

House Amendment 1635

PAG LIN

```
1 1 Amend House File 816, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <DEPARTMENT FOR THE BLIND
1 6 Section 1. ADMINISTRATION. There is appropriated
1 7 from the general fund of the state to the department
1 8 for the blind for the fiscal year beginning July 1,
1 9 2005, and ending June 30, 2006, the following amount,
1 10 or so much thereof as is necessary, to be used for the
1 11 purposes designated:
1 12 For salaries, support, maintenance, miscellaneous
1 13 purposes and for not more than the following full-time
1 14 equivalent positions:
1 15 ..... $ 1,886,842
1 16 ..... FTEs 109.50
1 17 COLLEGE STUDENT AID COMMISSION
1 18 Sec. 2. There is appropriated from the general
1 19 fund of the state to the college student aid
1 20 commission for the fiscal year beginning July 1, 2005,
1 21 and ending June 30, 2006, the following amounts, or so
1 22 much thereof as may be necessary, to be used for the
1 23 purposes designated:
1 24 1. GENERAL ADMINISTRATION
1 25 For salaries, support, maintenance, miscellaneous
1 26 purposes, and for not more than the following full-
1 27 time equivalent positions:
1 28 ..... $ 349,494
1 29 ..... FTEs 4.30
1 30 2. STUDENT AID PROGRAMS
1 31 For payments to students for the Iowa grant
1 32 program:
1 33 ..... $ 1,029,784
1 34 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL
1 35 CENTER
1 36 a. For forgivable loans to Iowa students attending
1 37 the Des Moines university == osteopathic medical
1 38 center under the forgivable loan program pursuant to
1 39 section 261.19:
1 40 ..... $ 100,000
1 41 To receive funds appropriated pursuant to this
1 42 paragraph, Des Moines university == osteopathic
1 43 medical center shall match the funds with
1 44 institutional funds on a dollar-for-dollar basis.
1 45 b. For the Des Moines university == osteopathic
1 46 medical center for an initiative in primary health
1 47 care to direct primary care physicians to shortage
1 48 areas in the state:
1 49 ..... $ 346,451
1 50 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
2 1 For purposes of providing national guard
2 2 educational assistance under the program established
2 3 in section 261.86:
2 4 ..... $ 3,800,000
2 5 5. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM
2 6 For the teacher shortage forgivable loan program
2 7 established in section 261.111:
2 8 ..... $ 285,000
2 9 Sec. 3. WORK=STUDY APPROPRIATION FOR FY 2005=
2 10 2006. Notwithstanding section 261.85, for the fiscal
2 11 year beginning July 1, 2005, and ending June 30, 2006,
2 12 the amount appropriated from the general fund of the
2 13 state to the college student aid commission for the
2 14 work=study program under section 261.85 shall be
2 15 $140,000, and from the moneys appropriated in this
2 16 section, $76,365 shall be allocated to institutions of
2 17 higher education under the state board of regents and
2 18 community colleges and the remaining dollars
2 19 appropriated in this section shall be allocated by the
2 20 college student aid commission on the basis of need as
2 21 determined by the portion of the federal formula for
2 22 distribution for work=study funds that relates to the
2 23 current need of institutions.
2 24 Sec. 4. COLLEGE STUDENT AID COMMISSION STUDY ==
```

2 25 STATE AID FOR STUDENTS ENROLLED IN ACCREDITED PRIVATE
2 26 INSTITUTIONS. The college student aid commission
2 27 shall develop, in consultation with representatives
2 28 from accredited private institutions whose income is
2 29 not exempt from taxation under section 501(c) of the
2 30 Internal Revenue Code, recommendations for a policy
2 31 regarding the protection of educational consumers for
2 32 inclusion in the definition of "accredited private
2 33 institution" under section 261.9. It is the intent of
2 34 the general assembly to consider such a policy as it
2 35 might apply to private institutions whose income is
2 36 not exempt, and those private institutions whose
2 37 income is exempt, from taxation under section 501(c)
2 38 of the Internal Revenue Code. In determining its
2 39 recommendations, the commission shall include a review
2 40 of information that includes, but is not limited to,
2 41 the percent of students who are enrolled in each
2 42 institution who have high school graduation diplomas,
2 43 the percentage of students enrolled in each
2 44 institution who have high school equivalency diplomas,
2 45 the percentage of low-income students enrolled in each
2 46 institution, the percentage of nontraditional students
2 47 enrolled in each institution, the graduation and job
2 48 placement rates of each institution, and each
2 49 institution's official cohort default rate, which is
2 50 released annually by the United States department of
3 1 education. The commission shall submit its findings
3 2 and recommendations to the governor and the general
3 3 assembly by January 10, 2006.
3 4 DEPARTMENT OF CULTURAL AFFAIRS
3 5 Sec. 5. There is appropriated from the general
3 6 fund of the state to the department of cultural
3 7 affairs for the fiscal year beginning July 1, 2005,
3 8 and ending June 30, 2006, the following amounts, or so
3 9 much thereof as is necessary, to be used for the
3 10 purposes designated:
3 11 1. ADMINISTRATION
3 12 For salaries, support, maintenance, and
3 13 miscellaneous purposes:
3 14 \$ 235,636
3 15 The department of cultural affairs shall coordinate
3 16 activities with the tourism office of the department
3 17 of economic development to promote attendance at the
3 18 state historical building and at this state's historic
3 19 sites.
3 20 2. COMMUNITY CULTURAL GRANTS
3 21 For planning and programming for the community
3 22 cultural grants program established under section
3 23 303.3:
3 24 \$ 299,240
3 25 3. HISTORICAL DIVISION
3 26 For salaries, support, maintenance, miscellaneous
3 27 purposes, and for not more than the following full=
3 28 time equivalent positions:
3 29 \$ 3,040,920
3 30 FTEs 65.00
3 31 4. HISTORIC SITES
3 32 For salaries, support, maintenance, and
3 33 miscellaneous purposes:
3 34 \$ 526,459
3 35 5. ARTS DIVISION
3 36 For salaries, support, maintenance, miscellaneous
3 37 purposes, including funds to match federal grants and
3 38 for not more than the following full-time equivalent
3 39 positions:
3 40 \$ 1,157,486
3 41 FTEs 11.25
3 42 6. GREAT PLACES
3 43 For salaries, support, maintenance, and
3 44 miscellaneous purposes:
3 45 \$ 200,000
3 46 7. ARCHIVE IOWA GOVERNORS' RECORDS
3 47 For archiving the records of Iowa governors:
3 48 \$ 75,000
3 49 DEPARTMENT OF EDUCATION
3 50 Sec. 6. There is appropriated from the general
4 1 fund of the state to the department of education for
4 2 the fiscal year beginning July 1, 2005, and ending
4 3 June 30, 2006, the following amounts, or so much
4 4 thereof as may be necessary, to be used for the
4 5 purposes designated:

4 6 1. GENERAL ADMINISTRATION
 4 7 For salaries, support, maintenance, miscellaneous
 4 8 purposes, and for not more than the following full=
 4 9 time equivalent positions:
 4 10 \$ 5,139,542
 4 11 FTEs 76.27
 4 12 The director of the department of education shall
 4 13 ensure that all school districts are aware of the
 4 14 state education resources available on the state
 4 15 website for listing teacher job openings and shall
 4 16 make every reasonable effort to enable qualified
 4 17 practitioners to post their resumes on the state
 4 18 website. The department shall administer the posting
 4 19 of job vacancies for school districts, accredited
 4 20 nonpublic schools, and area education agencies on the
 4 21 state website. The department may coordinate this
 4 22 activity with the Iowa school board association or
 4 23 other interested education associations in the state.
 4 24 The department shall strongly encourage school
 4 25 districts to seek direct claiming under the medical
 4 26 assistance program for funding of school district
 4 27 nursing services for students.
 4 28 2. VOCATIONAL EDUCATION ADMINISTRATION
 4 29 For salaries, support, maintenance, miscellaneous
 4 30 purposes, and for not more than the following full=
 4 31 time equivalent positions:
 4 32 \$ 514,828
 4 33 FTEs 13.80
 4 34 3. VOCATIONAL REHABILITATION SERVICES DIVISION
 4 35 a. For salaries, support, maintenance,
 4 36 miscellaneous purposes, and for not more than the
 4 37 following full=time equivalent positions:
 4 38 \$ 4,475,050
 4 39 FTEs 273.50
 4 40 The division of vocational rehabilitation services
 4 41 shall seek funding from other sources, such as local
 4 42 funds, for purposes of matching the state's federal
 4 43 vocational rehabilitation allocation, as well as for
 4 44 matching other federal vocational rehabilitation
 4 45 funding that may become available.
 4 46 Except where prohibited under federal law, the
 4 47 division of vocational rehabilitation services of the
 4 48 department of education shall accept client
 4 49 assessments, or assessments of potential clients,
 4 50 performed by other agencies in order to reduce
 5 1 duplication of effort.
 5 2 Notwithstanding the full=time equivalent position
 5 3 limit established in this lettered paragraph, for the
 5 4 fiscal year ending June 30, 2006, if federal funding
 5 5 is received to pay the costs of additional employees
 5 6 for the vocational rehabilitation services division
 5 7 who would have duties relating to vocational
 5 8 rehabilitation services paid for through federal
 5 9 funding, authorization to hire not more than 4.00
 5 10 additional full=time equivalent employees shall be
 5 11 provided, the full=time equivalent position limit
 5 12 shall be exceeded, and the additional employees shall
 5 13 be hired by the division.
 5 14 b. For matching funds for programs to enable
 5 15 persons with severe physical or mental disabilities to
 5 16 function more independently, including salaries and
 5 17 support, and for not more than the following full=time
 5 18 equivalent position:
 5 19 \$ 54,150
 5 20 FTEs 1.00
 5 21 The highest priority use for the moneys
 5 22 appropriated under this lettered paragraph shall be
 5 23 for programs that emphasize employment and assist
 5 24 persons with severe physical or mental disabilities to
 5 25 find and maintain employment to enable them to
 5 26 function more independently.
 5 27 4. STATE LIBRARY
 5 28 a. For salaries, support, maintenance,
 5 29 miscellaneous purposes, and for not more than the
 5 30 following full=time equivalent positions:
 5 31 \$ 1,378,555
 5 32 FTEs 18.00
 5 33 b. For the enrich Iowa program:
 5 34 \$ 1,698,432
 5 35 (1) Funds allocated for purposes of the enrich
 5 36 Iowa program as provided in this lettered paragraph

