

Senate Amendment 3292

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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. COLLEGE STUDENT AID COMMISSION STUDY ==
2 10 STATE AID FOR STUDENTS ENROLLED IN ACCREDITED PRIVATE
2 11 INSTITUTIONS. The college student aid commission
2 12 shall develop, in consultation with representatives
2 13 from accredited private institutions whose income is
2 14 not exempt from taxation under section 501(c) of the
2 15 Internal Revenue Code, recommendations for a policy
2 16 regarding the protection of educational consumers for
2 17 inclusion in the definition of "accredited private
2 18 institution" under section 261.9. It is the intent of
2 19 the general assembly to consider such a policy as it
2 20 might apply to private institutions whose income is
2 21 not exempt, and those private institutions whose
2 22 income is exempt, from taxation under section 501(c)
2 23 of the Internal Revenue Code. In determining its
2 24 recommendations, the commission shall include a review

2 25 of information that includes, but is not limited to,
 2 26 the percent of students who are enrolled in each
 2 27 institution who have high school graduation diplomas,
 2 28 the percentage of students enrolled in each
 2 29 institution who have high school equivalency diplomas,
 2 30 the percentage of low-income students enrolled in each
 2 31 institution, the percentage of nontraditional students
 2 32 enrolled in each institution, the graduation and job
 2 33 placement rates of each institution, and each
 2 34 institution's official cohort default rate, which is
 2 35 released annually by the United States department of
 2 36 education. The commission shall submit its findings
 2 37 and recommendations to the governor and the general
 2 38 assembly by January 10, 2006.

2 39 DEPARTMENT OF CULTURAL AFFAIRS

2 40 Sec. 4. There is appropriated from the general
 2 41 fund of the state to the department of cultural
 2 42 affairs for the fiscal year beginning July 1, 2005,
 2 43 and ending June 30, 2006, the following amounts, or so
 2 44 much thereof as is necessary, to be used for the
 2 45 purposes designated:

2 46 1. ADMINISTRATION

2 47 For salaries, support, maintenance, and
 2 48 miscellaneous purposes:
 2 49 \$ 235,636

2 50 The department of cultural affairs shall coordinate
 3 1 activities with the tourism office of the department
 3 2 of economic development to promote attendance at the
 3 3 state historical building and at this state's historic
 3 4 sites.

3 5 2. COMMUNITY CULTURAL GRANTS

3 6 For planning and programming for the community
 3 7 cultural grants program established under section
 3 8 303.3:
 3 9 \$ 299,240

3 10 3. HISTORICAL DIVISION

3 11 For salaries, support, maintenance, miscellaneous
 3 12 purposes, and for not more than the following full=
 3 13 time equivalent positions:
 3 14 \$ 3,040,920
 3 15 FTEs 65.00

3 16 4. HISTORIC SITES

3 17 For salaries, support, maintenance, and
 3 18 miscellaneous purposes:
 3 19 \$ 526,459

3 20 5. ARTS DIVISION

3 21 For salaries, support, maintenance, miscellaneous
 3 22 purposes, including funds to match federal grants and
 3 23 for not more than the following full-time equivalent
 3 24 positions:
 3 25 \$ 1,157,486
 3 26 FTEs 11.25

3 27 6. GREAT PLACES

3 28 For salaries, support, maintenance, and
 3 29 miscellaneous purposes:
 3 30 \$ 200,000

3 31 7. ARCHIVE IOWA GOVERNORS' RECORDS

3 32 For archiving the records of Iowa governors:
 3 33 \$ 75,000

3 34 DEPARTMENT OF EDUCATION

3 35 Sec. 5. There is appropriated from the general
 3 36 fund of the state to the department of education for
 3 37 the fiscal year beginning July 1, 2005, and ending
 3 38 June 30, 2006, the following amounts, or so much
 3 39 thereof as may be necessary, to be used for the
 3 40 purposes designated:

3 41 1. GENERAL ADMINISTRATION

3 42 For salaries, support, maintenance, miscellaneous
 3 43 purposes, and for not more than the following full=
 3 44 time equivalent positions:
 3 45 \$ 5,139,542
 3 46 FTEs 76.27

3 47 The director of the department of education shall
 3 48 ensure that all school districts are aware of the
 3 49 state education resources available on the state
 3 50 website for listing teacher job openings and shall
 4 1 make every reasonable effort to enable qualified
 4 2 practitioners to post their resumes on the state
 4 3 website. The department shall administer the posting
 4 4 of job vacancies for school districts, accredited
 4 5 nonpublic schools, and area education agencies on the

4 6 state website. The department may coordinate this
4 7 activity with the Iowa school board association or
4 8 other interested education associations in the state.
4 9 The department shall strongly encourage school
4 10 districts to seek direct claiming under the medical
4 11 assistance program for funding of school district
4 12 nursing services for students.

