

F I N A L R E P O R T

EDUCATIONAL SERVICES AND FUNDING SUBCOMMITTEE OF THE SENATE AND HOUSE COMMITTEES ON EDUCATION

January, 1980

The Educational Services and Funding Subcommittee of the Senate and House Committees on Education was established by the Legislative Council to review current issues in education of interest to the General Assembly.

Members serving on the Subcommittee were:

Senator Willard R. Hansen, Cedar Falls
Representative Delwyn Stromer, Garner
Senator James Calhoon, Sioux City
Senator Arthur L. Gratias, Nora Springs
Senator Joann Orr, Grinnell
Senator Ray Taylor, Steamboat Rock
Representative Marvin Diemer, Cedar Falls
Representative Richard Groth, Albert City
Representative Sonja Larsen, Ottumwa
Representative James D. Wells, Cedar Rapids

The Subcommittee was granted three meetings and an additional meeting was authorized by the Legislative Council at its November meeting. Meetings were held August 15, September 12, October 11, and November 16. At the first meeting Representative Stromer was elected Chairperson and Senator Hansen was elected Vice Chairperson.

During the interim, the Subcommittee received information on and discussed a variety of different issues relating to education in this state. For some areas legislation was recommended for introduction by the House and Senate Committees on Education and for other areas no action was taken by the Subcommittee, but additional information was received by Subcommittee members which will be helpful during the 1980 legislative session.

A list of subject areas, persons making presentations before the Subcommittee, and brief summaries of information presented follows.

Funding for Programs for Gifted and Talented Children

The 1978 Session of the General Assembly enacted legislation authorizing the Department of Public Instruction to approve ten pilot programs for gifted and talented children for the 1979-1980 and 1980-1981 school years to be funded by an increase in allowable growth under the state foundation formula. In 1979 this

legislation was amended to appropriate \$100,000 from the state general fund for funding pilot programs for the 1980-1981 school year.

Since the legislation was temporary in nature and a permanent means of funding programs for gifted and talented children appears warranted, the Subcommittee spent portions of three meetings listening to testimony, asking questions and discussing possible legislation for funding for programs for gifted and talented children.

Ms. Shirley Perkins, Consultant, Gifted and Talented Education, Department of Public Instruction, defined gifted and talented children as those who have been identified by professionally qualified persons, who by virtue of outstanding abilities are capable of high performance and who require services and educational programs beyond those normally provided by the regular school programs.

She described current programs in operation in Iowa and noted that federal funds have been approved for fiscal year 1980 including \$58,000 to be used by the Department of Public Instruction and Title IVC funds which are granted to school districts under a competitive grant process (fiscal year 1979 grants were approved totaling \$250,000). Also, state funds have been appropriated to the Department of Public Instruction and used for in-service training programs for teachers and administrators.

Ms. Perkins described the wide range of programs which may be provided to enrich the school experiences of gifted and talented children. A copy of this information is attached and by this reference made a part of this report.

Legislation was drafted at the request of Chairperson Stromer to provide some permanent state funding for gifted and talented children programs on the basis of program approval by the Department of Public Instruction coupled with increased allowable growth and state funds. Copies of the bill were distributed to the Subcommittee, the Department of Public Instruction, the Iowa Talented and Gifted Association, and other interested persons.

At its final meeting, both the Department of Public Instruction and the Iowa Talented and Gifted Association endorsed a weighted funding approach, rather than a program approval approach, citing the unstable funding of the program approval approach as one of their criticisms. The Iowa Talented and Gifted Association recommended an additional .2 weighting for up to 5 percent of the school population. The Department recommended the same additional weighting for up to 3 percent of the school population. The Department has estimated the cost of its proposal to be about \$6,600,000 including both state and local funds.

Recommendation

Following Subcommittee discussion the House members recommend to the full Education Committee the approval of the bill proposal of Chairperson Stromer. A copy of the bill is attached to this report as Bill I. The Senate members make no recommendations, agreeing to study the various approaches during the next legislative session.