5 37 shall be distributed by the division of libraries and
5 38 information services to provide support for Iowa's
5 39 libraries. The commission of libraries shall develop
5 40 rules governing the allocation of funds provided by
5 41 the general assembly for the enrich Iowa program to
5 42 provide direct state assistance to public libraries
5 43 and to fund the open access and access plus programs.
5 44 Direct state assistance to eligible public libraries
5 45 is provided as an incentive to improve library
5 46 services and to reduce inequities among communities in
5 47 the delivery of library services based on recognized
5 48 and adopted performance measures. Funds distributed
5 49 as direct state assistance shall be distributed to
5 50 eligible public libraries that are in compliance with
6 1 performance measures adopted by rule by the commission
6 2 of libraries. The funds allocated as provided in this
6 3 lettered paragraph shall not be used for the costs of
6 4 administration by the division. The amount of direct
6 5 state assistance distributed to each eligible public
6 6 library shall be based upon the following:
6 7 (a) The level of compliance by the eligible public
6 8 library with the performance measures adopted by the
6 9 commission as provided in this subparagraph.
6 10 (b) The number of people residing within an
6 11 eligible library's geographic service area for whom
6 12 the library provides services.
6 13 (c) The amount of other funding the eligible
6 14 public library received in the previous fiscal year
6 15 for providing services to rural residents and to
6 16 contracting communities.
6 17 (2) Moneys received by a public library under this
6 18 lettered paragraph shall supplement, not supplant, any
6 19 other funding received by the library.
6 20 (3) For purposes of this section, "eligible public
6 21 library" means a public library that meets all of the
6 22 following requirements:
6 23 (a) Submits to the division all of the following:
6 24 (i) The report provided for under section 256.51,
6 25 subsection 1, paragraph "h".
6 26 (ii) An application and accreditation report, in a
6 27 format approved by the commission, that provides
6 28 evidence of the library's compliance with at least one
6 29 level of the standards established in accordance with
6 30 section 256.51, subsection 1, paragraph "k".
6 31 (iii) Any other application or report the division
6 32 deems necessary for the implementation of the enrich
6 33 Iowa program.
6 34 (b) Participates in the library resource and
6 35 information sharing programs established by the state
6 36 library.
6 37 (c) Is a public library established by city
6 38 ordinance or a library district as provided in chapter
6 39 336.
6 40 (4) Each eligible public library shall maintain a
6 41 separate listing within its budget for payments
6 42 received and expenditures made pursuant to this
6 43 lettered paragraph, and shall annually submit this
6 44 listing to the division.
6 45 (5) By January 15, 2007, the division shall submit
6 46 a program evaluation report to the general assembly
6 47 and the governor detailing the uses and the impacts of
6 48 funds allocated under this lettered paragraph.
6 49 (6) A public library that receives funds in
6 50 accordance with this lettered paragraph shall have an
7 1 internet use policy in place, which may or may not
7 2 include internet filtering. The library shall submit
7 3 a report describing the library's internet use efforts
7 4 to the division.
7 5 (7) A public library that receives funds in
7 6 accordance with this lettered paragraph shall provide
7 7 open access, the reciprocal borrowing program, as a
7 8 service to its patrons, at a reimbursement rate
7 9 determined by the state library.
7 10 5. LIBRARY SERVICE AREA SYSTEM
7 11 For state aid:
7 12 \$ 1,376,558
7 13 6. PUBLIC BROADCASTING DIVISION
7 14 For salaries, support, maintenance, capital
7 15 expenditures, miscellaneous purposes, and for not more
7 16 than the following full-time equivalent positions:
7 17 \$ 7,356,722

7 18 FTEs 86.00
7 19 7. REGIONAL TELECOMMUNICATIONS COUNCILS
7 20 For state aid:
7 21 \$ 1,240,478
7 22 The regional telecommunications councils
7 23 established in section 8D.5 shall use the funds
7 24 appropriated in this subsection to provide technical
7 25 assistance for network classrooms, planning and
7 26 troubleshooting for local area networks, scheduling of
7 27 video sites, and other related support activities.
7 28 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
7 29 For reimbursement for vocational education
7 30 expenditures made by secondary schools:
7 31 \$ 2,936,904
7 32 Funds appropriated in this subsection shall be used
7 33 for expenditures made by school districts to meet the
7 34 standards set in sections 256.11, 258.4, and 260C.14
7 35 as a result of the enactment of 1989 Iowa Acts,
7 36 chapter 278. Funds shall be used as reimbursement for
7 37 vocational education expenditures made by secondary
7 38 schools in the manner provided by the department of
7 39 education for implementation of the standards set in
7 40 1989 Iowa Acts, chapter 278.
7 41 9. SCHOOL FOOD SERVICE
7 42 For use as state matching funds for federal
7 43 programs that shall be disbursed according to federal
7 44 regulations, including salaries, support, maintenance,
7 45 and miscellaneous purposes:
7 46 \$ 2,509,683
7 47 10. IOWA EMPOWERMENT FUND
7 48 For deposit in the school ready children grants
7 49 account of the Iowa empowerment fund created in
7 50 section 28.9:
8 1 \$ 23,781,594
8 2 a. From the moneys deposited in the school ready
8 3 children grants account for the fiscal year beginning
8 4 July 1, 2005, and ending June 30, 2006, not more than
8 5 \$300,000 is allocated for the community empowerment
8 6 office and other technical assistance activities and
8 7 of that amount, not more than \$50,000 shall be used to
8 8 administer the early childhood coordinator's position
8 9 pursuant to section 28.3, subsection 6A, if enacted by
8 10 2005 Iowa Acts, House File 761, and not more than
8 11 \$50,000 shall be used to implement an early childhood
8 12 Iowa website for wide dissemination of early care and
8 13 early childhood learning information and assistance.
8 14 It is the intent of the general assembly that regional
8 15 technical assistance teams will be established and
8 16 will include staff from various agencies, as
8 17 appropriate, including the area education agencies,
8 18 community colleges, and the Iowa state university of
8 19 science and technology cooperative extension service
8 20 in agriculture and home economics. The Iowa
8 21 empowerment board shall direct staff to work with the
8 22 advisory council to inventory technical assistance
8 23 needs. Funds allocated under this lettered paragraph
8 24 may be used by the Iowa empowerment board for the
8 25 purpose of skills development and support for ongoing
8 26 training of the regional technical assistance teams.
8 27 However, funds shall not be used for additional staff
8 28 or for the reimbursement of staff.
8 29 b. Notwithstanding any other provision of law to
8 30 the contrary, the community empowerment office shall
8 31 use the documentation created by the legislative
8 32 services agency to continue the implementation of the
8 33 four-year phase-in period of the distribution formula
8 34 approved by the community empowerment board.
8 35 c. As a condition of receiving funding
8 36 appropriated in this subsection, each community
8 37 empowerment area board shall report to the Iowa
8 38 empowerment board progress on each of the state
8 39 indicators approved by the state board, as well as
8 40 progress on local indicators. The community
8 41 empowerment area board must also submit a written plan
8 42 amendment extending by one year the area's
8 43 comprehensive school ready children grant plan
8 44 developed for providing services for children from
8 45 birth through five years of age and provide other
8 46 information specified by the Iowa empowerment board.
8 47 The amendment may also provide for changes in the
8 48 programs and services provided under the plan. The

8 49 Iowa empowerment board shall establish a submission
 8 50 deadline for the plan amendment that allows a
 9 1 reasonable period of time for preparation of the plan
 9 2 amendment and for review and approval or request for
 9 3 modification of the plan amendment by the Iowa
 9 4 empowerment board. In addition, the community
 9 5 empowerment board must continue to comply with
 9 6 reporting provisions and other requirements adopted by
 9 7 the Iowa empowerment board in implementing section
 9 8 28.8.
 9 9 d. Of the amount appropriated in this subsection
 9 10 for deposit in the school ready children grants
 9 11 account of the Iowa empowerment fund that is used for
 9 12 distribution to areas, \$4,650,000 shall be used to
 9 13 assist low-income parents with preschool tuition.
 9 14 e. Of the amount appropriated in this subsection
 9 15 for deposit in the school ready children grants
 9 16 account of the Iowa empowerment fund that is used for
 9 17 distribution to areas, \$1,000,000 shall be used to
 9 18 collaborate with area education agencies and community
 9 19 colleges to provide both child care and preschool
 9 20 providers with ready access to high-quality
 9 21 professional development.
 9 22 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 9 23 To provide funds for costs of providing textbooks
 9 24 to each resident pupil who attends a nonpublic school
 9 25 as authorized by section 301.1. The funding is
 9 26 limited to \$20 per pupil and shall not exceed the
 9 27 comparable services offered to resident public school
 9 28 pupils:
 9 29 \$ 614,058
 9 30 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY
 9 31 PROGRAM
 9 32 For purposes, as provided in law, of the student
 9 33 achievement and teacher quality program established
 9 34 pursuant to chapter 284:
 9 35 \$ 69,593,894
 9 36 13. COMMUNITY COLLEGES
 9 37 For general state financial aid to merged areas as
 9 38 defined in section 260C.2 in accordance with chapters
 9 39 258 and 260C:
 9 40 \$146,063,888
 9 41 The funds appropriated in this subsection shall be
 9 42 allocated as provided under section 260C.18C, as
 9 43 enacted by this Act, as follows:
 9 44 a. Merged Area I \$ 7,043,136
 9 45 b. Merged Area II \$ 8,139,764
 9 46 c. Merged Area III \$ 7,546,392
 9 47 d. Merged Area IV \$ 3,695,536
 9 48 e. Merged Area V \$ 7,913,500
 9 49 f. Merged Area VI \$ 7,164,571
 9 50 g. Merged Area VII \$ 10,403,251
 10 1 h. Merged Area IX \$ 12,820,428
 10 2 i. Merged Area X \$ 20,697,708
 10 3 j. Merged Area XI \$ 21,467,229
 10 4 k. Merged Area XII \$ 8,467,199
 10 5 l. Merged Area XIII \$ 8,618,079
 10 6 m. Merged Area XIV \$ 3,740,768
 10 7 n. Merged Area XV \$ 11,760,384
 10 8 o. Merged Area XVI \$ 6,585,943
 10 9 Sec. 7. STATEWIDE TEACHER INTERN PROGRAM ==
 10 10 FEDERAL GRANT APPLICATION COORDINATION.
 10 11 The department shall work cooperatively with the
 10 12 state board of regents and other appropriate eligible
 10 13 grantees to obtain any available federal funding,
 10 14 including grants that may be available for the
 10 15 establishment and operation of a teacher intern
 10 16 program.
 10 17 Sec. 8. BOARD OF EDUCATIONAL EXAMINERS LICENSING
 10 18 FEES. Notwithstanding section 272.10, for the fiscal
 10 19 year beginning July 1, 2005, and ending June 30, 2006,
 10 20 the executive director of the board of educational
 10 21 examiners shall deposit at least 20 percent of the
 10 22 fees collected annually with the treasurer of state
 10 23 which shall be credited to the general fund of the
 10 24 state. The remaining licensing fees collected during
 10 25 the fiscal year beginning July 1, 2005, and retained
 10 26 are appropriated to the board for the purposes related
 10 27 to the board's duties. Notwithstanding section 8.33,
 10 28 licensing fees retained by and appropriated to the
 10 29 board pursuant to this section that remain

10 30 unencumbered or unobligated at the close of the fiscal
10 31 year in an amount of not more than 10 percent of the
10 32 total licensing fees collected by the board by the
10 33 close of the fiscal year shall not revert but shall
10 34 remain available for expenditure for the purposes
10 35 designated until the close of the succeeding fiscal
10 36 year.

10 37 Sec. 9. EDUCATOR LICENSING REVIEW WORKING GROUP.

10 38 1. The board of educational examiners, in
10 39 consultation with the department of education, shall
10 40 convene a working group whose work shall be conducted
10 41 over a three-year period to identify and recommend
10 42 measures to improve Iowa's current teacher and
10 43 administrator preparation and licensing practices.
10 44 The working group shall review the current teacher and
10 45 administrator preparation and licensing processes to
10 46 identify essential standards to maintain quality
10 47 preparation and licensing requirements for teachers
10 48 and administrators. The review shall also do the
10 49 following:

10 50 a. Identify state laws and agency rules that are
11 1 no longer essential to maintain quality.

11 2 b. Compare Iowa's teacher and administrator
11 3 preparation and licensing practices with those of
11 4 neighboring states, and identify those areas where
11 5 Iowa's practices differ from, or are consistent with,
11 6 the practices of the states neighboring Iowa.

