriated to
2 and deposited in the revolving loan fund are appropriated and
3 shall be used for the sole purpose of making loans to school
4 districts to finance all or part of the cost of capital
5 projects. Moneys in the fund may also be used to pay the
6 costs and expenses associated with administration of the Iowa
7 school district revolving loan fund program. A loan made to a
8 school district from the revolving loan fund is an
9 indebtedness of the school district within the meaning of any
10 constitutional or statutory school district debt limitation in
11 effect at the time the loan agreement is made.

12 2. The moneys in the revolving loan fund are not
13 considered part of the general fund of the state, are not
14 subject to appropriation for any other purpose by the general
15 assembly, and, in determining a general fund balance, shall
16 not be included in the general fund of the state but shall
17 remain in the revolving loan fund to be used for the purposes
18 specified in section 16.110, this section, and sections 16.112
19 through 16.115. The Iowa school district revolving loan fund
20 is a separate dedicated fund under the administration and
21 control of the authority and subject to section 16.31. Moneys
22 on deposit in the fund shall be invested by the treasurer of
23 state in cooperation with the authority, and the income from
24 the investments shall be credited to and deposited in the
25 fund.

26 3. The authority may establish and maintain other funds or
27 accounts determined to be necessary to carry out the purposes
28 of sections 16.110, this section, and sections 16.112 through
29 16.115 and shall provide for the funding, administration,
30 investment, restrictions, and disposition of the funds and
31 accounts.

32 Sec. 5. NEW SECTION. 16.112 BONDS AND NOTES ISSUED BY
33 AUTHORITY.

34 1. The authority may issue its bonds and notes for the
35 purpose of funding the Iowa school district revolving loan

1 fund established in section 16.111. The authority may enter
2 into one or more lending agreements or purchase agreements
3 with one or more bondholders or noteholders containing the
4 terms and conditions of the repayment of and the security for
5 the bonds or notes. The authority and the bondholders or
6 noteholders or a trustee agent designated by the authority may
7 enter into agreements to provide for any of the following:

8 a. That the proceeds of the bonds and notes and the
9 investments of the proceeds may be received, held, and
10 disbursed by the authority or by a trustee or agent designated
11 by the authority.

12 b. That the bondholders or noteholders or a trustee or
13 agent designated by the authority may collect, invest, and
14 apply the amount payable under the loan agreements or any
15 other instruments securing the debt obligations under the loan
16 agreements.

17 c. That the bondholders or noteholders may enforce the
18 remedies provided in the loan agreements or other instruments
19 on their own behalf without the appointment or designation of
20 a trustee. If there is a default in the payment of principal
21 of or interest on the bonds or notes or in the performance of
22 any agreement contained in the loan agreements or other
23 instruments, the payment or performance may be enforced in
24 accordance with the loan agreement or other instrument.

25 d. Other terms and conditions as deemed necessary or
26 appropriate by the authority.

27 2. All other provisions of this chapter, except section
28 16.28, subsection 4, apply to bonds or notes issued and powers
29 granted to the authority under this section except to the
30 extent they are inconsistent with this section.

31 3. All bonds or notes issued by the authority in
32 connection with the program are exempt from taxation by this
33 state and the interest on the bonds or notes is also exempt
34 from state income tax.

35 Sec. 6. NEW SECTION. 16.113 SECURITY -- RESERVE FUNDS --

1 PLEDGES -- NONLIABILITY -- IRREVOCABLE CONTRACTS.

2 1. The authority may provide in the resolution, trust
3 agreement, or other instrument authorizing the issuance of its
4 bonds or notes pursuant to section 16.112, that the principal
5 of, premium, and interest on the bonds or notes are payable
6 from any of the following and may pledge the same to its bonds
7 and notes:

8 a. The income and receipts or other moneys derived from
9 the projects financed with the proceeds of the bonds or notes.

10 b. The income and receipts or other moneys derived from
11 designated projects whether or not the projects are financed
12 in whole or in part with the proceeds of the bonds or notes.

13 c. The authority's income, receipts, or other assets
14 generally, or a designated part or parts of the income
15 receipts, or other assets.

16 2. The authority may establish reserve funds to secure one
17 or more issues of the bonds or notes. The authority may
18 deposit in a reserve fund established under this subsection
19 the proceeds of the sale of the bonds or notes and other
20 moneys which are made available from any other source.

21 3. It is the intent of the general assembly that a pledge
22 made for bonds or notes shall be valid and binding from the
23 time the pledge is made, that the moneys or property so
24 pledged and received after the pledge by the authority shall
25 immediately be subject to the lien of the pledge without
26 physical delivery or further act, and that the lien of the
27 pledge shall be valid and binding as against all parties
28 having claims of any kind in tort, contract, or otherwise
29 against the authority whether or not the parties have notice
30 of the lien. The resolution, trust agreement, or any other
31 instrument by which a pledge is created does not need to be
32 recorded or filed under the Iowa uniform commercial code to be
33 valid, binding, or effective against the parties.

34 4. The members of the authority or persons executing the
35 bonds or notes are not personally liable on the bonds or notes

1 and are not subject to personal liability or accountability by
2 reason of the issuance of the bonds or notes.