Area Education Agency Funding

Since the school year beginning July 1, 1979 is the fifth year of operation of the area education agencies, the Subcommittee asked for information about the programs and services and funds generated and expended for each year of operation of the AEAs. Mr. Frank Vance, Director of Special Education of the Department of Public Instruction, reviewed the growth of special education services over each of the last five years, indicating numbers of students identified as children requiring special education, students served, special education support personnel, job descriptions and workloads of school psychologists and school social workers, expenditure of federal funds under P.L. 94-142, and results of parent questionnaires.

Mr. Gayle Obrecht from the Division of Administration and Finance of the Department of Public Instruction presented information tracing the approved budget of each AEA for each year of its operation.

Mr. Bill Clark, Educational Services Director of Heartland AEA and staff of the Legislative Service Bureau, presented information about the kinds of services offered by AEAs under the Educational Services Divisions and an analysis of how these services have changed over the past five years both in terms of services themselves and allocation of funds.

The following categories of services are offered under the educational services umbrella:

1. In-services education and curriculum development.
2. Staff development.
3. Data processing services.
4. Guidance and testing.
5. Research and evaluation.
6. Cooperative purchasing and other services.

In addition, Dr. Wayne Truesdell, Professor Emeritus, University of Northern Iowa, made a number of recommendations to the Subcommittee in the area of AEA funding and governance.

Copies of information about the area education agencies and use of P.L. 94-142 funds may be obtained upon request to the Legislative Service Bureau.

Recommendation

The Subcommittee made no recommendations in this area.

Autism

Mr. Jerry Stilwell, a representative from the Iowa Society for Autistic Children, asked for a separate special education weighting category for autistic children. He commented that only six programs have been designated as programs for autistic children in this state and there has been no comprehensive program of in-service training developed for staff. He expressed the belief that an autistic child does not belong in the special education category of emotionally disabled.

Department personnel responded that it is working with special education support personnel in the AEAs to approve identification procedures for autistic children. It was noted that autistic children are eligible for funds and programs as any other handicapped child. An autism planning committee appointed by the Department is meeting during the current school year to develop recommendations regarding needed program guidelines and other provisions for autistic children. The Department asked the Subcommittee to delay making recommendations until the planning committee has made its recommendations and the Subcommittee agreed.

Recommendation

The Subcommittee made no recommendations in this area.

Speech and Hearing Diagnostic Services

Representative Groth proposed that diagnostic services for speech and hearing be listed as services that can be provided for nonpublic school pupils on nonpublic school premises in section 257.26 of the Code. The United States Supreme Court has ruled in *Walmen v. Walter* that it is permissible for diagnostic services to be conducted on nonpublic school premises. It was noted that the Department has advised the AEAs not to provide diagnostic services for speech and hearing on nonpublic school premises, but a survey of AEAs indicates that about half of them do so.

Recommendation

The Subcommittee members from both houses recommend the approval by their respective Committees on Education of a bill which lists

diagnostic services for speech and hearing as services which can be provided on nonpublic school premises. A copy of the bill is attached to this report as Bill II.

Student Achievement

An issue which has been discussed for the past several years but upon which no legislative action has been taken is student achievement. At least fifteen states have enacted legislation mandating minimum competency testing for students and some state have mandated minimum competency testing for teachers.

The Subcommittee spent a portion of one meeting discussing the findings and conclusions of the Student Achievement Task Force, a Task Force established by the Department of Public Instruction which reported to the State Board of Public Instruction in October, 1979. Information was presented by Lee Wolf and Barbara Wickless from the Department of Public Instruction. Results of tests of Iowa school children for the Iowa Basic Skills Testing Program and the Iowa Tests of Educational Development between 1955 and 1977 showed the number of the grade equivalent units (months of a school year) by which Iowa median performance exceeds the national median performance. The test results show that Iowa students are from about half a year to over one year ahead of the national average in the various subject areas tested. The Task Force does not recommend that a minimum competency testing program for students be established.

The Subcommittee also heard from Donald Cox, Associate Superintendent, Department of Public Instruction; Dale Nitzschke, Dean of the College of Education, University of Northern Iowa; and Virgil Logomarcino, Dean of the College of Education, Iowa State University describing teacher training and certification requirements.

Dr. Cox stated that programs of teacher training institutions must be approved by the Department of Public Instruction before certificates can be issued to graduates of those institutions.

Both Dr. Nitzschke and Dr. Logomarcino stressed the high standards of performance required of graduates of their institutions before the institution will recommend certification.