11 7 c. Identify potential barriers preventing teacher
11 8 and administrator candidates from neighboring states
11 9 from applying for licensure in Iowa.

11 10 d. Review federal laws and regulations relating to
11 11 teachers and teacher licensure in order to ensure
11 12 compliance with federal laws and regulations,
11 13 especially those relating to highly qualified
11 14 teachers.

11 15 2. The working group shall consist of teachers,
11 16 administrators, and representatives of the department
11 17 of education, the state board of education, the board
11 18 of educational examiners, and practitioner preparation
11 19 institutions.

11 20 3. The working group shall annually submit its
11 21 findings and recommendations to the chairpersons and
11 22 ranking members of the senate and house standing
11 23 education committees and the joint appropriations
11 24 subcommittee on education by January 15.

11 25 Sec. 10. MINIMUM TEACHER SALARY REQUIREMENTS == FY
11 26 2005=2006.

11 27 1. Notwithstanding section 284.7, subsection 1,
11 28 paragraph "a", subparagraph (2), the minimum teacher
11 29 salary paid by a school district or area education
11 30 agency for purposes of teacher compensation in
11 31 accordance with chapter 284, for the fiscal year
11 32 beginning July 1, 2005, and ending June 30, 2006,
11 33 shall be the minimum salary amount the school district
11 34 or area education agency paid to a first-year
11 35 beginning teacher or, the minimum salary amount the
11 36 school district or area education agency would have
11 37 paid a first-year beginning teacher if the school
11 38 district or area education agency had participated in
11 39 the program in the 2001=2002 school year, in
11 40 accordance with section 284.7, subsection 1, Code
11 41 Supplement 2001. If the school district or area
11 42 education agency did not employ a first-year beginning
11 43 teacher in the 2001=2002 school year, the minimum
11 44 salary is the amount that the district would have paid
11 45 a first-year beginning teacher under chapter 284 in
11 46 the 2001=2002 school year.

11 47 2. Notwithstanding section 284.7, subsection 1,
11 48 paragraph "b", subparagraph (2), the minimum career
11 49 teacher salary paid to a career teacher who was a
11 50 beginning teacher in the 2004=2005 school year, by a
12 1 school district or area education agency participating
12 2 in the student achievement and teacher quality
12 3 program, for the school year beginning July 1, 2005,
12 4 and ending June 30, 2006, shall be, unless the school
12 5 district has a minimum career teacher salary that
12 6 exceeds thirty thousand dollars, one thousand dollars
12 7 greater than the minimum salary amount the school
12 8 district or area education agency paid to a first-year
12 9 beginning teacher if the school district or area
12 10 education agency participated in the program during

12 11 the 2001=2002 school year, or the minimum salary
 12 12 amount the school district or area education agency
 12 13 would have paid a first=year beginning teacher if the
 12 14 school district or area education agency had
 12 15 participated in the program in the 2001=2002 school
 12 16 year, in accordance with section 284.7, subsection 1,
 12 17 Code Supplement 2001.
 12 18 3. Notwithstanding section 284.7, subsection 1,
 12 19 paragraph "b", subparagraph (2), and except as
 12 20 provided in subsection 2, the minimum career teacher
 12 21 salary paid by a school district or area education
 12 22 agency participating in the student achievement and
 12 23 teacher quality program, for purposes of teacher
 12 24 compensation in accordance with chapter 284, for the
 12 25 school year beginning July 1, 2005, and ending June
 12 26 30, 2006, shall be the minimum salary amount the
 12 27 school district or area education agency paid to a
 12 28 career teacher if the school district or area
 12 29 education agency participated in the program during
 12 30 the 2001=2002 school year, or, the minimum salary
 12 31 amount the school district or area education agency
 12 32 would have paid a career teacher if the school
 12 33 district or area education agency had participated in
 12 34 the program in the 2001=2002 school year, in
 12 35 accordance with section 284.7, subsection 1, Code
 12 36 Supplement 2001.

12 37 STATE BOARD OF REGENTS
 12 38 Sec. 11. There is appropriated from the general
 12 39 fund of the state to the state board of regents for
 12 40 the fiscal year beginning July 1, 2005, and ending
 12 41 June 30, 2006, the following amounts, or so much
 12 42 thereof as may be necessary, to be used for the
 12 43 purposes designated:

12 44 1. OFFICE OF STATE BOARD OF REGENTS
 12 45 a. For salaries, support, maintenance,
 12 46 miscellaneous purposes, and for not more than the
 12 47 following full=time equivalent positions:

12 48	\$	1,167,137
12 49	FTEs	16.00

12 50 The state board of regents, the department of
 13 1 management, and the legislative services agency shall
 13 2 cooperate to determine and agree upon, by November 15,
 13 3 2005, the amount that needs to be appropriated for
 13 4 tuition replacement for the fiscal year beginning July
 13 5 1, 2006.
 13 6 The state board of regents shall submit a monthly
 13 7 financial report in a format agreed upon by the state
 13 8 board of regents office and the legislative services
 13 9 agency.

13 10 b. For allocation by the state board of regents to
 13 11 the state university of Iowa, the Iowa state
 13 12 university of science and technology, and the
 13 13 university of northern Iowa to reimburse the
 13 14 institutions for deficiencies in their operating funds
 13 15 resulting from the pledging of tuitions, student fees
 13 16 and charges, and institutional income to finance the
 13 17 cost of providing academic and administrative
 13 18 buildings and facilities and utility services at the
 13 19 institutions:

13 20	\$	13,975,431
-------------	----	------------

13 21 Notwithstanding section 8.33, funds appropriated
 13 22 for the purposes in this lettered paragraph remaining
 13 23 unencumbered or unobligated at the end of the fiscal
 13 24 year shall not revert but shall be available for
 13 25 expenditure for the purposes specified in this
 13 26 lettered paragraph during the subsequent fiscal year.

13 27 c. For funds to be allocated to the southwest Iowa
 13 28 graduate studies center:

13 29	\$	105,956
-------------	----	---------

13 30 d. For funds to be allocated to the siouxland
 13 31 interstate metropolitan planning council for the
 13 32 tristate graduate center under section 262.9,
 13 33 subsection 21:

13 34	\$	77,941
-------------	----	--------

13 35 e. For funds to be allocated to the quad=cities
 13 36 graduate studies center:

13 37	\$	157,144
-------------	----	---------

13 38 f. For funds for regents universities' general
 13 39 operating budgets:

13 40	\$	21,219,288
-------------	----	------------

13 41 The funds appropriated for purposes of this

13 42 lettered paragraph are subject to the following
13 43 allocations and requirements:

13 44 (1) The partnership for transformation and
13 45 excellence is a four-year partnership plan created by
13 46 the state board of regents for the purpose of
13 47 enhancing the regents' strategic priorities for
13 48 educational quality and public accountability. Under
13 49 the plan, Iowa students and families will be subject
13 50 to moderate student tuition increases, and a clear and
14 1 concise reallocation plan that may be audited will
14 2 exist to strengthen the academic focus at the regents
14 3 universities. The reallocation plan will enhance the
14 4 quality of the regents universities and provide both
14 5 an incentive and an opportunity for university-wide
14 6 reprioritization and reallocation of resources to the
14 7 most important strategic areas.

14 8 (2) The funds shall be distributed by the board as
14 9 outlined in the state board of regents partnership for
14 10 transformation and excellence. The funds may be used
14 11 for any of the following purposes:

14 12 (a) Supporting new strategic initiatives.
14 13 (b) Meeting enrollment increases.
14 14 (c) Meeting the demand for new courses and
14 15 services.
14 16 (d) Funding new but unavoidable or mandated cost
14 17 increases.
14 18 (e) Supporting any other initiatives important to
14 19 the core functions of the university.

14 20 The funds may also be used for pay adjustments,
14 21 expense reimbursements, and related benefits for state
14 22 board of regents employees covered by a collective
14 23 bargaining agreement and for state board of regents
14 24 employees not covered by a collective bargaining
14 25 agreement. The board shall provide from other
14 26 available sources any additional funding needed for
14 27 such pay adjustments, expense reimbursements, and
14 28 related benefits.

14 29 (3) The state board of regents shall annually set
14 30 a target dollar amount or percentage figure of
14 31 expected reallocation of resources for each
14 32 university. The universities shall report to the
14 33 board on a semiannual basis regarding the actions
14 34 taken relating to the reallocations. Once funds have
14 35 been reallocated, that amount shall not be redirected
14 36 to the original entity or purpose unless extraordinary
14 37 circumstances exist and an equivalent reallocation
14 38 amount is increased for the same fiscal year. A
14 39 reallocation of resources may be made for any of the
14 40 following purposes:

14 41 (a) Supporting new strategic initiatives.
14 42 (b) Meeting enrollment increases.
14 43 (c) Meeting the demand for new courses and
14 44 services.
14 45 (d) Funding new but unavoidable or mandated cost
14 46 increases.
14 47 (e) Supporting any other initiatives important to
14 48 the core functions of the university.

14 49 (4) For the purposes of this lettered paragraph:

14 50 (a) "Entity" means a president, vice president, or
15 1 a college, academic or nonacademic department,
15 2 division, program, or other unit.
15 3 (b) "Reallocation of resources" means funds within
15 4 the base budget of a university entity are removed by
15 5 the administrator of that entity and redirected to
15 6 another university entity or purpose.

15 7 (5) The state university of Iowa, the Iowa state
15 8 university of science and technology, and the
15 9 university of northern Iowa shall each generate
15 10 matching internal reallocations in an amount equal to
15 11 50 percent of the amounts received by the universities
15 12 pursuant to this lettered paragraph.

15 13 (6) From the moneys allocated to the Iowa state
15 14 university of science and technology pursuant to this
15 15 lettered paragraph, an amount equal to \$127,000 shall
15 16 be distributed to the college of veterinary medicine
15 17 to reduce the operating fees charged by the veterinary
15 18 diagnostic laboratory. If Iowa state university of
15 19 science and technology fails to distribute funds to
15 20 the college of veterinary science in accordance with
15 21 this paragraph, the moneys shall revert to the general
15 22 fund of the state. The Iowa state university of