4 13 2. VOCATIONAL EDUCATION ADMINISTRATION

4 14 For salaries, support, maintenance, miscellaneous
4 15 purposes, and for not more than the following full=
4 16 time equivalent positions:

4 17	\$	514,828
4 18	FTEs	13.80

4 19 3. VOCATIONAL REHABILITATION SERVICES DIVISION

4 20 a. For salaries, support, maintenance,
4 21 miscellaneous purposes, and for not more than the
4 22 following full-time equivalent positions:

4 23	\$	4,475,050
4 24	FTEs	273.50

4 25 The division of vocational rehabilitation services
4 26 shall seek funding from other sources, such as local
4 27 funds, for purposes of matching the state's federal
4 28 vocational rehabilitation allocation, as well as for
4 29 matching other federal vocational rehabilitation
4 30 funding that may become available.

4 31 Except where prohibited under federal law, the
4 32 division of vocational rehabilitation services of the
4 33 department of education shall accept client
4 34 assessments, or assessments of potential clients,
4 35 performed by other agencies in order to reduce
4 36 duplication of effort.

4 37 Notwithstanding the full-time equivalent position
4 38 limit established in this lettered paragraph, for the
4 39 fiscal year ending June 30, 2006, if federal funding
4 40 is received to pay the costs of additional employees
4 41 for the vocational rehabilitation services division
4 42 who would have duties relating to vocational
4 43 rehabilitation services paid for through federal
4 44 funding, authorization to hire not more than 4.00
4 45 additional full-time equivalent employees shall be
4 46 provided, the full-time equivalent position limit
4 47 shall be exceeded, and the additional employees shall
4 48 be hired by the division.

4 49 b. For matching funds for programs to enable
4 50 persons with severe physical or mental disabilities to
5 1 function more independently, including salaries and
5 2 support, and for not more than the following full-time
5 3 equivalent position:

5 4	\$	54,150
5 5	FTEs	1.00

5 6 The highest priority use for the moneys
5 7 appropriated under this lettered paragraph shall be
5 8 for programs that emphasize employment and assist
5 9 persons with severe physical or mental disabilities to
5 10 find and maintain employment to enable them to
5 11 function more independently.

5 12 4. STATE LIBRARY

5 13 a. For salaries, support, maintenance,
5 14 miscellaneous purposes, and for not more than the
5 15 following full-time equivalent positions:

5 16	\$	1,378,555
5 17	FTEs	18.00

5 18 b. For the enrich Iowa program:

5 19	\$	1,698,432
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5 20 (1) Funds allocated for purposes of the enrich
5 21 Iowa program as provided in this lettered paragraph
5 22 shall be distributed by the division of libraries and
5 23 information services to provide support for Iowa's
5 24 libraries. The commission of libraries shall develop
5 25 rules governing the allocation of funds provided by
5 26 the general assembly for the enrich Iowa program to
5 27 provide direct state assistance to public libraries
5 28 and to fund the open access and access plus programs.
5 29 Direct state assistance to eligible public libraries
5 30 is provided as an incentive to improve library
5 31 services and to reduce inequities among communities in
5 32 the delivery of library services based on recognized
5 33 and adopted performance measures. Funds distributed
5 34 as direct state assistance shall be distributed to
5 35 eligible public libraries that are in compliance with
5 36 performance measures adopted by rule by the commission

5 37 of libraries. The funds allocated as provided in this
5 38 lettered paragraph shall not be used for the costs of
5 39 administration by the division. The amount of direct
5 40 state assistance distributed to each eligible public
5 41 library shall be based upon the following:

5 42 (a) The level of compliance by the eligible public
5 43 library with the performance measures adopted by the
5 44 commission as provided in this subparagraph.

5 45 (b) The number of people residing within an
5 46 eligible library's geographic service area for whom
5 47 the library provides services.

5 48 (c) The amount of other funding the eligible
5 49 public library received in the previous fiscal year
5 50 for providing services to rural residents and to
6 1 contracting communities.

6 2 (2) Moneys received by a public library under this
6 3 lettered paragraph shall supplement, not supplant, any
6 4 other funding received by the library.

6 5 (3) For purposes of this section, "eligible public
6 6 library" means a public library that meets all of the
6 7 following requirements:

6 8 (a) Submits to the division all of the following:

6 9 (i) The report provided for under section 256.51,
6 10 subsection 1, paragraph "h".