3 5. The bonds or notes issued by the authority are not an
4 indebtedness or other liability of the state or of a political
5 subdivision of the state within the meaning of any
6 constitutional or statutory debt limitations but are special
7 obligations of the authority, and are payable solely from the
8 income and receipts or other funds or property of the
9 authority, and the amounts on deposit in the revolving loan
10 fund, and the amounts payable to the authority under its loan
11 agreements with a school district to the extent that the
12 amounts are designated in the resolution, trust agreement, or
13 other instrument of the authority authorizing the issuance of
14 the bonds or notes as being available as security for such
15 bonds or notes. The authority shall not pledge the faith or
16 credit of the state or of a political subdivision of the state
17 to the payment of any bonds or notes. The issuance of any
18 bonds or notes by the authority does not directly, indirectly,
19 or contingently obligate the state or a political subdivision
20 of the state to apply moneys from, or levy or pledge any form
21 of taxation whatever to, the payment of the bonds or notes.

22 6. The state pledges to and agrees with the holders of
23 bonds or notes issued under section 16.112 that the state will
24 not limit or alter the rights and powers vested in the
25 authority to fulfill the terms of a contract made by the
26 authority with respect to the bonds or notes, or in any way
27 impair the rights and remedies of the holders until the bonds
28 or notes, together with the interest on them, including
29 interest on unpaid installments of interest, and all costs and
30 expenses in connection with an action or proceeding by or on
31 behalf of the holders, are fully met and discharged. The
32 authority is authorized to include this pledge and agreement
33 of the state, as it refers to holders of bonds or notes of the
34 authority, in a contract with the holders.

35 Sec. 7. NEW SECTION. 16.114 APPROPRIATION.

1 There is appropriated from the rebuild Iowa infrastructure
2 fund to the Iowa finance authority for each fiscal year the
3 sum of ten million dollars for deposit in the revolving loan
4 fund established in section 16.111.

5 Sec. 8. NEW SECTION. 16.115 ADOPTION OF RULES.

6 The authority shall adopt rules pursuant to chapter 17A to
7 implement sections 16.110 through 16.113.

8 Sec. 9. Section 232.2, subsection 12, Code Supplement
9 1999, is amended by adding the following new paragraph:

10 NEW PARAGRAPH. d. The violation of section 724.22,
11 subsection 2, that is committed by a child.

12 Sec. 10. Section 232.101, subsection 1, Code 1999, is
13 amended to read as follows:

14 1. After the dispositional hearing, the court may enter an
15 order permitting the child's parent, guardian or custodian at
16 the time of the filing of the petition to retain custody of
17 the child subject to terms and conditions which the court
18 prescribes to assure the proper care and protection of the
19 child. Such terms and conditions may include supervision of
20 the child and the parent, guardian or custodian by the
21 department of human services, juvenile court office or other
22 appropriate agency which the court designates. Such terms and
23 conditions may shall also include the provision or acceptance
24 by the parent, guardian or custodian of special treatment or
25 care which the child needs for the child's physical or mental
26 health. If the parent, guardian, or custodian's mental
27 capacity or condition, or drug or alcohol abuse results in the
28 child not receiving adequate care, the terms and conditions
29 prescribed by the court shall include mental health or
30 substance abuse treatment for the parent or guardian. If the
31 parent, guardian, or custodian fails to provide for the
32 treatment or care for the child or for the parent, guardian,
33 or custodian, the court may shall order the department of
34 human services or some other appropriate state agency to
35 provide such care or treatment.

1 Sec. 11. Section 256.9, Code Supplement 1999, is amended
2 by adding the following new subsections:

3 NEW SUBSECTION. 49. Serve as a clearinghouse for
4 research-based bullying and violence prevention strategies,
5 parenting education, after-school educational and recreational
6 activities, conflict management curricula, youth leadership
7 programs, student mentoring programs, and school crisis
8 planning; and shall collaborate with other state and local
9 agencies as necessary to provide school districts, parents,
10 guardians, and communities with easy access to effective
11 strategies and technical assistance.

12 NEW SUBSECTION. 50. Develop and, at the request of school
13 districts and parents or guardians, distribute information for
14 increasing parental involvement. Information developed and
15 distributed upon request of a school district shall include
16 suggestions for voluntary classes the school could offer to
17 parents of school-age children to enhance parenting skills and
18 family relationships, efforts that promote employer
19 recognition of the importance of parent involvement in schools
20 and allow parents to volunteer in their child's school,
21 suggestions for ways the school can provide educators with the
22 time and resources to effectively create and sustain the
23 parent-student-school relationship, and methods of parent-
24 school communication using websites and e-mail. The
25 department shall also develop and distribute to school
26 districts and parents, upon request, parental involvement
27 pledge cards that acknowledge the responsibilities of each in
28 the successful education of a child.