15 23 science and technology shall prepare a report on the
 15 24 operation of the veterinary diagnostic laboratory
 15 25 which shall include, but shall not be limited to, the
 15 26 following information:
 15 27 (a) The current business structure of the
 15 28 veterinary diagnostic laboratory, along with a
 15 29 comparison to business structures of similar
 15 30 laboratories at other institutions of higher learning.
 15 31 (b) Recent trends in fees for services charged by
 15 32 the veterinary diagnostic laboratory and by similar
 15 33 laboratories at other institutions of higher learning.
 15 34 (c) The use of other funding sources, including
 15 35 state general fund appropriations for the veterinary
 15 36 diagnostic laboratory and a comparison to funding
 15 37 sources at similar laboratories at other institutions
 15 38 of higher learning.
 15 39 (d) Recommendations for changes in the business
 15 40 structure and methods of funding for the veterinary
 15 41 diagnostic laboratory.
 15 42 The report shall be submitted to the governor and
 15 43 the general assembly not later than October 1, 2005.
 15 44 g. For funds to be distributed to the midwestern
 15 45 higher education compact to pay Iowa's member state
 15 46 annual obligation:
 15 47 \$ 90,000
 15 48 2. STATE UNIVERSITY OF IOWA
 15 49 a. General university, including lakeside
 15 50 laboratory
 16 1 For salaries, support, maintenance, equipment,
 16 2 miscellaneous purposes, and for not more than the
 16 3 following full-time equivalent positions:
 16 4 \$220,131,572
 16 5 FTEs 5,058.55
 16 6 It is the intent of the general assembly that the
 16 7 university continue progress on the school of public
 16 8 health and the public health initiative for the
 16 9 purposes of establishing an accredited school of
 16 10 public health and for funding an initiative for the
 16 11 health and independence of elderly Iowans.
 16 12 b. University hospitals
 16 13 For salaries, support, maintenance, equipment, and
 16 14 miscellaneous purposes and for medical and surgical
 16 15 treatment of indigent patients as provided in chapter
 16 16 255, for medical education, and for not more than the
 16 17 following full-time equivalent positions:
 16 18 \$ 27,284,584
 16 19 FTEs 6,877.34
 16 20 (1) The university of Iowa hospitals and clinics
 16 21 shall, within the context of chapter 255 and when
 16 22 medically appropriate, make reasonable efforts to
 16 23 extend the university of Iowa hospitals and clinics'
 16 24 use of home telemedicine and other technologies to
 16 25 reduce the frequency of visits to the hospital
 16 26 required by the indigent patients.
 16 27 (2) The university of Iowa hospitals and clinics
 16 28 shall submit quarterly a report regarding the portion
 16 29 of the appropriation in this lettered paragraph
 16 30 expended on medical education. The report shall be
 16 31 submitted in a format jointly developed by the
 16 32 university of Iowa hospitals and clinics, the
 16 33 legislative services agency, and the department of
 16 34 management, and shall delineate the expenditures and
 16 35 purposes of the funds.
 16 36 (3) Funds appropriated in this lettered paragraph
 16 37 shall not be used to perform abortions except
 16 38 medically necessary abortions, and shall not be used
 16 39 to operate the early termination of pregnancy clinic
 16 40 except for the performance of medically necessary
 16 41 abortions. For the purpose of this lettered
 16 42 paragraph, an abortion is the purposeful interruption
 16 43 of pregnancy with the intention other than to produce
 16 44 a live-born infant or to remove a dead fetus, and a
 16 45 medically necessary abortion is one performed under
 16 46 one of the following conditions:
 16 47 (a) The attending physician certifies that
 16 48 continuing the pregnancy would endanger the life of
 16 49 the pregnant woman.
 16 50 (b) The attending physician certifies that the
 17 1 fetus is physically deformed, mentally deficient, or
 17 2 afflicted with a congenital illness.
 17 3 (c) The pregnancy is the result of a rape which is

17 4 reported within 45 days of the incident to a law
 17 5 enforcement agency or public or private health agency
 17 6 which may include a family physician.
 17 7 (d) The pregnancy is the result of incest which is
 17 8 reported within 150 days of the incident to a law
 17 9 enforcement agency or public or private health agency
 17 10 which may include a family physician.
 17 11 (e) The abortion is a spontaneous abortion,
 17 12 commonly known as a miscarriage, wherein not all of
 17 13 the products of conception are expelled.
 17 14 (4) The total quota allocated to the counties for
 17 15 indigent patients for the fiscal year beginning July
 17 16 1, 2005, shall not be lower than the total quota
 17 17 allocated to the counties for the fiscal year
 17 18 commencing July 1, 1998. The total quota shall be
 17 19 allocated among the counties on the basis of the 2000
 17 20 census pursuant to section 255.16.
 17 21 c. Psychiatric hospital
 17 22 For salaries, support, maintenance, equipment,
 17 23 miscellaneous purposes, and for the care, treatment,
 17 24 and maintenance of committed and voluntary public
 17 25 patients, and for not more than the following full=
 17 26 time equivalent positions:
 17 27 \$ 7,043,056
 17 28 FTEs 269.65
 17 29 d. Center for disabilities and development
 17 30 For salaries, support, maintenance, miscellaneous
 17 31 purposes, and for not more than the following full=
 17 32 time equivalent positions:
 17 33 \$ 6,363,265
 17 34 FTEs 130.37
 17 35 From the funds appropriated in this lettered
 17 36 paragraph, \$200,000 shall be allocated for purposes of
 17 37 the employment policy group.
 17 38 e. Oakdale campus
 17 39 For salaries, support, maintenance, miscellaneous
 17 40 purposes, and for not more than the following full=
 17 41 time equivalent positions:
 17 42 \$ 2,657,335
 17 43 FTEs 38.25
 17 44 f. State hygienic laboratory
 17 45 For salaries, support, maintenance, miscellaneous
 17 46 purposes, and for not more than the following full=
 17 47 time equivalent positions:
 17 48 \$ 3,849,461
 17 49 FTEs 102.50
 17 50 g. Family practice program
 18 1 For allocation by the dean of the college of
 18 2 medicine, with approval of the advisory board, to
 18 3 qualified participants, to carry out chapter 148D for
 18 4 the family practice program, including salaries and
 18 5 support, and for not more than the following full=time
 18 6 equivalent positions:
 18 7 \$ 2,075,948
 18 8 FTEs 190.40
 18 9 h. Child health care services
 18 10 For specialized child health care services,
 18 11 including childhood cancer diagnostic and treatment
 18 12 network programs, rural comprehensive care for
 18 13 hemophilia patients, and the Iowa high-risk infant
 18 14 follow-up program, including salaries and support, and
 18 15 for not more than the following full=time equivalent
 18 16 positions:
 18 17 \$ 649,066
 18 18 FTEs 57.97
 18 19 i. Statewide cancer registry
 18 20 For the statewide cancer registry, and for not more
 18 21 than the following full=time equivalent positions:
 18 22 \$ 178,739
 18 23 FTEs 2.10
 18 24 j. Substance abuse consortium
 18 25 For funds to be allocated to the Iowa consortium
 18 26 for substance abuse research and evaluation, and for
 18 27 not more than the following full=time equivalent
 18 28 position:
 18 29 \$ 64,871
 18 30 FTEs 1.00
 18 31 k. Center for biocatalysis
 18 32 For the center for biocatalysis, and for not more
 18 33 than the following full=time equivalent positions:
 18 34 \$ 881,384

18 35	..... FTEs	6.28
18 36	1. Primary health care initiative	
18 37	For the primary health care initiative in the	
18 38	college of medicine and for not more than the	
18 39	following full-time equivalent positions:	
18 40	..... \$	759,875
18 41	..... FTEs	5.89
18 42	From the funds appropriated in this lettered	
18 43	paragraph, \$330,000 shall be allocated to the	
18 44	department of family practice at the state university	
18 45	of Iowa college of medicine for family practice	
18 46	faculty and support staff.	
18 47	m. Birth defects registry	
18 48	For the birth defects registry and for not more	
18 49	than the following full-time equivalent position:	
18 50	..... \$	44,636
19 1	..... FTEs	1.00
19 2	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY	
19 3	a. General university	
19 4	For salaries, support, maintenance, equipment,	
19 5	miscellaneous purposes, and for not more than the	
19 6	following full-time equivalent positions:	
19 7	..... \$	173,269,729
19 8	..... FTEs	3,647.42
19 9	It is the intent of the general assembly that the	
19 10	university continue progress on the center for	
19 11	excellence in fundamental plant sciences.	
19 12	b. Agricultural experiment station	
19 13	For salaries, support, maintenance, miscellaneous	
19 14	purposes, and for not more than the following full-	
19 15	time equivalent positions:	
19 16	..... \$	31,019,520
19 17	..... FTEs	546.98
19 18	c. Cooperative extension service in agriculture	
19 19	and home economics	
19 20	For salaries, support, maintenance, miscellaneous	
19 21	purposes, and for not more than the following full-	
19 22	time equivalent positions:	
19 23	..... \$	19,738,432
19 24	..... FTEs	383.34
19 25	d. Leopold center	
19 26	For agricultural research grants at Iowa state	
19 27	university under section 266.39B, and for not more	
19 28	than the following full-time equivalent positions:	
19 29	..... \$	464,319
19 30	..... FTEs	11.25
19 31	e. Livestock disease research	
19 32	For deposit in and the use of the livestock disease	
19 33	research fund under section 267.8:	
19 34	..... \$	220,708
19 35	4. UNIVERSITY OF NORTHERN IOWA	
19 36	a. General university	
19 37	For salaries, support, maintenance, equipment,	
19 38	miscellaneous purposes, and for not more than the	
19 39	following full-time equivalent positions:	
19 40	..... \$	77,831,821
19 41	..... FTEs	1,398.01
19 42	It is the intent of the general assembly that the	
19 43	university continue to allocate funds for a masters in	
19 44	social work program, the roadside vegetation project,	
19 45	and the Iowa office for staff development.	
19 46	b. Recycling and reuse center	
19 47	For purposes of the recycling and reuse center, and	
19 48	for not more than the following full-time equivalent	
19 49	positions:	
19 50	..... \$	211,858
20 1	..... FTEs	3.00
20 2	5. STATE SCHOOL FOR THE DEAF	
20 3	For salaries, support, maintenance, miscellaneous	
20 4	purposes, and for not more than the following full-	
20 5	time equivalent positions:	
20 6	..... \$	8,810,471
20 7	..... FTEs	126.60
20 8	6. IOWA BRAILLE AND SIGHT SAVING SCHOOL	
20 9	For salaries, support, maintenance, miscellaneous	
20 10	purposes, and for not more than the following full-	
20 11	time equivalent positions:	
20 12	..... \$	4,930,295
20 13	..... FTEs	81.00
20 14	7. TUITION AND TRANSPORTATION COSTS	
20 15	For payment to local school boards for the tuition	

20 16 and transportation costs of students residing in the
20 17 Iowa braille and sight saving school and the state
20 18 school for the deaf pursuant to section 262.43 and for
20 19 payment of certain clothing, prescription, and
20 20 transportation costs for students at these schools
20 21 pursuant to section 270.5:

20 22 \$ 15,020

20 23 Sec. 12. INSTITUTE FOR TOMORROW'S WORKFORCE.
20 24 There is appropriated from the general fund of the
20 25 state to the department of management for allocation
20 26 to the institute for tomorrow's workforce created
20 27 under chapter 7K, if enacted by this Act, for the
20 28 fiscal year beginning July 1, 2005, and ending June
20 29 30, 2006, the following amount, or so much thereof as
20 30 is necessary, to be used for the purposes designated:

20 31 For the activities of the institute created
20 32 pursuant to section 7K.1, and subject to the matching
20 33 fund requirement of that section, if enacted:
20 34 \$ 250,000

20 35 Sec. 13. MEDICAL ASSISTANCE == SUPPLEMENTAL
20 36 AMOUNTS. For the fiscal year beginning July 1, 2005,
20 37 and ending June 30, 2006, the department of human
20 38 services shall continue the supplemental
20 39 disproportionate share and a supplemental indirect
20 40 medical education adjustment applicable to state=
20 41 owned acute care hospitals with more than 500 beds and
20 42 shall reimburse qualifying hospitals pursuant to that
20 43 adjustment with a supplemental amount for services
20 44 provided medical assistance recipients. The
20 45 adjustment shall generate supplemental payments
20 46 intended to equal the state appropriation made to a
20 47 qualifying hospital for treatment of indigent patients
20 48 as provided in chapter 255. To the extent of the
20 49 supplemental payments, a qualifying hospital shall,
20 50 after receipt of the funds, transfer to the department
21 1 of human services an amount equal to the actual
21 2 supplemental payments that were made in that month.
21 3 The aggregate amounts for the fiscal year shall not
21 4 exceed the state appropriation made to the qualifying
21 5 hospital for treatment of indigent patients as
21 6 provided in chapter 255. The department of human
21 7 services shall deposit these funds in the department's
21 8 medical assistance account. To the extent that state
21 9 funds appropriated to a qualifying hospital for the
21 10 treatment of indigent patients as provided in chapter
21 11 255 have been transferred to the department of human
21 12 services as a result of these supplemental payments
21 13 made to the qualifying hospital, the department shall
21 14 not, directly or indirectly, recoup the supplemental
21 15 payments made to a qualifying hospital for any reason,
21 16 unless an equivalent amount of the funds transferred
21 17 to the department of human services by a qualifying
21 18 hospital pursuant to this provision is transferred to
21 19 the qualifying hospital by the department.