Recommendation

The Subcommittee made no recommendations in this area.

Computer Services

Representatives from four different area education agencies made presentations to the Subcommittee illustrating how the computer is

used in their area education agencies to help local school districts.

1. Robert King, Northern Trails Area Education Agency (2), described Project Measure which assists the teacher and school administrators in analyzing standardized and teacher-made tests for use in improving instructional programs and in developing instructional methods and materials to meet identified needs.

2. Guy Olson and Chuck Moeckley, AEA 5, described the program they use which involves administering the Iowa Test of Basic Skills twice each year and analyzing changes in test results from one test to the next to determine the areas of the curriculum the students have learned.

3. Dale Nimrod and Clem Steele, AEA 1, discussed the use of the computer for instructional purposes and proposed the establishment of a clearinghouse for instructional computing materials to share, distribute and produce computer programs for instructional purposes.

4. Jerry Robinson, Des Moines Public Schools, Bill Clark, Heartland AEA, and Don Andrew, Director of Mid-Iowa Computer Center, discussed the formation and functions of the Mid-Iowa Computer Center which provides administrative services to the 15 AEAs, 102 school districts, 3 private schools, 2 area community colleges, and the Department of Public Instruction.

5. James Mitchell, Deputy Superintendent of Public Instruction; Dean Crocker, Director of the Statewide Plan, Department of Public Instruction; John Cordes, Eastern Iowa Regional Computer Center Consortium; and Ron Dickinson, Western Iowa Regional EDP Consortium discussed progress in implementing the Statewide Plan for Use of the Computer in Education adopted by the State Board of Public Instruction. The Statewide Plan envisions a common computer network to provide both instructional and administrative data processing services to all public educational agencies in this state. The two consortia were developed as independent legal entities with the goal of making available data processing services to merged area schools, area education agencies, and school districts. Currently, Mid-Iowa Computer Center and several of the area schools are providing computer services to some school districts. Both the consortia and the Computer Center agree that state funds are needed to help provides data processing services to educational agencies in this state.

Recommendation

The Subcommittee believes that funding proposals for data processing services will be referred to the Education Appropriations Subcommittee and made no recommendations in the area.

Dissolution of School Districts

At the request of Chairperson Stromer, a bill was drafted and submitted to Subcommittee members and other interested persons which provides a procedure for dissolving a school district and attaching portions of it to surrounding school districts. The procedure would be used in situations when the reorganization procedures are unworkable but it is unfeasible for the district to continue in existence. Comments on the procedure were received from the Iowa Association of School Boards.

Recommendation

The Subcommittee members from both houses recommend the approval by their respective Committees on Education of Bill III which provides a method to establish a dissolution commission to meet with surrounding school districts and draw up a dissolution proposal meeting the approval of the boards of all affected school districts. Following a public hearing on the proposal, an election would be held in the dissolving district. If a majority of those voting approves, the district would be dissolved. A copy of Bill III is attached to this report.

Uses of Site Fund

School boards may authorize the levying of a tax of up to \$.27 per thousand dollars of assessed valuation to be used for the purchase and improvement of school sites. Many districts have encountered difficulties in finding money to repair or replace roofs of school buildings and boilers. They have also experienced rapidly increasing utility costs for heating school buildings and no available money to make modifications to the buildings for energy conservation purposes.

Recommendation

The Subcommittee members from both houses recommend the approval by their respective Committees on Education of Bill IV to expand the uses for which the site levy may be expended to include roof and boiler repairs and replacement and energy conservation purposes. A copy of Bill IV is attached to this report.

Meeting Requirements for Bond Proposals

Since 1978 before a school district can issue general obligation bonds for construction or renovation of a school building, it has been necessary that the area education agency board in which the district is located hold a meeting attended by the AEA board and the boards of surrounding districts. This requirement is time

consuming and unfruitful in area education agencies which have up to 63 school districts located in them. Several area education agency administrators recommended that the requirement be changed to allow more flexibility in the meeting requirement.

Recommendation

The Subcommittee members from both houses recommend the approval by their respective Committees on Education of Bill V which requires that the meetings be held only if the area education agency board or a board adjacent to the school district proposing to issue the bonds requests that a meeting be held. A copy of Bill V is attached to this report.