29 NEW SUBSECTION. 51. Develop, with appropriate state and
30 nonprofit agencies including but not limited to, the
31 department of public health, the civil rights commission, the
32 office of the attorney general, the department of human
33 rights, the governor's alliance on substance abuse, the
34 department of human services, the department of public safety,
35 and the American red cross, a safety and crisis management

1 plan school districts may use as a model when developing their
2 local plans. Each school district is encouraged to develop
3 and periodically review a local safety and crisis management
4 plan in cooperation with parents, local law enforcement
5 agencies, fire and emergency medical responders, local
6 emergency management officials, and social service providers.
7 Plans should address the safety concerns of all students,
8 including students with disabilities. The department shall
9 provide technical assistance to school districts upon request.

10 Sec. 12. Section 256.11, Code 1999, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 9A. Unless a waiver has been obtained
13 under section 256.11A, each accredited nonpublic school or
14 school district shall have an articulated sequential
15 elementary-secondary guidance program for grades kindergarten
16 through twelve and a guidance counselor who meets the
17 licensing standards prescribed by the board of educational
18 examiners.

19 In determining the requirements of this subsection for an
20 accredited nonpublic school, the department shall evaluate the
21 accredited nonpublic school on an accredited nonpublic school
22 system basis rather than on an individual accredited nonpublic
23 school basis.

24 Sec. 13. Section 256.11A, subsection 1, Code 1999, is
25 amended to read as follows:

26 1. Schools Accredited nonpublic schools and school
27 districts unable-to-meet-the-standard-adopted-by-the-state
28 board-requiring-each-school-or-school-district-operating-a
29 kindergarten-through-grade-twelve-program-to-provide-an
30 articulated-sequential-elementary-secondary-guidance-program
31 may, not later than August 1, 1995 2000, for the school year
32 beginning July 1, 1995 2000, file a written request to the
33 department of education that the department waive the
34 requirement for established in section 256.11, subsection 9A,
35 that an accredited nonpublic school or school district

1 operating a kindergarten through grade twelve program provide
2 an articulated sequential elementary-secondary guidance
3 program. The procedures specified in subsection 3 apply to
4 the request. Not later than August 1, 1996 2001, for the
5 school year beginning July 1, 1996 2001, the board of
6 directors of a school district or the authorities in charge of
7 a nonpublic school may request a one-year extension of the
8 waiver.

9 Sec. 14. Section 256.11A, subsection 2, Code 1999, is
10 amended by striking the subsection.

11 Sec. 15. NEW SECTION. 257.11A AT-RISK PROGRAMS --
12 SUPPLEMENTARY WEIGHTING.

13 1. In order to provide additional funding to school
14 districts for programs serving at-risk pupils in grades nine
15 through twelve, a supplementary weighting plan for at-risk
16 pupils is adopted. A supplementary weighting of one hundred
17 twenty-eight ten-thousandths per pupil shall be assigned to
18 the percentage of pupils in a school district enrolled in
19 grades one through six, as reported by the school district on
20 the basic educational data survey for the base year, who are
21 eligible for free or reduced price lunches under the federal
22 National School Lunch Act and the federal Child Nutrition Act
23 of 1966, 42 U.S.C. § 1751-1785, multiplied by the budget
24 enrollment in the school district. Amounts received as
25 supplementary weighting for at-risk pupils shall be utilized
26 by a school district to develop or maintain alternative
27 programs or an at-risk pupils' program, including alternative
28 high school programs, and shall be in addition to and not
29 supplanting moneys appropriated in section 279.51 and moneys
30 otherwise appropriated by law to supplement that funding.

31 2. Notwithstanding subsection 1, a school district which
32 received supplementary weighting for an alternative high
33 school program offered by a community college for the school
34 budget year beginning July 1, 1999, shall receive an amount of
35 supplementary weighting for the next five school budget years

1 as follows:

2 a. For the budget year beginning July 1, 2000, the greater
3 of the amount of supplementary weighting determined pursuant
4 to subsection 1, or one hundred percent of the amount received
5 for the budget year beginning July 1, 1999.

6 b. For the budget year beginning July 1, 2001, the greater
7 of the amount of supplementary weighting determined pursuant
8 to subsection 1, or seventy-five percent of the amount
9 received for the budget year beginning July 1, 1999.

10 c. For the budget year beginning July 1, 2002, the greater
11 of the amount of supplementary weighting determined pursuant
12 to subsection 1, or fifty percent of the amount received for
13 the budget year beginning July 1, 1999.

14 d. For the budget year beginning July 1, 2003, the greater
15 of the amount of supplementary weighting determined pursuant
16 to subsection 1, or twenty-five percent of the amount received
17 for the budget year beginning July 1, 1999.

18 e. For the budget year beginning July 1, 2004, and
19 succeeding budget years, the amount of supplementary weighting
20 determined pursuant to subsection 1.

21 If a school district receives an amount pursuant to this
22 subsection which exceeds the amount the district would
23 otherwise have received pursuant to subsection 1, the
24 department of management shall annually determine the amount
25 of the excess that would have been state aid and the amount
26 that would have been property tax if the school district had
27 generated that amount pursuant to subsection 1, and shall
28 include the amounts in the state aid payments and property tax
29 levies of school districts. The department of management
30 shall recalculate the supplementary weighting amount received
31 each year to reflect the amount of the reduction in funding
32 from one budget year to the next pursuant to paragraphs "a"
33 through "e".

