

Senate Amendment 5086

Amendment Text

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1 1 Amend [Senate File 2366](#) as follows:
1 2 #1. Page 1, by inserting after line 30 the
1 3 following:
1 4 "5. For competitive alternative education options
1 5 grants to school districts pursuant to section
1 6 279.51A, if enacted:
1 7 \$ 4,000,000"
1 8 #2. Page 14, by inserting after line 13 the
1 9 following:
1 10 "Sec. _____. NEW SECTION. 260C.81 AUTHORITY.
1 11 The board of directors of a community college is
1 12 authorized to establish and operate an areawide
1 13 alternative education options school for the purpose
1 14 of instructing middle school and secondary school
1 15 students who are at-risk, have behavioral disorders,
1 16 or who are disruptive in their regular classrooms, in
1 17 a setting as conducive as possible to the education of
1 18 those students.
1 19 Sec. _____. NEW SECTION. 260C.82 BUILDINGS AND
1 20 FACILITIES.
1 21 Existing buildings and facilities, together with
1 22 any necessary additions to or alterations to those
1 23 buildings and facilities, and any new structures and
1 24 facilities, as the board of directors of a community
1 25 college shall determine to be suitable and authorize
1 26 for purposes of establishing and implementing an
1 27 alternative education options school, shall be set
1 28 aside as the area on the respective community college
1 29 campus constituting the alternative options education
1 30 school for purposes of this chapter.
1 31 Sec. _____. NEW SECTION. 260C.83 FINANCING.
1 32 An alternative options education school at each
1 33 community college where so established shall
1 34 constitute a self-liquidating improvement unit to the
1 35 extent funds are not appropriated by the general
1 36 assembly and shall qualify for and may be financed in
1 37 the same manner as provided for residence halls and
1 38 dormitories under the provisions of sections 260C.56
1 39 through 260C.70.
1 40 Sec. _____. NEW SECTION. 260C.84 PURPOSES.
1 41 For the purposes of this chapter, the board of
1 42 directors of a community college and the board of
1 43 directors of any school district in the state of Iowa
1 44 may enter into a contract for an alternative education
1 45 options school to furnish instruction to the students
1 46 of the school district for tuition and other
1 47 compensation to be paid by the school district. A
1 48 contract shall be in writing and may extend for any
1 49 stipulated period not to exceed fifteen years. During
1 50 the agreed period, a contract shall be obligatory on
2 1 both the school district and the community college.
2 2 Sec. _____. NEW SECTION. 260C.85 ALLOCATIONS TO
2 3 DEBT RETIREMENT FUND.
2 4 The board of directors of a community college may,
2 5 from funds appropriated or otherwise available for the
2 6 operation of the community college at which the
2 7 alternative education options school is located,

2 8 allocate an annual payment to the debt retirement fund
2 9 for the buildings, areas, and facilities used by the
2 10 community college for the alternative education
2 11 options school until the improvement is fully paid.
2 12 The board of directors of the community college may
2 13 pledge the annual allotment together with the tuition
2 14 received from school districts and all other income
2 15 received from the operation of the alternative
2 16 education options school as security for the mortgage,
2 17 bonds, or other debt by which the alternative
2 18 education options school is financed as authorized.

2 19 Sec. _____. NEW SECTION. 260C.86 STATE AID
2 20 APPLICABLE.

2 21 If the board of directors of a community college
2 22 has established an alternative education options
2 23 school, the community college shall receive state aid
2 24 pursuant to chapters 256B and 257 for each student
2 25 enrolled in the alternative education options school
2 26 in the same amount as the public school district in
2 27 which the student resides would receive aid for that
2 28 student. If the board of a school district terminates
2 29 a contract with the community college for attendance
2 30 of pupils in an alternative education options school,
2 31 the school district shall inform the department of
2 32 management of the number of these pupils who are
2 33 enrolled in the district on the third Friday of the
2 34 following September. The department of management
2 35 shall pay to the school district, from funds
2 36 appropriated in section 257.16, an amount equal to the
2 37 amount of state aid paid for each pupil in that school
2 38 district for that school year in payments made as
2 39 provided in section 257.16.

2 40 Sec. _____. NEW SECTION. 260C.87 DEBT LIMIT
2 41 PROVISION NOT APPLICABLE.