Midwest Education Compact

Senator Harold D. Schreier, South Dakota, former Chairman of the Education Committee, Midwestern Conference of the Council of State Governments, addressed the Subcommittee on the Midwest Education Compact which provides for interstate cooperation in higher education. He asked that the Iowa General Assembly consider enacting the Midwest Education Compact. It is necessary that six states enact the Compact prior to December 31, 1981 and the states of South Dakota, Minnesota and Nebraska have already enacted it.

Recommendation

The Subcommittee made no recommendations in this area, but agreed to discuss the issue further during the legislative session.

In addition to those persons already listed, the Subcommittee heard presentations from the following persons:

1. Jim Rose, Office of State Comptroller, presented the estimated cost of a 13.592 percent allowable growth for the 1980-1981 school year.

2. Dale Jensen, Administrator AEA 2, distributed an impact fact sheet describing the use of educational services in his area education agency.

3. Kitty Schmidt, AEA 9 Board member, discussed the importance of maintaining privacy of information on the computer.

4. Representative Virgil Corey expressed the belief that school boards are losing their control over students and expressed concern over the mandatory human relations requirement for teachers.

5. Judy Dolphin, League of Women Voters of Iowa, stated that the League is beginning a two-year study on school finance.

DRAFT BILL I

PROPOSED HOUSE/SENATE FILE _____

By (PROPOSED COMMITTEE ON EDUCATION
BILL RECOMMENDED BY THE EDUCA-
TIONAL SERVICES AND FUNDING
SUBCOMMITTEE)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the establishment of programs for gifted
2 and talented children and to make an appropriation.

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

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1 Section 1. Section four hundred forty-two point thirty-
2 one (442.31), Code 1979, as amended by Acts of the Sixty-
3 eighth General Assembly, 1979 Session, chapter thirteen (13),
4 section twenty (20), is amended by striking the section and
5 inserting in lieu thereof the following:

6 442.31 GIFTED AND TALENTED CHILDREN. The board of
7 directors of a school district may make application to the
8 department of public instruction for approval and funding
9 of a program of instruction for gifted and talented children
10 to be funded by both an increase in allowable growth as defined
11 in section four hundred forty-two point seven (442.7) of the
12 Code and by funds appropriated in section five (5) of this
13 Act.

14 The department shall promulgate rules under chapter
15 seventeen A (17A) of the Code relating to the administration
16 of sections four hundred forty-two point thirty-one (442.31)
17 through four hundred forty-two point thirty-five (442.35)
18 of the Code.

19 The program plans submitted by school districts shall
20 include all of the following:

- 21 1. Program goals, objectives, and design.
- 22 2. Student identification procedures.
- 23 3. Staff utilization plans.
- 24 4. Staff in-service education plans.
- 25 5. Evaluation criteria.
- 26 6. Program budget costs and details.

27 Sec. 2. Section four hundred forty-two point thirty-two
28 (442.32), Code 1979, is amended to read as follows:

29 442.32 TYPE OF PROGRAM. The In addition to the information
30 required in section one (1) of this Act, the program plans
31 submitted by school districts shall describe the type of
32 program to be effected and shall establish all of the following:

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

35 2. That the gifted and talented children program will

1 be provided by the most appropriate educational agency.

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

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

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

10 6. That the program goals are designed to meet the
11 particular needs of the gifted and talented children to be
12 served.

13 6 7. Other factors as the department may require.

14 Sec. 3. Section four hundred forty-two point thirty-three
15 (442.33), Code 1979, is amended to read as follows:

16 442.33 DEFINED. "Gifted and talented children" are those
17 identified as possessing outstanding abilities who are capable
18 of high performance. Gifted and talented children are children
19 who require ~~differentiated-educational-programs-or-services~~
20 special instruction or special ancillary services, or both,
21 beyond those provided by the regular school program to achieve
22 at levels commensurate with their intellect and abilities.

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

- 26 1. Creative thinking.
- 27 2. Leadership ability.
- 28 3. Visual and performing arts ability.
- 29 4. Specific ability aptitude.
- 30 5. Intellectual ability.