6 11 (ii) An application and accreditation report, in a
6 12 format approved by the commission, that provides
6 13 evidence of the library's compliance with at least one
6 14 level of the standards established in accordance with
6 15 section 256.51, subsection 1, paragraph "k".

6 16 (iii) Any other application or report the division
6 17 deems necessary for the implementation of the enrich
6 18 Iowa program.

6 19 (b) Participates in the library resource and
6 20 information sharing programs established by the state
6 21 library.

6 22 (c) Is a public library established by city
6 23 ordinance or a library district as provided in chapter
6 24 336.

6 25 (4) Each eligible public library shall maintain a
6 26 separate listing within its budget for payments
6 27 received and expenditures made pursuant to this
6 28 lettered paragraph, and shall annually submit this
6 29 listing to the division.

6 30 (5) By January 15, 2007, the division shall submit
6 31 a program evaluation report to the general assembly
6 32 and the governor detailing the uses and the impacts of
6 33 funds allocated under this lettered paragraph.

6 34 (6) A public library that receives funds in
6 35 accordance with this lettered paragraph shall have an
6 36 internet use policy in place, which may or may not
6 37 include internet filtering. The library shall submit
6 38 a report describing the library's internet use efforts
6 39 to the division.

6 40 (7) A public library that receives funds in
6 41 accordance with this lettered paragraph shall provide
6 42 open access, the reciprocal borrowing program, as a
6 43 service to its patrons, at a reimbursement rate
6 44 determined by the state library.

6 45 5. LIBRARY SERVICE AREA SYSTEM

6 46 For state aid:

6 47 \$ 1,376,558

6 48 6. PUBLIC BROADCASTING DIVISION

6 49 For salaries, support, maintenance, capital
6 50 expenditures, miscellaneous purposes, and for not more
7 1 than the following full-time equivalent positions:

7 2 \$ 7,356,722

7 3 FTEs 86.00

7 4 7. REGIONAL TELECOMMUNICATIONS COUNCILS

7 5 For state aid:

7 6 \$ 1,240,478

7 7 The regional telecommunications councils
7 8 established in section 8D.5 shall use the funds
7 9 appropriated in this subsection to provide technical
7 10 assistance for network classrooms, planning and
7 11 troubleshooting for local area networks, scheduling of
7 12 video sites, and other related support activities.

7 13 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

7 14 For reimbursement for vocational education
7 15 expenditures made by secondary schools:

7 16 \$ 2,936,904

7 17 Funds appropriated in this subsection shall be used

7 18 for expenditures made by school districts to meet the
7 19 standards set in sections 256.11, 258.4, and 260C.14
7 20 as a result of the enactment of 1989 Iowa Acts,
7 21 chapter 278. Funds shall be used as reimbursement for
7 22 vocational education expenditures made by secondary
7 23 schools in the manner provided by the department of
7 24 education for implementation of the standards set in
7 25 1989 Iowa Acts, chapter 278.

7 26 9. SCHOOL FOOD SERVICE

7 27 For use as state matching funds for federal
7 28 programs that shall be disbursed according to federal
7 29 regulations, including salaries, support, maintenance,
7 30 and miscellaneous purposes:
7 31 \$ 2,509,683

7 32 10. IOWA EMPOWERMENT FUND

7 33 For deposit in the school ready children grants
7 34 account of the Iowa empowerment fund created in
7 35 section 28.9:
7 36 \$ 23,781,594

7 37 a. From the moneys deposited in the school ready
7 38 children grants account for the fiscal year beginning
7 39 July 1, 2005, and ending June 30, 2006, not more than
7 40 \$300,000 is allocated for the community empowerment
7 41 office and other technical assistance activities and
7 42 of that amount, not more than \$50,000 shall be used to
7 43 administer the early childhood coordinator's position
7 44 pursuant to section 28.3, subsection 6A, if enacted by
7 45 2005 Iowa Acts, House File 761, and not more than
7 46 \$50,000 shall be used to implement an early childhood
7 47 Iowa website for wide dissemination of early care and
7 48 early childhood learning information and assistance.
7 49 It is the intent of the general assembly that regional
7 50 technical assistance teams will be established and
8 1 will include staff from various agencies, as
8 2 appropriate, including the area education agencies,
8 3 community colleges, and the Iowa state university of
8 4 science and technology cooperative extension service
8 5 in agriculture and home economics. The Iowa
8 6 empowerment board shall direct staff to work with the
8 7 advisory council to inventory technical assistance
8 8 needs. Funds allocated under this lettered paragraph
8 9 may be used by the Iowa empowerment board for the
8 10 purpose of skills development and support for ongoing
8 11 training of the regional technical assistance teams.
8 12 However, funds shall not be used for additional staff
8 13 or for the reimbursement of staff.

