

## **294A.9 Phase II program.**

1. Phase II is established to improve the salaries of teachers.
2. For each fiscal year beginning on or after July 1, 1992, the per pupil amount upon which the phase II moneys are based is equal to the per pupil allocation plus supplemental allocations for the immediately preceding fiscal year.
3. The department of education shall certify the amounts of the allocations for each school district and area education agency to the department of administrative services and the department of administrative services shall make the payments to school districts and area education agencies.
4. If a school district has discontinued grades under section 282.7, subsection 1, or students attend school in another school district, under an agreement with the board of the other school district, the board of directors of the district of residence either shall transmit the phase II moneys allocated to the district for those students based upon the full-time equivalent attendance of those students to the board of the school district of attendance of the students or shall transmit to the board of the school district of attendance of the students a portion of the phase II moneys allocated to the district of residence based upon an agreement between the board of the resident district and the board of the district of attendance.
5. If a school district uses teachers under a contract between the district and the area education agency in which the district is located, the school district shall transmit to the employing area education agency a portion of its phase II allocation based upon the portion that the salaries of teachers employed by the area education agency and assigned to the school district for a school year bears to the total teacher salaries paid in the district for that school year, including the salaries of the teachers employed by the area education agency.
6. If the school district or area education agency is organized under chapter 20 for collective bargaining purposes, the board of directors and certified bargaining representative for the licensed employees shall mutually agree upon a formula for distributing the phase II allocation among the teachers.
7. For the school year beginning July 1, 1987, only, the parties shall follow the procedures specified in chapter 20 except that if the parties reach an impasse, neither impasse procedures agreed to by the parties nor sections 20.20 through 20.22 shall apply and the phase II allocation shall be divided as provided in section 294A.10. Negotiations under this section are subject to the scope of negotiations specified in section 20.9. If a board of directors and certified bargaining representative for licensed employees have not reached mutual agreement by July 15, 1987, for the distribution of the phase II payment, section 294A.10 will apply.
8. If the school district or area education agency is not organized for collective bargaining purposes, the board of directors shall determine the method of distribution.
9. Subsections 2, 3, 4, and 7 are repealed June 30, 2009.

87 Acts, ch 224, §8; 89 Acts, ch 135, §97; 89 Acts, ch 265, § 40; 92 Acts, ch 1135, § 6; 92 Acts, ch 1227, § 23; 2003 Acts, ch 145, §286; 2008 Acts, ch 1181, §103