31 Sec. 4. Section four hundred forty-two point thirty-four
32 (442.34), Code 1979, as amended by Acts of the Sixty-eighth
33 General Assembly, 1979 Session, chapter thirteen (13), section
34 twenty-one (21), is amended by striking the section and
35 inserting in lieu thereof the following:

1 442.34 SUBMISSION OF PROGRAM PLANS. The board of directors
2 shall submit applications for approval for gifted and talented
3 children programs to the department not later than the December
4 first preceding the fiscal year during which the program will
5 be offered. A single program may be provided by two or more
6 districts acting jointly. The department shall review the
7 program plans and shall prior to January first either grant
8 approval for the program or return the request for approval
9 with comments of the department included. Any unapproved
10 request for a program may be resubmitted with modifications
11 to the department not later than January fifteenth.

12 Based upon the requests filed, the department shall inform
13 the school district prior to January first of the approximate
14 amount of state aid which the district will receive under
15 section five (5) of this Act. If the school district will
16 receive less state aid than it anticipated, the district may
17 resubmit a program plan with modifications to the department
18 not later than January fifteenth.

19 Sec. 5. Section four hundred forty-two point thirty-five
20 (442.35), Code 1979, as amended by Acts of the Sixty-eighth
21 General Assembly, 1979 Session, chapter thirteen (13), section
22 twenty-two (22), is amended by striking the section and
23 inserting in lieu thereof the following:

24 442.35 APPROPRIATION. There is appropriated for the
25 fiscal year beginning July 1, 1980 and ending June 30, 1981
26 to the state comptroller, the sum of _____
27 dollars to be allocated by the state comptroller on the basis
28 of plans approved by the department to school districts in
29 amounts not to exceed one-half the budget of each approved
30 gifted and talented children program. For each fiscal year
31 following the fiscal year beginning July 1, 1980, the amount
32 appropriated is equal to the amount appropriated for the
33 previous fiscal year times one hundred percent plus the state
34 percent of growth for the fiscal year. If moneys appropriated
35 in this section are insufficient to meet the allocation under

1 this section, the state comptroller shall prorate the moneys
 2 allocated for each approved program. The state comptroller
 3 shall transmit moneys allocated for approved gifted and
 4 talented children programs to the appropriate school districts.
 5 The portion of the budgets of approved gifted and talented
 6 children programs not funded by state aid shall be funded
 7 by an increase in allowable growth of the school district.
 8 The state comptroller shall inform the school budget review
 9 committee of the names of the school districts and the approved
 10 budget of each gifted and talented children program and shall
 11 list the amounts of moneys allocated to each district from
 12 funds appropriated in this section. The school budget review
 13 committee shall approve a modified allowable growth for each
 14 district as an unusual circumstance, under the authority
 15 granted in section four hundred forty-two point thirteen
 16 (442.13) of the Code, to provide funds equal to the difference
 17 between the budget approved for a program for a school district
 18 and the amount of moneys allocated to each program from funds
 19 appropriated in this section.

20 EXPLANATION

21 This bill provides up to 50 percent state funding for
 22 approved gifted and talented children programs. It requires
 23 boards of directors to submit applications for programs to
 24 the department of public instruction not later than December
 25 first for the following school year.

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DRAFT BILL II

PROPOSED SENATE/HOUSE FILE _____

By (PROPOSED COMMITTEE ON EDUCATION
BILL RECOMMENDED BY THE EDUCA-
TIONAL SERVICES AND FUNDING
SUBCOMMITTEE)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to diagnostic services for speech and hearing
2 for nonpublic school pupils.

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

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1 Section 1. Section two hundred fifty-seven point twenty-
2 six (257.26), subsection two (2), Code 1979, is amended to
3 read as follows:

4 2. The provisions of this section shall not deprive the
5 respective boards of public school districts of any of their
6 legal powers, statutory or otherwise, and in accepting such
7 specially enrolled students, each of said boards shall
8 prescribe the terms of such special enrollment, including
9 but not limited to scheduling of such courses and the length
10 of class periods. In addition, the board of the affected
11 public school district shall be given notice by the state
12 board of its decision to permit such special enrollment not
13 later than six months prior to the opening of the affected
14 public school district's school year, except that the board
15 of the public school district may, in its discretion, waive
16 such notice requirement. School districts and area education
17 agency boards, may, when available, make public school
18 services, which may include health services, special education
19 services, diagnostic services for speech and hearing, services
20 for remedial education programs, guidance services and school
21 testing services, available to children attending nonpublic
22 schools in the same manner and to the same extent that they
23 are provided to public school students. However, services
24 that are made available shall be provided on premises other
25 than nonpublic school property, except health services and
26 diagnostic services for speech and hearing which may be
27 provided on nonpublic school premises.