8 14 b. Notwithstanding any other provision of law to
8 15 the contrary, the community empowerment office shall
8 16 use the documentation created by the legislative
8 17 services agency to continue the implementation of the
8 18 four-year phase-in period of the distribution formula
8 19 approved by the community empowerment board.

8 20 c. As a condition of receiving funding
8 21 appropriated in this subsection, each community
8 22 empowerment area board shall report to the Iowa
8 23 empowerment board progress on each of the state
8 24 indicators approved by the state board, as well as
8 25 progress on local indicators. The community
8 26 empowerment area board must also submit a written plan
8 27 amendment extending by one year the area's
8 28 comprehensive school ready children grant plan
8 29 developed for providing services for children from
8 30 birth through five years of age and provide other
8 31 information specified by the Iowa empowerment board.
8 32 The amendment may also provide for changes in the
8 33 programs and services provided under the plan. The
8 34 Iowa empowerment board shall establish a submission
8 35 deadline for the plan amendment that allows a
8 36 reasonable period of time for preparation of the plan
8 37 amendment and for review and approval or request for
8 38 modification of the plan amendment by the Iowa
8 39 empowerment board. In addition, the community
8 40 empowerment board must continue to comply with
8 41 reporting provisions and other requirements adopted by
8 42 the Iowa empowerment board in implementing section
8 43 28.8.

8 44 d. Of the amount appropriated in this subsection
8 45 for deposit in the school ready children grants
8 46 account of the Iowa empowerment fund that is used for
8 47 distribution to areas, \$4,650,000 shall be used to
8 48 assist low-income parents with preschool tuition.

8 49 e. Of the amount appropriated in this subsection
8 50 for deposit in the school ready children grants
9 1 account of the Iowa empowerment fund that is used for
9 2 distribution to areas, \$1,000,000 shall be used to
9 3 collaborate with area education agencies and community
9 4 colleges to provide both child care and preschool
9 5 providers with ready access to high-quality
9 6 professional development.

9 7 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
9 8 To provide funds for costs of providing textbooks
9 9 to each resident pupil who attends a nonpublic school
9 10 as authorized by section 301.1. The funding is
9 11 limited to \$20 per pupil and shall not exceed the
9 12 comparable services offered to resident public school
9 13 pupils:
9 14 \$ 614,058

9 15 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY
9 16 PROGRAM
9 17 For purposes, as provided in law, of the student
9 18 achievement and teacher quality program established
9 19 pursuant to chapter 284:
9 20 \$ 69,593,894

9 21 13. COMMUNITY COLLEGES
9 22 For general state financial aid to merged areas as
9 23 defined in section 260C.2 in accordance with chapters
9 24 258 and 260C:
9 25 \$146,063,888

9 26 The funds appropriated in this subsection shall be
9 27 allocated as provided under section 260C.18C, as
9 28 enacted by this Act, as follows:

9 29 a. Merged Area I \$ 7,043,136
9 30 b. Merged Area II \$ 8,139,764
9 31 c. Merged Area III \$ 7,546,392
9 32 d. Merged Area IV \$ 3,695,536
9 33 e. Merged Area V \$ 7,913,500
9 34 f. Merged Area VI \$ 7,164,571
9 35 g. Merged Area VII \$ 10,403,251
9 36 h. Merged Area IX \$ 12,820,428
9 37 i. Merged Area X \$ 20,697,708
9 38 j. Merged Area XI \$ 21,467,229
9 39 k. Merged Area XII \$ 8,467,199
9 40 l. Merged Area XIII \$ 8,618,079
9 41 m. Merged Area XIV \$ 3,740,768
9 42 n. Merged Area XV \$ 11,760,384
9 43 o. Merged Area XVI \$ 6,585,943

9 44 Sec. 6. STATEWIDE TEACHER INTERN PROGRAM ==
9 45 FEDERAL GRANT APPLICATION COORDINATION.
9 46 The department shall work cooperatively with the
9 47 state board of regents and other appropriate eligible
9 48 grantees to obtain any available federal funding,
9 49 including grants that may be available for the
9 50 establishment and operation of a teacher intern
10 1 program.