21 20 If the state supplemental amount allotted to the
21 21 state of Iowa for the federal fiscal year beginning
21 22 October 1, 2005, and ending September 30, 2006,
21 23 pursuant to section 1923(f)(3) of the federal Social
21 24 Security Act, as amended, or pursuant to federal
21 25 payments for indirect medical education is greater
21 26 than the amount necessary to fund the federal share of
21 27 the supplemental payments specified in the preceding
21 28 paragraph, the department of human services shall
21 29 increase the supplemental disproportionate share or
21 30 supplemental indirect medical education adjustment by
21 31 the lesser of the amount necessary to utilize fully
21 32 the state supplemental amount or the amount of state
21 33 funds appropriated to the state university of Iowa
21 34 general education fund and allocated to the university
21 35 for the college of medicine. The state university of
21 36 Iowa shall transfer from the allocation for the
21 37 college of medicine to the department of human
21 38 services, on a monthly basis, an amount equal to the
21 39 additional supplemental payments made during the
21 40 previous month pursuant to this paragraph. A
21 41 qualifying hospital receiving supplemental payments
21 42 pursuant to this paragraph that are greater than the
21 43 state appropriation made to the qualifying hospital
21 44 for treatment of indigent patients as provided in
21 45 chapter 255 shall be obligated as a condition of its
21 46 participation in the medical assistance program to

21 47 transfer to the state university of Iowa general
21 48 education fund on a monthly basis an amount equal to
21 49 the funds transferred by the state university of Iowa
21 50 to the department of human services. To the extent
22 1 that state funds appropriated to the state university
22 2 of Iowa and allocated to the college of medicine have
22 3 been transferred to the department of human services
22 4 as a result of these supplemental payments made to the
22 5 qualifying hospital, the department shall not,
22 6 directly or indirectly, recoup these supplemental
22 7 payments made to a qualifying hospital for any reason,
22 8 unless an equivalent amount of the funds transferred
22 9 to the department of human services by the state
22 10 university of Iowa pursuant to this paragraph is
22 11 transferred to the qualifying hospital by the
22 12 department.

22 13 Continuation of the supplemental disproportionate
22 14 share and supplemental indirect medical education
22 15 adjustment shall preserve the funds available to the
22 16 university hospital for medical and surgical treatment
22 17 of indigent patients as provided in chapter 255 and to
22 18 the state university of Iowa for educational purposes
22 19 at the same level as provided by the state funds
22 20 initially appropriated for that purpose.

22 21 The department of human services shall, in any
22 22 compilation of data or other report distributed to the
22 23 public concerning payments to providers under the
22 24 medical assistance program, set forth reimbursements
22 25 to a qualifying hospital through the supplemental
22 26 disproportionate share and supplemental indirect
22 27 medical education adjustment as a separate item and
22 28 shall not include such payments in the amounts
22 29 otherwise reported as the reimbursement to a
22 30 qualifying hospital for services to medical assistance
22 31 recipients.

22 32 For purposes of this section, "supplemental
22 33 payment" means a supplemental payment amount paid for
22 34 medical assistance to a hospital qualifying for that
22 35 payment under this section.

22 36 Sec. 14. For the fiscal year beginning July 1,
22 37 2005, and ending June 30, 2006, the state board of
22 38 regents may use notes, bonds, or other evidences of
22 39 indebtedness issued under section 262.48 to finance
22 40 projects that will result in energy cost savings in an
22 41 amount that will cause the state board to recover the
22 42 cost of the projects within an average of six years.

22 43 Sec. 15. Notwithstanding section 270.7, the
22 44 department of administrative services shall pay the
22 45 state school for the deaf and the Iowa braille and
22 46 sight saving school the moneys collected from the
22 47 counties during the fiscal year beginning July 1,
22 48 2005, for expenses relating to prescription drug costs
22 49 for students attending the state school for the deaf
22 50 and the Iowa braille and sight saving school.

23 1 Sec. 16. NEW SECTION. 7K.1 INSTITUTE FOR
23 2 TOMORROW'S WORKFORCE.

23 3 1. FINDINGS. The general assembly finds that
23 4 Iowa's children are this state's greatest asset and to
23 5 improve the future for Iowa's children, it is
23 6 necessary to focus elementary, secondary, and
23 7 postsecondary education efforts on what children need
23 8 to know to be successful students and successful
23 9 participants in Iowa's global workforce. Iowa's state
23 10 community and business leaders are at the forefront of
23 11 this ongoing conversation. The general assembly
23 12 further finds that the creation of an institute for
23 13 tomorrow's workforce provides a long-term forum for
23 14 bold, innovative recommendations to improve Iowa's
23 15 education system to meet the workforce needs of Iowa's
23 16 new economy.

23 17 2. FOUNDATION CREATED == DUTIES. There is created
23 18 a public body corporate and politic to be known as the
23 19 "institute for tomorrow's workforce, an educational
23 20 foundation". The foundation is an independent
23 21 nonprofit quasi-public instrumentality and the
23 22 exercise of the powers granted to the foundation as a
23 23 corporation in this chapter is an essential government
23 24 function. As used in this chapter, "foundation" means
23 25 the "institute for tomorrow's workforce, an
23 26 educational foundation". The foundation shall, at a
23 27 minimum, do the following:

23 28 a. Review educational standards to determine
23 29 relevance and rigor necessary for continuous
23 30 improvement in student achievement and meeting
23 31 workforce needs.

23 32 b. Identify jobs skills and corresponding high
23 33 school coursework necessary to achieve success in the
23 34 Iowa workforce.

23 35 c. Review the state's education accountability
23 36 measures, including but not limited to student
23 37 proficiency and individual and organization program
23 38 accountability.

23 39 d. Identify state and local barriers to improved
23 40 student achievement and student success as well as
23 41 barriers to sharing among and within all areas of
23 42 Iowa's education system.

23 43 e. Identify effective education structure and
23 44 delivery models that promote optimum student
23 45 achievement opportunities for all Iowa students that
23 46 include, but are not limited to, the role of
23 47 technology.

23 48 f. Serve as a clearinghouse for existing and
23 49 emerging innovative educational sharing and
23 50 collaborative efforts among and between Iowa's
24 1 secondary education system as well as Iowa's
24 2 postsecondary education system.

24 3 g. Promote partnerships between private sector
24 4 business and all areas of Iowa's education system.

24 5 h. Promote partnerships between other Iowa
24 6 governance structures including, but not limited to,
24 7 cities and counties, and all areas of Iowa's education
24 8 system.

24 9 i. Identify ways to reduce the achievement gap
24 10 between white and non-white, non-Asian students.

24 11 j. The board of directors of the foundation,
24 12 within the limits of the funds available to the
24 13 foundation, shall do the following:

24 14 (1) Employ an executive director to direct the
24 15 activities of the foundation.

24 16 (2) Execute contracts with public and private
24 17 agencies to conduct research and development
24 18 activities.

24 19 (3) Perform functions necessary to carry out the
24 20 purposes of the foundation.

24 21 3. MEMBERSHIP. The board of directors of the
24 22 foundation shall consist of fifteen members serving
24 23 staggered three-year terms beginning on May 1 of the
24 24 year of appointment who shall be appointed as follows:

24 25 a. Five members shall be appointed by the governor
24 26 as follows:

24 27 (1) A school district superintendent from a school
24 28 district with enrollment of one thousand one hundred
24 29 forty-nine or fewer pupils.

24 30 (2) An individual representing an Iowa business
24 31 employing more than two hundred fifty employees.

24 32 (3) A community college president.

24 33 (4) An individual representing labor and workforce
24 34 interests.

24 35 (5) An individual representing an Iowa agriculture
24 36 association.

24 37 b. Five members shall be appointed by the speaker
24 38 of the house of representatives as follows:

24 39 (1) An individual representing the area education
24 40 agencies.

24 41 (2) The president of an accredited private
24 42 institution as defined in section 261.9.

24 43 (3) An individual representing an Iowa business
24 44 employing more than fifty employees but less than two
24 45 hundred fifty employees.

24 46 (4) An individual representing urban economic
24 47 development interests.

24 48 (5) An individual from an association representing
24 49 Iowa businesses.

24 50 c. Five members shall be appointed by the
25 1 president of the senate as follows:

25 2 (1) A school district superintendent from a school
25 3 district with an enrollment of more than one thousand
25 4 one hundred forty-nine pupils.

25 5 (2) A president of an institution of higher
25 6 education under the control of the state board of
25 7 regents.

25 8 (3) An individual representing an Iowa business

25 9 employing fifty or fewer employees.
25 10 (4) An individual representing rural economic
25 11 development interests.
25 12 (5) An individual representing a business that
25 13 established itself in Iowa on or after July 1, 1999.
25 14 Members, except as provided in paragraph "c",
25 15 subparagraph (2), shall not be employed by the state.
25 16 One co=chairperson shall be appointed by the speaker
25 17 of the house of representatives and one co=chairperson
25 18 shall be appointed by the president of the senate.
25 19 4. MATCHING FUNDS REQUIREMENT. Moneys
25 20 appropriated by the general assembly for purposes of
25 21 the foundation shall be allocated only to the extent
25 22 that the state moneys are matched from other sources
25 23 by the foundation on a dollar=for=dollar basis.
25 24 5. REPORTING REQUIREMENTS. The foundation shall
25 25 submit its findings and recommendations by January 15
25 26 annually in a report to the governor, the speaker of
25 27 the house of representatives, the president of the
25 28 senate, the state board of education, the state board
25 29 of regents, the department of workforce development,
25 30 the department of economic development, the Iowa
25 31 association of community college trustees, the college
25 32 student aid commission, the Iowa association of
25 33 independent colleges and universities, and
25 34 associations representing school boards, nonpublic
25 35 schools, area education agencies, and teachers. The
25 36 report shall include an accounting of the revenues and
25 37 expenditures of the foundation.
25 38 6. This chapter is repealed effective July 1,
25 39 2015.
25 40 Sec. 17. Section 256.9, Code 2005, is amended by
25 41 adding the following new subsection:
25 42 NEW SUBSECTION. 53. Develop and make available to
25 43 school districts, examples of age=appropriate
25 44 materials and lists of resources which parents may use
25 45 to teach their children to recognize unwanted physical
25 46 and verbal sexual advances, to not make unwanted
25 47 physical and verbal sexual advances, to effectively
25 48 reject unwanted sexual advances, that it is wrong to
25 49 take advantage of or exploit another person, and about
25 50 counseling, medical, and legal resources available to
26 1 survivors of sexual abuse and sexual assault,
26 2 including resources for escaping violent
26 3 relationships. The materials and resources shall
26 4 cover verbal, physical, and visual sexual harassment,
26 5 including nonconsensual sexual advances, and
26 6 nonconsensual physical sexual contact. In developing
26 7 the materials and resource list, the director shall
26 8 consult with entities that shall include, but not be
26 9 limited to, the departments of human services, public
26 10 health, and public safety, education stakeholders, and
26 11 parent=teacher organizations. School districts shall
26 12 provide age=appropriate materials and a list of
26 13 available community and web-based resources to parents
26 14 at registration and shall also include the age=
26 15 appropriate materials and resource list in the student
26 16 handbook. School districts are encouraged to work
26 17 with their communities to provide voluntary parent
26 18 education sessions to provide parents with the skills
26 19 and appropriate strategies to teach their children as
26 20 described in this subsection. School districts shall
26 21 incorporate the age=appropriate materials into
26 22 relevant curricula and shall reinforce the importance
26 23 of preventive measures when reasonable with parents
26 24 and students.
26 25 Sec. 18. NEW SECTION. 256.24 VALUE=ADDED
26 26 ASSESSMENT SYSTEM.
26 27 1. A value=added assessment system shall be
26 28 established by the department to provide for
26 29 multivariate longitudinal analysis of annual student
26 30 test scores to determine the influence of a school
26 31 district's educational program on student academic
26 32 growth and to guide school district improvement
26 33 efforts. The department shall select a value=added
26 34 assessment system provider through a request for
26 35 proposals process. The system provider selected by
26 36 the department shall offer a value=added assessment
26 37 system to calculate annually the academic growth of
26 38 each student enrolled in grade levels three through
26 39 eleven and tested in accordance with this section, and