28 Sec. 2. This Act is effective January first following
29 its enactment.

30 EXPLANATION

31 This bill specifically allows speech and hearing diagnostic
32 services conducted by public agencies to be provided on non-
33 public school premises.

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DRAFT BILL III

PROPOSED HOUSE/SENATE FILE _____

By (PROPOSED COMMITTEE ON EDUCATION
BILL RECOMMENDED BY THE EDUCA-
TIONAL SERVICES AND FUNDING
SUBCOMMITTEE)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to establish a dissolution commission, prescribe its
2 duties, and provide for the dissolution of a school dis-
3 trict.

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

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1 Section 1. NEW SECTION. DISSOLUTION COMMISSION. As an
2 alternative to school district reorganization prescribed in
3 this chapter, the board of directors of a school district
4 may establish a school district dissolution commission to
5 prepare a proposal of dissolution of the school district and
6 attachment of all of the school district to one or more
7 contiguous school districts.

8 The dissolution commission shall consist of seven members
9 appointed by the board for a term of office ending either
10 with a report to the board that no proposal can be approved
11 or on the date of the election on the proposal. Members of
12 the dissolution commission must be eligible electors who
13 reside in the school district, not more than three of whom
14 may be members of the board of directors of the school
15 district. Members shall be appointed from throughout the
16 school district and shall represent the various socio-economic
17 factors present in the school district.

18 Members of the dissolution commission shall serve without
19 compensation and may be appointed to a subsequent commission.
20 A vacancy on the commission shall be filled in the same manner
21 as the original appointment was made.

22 The board of the school district shall certify to the area
23 education agency board that a commission has been formed,
24 the names and addresses of commission members, and that the
25 commission members represent the various geographic areas
26 and socio-economic factors present in the district.

27 Sec. 2. NEW SECTION. MEETINGS. The commission shall
28 hold an organizational meeting not more than fifteen days
29 after its appointment and shall elect a chairperson and vice
30 chairperson from its membership. Thereafter the commission
31 may meet as often as deemed necessary upon the call of the
32 chairperson or a majority of the commission members.

33 The commission shall request statements from contiguous
34 school districts outlining each district's willingness to
35 accept attachments of the affected school district to the

1 contiguous districts and what conditions, if any, the
2 contiguous school district recommends. The commission shall
3 meet with boards of contiguous school districts and with
4 residents of the affected school district to the extent
5 possible in drawing up the dissolution proposal. The
6 commission may seek assistance from the area education agency
7 and the department of public instruction.

8 Sec. 3. NEW SECTION. DISSOLUTION PROPOSAL. The commission
9 shall send a copy of its dissolution proposal or shall inform
10 the board that it cannot agree upon a dissolution proposal
11 not later than one year following the date of the
12 organizational meeting of the commission. The dissolution
13 proposal must be approved by the boards of directors of all
14 school districts to which area of the affected school district
15 will be attached before the proposal can be adopted by the
16 commission.

17 If the commission and the boards of contiguous school
18 districts cannot agree upon a dissolution proposal prior to
19 the expiration of its term, the board may appoint a new
20 commission.

21 Sec. 4. NEW SECTION. HEARING. Within ten days following
22 the filing of the dissolution proposal with the board, the
23 board shall fix a date for a hearing on the proposal which
24 shall not be more than sixty days after the dissolution
25 petition was filed with the board. The board shall publish
26 notice of the date, time, and location of the hearing at least
27 ten days prior to the date of the hearing by one publication
28 in a newspaper in general circulation in the district. The
29 notice shall include the content of the dissolution proposal.
30 A person residing or owning land in the school district may
31 present evidence and arguments at the hearing. The chairperson
32 of the commission shall preside at the hearing. The commission
33 shall review testimony from the hearing, and if changes are
34 made by the commission, approval of the changes in the
35 dissolution proposal shall be required from contiguous school

1 districts.