34 Sec. 16. Section 260C.14, Code 1999, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 21. Report any evidence of felonious acts
2 on the part of the administrators, faculty, employees, and
3 students to the proper local or state authorities.

4 Sec. 17. Section 261.9, subsection 1, Code 1999, is
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. i. Which reports any evidence of felonious
7 acts on the part of the administrators, faculty, employees,
8 and students to the proper local or state authorities.

9 Sec. 18. Section 262.9, Code Supplement 1999, is amended
10 by adding the following new subsection:

11 NEW SUBSECTION. 30. Adopt rules directing the
12 institutions of higher learning under its control to report
13 any evidence of felonious acts on the part of the
14 administrators, faculty, employees, and students to the proper
15 local or state authorities.

16 Sec. 19. Section 273.3, Code 1999, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 23. Work with other state and community
19 organizations to provide training to parents, guardians,
20 students, and school personnel on recognizing and building a
21 positive school environment, identifying and addressing early
22 warning signs of bullying and violent behavior, and how to
23 contact school officials. The board shall provide training
24 and technical assistance to school districts regarding crisis,
25 conflict, and anger management strategies and curricula.

26 Sec. 20. Section 279.51, subsection 1, unnumbered
27 paragraph 1, Code Supplement 1999, is amended to read as
28 follows:

29 There is appropriated from the general fund of the state to
30 the department of education for the fiscal year beginning July
31 1, 1998 2000, and each succeeding fiscal year, the sum of
32 fifteen million three nine hundred sixty thousand dollars.

33 Sec. 21. Section 279.51, subsection 1, paragraphs c and e,
34 Code Supplement 1999, are amended to read as follows:

35 c. For each of the fiscal years during the fiscal period

1 beginning July 1, 2000, and ending June 30, ~~2000~~ 2004, two
2 three million eight four hundred thousand dollars of the funds
3 appropriated shall be allocated for the school-based youth
4 services education program established in subsection 3. For
5 each of the fiscal years during the fiscal period beginning
6 July 1, 1994, and ending June 30, ~~2000~~ 2004, twenty thousand
7 dollars of the funds allocated in this paragraph shall be
8 expended for staff development, research, and the development
9 of strategies for coordination with community-based youth
10 organizations and agencies. A school that received a grant
11 during the fiscal year beginning July 1, 1993, or July 1,
12 1997, is ineligible to receive a grant under this paragraph.
13 Subject to the approval of the state board of education, the
14 allocation made in this paragraph may be renewed for
15 additional four-year periods of time.

16 e. Notwithstanding paragraph "c", for each of the fiscal
17 years during the fiscal period beginning July 1, 1998, and
18 ending June 30, ~~2000~~ 2004, fifty thousand dollars of the funds
19 allocated in paragraph "c" shall be granted to each of the
20 schools that received grants under subsection 3 during the
21 fiscal year beginning July 1, 1993, or July 1, 1997, to allow
22 for expansion and to include identified minimum services if
23 the school submits a program plan pursuant to subsection 3.

24 Sec. 22. Section 279.51, subsection 1, Code Supplement
25 1999, is amended by adding the following new paragraphs:

26 NEW PARAGRAPH. g. From the moneys allocated in paragraph
27 "c", for each fiscal year in which moneys are allocated, the
28 sum of one hundred twenty thousand dollars shall be used to
29 support the family resource center demonstration program
30 established under chapter 256C.

31 NEW PARAGRAPH. h. From the moneys allocated in paragraph
32 "c", for each fiscal year in which moneys are allocated, the
33 sum of four hundred eighty thousand dollars shall be used to
34 support the extended learning opportunities demonstration
35 grant program. The extended learning opportunities

1 demonstration grant program is established in the department
2 of education as a four-year demonstration grant program. The
3 department shall administer the program and provide grants to
4 establish at least one model program in a school district with
5 an enrollment of less than one thousand two hundred, one model
6 program in a school district with an enrollment of one
7 thousand two hundred and not more than four thousand nine
8 hundred ninety-nine, and one model program in a school
9 district with an enrollment of at least five thousand.

10 "Extended learning opportunity" means any service provided
11 outside the hours of a normal school day or beyond the
12 required school year and which is designed to maximize student
13 and family success. Extended learning opportunities include
14 but are not limited to extending the school year, the school
15 day, or other school-based programs for students and families.
16 Services may include but are not limited to counseling,
17 mentoring, cultural arts, community service, clubs, computer
18 access homework assistance, and parenting skills program. The
19 model programs should establish a continuum of academic and
20 personal support for students and their families.

21 From the sum allocated for use in accordance with this
22 paragraph, in the fiscal year beginning July 1, 2000, and
23 ending June 30, 2001, one hundred twenty-one thousand dollars
24 shall be used to support the americorps after-school
25 initiative.