2 42 The obligations of any school district on any
2 43 contract between it and a community college entered
2 44 into pursuant to this chapter shall be payable only
2 45 out of current receipts from taxes, tuition, or other
2 46 income available each year, and shall not constitute a
2 47 debt for the purposes of any statutory or
2 48 constitutional provision limiting the obligations the
2 49 school district may incur.

2 50 Sec. _____. NEW SECTION. 261.55 BEHAVIORAL
3 1 DISORDERS TEACHER SHORTAGE LOAN PROGRAM.

3 2 1. A behavioral disorders teacher shortage loan
3 3 payment program is established to be administered by
3 4 the commission as provided in this section. The
3 5 purpose of the loan program is to assist individuals
3 6 possessing a baccalaureate degree or higher to obtain
3 7 a teaching endorsement in behavioral disorders, or if
3 8 the individual is licensed to teach under chapter 272,
3 9 to obtain or upgrade the license with a behavioral
3 10 disorders endorsement. The endorsement shall be an
3 11 authorization to teach children with behavioral
3 12 disorders who are enrolled in kindergarten through
3 13 grade six or grades seven through twelve.

3 14 2. The commission shall adopt rules under chapter
3 15 17A, in consultation with the state board of
3 16 educational examiners, to administer the program. The
3 17 rules shall provide that loans not be granted to
3 18 teachers for the purpose of improving their knowledge
3 19 of subject content or teaching skills in order to
3 20 teach courses in subject matter areas for which they
3 21 possess approval granted by the state board of
3 22 educational examiners.

3 23 3. The annual amount of a loan to a qualified
3 24 student shall be the amount of the student's financial

3 25 need for that period, but shall not exceed the
3 26 resident tuition rate established for institutions of
3 27 higher learning under the control of the state board
3 28 of regents. A loan received under this section shall
3 29 be used only to pay for coursework offered by
3 30 practitioner preparation programs approved by the
3 31 board of educational examiners and meeting the
3 32 requirements for achievement of a behavioral disorders
3 33 endorsement for kindergarten through grade six or
3 34 grades seven through twelve as established by the
3 35 state board of educational examiners. Loans for part-
3 36 time students shall be granted for not more than five
3 37 years.

3 38 4. The commission shall set a final date for
3 39 submission of applications each year and shall review
3 40 the applications and inform the recipients within a
3 41 reasonable time after the deadline.

3 42 5. There is appropriated from the general fund of
3 43 the state to the college student aid commission for
3 44 the fiscal year beginning July 1, 1998, and for each
3 45 succeeding year, the sum of two hundred thousand
3 46 dollars for the behavioral disorders teacher shortage
3 47 loan program.

3 48 Sec. ____ . NEW SECTION. 261.56 PAYMENT OF
3 49 BEHAVIORAL DISORDERS TEACHER SHORTAGE LOAN FUND.

3 50 1. Payment of a loan received under the behavioral
4 1 disorders teacher shortage loan program shall begin
4 2 one year after the recipient completes the educational
4 3 program for which tuition and fees were received
4 4 except as otherwise provided in this section.

4 5 2. If a recipient submits evidence to the
4 6 commission that the recipient was employed as a
4 7 teacher of children with behavioral disorders in
4 8 kindergarten through grade six or grades seven through
4 9 twelve in a public school district or nonpublic school
4 10 in this state or at the Iowa braille and sight saving
4 11 school or the Iowa school for the deaf during the year
4 12 succeeding completion of the educational program, the
4 13 recipient may choose to receive either of the
4 14 following:

4 15 a. Cancellation of fifty percent of the amount of
4 16 the loan.

4 17 b. A lump sum payment of one thousand dollars.
4 18 However, a recipient choosing the lump sum payment
4 19 shall be required to commence payment of the loan
4 20 immediately.

4 21 3. If the recipient continues employment as a
4 22 teacher as provided in subsection 2 during the next
4 23 succeeding school year and submits evidence to the
4 24 commission of the continuation of teaching employment,
4 25 the recipient may choose to receive either of the
4 26 following:

4 27 a. Cancellation of the remaining fifty percent of
4 28 the total amount of the loan, or the loan amount
4 29 remaining, whichever is less.

4 30 b. A lump sum payment of one thousand dollars.
4 31 However, a recipient selecting the lump sum payment
4 32 shall be required to commence or continue payment of
4 33 the loan immediately.