26 40 shall, at a minimum, meet all of the following
26 41 criteria:

- 26 42 a. Use a mixed-model statistical analysis that has
26 43 the ability to use all achievement test data for each
26 44 student, including the data for students with missing
26 45 test scores, that does not adjust downward
26 46 expectations for student progress based on race,
26 47 poverty, or gender, and that will provide the best
26 48 linear unbiased predictions of school or other
26 49 educational entity effects to minimize the impact of
26 50 fortuitous accumulation of random errors.
- 27 1 b. Have the ability to work with test data from a
27 2 variety of sources, including data that are not
27 3 vertically scaled, and to provide support for school
27 4 districts utilizing the system.
- 27 5 c. Have the capacity to receive and report results
27 6 electronically and provide support for districts
27 7 utilizing the system.
- 27 8 d. Have the ability to create for each school
27 9 district a chart that reports grade-equivalent scores
27 10 for grades three through eight and gains between
27 11 consecutive pairs of grades for each attendance center
27 12 and that provides for a district-wide study of grade=
27 13 equivalent scores.

27 14 2. Annually, each school district that administers
27 15 the Iowa test of basic skills or the Iowa test of
27 16 educational development shall, within thirty days of
27 17 receiving the test scores from the American college
27 18 testing program, inc., submit the test scores for each
27 19 attendance center within the school district and each
27 20 grade level tested, from grades three through eleven,
27 21 to the system provider selected pursuant to subsection
27 22 1. School districts may submit additional assessment
27 23 data for analysis and inclusion in reports provided to
27 24 school districts pursuant to subsection 3, to the
27 25 extent that the assessment meets the criteria for
27 26 valid academic progress interpretation specified by
27 27 the system provider.

27 28 3. The system provider shall provide analysis to
27 29 school districts submitting test scores pursuant to
27 30 subsection 2, and to the department of education. The
27 31 analysis shall include, but not be limited to,
27 32 attendance-center-level test results for the Iowa test
27 33 of basic skills in the areas of reading and
27 34 mathematics and other core academic areas when
27 35 possible. The analysis shall also include, but not be
27 36 limited to, the number of students tested, the number
27 37 of test results used to compute the averages, the
27 38 average standard score, the corresponding grade
27 39 equivalent score, the average stanine score for the
27 40 group, the normal curve equivalent of average standard
27 41 scores, and percentile ranks based on student norms,
27 42 as well as measures of student progress. The system
27 43 provider shall create a chart for each school district
27 44 in accordance with the criteria set forth in
27 45 subsection 1, paragraphs "a" through "d".

27 46 4. Each school district shall have complete access
27 47 to and full utilization of its own value-added
27 48 assessment reports and charts generated by the system
27 49 provider at the student level for the purpose of
27 50 measuring student achievement at different educational
28 1 entity levels.

28 2 5. Student academic growth determined pursuant to
28 3 this section shall not be used in teacher evaluation
28 4 and shall not be published if individual teacher
28 5 effects can be surmised.

28 6 6. Information about student academic growth may
28 7 be used by the school district, including school board
28 8 members, administration, and staff, for defining
28 9 student and district learning goals and professional
28 10 development related to student learning goals across
28 11 the school district. A school district may submit its
28 12 academic growth measures in the annual report
28 13 submitted pursuant to section 256.7, subsection 21,
28 14 and may reference in the report state level norms for
28 15 purposes of demonstrating school district performance.
28 16 However, unless a school district chooses to submit
28 17 its academic measures in the annual report submitted
28 18 pursuant to section 256.7, such measures are not
28 19 public records for the purposes of chapter 22.

28 20 7. The department may use student academic

28 21 progress data to determine school improvement and
28 22 technical assistance needs of school districts, and to
28 23 identify school districts achieving exceptional gains.
28 24 Beginning January 15, 2006, and by January 15 of each
28 25 succeeding year, the department shall submit an annual
28 26 progress report regarding the use of student academic
28 27 growth information in the school improvement processes
28 28 to the house and senate education committees and shall
28 29 publish the progress report on its internet web site.
28 30 8. The department is encouraged to advocate that
28 31 the United States department of education allow
28 32 reporting of student academic progress as an
28 33 additional valid measure of school performance, as an
28 34 alternative for meeting federal safe harbor
28 35 provisions, and for establishing statewide progress
28 36 under the federal No Child Left Behind Act of 2001,
28 37 Pub. L. No. 107-110, and any federal regulations
28 38 adopted pursuant to the federal Act.
28 39 9. A school district shall use the value-added
28 40 assessment system established by the department
28 41 pursuant to subsection 1 not later than the school
28 42 year ending June 30, 2007. However, the director of
28 43 educational services of an area education agency may
28 44 grant a request made by a board of directors of a
28 45 school district located within the boundaries of the
28 46 area education agency stating its desire to use an
28 47 alternative system to compute and report value-added
28 48 scores that is statistically valid and reliable.
28 49 Sec. 19. Section 256.44, subsection 1, paragraph
28 50 a, Code 2005, is amended to read as follows:
29 1 a. If a teacher registers for national board for
29 2 professional teaching standards certification prior to
29 3 June 30, ~~2005~~ 2006, a one-time initial reimbursement
29 4 award in the amount of up to one-half of the
29 5 registration fee paid by the teacher for registration
29 6 for certification by the national board for
29 7 professional teaching standards. The teacher shall
29 8 apply to the department of education within one year
29 9 of registration, submitting to the department any
29 10 documentation the department requires. A teacher who
29 11 receives an initial reimbursement award shall receive
29 12 a one-time final registration award in the amount of
29 13 the remaining national board registration fee paid by
29 14 the teacher if the teacher notifies the department of
29 15 the teacher's certification achievement and submits
29 16 any documentation requested by the department.
29 17 Sec. 20. Section 256.44, subsection 1, paragraph
29 18 b, subparagraph 2, Code 2005, is amended to read as
29 19 follows:
29 20 (2) If the teacher registers for national board
29 21 for professional teaching standards certification
29 22 between January 1, 1999, and January 1, ~~2005~~ 2006, and
29 23 achieves certification within three years from the
29 24 date of initial score notification, an annual award in
29 25 the amount of two thousand five hundred dollars upon
29 26 achieving certification by the national board of
29 27 professional teaching standards.
29 28 Sec. 21. Section 257B.1B, subsection 1, Code 2005,
29 29 is amended to read as follows:
29 30 1. ~~Fifty-five~~ For the fiscal year beginning July
29 31 1, 2004, and each succeeding fiscal year, fifty-five
29 32 percent of the moneys deposited in the fund to the
29 33 department of education for allocation to the Iowa
29 34 reading recovery center council to assist school
29 35 districts in developing reading recovery and literacy
29 36 programs. The Iowa reading recovery council shall use
29 37 the area education agency unified budget as its fiscal
29 38 agent for grant moneys and for other moneys
29 39 administered by the council.
29 40 Sec. 22. Section 260C.2, Code 2005, is amended by
29 41 adding the following new subsection:
29 42 NEW SUBSECTION. 1A. "Department" means the
29 43 department of education.
29 44 Sec. 23. NEW SECTION. 260C.18C STATE AID
29 45 DISTRIBUTION FORMULA.
29 46 1. PURPOSE. A distribution plan for general state
29 47 financial aid to Iowa's community colleges is
29 48 established for the fiscal year commencing July 1,
29 49 2005, and succeeding fiscal years. Funds appropriated
29 50 by the general assembly to the department for general
30 1 financial aid to community colleges shall be allocated

30 2 to each community college in the manner provided under
30 3 this section.

30 4 2. DEFINITIONS. As used in this section, unless
30 5 the context otherwise requires:

30 6 a. "Base funding allocation" means the amount of
30 7 general state financial aid all community colleges
30 8 received in the base year.

30 9 b. "Base year" means the fiscal year immediately
30 10 preceding the budget year.

30 11 c. "Below-average support per FTEE" for a
30 12 community college means the state-average combined
30 13 support per FTEE minus the combined support per FTEE
30 14 for the community college if the community college's
30 15 combined support per FTEE is less than the state=
30 16 average combined support per FTEE.

30 17 d. "Budget year" means the fiscal year for which
30 18 moneys are appropriated by the general assembly.

30 19 e. "Combined support" for a community college
30 20 means the total amount of moneys the community college
30 21 received in general state financial aid in the base
30 22 year plus the community college's general fund
30 23 property tax revenue, including utility replacement,
30 24 for the base year.

30 25 f. "Combined support per FTEE" for a community
30 26 college means the community college's combined support
30 27 divided by its three-year rolling average full-time
30 28 equivalent enrollment for the three years prior to the
30 29 base year.

30 30 g. "Contact hour" for a noncredit course equals
30 31 fifty minutes of contact between an instructor and
30 32 students in a scheduled course offering for which
30 33 students are registered.

30 34 h. "Credit hour", for purposes of community
30 35 college funding distribution, shall be as defined by
30 36 the department by rule.

30 37 i. "Eligible credit courses" means all credit
30 38 courses that are eligible for general state financial
30 39 aid which are part of a department-approved program of
30 40 study. The department shall review and provide a
30 41 determination should a question of eligibility occur.

30 42 j. "Eligible growth support" for a community
30 43 college is the community college's below-average
30 44 support per FTEE multiplied times its three-year
30 45 rolling average full-time equivalent enrollment.

30 46 k. "Eligible noncredit courses" means all
30 47 noncredit courses eligible for general state financial
30 48 aid which fall under one of the eligible categories
30 49 for noncredit courses as defined by rule of the
30 50 department. The department shall review and provide a
31 1 determination should a question of eligibility occur.

31 2 l. "Eligible student" means a student enrolled in
31 3 eligible credit or eligible noncredit courses. The
31 4 department shall review and provide a determination
31 5 should a question of eligibility occur.

31 6 m. "Fiscal year" means the period of twelve months
31 7 beginning on July 1 and ending on June 30.

31 8 n. One "full-time equivalent enrollment (FTEE)"
31 9 equals twenty-four credit hours for credit courses or
31 10 six hundred contact hours for noncredit courses
31 11 generated by all eligible students enrolled in
31 12 eligible courses.

31 13 o. "General fund property tax revenue" means the
31 14 amount of moneys a community college raised or could
31 15 have raised from a property tax of twenty and one=
31 16 fourth cents per thousand dollars of assessed
31 17 valuation on all taxable property in its merged area
31 18 collected for the base year.