26 Sec. 23. Section 279.51, subsection 3, Code Supplement
27 1999, is amended to read as follows:

28 3. A school-based youth services education program is
29 established. The department of education, in consultation
30 with the department of human services, the department of
31 workforce development, the Iowa department of public health,
32 the division of criminal and juvenile justice planning of the
33 department of human rights, institutions of higher learning
34 with applicable programs, and the division of job training and
35 entrepreneurship assistance of the department of economic

1 development, shall develop a four-year demonstration grant
2 program that commences in the fiscal year beginning July 1,
3 1994. The department shall provide grants to individual or
4 consortiums of elementary, middle, or high schools to
5 establish school-based youth services programs, in conjunction
6 with local agencies and community organizations, based upon
7 program plans filed by the board of directors of the school
8 district. Grant recipients shall be prepared to offer
9 extended learning opportunities as defined in subsection 1,
10 paragraph "h" by July 1, 2001. The department shall provide
11 grants to establish model programs in at least the following
12 three size categories:

13 Sec. 24. NEW SECTION. 422E.6 FIRE, HEALTH, AND LIFE
14 SAFETY GRANTS -- SAFETY AUDIT.

15 1. If the general assembly appropriates moneys for
16 purposes of fire, health, and life safety grants for eligible
17 school districts, the department of education shall establish
18 a fire, health, and life safety task force and shall award
19 fire, health, and life safety grants based upon the
20 recommendations of the task force.

21 2. Voting members of the fire, health, and life safety
22 task force shall include the members of the school budget
23 review committee, the department's school plant facilities
24 consultant, and the state fire marshal. Nonvoting members
25 shall be appointed by the director of the department of
26 education, in consultation with the state fire marshal, and
27 shall include representatives from the education community and
28 individuals knowledgeable about school infrastructure and
29 construction issues. Nonvoting members may be eligible to
30 receive per diem and expenses as provided in section 7E.6.
31 The task force shall develop an equitable ranking system based
32 upon the following criteria:

33 a. The severity of the deficiencies.

34 b. The ability of the district to finance fire, health,
35 and life safety repairs.

1 c. The percentage of at-risk students enrolled in the
2 district.

3 d. The history of the district's effort to address fire,
4 health, and life safety repair issues.

5 e. The need for maintenance to prevent premature failure
6 of critical building systems.

7 f. The need for security equipment for the protection of
8 students and school staff.

9 The task force shall give primary consideration to the
10 severity of the deficiencies. The task force shall review
11 applications submitted to the department of education and, if
12 necessary, conduct site visits to determine final eligibility
13 and identify inconsistencies in state and local fire and
14 building inspection standards.

15 3. A school district is eligible for a grant under this
16 section if the district agrees to provide matching funds in
17 the amount of twenty-five cents for every dollar of state
18 fire, health, and life safety grant moneys received and if
19 either of the following occurs:

20 a. The school district receives an order or citation from
21 the state fire marshal or local fire department officials for
22 one or more fire safety or state building code violations in a
23 school facility used for instructional purposes.

24 b. A school facility used for instructional purposes is
25 operating with significant fire, health, or life safety
26 deficiencies in the opinion of the state fire marshal or local
27 fire or building department officials.

28 4. Each school district that wishes to receive a fire,
29 health, and life safety grant shall submit an application to
30 the department of education, on forms prescribed by the
31 department, and shall include with the application a written
32 plan to remedy fire, health, or life safety defects within the
33 time specified in the plan, a plan budget, and a five-year
34 history of infrastructure repairs made within the district.

35 5. The department of education shall ensure that grant

1 projects are consistent with the Americans with Disabilities
2 Act of 1990, 42 U.S.C. § 12101 et seq., and section 504 of the
3 federal Rehabilitation Act of 1973. The department of
4 education shall award grants of not more than two hundred
5 fifty thousand dollars annually to districts in the following
6 three size categories:

7 a. Small school districts with enrollments of less than
8 two thousand students.

9 b. Medium school districts with enrollments of not less
10 than two thousand or more than four thousand nine hundred
11 ninety-nine students.

12 c. Large school districts with enrollments of five
13 thousand students or more.

14 To the extent possible, after consideration of the severity
15 of the deficiencies of all applicant school districts, funding
16 shall be awarded equitably among the three size categories.

17 6. The department of education, in consultation with the
18 state fire marshal's office and local fire and building
19 inspectors, shall develop a state school safety audit that
20 includes instructions for school districts, law enforcement,
21 and emergency response agencies to conduct a walk-through of a
22 school building to identify how effective their safe school
23 plan is and suggest areas for improvement.

24 7. The department of education shall prepare and submit a
25 report of the activities and expenditures funded under this
26 section to the chairpersons and ranking members of the
27 standing education committees and the joint subcommittees on
28 education appropriations, and the legislative fiscal bureau,
29 by December 1, 2001. The state fire marshal shall submit to
30 the department of education for inclusion in the report an
31 estimate of the percentage of schools left with serious fire
32 or state building code violations.

33 Sec. 25. NEW SECTION. 514C.19 MENTAL HEALTH AND
34 SUBSTANCE ABUSE TREATMENT COVERAGE.

35 1. Notwithstanding the uniformity of treatment

1 requirements of section 514C.6, a group policy or contract
2 providing for third-party payment or prepayment of health or
3 medical expenses shall provide mental health and substance
4 abuse treatment coverage benefits for the dependent child of
5 the insured or enrollee, and shall not impose limitations on
6 financial terms for coverage of services for serious mental
7 illnesses or substance abuse if similar limitations are not
8 imposed on the coverage benefits for services for medical or
9 surgical conditions.