4 34 4. There is created a behavioral disorders teacher
4 35 shortage loan payment fund for deposit of payments
4 36 made by recipients. Payments made by recipients of
4 37 the loans shall be used to supplement moneys
4 38 appropriated to the guaranteed loan payment program.
4 39 Any funds remaining on June 30 of a fiscal year shall
4 40 be transferred from the fund created in this section
4 41 to the general fund of the state.

4 42 5. The interest rate collected on a behavioral
4 43 disorders teacher shortage loan shall be equal to the
4 44 interest rate being collected by an eligible lender
4 45 under the guaranteed loan payment program.

4 46 6. The commission shall prescribe by rule the
4 47 terms of repayment."

4 48 #3. Page 20, by inserting after line 19 the
4 49 following:

4 50 "Sec. ____ NEW SECTION. 279.51A ALTERNATIVE
5 1 EDUCATION OPTIONS GRANT PROGRAM.

5 2 An alternative education options grant program is
5 3 established to be administered by the department of
5 4 education. The department shall award moneys for
5 5 purposes of this section on a competitive grant basis
5 6 and for diversity geographically and by population.
5 7 The department of education shall develop grant
5 8 criteria, guidelines, and a process to be used in
5 9 selecting grant recipients.

5 10 2. To be eligible for an alternative education
5 11 options grant, a school district shall develop a
5 12 proposal that includes, but is not limited to, the
5 13 following:

5 14 a. Data supporting a statement of the dimensions
5 15 of the at-risk problems in the district.

5 16 b. A survey of existing programs used by the
5 17 district to address the needs of the district's at-
5 18 risk student population, including, but not limited
5 19 to, students with behavioral disorders or who are
5 20 disruptive in class.

5 21 c. A plan for use of competency-based outcome
5 22 methods and measures of program effectiveness.

5 23 d. Proposals for screening and assessment
5 24 mechanisms for identifying students who are at risk,
5 25 are disruptive, or otherwise exhibit behavioral
5 26 disorders.

5 27 e. Identification of the methods the district will
5 28 use to encourage at-risk students and their parents or
5 29 guardians to utilize an alternative education setting.

5 30 f. Proposals for intensive staff development
5 31 efforts to empower teachers and encourage innovative
5 32 behavior.

5 33 g. The estimated costs of the proposal.

5 34 3. In developing a proposal, a school district is
5 35 encouraged to consult with area education agencies and
5 36 community colleges and to cooperate with the juvenile
5 37 courts, the department of economic development, the
5 38 department of workforce development, the department of
5 39 human services, and the new Iowa schools development
5 40 corporation.

5 41 4. An alternative education options program is a
5 42 comprehensive school transformation program under
5 43 section 294A.14.

5 44 5. A school district desiring to receive grant
5 45 moneys under the program may submit a proposal to the
5 46 department for approval by December 1. The department
5 47 shall review each proposal and award grants for
5 48 approved plans by February 15.

5 49 6. Notwithstanding section 8.33, unencumbered or
5 50 unobligated funds remaining on June 30 of the fiscal
6 1 year for which funds were appropriated for purposes of
6 2 this section shall not revert but shall be available
6 3 for expenditure for the following fiscal year for the
6 4 purposes of this section."

6 5 #4. Page 23, by inserting after line 27 the
6 6 following:

6 7 "Sec. ____ Section 282.18, Code Supplement 1997,
6 8 is amended by adding the following new subsection:

6 9 NEW SUBSECTION. 19. If a request under this
6 10 section is for transfer to an alternative education
6 11 options school, as described in chapter 260C, the
6 12 student who is the subject of the request shall not be
6 13 included in the basic enrollment of the student's
6 14 district of residence, and the alternative education
6 15 options school shall report the enrollment of the
6 16 student directly to the department of education. The
6 17 community college operating the alternative education
6 18 options school and the board of directors of the
6 19 school district in the community in which the
6 20 alternative education options school is located shall
6 21 develop a student transfer policy designed to protect
6 22 and promote the quality, integrity, and viability of
6 23 the education programs conducted at the alternative
6 24 education options school and the school district. An
6 25 alternative education options school may deny a
6 26 request for transfer under the policy. A denial of a
6 27 request to transfer under this paragraph is not
6 28 subject to appeal under section 290.1."

6 29 #5. By renumbering as necessary.

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6 31

6 32 _____

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