2 Sec. 5. NEW SECTION. ELECTION. The board of the school
3 district shall call a special election to be held not later
4 than forty days following the date of the final hearing on
5 the dissolution proposal. The special election may be held
6 at the same time as the regular school election. The
7 proposition submitted to the voters residing in the school
8 district at the special election shall describe each separate
9 area to be attached to a contiguous school district and shall
10 name the school district to which it will be attached.

11 The board shall give written notice of the proposed date
12 of the election to the county commissioner of elections.
13 The proposed date shall be pursuant to sections thirty-nine
14 point two (39.2), subsections one (1) and two (2) and forty-
15 seven point six (47.6), subsections one (1) and two (2) of
16 the Code. The county commissioner of elections shall give
17 notice of the election by one publication in the same newspaper
18 in which the previous notice was published about the hearing,
19 which publication shall not be less than four nor more than
20 twenty days prior to the election.

21 The proposition shall be adopted if a majority of the
22 electors voting on the proposition approve its adoption.

23 The attachment is effective July first following its
24 approval.

25 Sec. 6. Section two hundred seventy-four point four
26 (274.4), Code 1979, is amended to read as follows:

27 274.4 RECORD OF REORGANIZATION FILED. When an election
28 on the proposition of organizing, reorganizing, enlarging,
29 or changing the boundaries of any school corporation, or on
30 the proposition of dissolving a school district, carries by
31 the required statutory margin, or the boundary lines of
32 contiguous school corporations are changed by the concurrent
33 action of the respective boards of directors, the secretary
34 of said the school corporation shall file a written
35 description of the new boundaries of the school corporation

1 in the office of the county auditor of each county in which
2 any portion of the school corporation lies.

3 Sec. 7. Section two hundred seventy-nine point forty
4 (279.40), unnumbered paragraph four (4), Code 1979, is amended
5 to read as follows:

6 Cumulation of sick leave by ~~virtue of~~ under this section
7 shall not be affected or terminated by ~~reason of~~ due to the
8 organization or dissolution of a community school district
9 or districts which include all or the portion of the district
10 which employed the particular public school employee for the
11 school year previous to such the organization or dissolution,
12 if such the employee is employed by one of such the community
13 school districts for the first school year following its
14 organization or dissolution.

15 Sec. 8. The boards of school districts to which portions
16 of a dissolving district are attached shall give preference
17 in employment to qualified personnel who were employees of
18 the dissolving school district during the previous school
19 year.

20 Sec. 9. This Act is effective January first following
21 its enactment.

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EXPLANATION

23 This bill allows school boards to establish dissolution
24 commissions to study and make recommendations on the
25 dissolution of a school district and the attachment of it
26 to one or more contiguous school districts. The commission
27 has one year to formulate a proposal. The bill provides for
28 a public hearing and requires that the proposal be adopted
29 by a majority of the voters voting on the proposal at the
30 special election. It allows employees of the dissolving
31 district who are employed by one of the districts to which
32 a portion of the dissolving district is attached to carry
33 over sick leave accumulation and gives preference in employment
34 to employees of a dissolving district.

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DRAFT BILL IV

PROPOSED HOUSE/SENATE FILE _____

By (PROPOSED COMMITTEE ON EDUCATION
BILL RECOMMENDED BY THE EDUCA-
TIONAL SERVICES AND FUNDING
SUBCOMMITTEE)

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

A BILL FOR

1 An Act relating to the purposes for which the tax levied under
2 section two hundred ninety-seven point five (297.5) of the
3 Code may be used.

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

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1 Section 1. Section two hundred ninety-seven point five
2 (297.5), unnumbered paragraph one (1), Code 1979, is amended
3 to read as follows:

4 The directors in any high school district maintaining a
5 program kindergarten through grade twelve may, by March 15
6 fifteenth of each year certify an amount not exceeding twenty-
7 seven cents per thousand dollars of assessed value to the
8 board of supervisors, who shall levy the amount so certified,
9 and the tax so levied shall be placed in the schoolhouse fund
10 and used only for the purchase and improvement of sites in
11 and for said school district, for roof and boiler repairs
12 or replacement for school buildings of the school district,
13 and for remodeling of school buildings for energy conservation
14 purposes, as specified by the directors.