10 2. For purposes of this section, unless the context
11 otherwise requires:

12 a. "Serious mental illness" means the following disorders,
13 as defined by the American psychiatric association's
14 diagnostic and statistical manual of mental disorders:

- 15 (1) Schizophrenia.
- 16 (2) Schizo-affective disorder.
- 17 (3) Bipolar disorder.
- 18 (4) Major depressive disorder.
- 19 (5) Obsessive-compulsive disorder.
- 20 (6) Autism.
- 21 (7) Pervasive developmental disorders.
- 22 (8) Panic disorder.
- 23 (9) Paranoia and other psychotic disorders.
- 24 (10) Eating disorders, including but not limited to
25 bulimia nervosa and anorexia nervosa.

26 b. "Substance abuse" means a pattern of pathological use
27 of alcohol or a drug that causes impairment in social or
28 occupational functioning, or that produces physiological
29 dependency evidenced by physical tolerance or by physical
30 symptoms when the alcohol or drug is withdrawn.

31 2. This section shall not apply to accident-only, specific
32 disease, short-term hospital or medical, hospital confinement
33 indemnity, credit, dental, vision, Medicare supplement, long-
34 term care, basic hospital and medical-surgical expense
35 coverage as defined by the commissioner, disability income

1 insurance coverage, coverage issued as a supplement to
2 liability insurance, workers' compensation or similar
3 insurance, automobile medical payment insurance, or individual
4 accident or sickness policies issued pursuant to chapter 513C.

5 3. A third-party payor may manage the benefits provided
6 through common methods including, but not limited to,
7 providing payment of benefits or providing care and treatment
8 under a capitated payment system, prospective reimbursement
9 rate system, utilization control system, incentive system for
10 the use of least restrictive and least costly levels of care,
11 a preferred provider contract limiting choice of specific
12 provider, or any other system, method, or organization
13 designed to ensure services are medically necessary and
14 clinically appropriate.

15 4. A group policy or contract covered under this section,
16 at a minimum, shall provide for thirty inpatient and sixty
17 outpatient days annually. The policy or contract may also
18 include deductibles, coinsurance, or copayments if such
19 deductibles, coinsurance, or copayments are applicable to
20 other medical or surgical services coverage under the policy
21 or contract. It is not a violation of this section if the
22 policy or contract excludes entirely from coverage benefits
23 the cost of providing the following:

- 24 a. Marital, family, educational, developmental, or
25 training services.
- 26 b. Care that is substantially custodial in nature.
- 27 c. Services and supplies that are not medically necessary
28 or clinically appropriate.
- 29 d. Experimental treatments.

30 5. The commissioner, by rule, shall increase the mental
31 health and substance abuse lifetime limit in the individual
32 market guaranteed standard product to one hundred thousand
33 dollars.

34 6. A group policy is exempt from this section upon
35 submitting to the commissioner evidence demonstrating a

1 premium increase for the policy term in excess of three
2 percent as a result of the requirements of this section.

3 7. This section applies to third-party payment provider
4 contracts or policies delivered, issued for delivery,
5 continued, or renewed in this state on or after January 1,
6 2001.

7 8. This section is repealed effective July 1, 2003.

8 Sec. 26. Section 724.22, subsection 2, Code 1999, is
9 amended to read as follows:

10 2. Except as provided in subsections 4 and 5~~7~~-a:

11 a. A person who sells, loans, gives, or makes available a
12 pistol or revolver or ammunition for a pistol or revolver to a
13 person below the age of twenty-one commits a serious
14 misdemeanor for a first offense and a class "D" felony for
15 second and subsequent offenses.

16 b. (1) A person under eighteen years of age who possesses
17 a pistol or revolver or ammunition for a pistol or revolver
18 commits a delinquent act.

19 (2) A person eighteen years of age or older, but under the
20 age of twenty-one, who possesses a pistol or revolver or
21 ammunition for a pistol or revolver commits a serious
22 misdemeanor.

23 Sec. 27. NEW SECTION. 724.22A TRIGGER OR GUN LOCKS
24 REQUIRED AT POINT-OF-SALE -- INSTRUCTIONS, INFORMATION, AND
25 POSTING.

26 1. A person that engages in the retail sale of pistols or
27 revolvers, other than an antique firearm, shall provide to a
28 purchaser at the time of the sale of the pistol or revolver a
29 trigger lock, gun lock, or gun-locking device appropriate for
30 such pistol or revolver and that renders the pistol or
31 revolver inoperable while installed. The seller shall offer
32 to demonstrate its use.

33 2. A person that engages in the retail sale of pistols or
34 revolvers, other than an antique firearm, shall post
35 information that shall be provided by the department of public

1 safety promoting the safe storage of weapons and providing
2 information on the availability of weapons training programs.

3 3. This section does not apply to the sale of a pistol or
4 revolver by an individual who is not regularly engaged, either
5 full-time or part-time, in a business of selling, buying for
6 resale, or exchanging firearms as a principal or agent.