31 19 p. "General state financial aid" means the amount
31 20 of general state financial aid the community college
31 21 received from the general fund.

31 22 q. "Inflation adjustment amount" means the
31 23 inflation rate minus two percentage points multiplied
31 24 times the base funding allocation. The inflation
31 25 adjustment amount shall not be less than zero.

31 26 r. "Inflation rate" means the average of the
31 27 preceding twelve-month percentage change, which shall
31 28 be computed on a monthly basis, in the consumer price
31 29 index for all urban consumers, not seasonally
31 30 adjusted, published by the United States department of
31 31 labor, bureau of labor statistics, calculated for the
31 32 calendar year ending six months after the beginning of

31 33 the base year.

31 34 s. "State=average combined support per FTEE" means

31 35 the average of the combined support per FTEE for all

31 36 community colleges in the state in the base year.

31 37 t. "Three=year rolling average full=time

31 38 equivalent enrollment" means the average of the

31 39 audited full=time equivalent enrollment for a

31 40 community college over the three fiscal years prior to

31 41 the base year as determined by the department.

31 42 u. "Total growth support amount" means the sum of

31 43 the eligible growth support for all the community

31 44 colleges.

31 45 3. DISTRIBUTION FORMULA. Moneys appropriated by

31 46 the general assembly from the general fund to the

31 47 department for community college purposes for general

31 48 state financial aid for a budget year shall be

31 49 allocated to each community college by the department

31 50 as follows:

32 1 a. If the inflation rate is equal to two percent

32 2 or less:

32 3 (1) BASE FUNDING ALLOCATION. The moneys shall

32 4 first be allocated in the amount of general state

32 5 financial aid each community college received in the

32 6 base year. If the appropriation is less than the

32 7 total of the amount of general state financial aid

32 8 each community college received in the base year, the

32 9 moneys shall be allocated in the same proportion as

32 10 the allocation of general state financial aid each

32 11 community college received in the base year.

32 12 (2) MARGINAL COST ADJUSTMENT. After the base

32 13 funding has been allocated, each community college

32 14 shall be allocated up to an additional two percent of

32 15 its base funding allocation. The community college's

32 16 allocation shall be in the same proportion as the

32 17 allocation of general state financial aid each

32 18 community college received in the base year.

32 19 (3) THREE=YEAR ROLLING AVERAGE OF FULL=TIME

32 20 EQUIVALENT ENROLLMENT. If the increase in the total

32 21 state general aid exceeds two percent over the base

32 22 funding allocation, an amount up to an additional one

32 23 percent of the base funding allocation shall be

32 24 distributed based upon each community college's

32 25 proportional share of the three=year rolling average

32 26 full=time equivalent enrollments for all community

32 27 colleges.

32 28 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the

32 29 increase in total state general aid exceeds three

32 30 percent over the base funding allocation, an amount up

32 31 to an additional one percent of the base funding

32 32 allocation shall be distributed as follows:

32 33 (a) Forty percent of the moneys shall be allocated

32 34 based upon each community college's proportional share

32 35 of the three=year rolling average full=time equivalent

32 36 enrollments for all community colleges.

32 37 (b) Sixty percent of the moneys shall be allocated

32 38 to community colleges that have eligible growth

32 39 support. The allocation shall be based upon the

32 40 proportional share that each community college's

32 41 eligible growth support bears to the total growth

32 42 support amount. Once the moneys allocated under this

32 43 subparagraph subdivision equal the total growth

32 44 support amount, the remaining moneys allocated under

32 45 this subparagraph shall be allocated as provided in

32 46 subparagraph subdivision (a).

32 47 (5) ADDITIONAL THREE=YEAR ROLLING AVERAGE FTEE

32 48 ALLOCATION. If the increase in total state general

32 49 aid exceeds four percent over the base funding

32 50 allocation, all remaining moneys shall be distributed

33 1 based upon each college's proportional share of the

33 2 three=year rolling average full=time equivalent

33 3 enrollments for all community colleges.

33 4 b. If the inflation rate is greater than two

33 5 percent but less than four percent:

33 6 (1) BASE FUNDING ALLOCATION. The moneys shall

33 7 first be allocated in the amount of general state

33 8 financial aid each community college received in the

33 9 base year. If the appropriation is less than the

33 10 total of the amount of general state financial aid

33 11 each community college received in the base year, the

33 12 moneys shall be allocated in the same proportion as

33 13 the allocation of general state financial aid each

33 14 community college received in the base year.
33 15 (2) MARGINAL COST ADJUSTMENT. After the base
33 16 funding has been allocated, each community college
33 17 shall be allocated up to an additional two percent of
33 18 its base funding allocation. The community college's
33 19 allocation shall be in the same proportion as the
33 20 allocation of general state financial aid each
33 21 community college received in the base year.
33 22 (3) THREE=YEAR ROLLING AVERAGE OF FULL=TIME
33 23 EQUIVALENT ENROLLMENT. If the increase in the total
33 24 state general aid exceeds two percent over the base
33 25 funding allocation, an amount up to an additional one
33 26 percent of the base funding allocation shall be
33 27 distributed based upon each community college's
33 28 proportional share of the three=year rolling average
33 29 full=time equivalent enrollments for all community
33 30 colleges.
33 31 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the
33 32 increase in total state general aid exceeds three
33 33 percent over the base funding allocation, an amount up
33 34 to an additional one percent of the base funding
33 35 allocation shall be based as follows:
33 36 (a) Forty percent of the moneys shall be allocated
33 37 based upon each community college's proportional share
33 38 of the three=year rolling average full=time equivalent
33 39 enrollments for all community colleges.
33 40 (b) Sixty percent of the moneys shall be allocated
33 41 to community colleges that have eligible growth
33 42 support. The allocation shall be based upon the
33 43 proportional share that each community college's
33 44 eligible growth support bears to the total growth
33 45 support amount. Once the moneys allocated under this
33 46 subparagraph subdivision equal the total growth
33 47 support amount, the remaining moneys allocated under
33 48 this subparagraph shall be allocated as provided in
33 49 subparagraph subdivision (a).
33 50 (5) INFLATION ADJUSTMENT. If the increase in
34 1 total state general aid exceeds four percent over the
34 2 base funding allocation, an amount up to the inflation
34 3 adjustment amount shall be distributed to each
34 4 community college in the same proportion as the
34 5 allocation of general state financial aid each
34 6 community college received in the base year.
34 7 (6) ADDITIONAL THREE=YEAR ROLLING AVERAGE FTEE
34 8 ALLOCATION. If there are remaining moneys to be
34 9 distributed under this paragraph after distributing
34 10 moneys under subparagraph (5), all remaining moneys
34 11 shall be distributed based upon each community
34 12 college's proportional share of the three=year rolling
34 13 average full=time equivalent enrollments for all
34 14 community colleges.
34 15 c. If the inflation rate equals or exceeds four
34 16 percent:
34 17 (1) BASE FUNDING ALLOCATION. The moneys shall
34 18 first be allocated in the amount of general state
34 19 financial aid each community college received in the
34 20 base year. If the appropriation is less than the
34 21 total of the amount of general state financial aid
34 22 each community college received in the base year, the
34 23 moneys shall be allocated in the same proportion as
34 24 the allocation of general state financial aid each
34 25 community college received in the base year.
34 26 (2) MARGINAL COST ADJUSTMENT. After the base
34 27 funding has been allocated, each community college
34 28 shall be allocated up to an additional two percent of
34 29 its base funding allocation. The community college's
34 30 allocation shall be in the same proportion as the
34 31 allocation of general state financial aid each
34 32 community college received in the base year.
34 33 (3) THREE=YEAR ROLLING AVERAGE OF FULL=TIME
34 34 EQUIVALENT ENROLLMENT. If the increase in the total
34 35 state general aid exceeds two percent over the base
34 36 funding allocation, an amount up to an additional one
34 37 percent of the base funding allocation shall be
34 38 distributed based upon each community college's
34 39 proportional share of the three=year rolling average
34 40 full=time equivalent enrollments for all community
34 41 colleges.
34 42 (4) INFLATION ADJUSTMENT. If the increase in
34 43 total state general aid exceeds three percent over the
34 44 base funding allocation, an amount up to the inflation

34 45 adjustment amount shall be distributed to each
34 46 community college in the same proportion as the
34 47 allocation of general state financial aid each
34 48 community college received in the base year.

34 49 (5) EXTRAORDINARY GROWTH ADJUSTMENT. If there are
34 50 remaining moneys to be distributed under this

35 1 paragraph after distributing moneys under subparagraph
35 2 (4), an amount up to an additional one percent of the
35 3 base funding allocation shall be based as follows:

35 4 (a) Forty percent of the moneys shall be allocated
35 5 based upon each community college's proportional share
35 6 of the three-year rolling average full-time equivalent
35 7 enrollments for all community colleges.

35 8 (b) Sixty percent of the moneys shall be allocated
35 9 to community colleges that have eligible growth
35 10 support. The allocation shall be based upon the
35 11 proportional share that each community college's
35 12 eligible growth support bears to the total growth
35 13 support amount. Once the moneys allocated under this
35 14 subparagraph subdivision equals the total growth
35 15 support amount, the remaining moneys allocated under
35 16 this subparagraph shall be allocated as provided in
35 17 subparagraph subdivision (a).

35 18 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE
35 19 ALLOCATION. If there are remaining moneys to be
35 20 distributed under this paragraph after distributing
35 21 moneys under subparagraph (5), all remaining moneys
35 22 shall be distributed based upon each community
35 23 college's proportional share of the three-year rolling
35 24 average full-time equivalent enrollments for all
35 25 community colleges.

35 26 4. INFORMATION SUPPLIED BY COLLEGES AND ADOPTION
35 27 OF RULES.

35 28 a. Each community college shall provide
35 29 information in the manner and form as determined by
35 30 the department. If a community college fails to
35 31 provide the information as requested, the department
35 32 shall estimate the full-time equivalent enrollment of
35 33 that college.

35 34 b. Each community college shall complete and
35 35 submit an annual student enrollment audit to the
35 36 department. Adjustments to community college state
35 37 general aid allocations shall be made based on student
35 38 enrollment audit outcomes.

35 39 c. The department shall adopt rules under chapter
35 40 17A as necessary for the allocation of general state
35 41 financial aid.