15 Sec. 2. This Act is effective January first following
16 its enactment.

17 EXPLANATION

18 This bill expands the uses of the twenty-seven cents per
19 thousand dollars of assessed valuation tax levy which may
20 be certified by the school board to include roof and boiler
21 repairs and remodeling for energy conservation purposes as
22 well as purchase and improvement of sites.

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DRAFT BILL V

PROPOSED HOUSE/SENATE FILE _____

By (PROPOSED COMMITTEE ON EDUCATION
BILL RECOMMENDED BY THE EDUCA-
TIONAL SERVICES AND FUNDING
SUBCOMMITTEE)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to requirements for holding a meeting with
2 an area education agency board or the boards of contigu-
3 ous school districts and the board of a school district
4 proposing to issue general obligation bonds for the con-
5 struction or renovation of a school building.

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

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1 Section 1. Section two hundred ninety-six point three
2 (296.3), Code 1979, is amended to read as follows:

3 296.3 ELECTION CALLED. The president of the board of
4 directors on receipt of such petition shall, within ten days
5 after considering the suggestions of the area education agency
6 board or the board of a district contiguous to the district
7 for which the petition is received under section two hundred
8 ninety-seven point seven (297.7), subsection three (3) of
9 the Code, call a meeting of the board which shall call such
10 election, fixing the time thereof, which may be at the time
11 and place of holding the regular school election. The
12 president shall notify the county commissioner of elections
13 of the time of the election.

14 Sec. 2. Section two hundred ninety-seven point seven
15 (297.7), subsection three (3), Code 1979, is amended to read
16 as follows:

17 3. Before an election is held on the issuance of general
18 obligation bonds for the construction or renovation of any
19 a school building, the board shall inform the board of the
20 area education agency in which the school district is located.
21 The chairperson administrator of the area education agency
22 shall call-a-meeting-of-the-boards-of-directors-of-the-school
23 district-proposing-the-issuance-of-general-obligation-bonds,
24 send information about the construction or renovation by
25 regular mail to the boards of school districts contiguous
26 to that the school district proposing the issuance of general
27 obligation bonds, and the board of the area education agency.
28 Within thirty days following receipt of the information, the
29 area education agency board or the board of a school district
30 contiguous to the district making the proposal may request
31 a meeting with the board of the district making the proposal
32 for the purpose of discussing enrollment trends of that school
33 district and school districts contiguous to it and solutions
34 to the enrollment changes in the various school districts,
35 including the possibility of school district reorganization.

1 The if the area education agency board or both the area
 2 education agency board and the board of a school district
 3 contiguous to the district making the proposal request the
 4 meeting, the chairperson of the board of the area education
 5 agency shall preside at the meeting unless the chairperson
 6 is a resident of the school district proposing the issuance
 7 of general obligation bonds. In that case, the vice
 8 chairperson shall preside at the meeting. If the board of
 9 a school district contiguous to the district making the
 10 proposal requests the meeting, a member of the area education
 11 agency board selected by the area education agency board shall
 12 preside at the meeting.

13 ~~Following discussion at the meeting, the board of directors~~
 14 ~~of the area education agency shall meet to make recommendations~~
 15 ~~concerning alternative solutions to the construction or~~
 16 ~~renovation of the school building which shall be made to the~~
 17 ~~school district proposing to issue general obligation bonds.~~

18 The school district shall consider the recommendations
 19 of the board of the area education agency suggestions made
 20 at the meeting relating to alternative solutions to the
 21 construction or renovation of the school building before
 22 setting a date for the election to authorize the issuance
 23 of general obligation bonds.

24 Sec. 3. This Act is effective January first following
 25 its enactment.

26 EXPLANATION

27 This bill requires school districts proposing to issue
 28 general obligation bonds for the construction or renovation
 29 of a school building to hold a meeting to discuss the
 30 construction or renovation only if either the area education
 31 agency board or a board adjacent to the school district
 32 requests that one be held. Present law requires that the
 33 meetings be held in all cases.

34 It also grants the board of directors of a school district
 35 which receives a petition for the issuance of general

1 obligation bonds for constructing or remodeling a school
2 building time to act on the suggestions of the area education
3 agency board or boards of surrounding school districts before
4 it sets the date for the election on the issuance of the
5 bonds.

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