7 Sec. 28. CRISIS TRAINING FOR LOCAL GOVERNMENT. It is the
8 intent of the general assembly that the appropriate state
9 agencies respond to every reasonable request from local law
10 enforcement, emergency medical, fire, and EMS county crisis
11 responders for training and technical assistance.

12 Sec. 29. STATE MANDATE FUNDING SPECIFIED. In accordance
13 with section 25B.2, subsection 3, the state cost of requiring
14 compliance with any state mandate included in section 12 of
15 this Act, relating to an articulated sequential guidance
16 program, shall be paid by a school district from state school
17 foundation aid received by the school district under section
18 257.16. This specification of the payment of the state cost
19 shall be deemed to meet all the state funding-related
20 requirements of section 25B.2, subsection 3, and no additional
21 state funding shall be necessary for the full implementation
22 of this Act by and enforcement of this Act against all
23 affected school districts.

24

EXPLANATION

25 This bill makes appropriations to the department of
26 education and provides for matters related to school safety.

27 From the rebuild Iowa infrastructure fund, the bill
28 appropriates moneys to the department of education for fiscal
29 year 2000-2001 for fire and health safety grants for eligible
30 school districts. The bill appropriates moneys to the
31 department of education for life safety grants from the
32 general fund of the state for the same fiscal year. The bill
33 provides statutory language for distribution of the grant
34 moneys to school districts based on the recommendations of a
35 fire, health, and life safety task force established under the

1 bill.

2 The bill also appropriates moneys to the department from
3 the general fund of the state for fiscal year 2000-2001 for
4 character education through service learning incentive grants
5 for school districts; for purposes of entering into a
6 competitively bid contract with a not-for-profit organization
7 to conduct a series of training programs for adult volunteers
8 to work with adolescent youth in after-school mentoring
9 programs; and, for the Iowa empowerment fund, the bill
10 increases the funding by one-third and requires that the
11 increase be used for grants focused on providing quality
12 preschool programs, quality health care, and strong parent
13 education programs. The bill appropriates moneys to the
14 department of human services from the general fund of the
15 state for fiscal year 2000-2001 for 52 middle school juvenile
16 court liaisons.

17 The bill also makes the following changes and additions to
18 the Code:

19 New Code sections 16.110 through 16.115: Makes an
20 appropriation from the rebuild Iowa infrastructure fund to the
21 Iowa finance authority for fiscal year 2000-2001 for purposes
22 of establishing and implementing an Iowa school district
23 revolving loan fund program for the purpose of making loans
24 available to school districts to finance all or part of the
25 costs of school building repairs or construction, and to
26 provide a means for Iowa schools to reduce their long-term
27 borrowing costs.

28 Code sections 232.2(12) and 724.22 and new Code section
29 724.22A: Requires a firearms dealer to provide a gun-locking
30 device and certain related information at the time of sale of
31 a pistol or revolver. The bill also adds a new provision to
32 Code section 724.22, making possession by a minor of a pistol
33 or revolver or ammunition for a pistol or revolver a
34 delinquent act, and possession of a pistol, revolver, or
35 ammunition for a pistol or revolver by a person 18 years or

1 older, but under 21, a serious misdemeanor. A corresponding
2 amendment is also made to Code chapter 232, relating to
3 delinquent acts by juveniles.

4 Code section 232.101(1): Requires that the parent,
5 guardian, or custodian of a child in need of assistance accept
6 or provide for mental health services for the child if
7 directed to do so by a court order in order to retain custody
8 of the child. The bill also permits the court to prescribe
9 terms and conditions including treatment for the parent,
10 guardian, or custodian of the child if their condition results
11 in the child not receiving adequate care.

12 Code section 256.9, new subsections 49, 50, and 51:
13 Require the director of the department of education to provide
14 that the department serve as a clearinghouse for research-
15 based bullying and violence prevention strategies, parenting
16 education, after-school educational and recreational
17 activities, conflict management curricula, youth leadership
18 programs, student mentoring programs, and school crisis
19 planning, and collaborate with other state and local agencies
20 to provide school districts, parents, guardians, and
21 communities with access to effective strategies and technical
22 assistance; develop and, at the request of school districts
23 and parents or guardians, distribute information for
24 increasing parental involvement; and develop, with appropriate
25 state and nonprofit agencies, a safety and crisis management
26 plan school districts may use as a model when developing their
27 local plans. School districts are encouraged to develop and
28 periodically review a local safety and crisis management plan.
29 The department must provide technical assistance to school
30 districts upon request.

31 Code sections 256.11 and 256.11A: Reestablishes a
32 statutory requirement that each accredited nonpublic school or
33 school district provide an articulated sequential elementary-
34 secondary guidance program for grades kindergarten through 12
35 and a licensed guidance counselor. The bill authorizes

1 waivers to be requested for school year 2000-2001 and waiver
2 extentions to be requested for school year 2001-2002 if
3 requests are filed by August 1 of the respective years.