35 42 Sec. 24. Section 261.9, subsection 1, paragraph b,
35 43 Code 2005, is amended to read as follows:

35 44 b. Is accredited by the north central association
35 45 of colleges and secondary schools accrediting agency
35 46 based on their requirements, ~~is exempt from taxation~~
~~35 47 under section 501(c)(3) of the Internal Revenue Code,~~
35 48 and annually provides a matching aggregate amount of
35 49 institutional financial aid equal to at least seventy=
35 50 five percent of the amount received in a fiscal year
36 1 by the institution's students for Iowa tuition grant
36 2 assistance under this chapter. Commencing with the
36 3 fiscal year beginning July 1, ~~2005~~ 2006, the matching
36 4 aggregate amount of institutional financial aid shall
36 5 increase by the percentage of increase each fiscal
36 6 year of funds appropriated for Iowa tuition grants
36 7 under section 261.25, subsection 1, to a maximum match
36 8 of one hundred percent. The institution shall file
36 9 annual reports with the commission prior to receipt of
36 10 tuition grant moneys under this chapter. ~~An~~

~~36 11 institution whose income is not exempt from taxation~~
~~36 12 under section 501(c) of the Internal Revenue Code and~~
~~36 13 whose students were eligible to receive Iowa tuition~~
~~36 14 grant money in the fiscal year beginning July 1, 2003,~~
~~36 15 shall meet the match requirements of this paragraph no~~
~~36 16 later than June 30, 2005.~~

36 17 Sec. 25. Section 261.25, subsection 1, Code 2005,
36 18 is amended to read as follows:

36 19 1. There is appropriated from the general fund of
36 20 the state to the commission for each fiscal year the
36 21 sum of ~~forty-seven~~ forty-nine million ~~one~~ six hundred
36 22 ~~fifty-seven~~ seventy-three thousand five hundred
36 23 ~~fifteen~~ seventy-five dollars for tuition grants. ~~From~~
~~36 24 the funds appropriated in this subsection, not more~~
~~36 25 than three million four hundred thousand dollars may~~

~~36 26 be distributed to private institutions whose income is~~
~~36 27 not exempt from taxation under section 501(c) of the~~
~~36 28 Internal Revenue Code and whose students were eligible~~
~~36 29 to receive Iowa tuition grant moneys in the fiscal~~
~~36 30 year beginning July 1, 2003.~~
36 31 Sec. 26. NEW SECTION. 272.29 ANNUAL
36 32 ADMINISTRATIVE RULES REVIEW.
36 33 The executive director shall annually review the
36 34 administrative rules adopted pursuant to this chapter
36 35 and related state laws. The executive director shall
36 36 annually submit the executive director's findings and
36 37 recommendations in a report to the board and the
36 38 chairpersons and ranking members of the senate and
36 39 house standing committees on education and the joint
36 40 appropriations subcommittee on education by January
36 41 15.
36 42 Sec. 27. Section 284.13, subsection 1, paragraphs
36 43 b and c, Code 2005, are amended to read as follows:
36 44 b. For the fiscal year beginning July 1, ~~2004~~
36 45 2005, and ending June 30, ~~2005~~ 2006, to the department
36 46 of education, the amount of ~~one two million one~~
~~36 47 hundred thousand~~ dollars for the issuance of national
36 48 board certification awards in accordance with section
36 49 256.44.
36 50 c. For the fiscal year beginning July 1, ~~2004~~
37 1 2005, and succeeding fiscal years, an amount up to
37 2 ~~three four~~ million ~~five two~~ hundred thousand dollars
37 3 for first-year and second-year beginning teachers, to
37 4 the department of education for distribution to school
37 5 districts for purposes of the beginning teacher
37 6 mentoring and induction programs. A school district
37 7 shall receive one thousand three hundred dollars per
37 8 beginning teacher participating in the program. If
37 9 the funds appropriated for the program are
37 10 insufficient to pay mentors and school districts as
37 11 provided in this paragraph, the department shall
37 12 prorate the amount distributed to school districts
37 13 based upon the amount appropriated. Moneys received
37 14 by a school district pursuant to this paragraph shall
37 15 be expended to provide each mentor with an award of
37 16 five hundred dollars per semester, at a minimum, for
37 17 participation in the school district's beginning
37 18 teacher mentoring and induction program; to implement
37 19 the plan; and to pay any applicable costs of the
37 20 employer's share of contributions to federal social
37 21 security and the Iowa public employees' retirement
37 22 system or a pension and annuity retirement system
37 23 established under chapter 294, for such amounts paid
37 24 by the district.
37 25 Sec. 28. Section 284.13, subsection 1, paragraph
37 26 e, Code 2005, is amended to read as follows:
37 27 e. For the fiscal year beginning July 1, ~~2004~~
37 28 2005, and ending June 30, ~~2005~~ 2006, up to ~~two four~~
37 29 ~~hundred fifty eighty=~~five thousand dollars to the
37 30 department of education for purposes of implementing
37 31 the career development program requirements of section
37 32 284.6, ~~and~~ the review panel requirements of section
37 33 284.9, ~~and the evaluator training program in section~~
37 34 284.10. From the moneys allocated to the department
37 35 pursuant to this paragraph, not less than ~~seventy=~~
~~37 36 five ten~~ thousand dollars shall be used to administer
~~37 37 the ambassador to education position in accordance~~
~~37 38 with section 256.45 distributed to the board of~~
37 39 educational examiners for purposes of convening an
37 40 educator licensing review working group. From the
37 41 moneys allocated to the department pursuant to this
37 42 paragraph, not less than eighty=five thousand dollars
37 43 shall be used to administer the ambassador to
37 44 education position in accordance with section 256.45.
37 45 A portion of the funds allocated to the department for
37 46 purposes of this paragraph may be used by the
37 47 department for administrative purposes.
37 48 Notwithstanding section 8.33, moneys allocated for
37 49 purposes of this paragraph prior to July 1, ~~2004~~ 2005,
37 50 which remain unobligated or unexpended at the end of
38 1 the fiscal year for which the moneys were
38 2 appropriated, shall remain available for expenditure
38 3 for the purposes for which they were allocated, for
38 4 the fiscal year beginning July 1, ~~2004~~ 2005, and
38 5 ending June 30, ~~2005~~ 2006.
38 6 Sec. 29. Section 284.13, subsection 1, Code 2005,

38 7 is amended by adding the following new paragraphs:
38 8 NEW PARAGRAPH. dd. For the fiscal year beginning
38 9 July 1, 2005, and ending June 30, 2006, up to ten
38 10 million dollars to the department of education for use
38 11 by school districts to add one additional teacher
38 12 contract day to the school calendar. Prior to
38 13 receiving funds under this paragraph, a school
38 14 district shall submit for approval to the department
38 15 the school district's professional development plan
38 16 for use of the moneys. The department shall submit a
38 17 report on school district use of the moneys
38 18 distributed pursuant to this paragraph to the
38 19 chairpersons and ranking members of the house and
38 20 senate standing committees on education, the joint
38 21 appropriations subcommittee on education, and the
38 22 legislative services agency not later than January 15,
38 23 2006. The department shall distribute funds allocated
38 24 for purposes of this paragraph based on each school
38 25 district's teacher per diem. If the funds allocated
38 26 are insufficient to pay the per diem for one
38 27 additional teacher contract day, the department shall
38 28 prorate the funds to the school districts and
38 29 notwithstanding section 284.4, subsection 1, paragraph
38 30 "c", the department shall prorate the number of
38 31 additional teacher contract days a school district
38 32 shall be required to provide consistent with section
38 33 284.4, subsection 1, paragraph "c". If the department
38 34 receives funds for purposes of this paragraph in
38 35 excess of the per diem for one additional teacher
38 36 contract day, the funds shall be distributed as
38 37 provided under paragraph "f".
38 38 NEW PARAGRAPH. ee. For the fiscal year beginning
38 39 July 1, 2005, and succeeding fiscal years, up to one
38 40 million dollars to the department of education for
38 41 purposes of the value-added assessment system
38 42 established pursuant to section 256.24. The
38 43 department shall allocate the moneys to school
38 44 districts based upon the percentage of the budget
38 45 enrollment of each school district for the fiscal year
38 46 beginning July 1, 2004, compared to the budget
38 47 enrollment of all school districts in the state for
38 48 the fiscal year beginning July 1, 2004. The
38 49 department shall distribute the moneys to a school
38 50 district upon demonstration by the school district to
39 1 the department that the school district agrees to
39 2 participate in a qualified value-added assessment
39 3 system.
39 4 Sec. 30. Section 284.13, subsection 1, paragraphs
39 5 a, d, and i, Code 2005, are amended by striking the
39 6 paragraphs.
39 7 Sec. 31. Section 298.3, Code 2005, is amended by
39 8 adding the following new subsection:
39 9 NEW SUBSECTION. 13. EXPENDITURES FOR WIND
39 10 GENERATORS. If a school district's anticipated energy
39 11 savings is projected to pay for construction of a wind
39 12 generator, the school district may use revenues
39 13 received under this section to pay off the
39 14 construction loan.
39 15 Sec. 32. Section 301.1, subsection 2, Code 2005,
39 16 is amended to read as follows:
39 17 2. Textbooks adopted and purchased by a school
39 18 district shall, to the extent funds are appropriated
39 19 by the general assembly, be made available to pupils
39 20 attending accredited nonpublic schools upon request of
39 21 the pupil or the pupil's parent under comparable terms
39 22 as made available to pupils attending public schools.
39 23 If the general assembly appropriates moneys for
39 24 purposes of making textbooks available to accredited
39 25 nonpublic school pupils, the department of education
39 26 shall ascertain the amount available to a school
39 27 district for the purchase of nonsectarian,
39 28 nonreligious textbooks for pupils attending accredited
39 29 nonpublic schools. The amount shall be in the
39 30 proportion that the basic enrollment of a
39 31 participating accredited nonpublic school bears to the
39 32 sum of the basic enrollments of all participating
39 33 accredited nonpublic schools in the state for the
39 34 budget year. For purposes of this section, a
39 35 "participating accredited nonpublic school" means an
39 36 accredited nonpublic school that submits a written
39 37 request on behalf of the school's pupils in accordance

39 38 with this subsection, and that certifies its actual
39 39 enrollment to the department of education by October
39 40 1, annually. By October 15, annually, the department
39 41 of education shall certify to the director of the
39 42 department of administrative services the annual
39 43 amount to be paid to each school district, and the
39 44 director of the department of administrative services
39 45 shall draw warrants payable to school districts in
39 46 accordance with this subsection. For purposes of this
39 47 subsection, an accredited nonpublic school's
39 48 enrollment count shall include only students who are
39 49 residents of Iowa. The costs of providing textbooks
39 50 to accredited nonpublic school pupils as provided in
40 1 this subsection shall not be included in the
40 2 computation of district cost under chapter 257, but
40 3 shall be shown in the budget as an expense from
40 4 miscellaneous income. Textbook expenditures made in
40 5 accordance with this subsection shall be kept on file
40 6 in the school district. Textbooks made available by a
~~40 7 school district to pupils attending accredited~~
~~40 8 nonpublic schools in accordance with this subsection~~
~~40 9 are not to be the property of the school district.~~
40 10 Sec. 33. Section 423E.4, subsection 3, paragraph
40 11 a, Code 2005, is amended to read as follows:
40 12 a. The director of revenue by June 1 preceding
40 13 each fiscal year shall compute the guaranteed school
40 14 infrastructure amount for each school district, each
40 15 school district's sales tax capacity per student for
40 16 each county, the statewide tax revenues per student,
40 17 and the supplemental school infrastructure amount for
40 18 the coming fiscal year.
40 19 Sec. 34. Section 423E.4, subsection 3, paragraph
40 20 b, subparagraph (3), Code 2005, is amended by striking
40 21 the subparagraph and inserting in lieu thereof the
40 22 following:
40 23 (3) "Statewide tax revenues per student" means the
40 24 amount determined by estimating the total revenues
40 25 that would be generated by a one percent local option
40 26 sales and services tax for school infrastructure
40 27 purposes if imposed by all the counties during the
40 28 entire fiscal year and dividing this estimated revenue
40 29 amount by the sum of the combined actual enrollment
40 30 for all counties as determined in section 423E.3,
40 31 subsection 5, paragraph "d", subparagraph (2).
40 32 Sec. 35. EFFECTIVE DATES.
40 33 1. The section of this Act that amends section
40 34 257B.1B, being deemed of immediate importance, takes
40 35 effect upon enactment.
40 36 2. The section of this Act that amends section
40 37 423E.4, being deemed of immediate importance, takes
40 38 effect upon enactment.
40 39 #2. Title page, by striking line 5 and inserting
40 40 the following: <regents, and providing effective
40 41 dates.>
40 42 #3. By renumbering as necessary.
40 43 HF 816.S
40 44 kh/cc/26