4 The provisions in section 256.11 may include a state
5 mandate as defined in Code section 25B.3. The bill requires
6 that the state cost of any state mandate included in the bill
7 be paid by a school district from state school foundation aid
8 received by the school district under section 257.16. The
9 specification is deemed to constitute state compliance with
10 any state mandate funding-related requirements of Code section
11 25B.2. The inclusion of this specification is intended to
12 reinstate the requirement of political subdivisions to comply
13 with any state mandates included in the bill.

14 New Code section 257.11A: Provides that school districts
15 will receive supplementary weighting for programs serving at-
16 risk pupils in grades nine through 12. A weighting of .0128
17 per pupil will be assigned based on the percentage of pupils
18 enrolled in grades one through six who are eligible for free
19 and reduced price meals. The bill provides that amounts
20 received as supplemental weighting for at-risk pupils shall be
21 utilized by a school district to develop or maintain
22 alternative programs for at-risk pupils, including alternative
23 high school programs, and will be in addition to and not
24 supplanting other at-risk program moneys appropriated in Code
25 section 279.51 and moneys otherwise appropriated by law to
26 supplement that funding. The bill provides that a school
27 district which received supplementary weighting for an
28 alternative high school program offered by a community college
29 for the school budget year beginning July 1, 1999, will
30 receive the greater of either 100 percent of that amount for
31 the school budget year beginning July 1, 2000, or the amount
32 determined pursuant to the .0128 weighting. The bill further
33 provides that for each succeeding budget year a school
34 district shall receive the greater of either the amount
35 determined pursuant to the .0128 weighting or an amount

1 representing a 25 percent annual decrease in the amount of
2 supplementary weighting received for an alternative high
3 school program offered by a community college for the school
4 budget year beginning July 1, 1999, until the amount generated
5 by the .0128 weighting is reached. The bill provides that the
6 department of management shall annually determine the amount
7 received exceeding the .0128 weighting which is attributable
8 to state aid and property tax, and shall recalculate the
9 supplementary weighting amount received annually until the
10 .0128 level is reached.

11 Code section 260C.14, new subsection 21; Code section
12 261.9, new paragraph "i"; and Code section 262.9, new
13 subsection 30: Require the board of directors of a community
14 college, the regents universities, and accredited private
15 postsecondary institutions to report any evidence of felonious
16 acts on the part of the administrators, faculty, employees,
17 and students to the proper local or state authorities.

18 Code section 273.3, new subsection 23: Requires the area
19 education agencies to work with other state and community
20 organizations to provide training to parents, guardians,
21 students, and school personnel on recognizing and building a
22 positive school environment, identifying and addressing early
23 warning signs of bullying and violent behavior, and how to
24 contact school officials. The board is directed to provide
25 training and technical assistance to school districts
26 regarding crisis, conflict, and anger management strategies
27 and curricula.

28 Code section 279.51(1), unnumbered paragraph 1, (1)(c)(e),
29 and (3): Increases the standing, limited appropriation from
30 the general fund of the state to the department of education
31 for purposes of programs for at-risk children. The increase
32 is allocated for the school-based youth services education
33 program to continue to distribute moneys to districts to allow
34 expansion and identified minimum services, and to provide
35 funding for the family resource center demonstration program

1 and a new program, the extended learning opportunities
2 demonstration grant program.

3 The extended learning opportunities demonstration grant
4 program is a four-year program which the department will
5 administer to provide grants to establish at least one model
6 program in a small, medium, and large-sized school district.

7 The term "extended learning opportunity" is defined in the
8 bill to mean any service provided outside the hours of a
9 normal school day or beyond the required school year and which
10 is designed to maximize student and family success. Examples
11 of extended learning opportunities identified by the bill
12 include extending the school year, the school day, or other
13 school-based programs for students and families. The model
14 programs should establish a continuum of academic and personal
15 support for students and their families. The bill requires
16 recipients of school-based youth services grants to be
17 prepared to offer extended learning opportunities by July 1,
18 2001.

19 The bill also provides for the annual distribution of
20 \$121,000 of the extended learning opportunities grant
21 allocation to support americorps volunteers.

22 New Code section 422E.6: Requires that the department of
23 education establish a fire, health, and life safety task
24 force, and provides for the composition of its membership.
25 The bill directs the task force to establish an equitable
26 ranking system for grant approval to school districts that
27 submit applications for fire, health, and life safety grant
28 moneys.

29 New Code section 514C.19: Provides that a group policy or
30 contract providing for third-party payment or prepayment of
31 health or medical expenses shall provide coverage benefits for
32 treatment of a serious mental illness and substance abuse for
33 the dependent child of the insured or enrollee. The bill
34 prohibits a group policy or contract from imposing limitations
35 on the financial terms for coverage of services for serious

1 mental illnesses or substance abuse, if similar limitations
 2 are not imposed on the coverage benefits for services for
 3 medical or surgical conditions. The new Code section applies
 4 to third-party payment provider contracts or policies
 5 delivered, issued for delivery, continued, or renewed in this
 6 state on or after January 1, 2001. The new Code section is
 7 repealed effective July 1, 2003.

8 Finally, the bill establishes language stating that it is
 9 the intent of the general assembly that the appropriate state
 10 agencies respond to every reasonable request from local law
 11 enforcement, emergency medical, fire, and EMS county crisis
 12 responders for training and technical assistance.

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