10 2 Sec. 7. BOARD OF EDUCATIONAL EXAMINERS LICENSING
10 3 FEES. Notwithstanding section 272.10, for the fiscal
10 4 year beginning July 1, 2005, and ending June 30, 2006,
10 5 the executive director of the board of educational
10 6 examiners shall deposit at least 20 percent of the
10 7 fees collected annually with the treasurer of state
10 8 which shall be credited to the general fund of the
10 9 state. The remaining licensing fees collected during
10 10 the fiscal year beginning July 1, 2005, and retained
10 11 are appropriated to the board for the purposes related
10 12 to the board's duties. Notwithstanding section 8.33,
10 13 licensing fees retained by and appropriated to the
10 14 board pursuant to this section that remain
10 15 unencumbered or unobligated at the close of the fiscal
10 16 year in an amount of not more than 10 percent of the
10 17 total licensing fees collected by the board by the
10 18 close of the fiscal year shall not revert but shall
10 19 remain available for expenditure for the purposes
10 20 designated until the close of the succeeding fiscal
10 21 year.

10 22 Sec. 8. EDUCATOR LICENSING REVIEW WORKING GROUP.
10 23 1. The board of educational examiners, in
10 24 consultation with the department of education, shall
10 25 convene a working group whose work shall be conducted
10 26 over a three-year period to identify and recommend
10 27 measures to improve Iowa's current teacher and
10 28 administrator preparation and licensing practices.
10 29 The working group shall review the current teacher and

10 30 administrator preparation and licensing processes to
10 31 identify essential standards to maintain quality
10 32 preparation and licensing requirements for teachers
10 33 and administrators. The review shall also do the
10 34 following:

- 10 35 a. Identify state laws and agency rules that are
10 36 no longer essential to maintain quality.
- 10 37 b. Compare Iowa's teacher and administrator
10 38 preparation and licensing practices with those of
10 39 neighboring states, and identify those areas where
10 40 Iowa's practices differ from, or are consistent with,
10 41 the practices of the states neighboring Iowa.
- 10 42 c. Identify potential barriers preventing teacher
10 43 and administrator candidates from neighboring states
10 44 from applying for licensure in Iowa.
- 10 45 d. Review federal laws and regulations relating to
10 46 teachers and teacher licensure in order to ensure
10 47 compliance with federal laws and regulations,
10 48 especially those relating to highly qualified
10 49 teachers.

10 50 2. The working group shall consist of teachers,
11 1 administrators, and representatives of the department
11 2 of education, the state board of education, the board
11 3 of educational examiners, and practitioner preparation
11 4 institutions.

11 5 3. The working group shall annually submit its
11 6 findings and recommendations to the chairpersons and
11 7 ranking members of the senate and house standing
11 8 education committees and the joint appropriations
11 9 subcommittee on education by January 15.

11 10 Sec. 9. MINIMUM TEACHER SALARY REQUIREMENTS == FY
11 11 2005=2006.

- 11 12 1. Notwithstanding section 284.7, subsection 1,
11 13 paragraph "a", subparagraph (2), the minimum teacher
11 14 salary paid by a school district or area education
11 15 agency for purposes of teacher compensation in
11 16 accordance with chapter 284, for the fiscal year
11 17 beginning July 1, 2005, and ending June 30, 2006,
11 18 shall be the minimum salary amount the school district
11 19 or area education agency paid to a first-year
11 20 beginning teacher or, the minimum salary amount the
11 21 school district or area education agency would have
11 22 paid a first-year beginning teacher if the school
11 23 district or area education agency had participated in
11 24 the program in the 2001=2002 school year, in
11 25 accordance with section 284.7, subsection 1, Code
11 26 Supplement 2001. If the school district or area
11 27 education agency did not employ a first-year beginning
11 28 teacher in the 2001=2002 school year, the minimum
11 29 salary is the amount that the district would have paid
11 30 a first-year beginning teacher under chapter 284 in
11 31 the 2001=2002 school year.
- 11 32 2. Notwithstanding section 284.7, subsection 1,
11 33 paragraph "b", subparagraph (2), the minimum career
11 34 teacher salary paid to a career teacher who was a
11 35 beginning teacher in the 2004=2005 school year, by a
11 36 school district or area education agency participating
11 37 in the student achievement and teacher quality
11 38 program, for the school year beginning July 1, 2005,
11 39 and ending June 30, 2006, shall be, unless the school
11 40 district has a minimum career teacher salary that
11 41 exceeds thirty thousand dollars, one thousand dollars
11 42 greater than the minimum salary amount the school
11 43 district or area education agency paid to a first-year
11 44 beginning teacher if the school district or area
11 45 education agency participated in the program during
11 46 the 2001=2002 school year, or the minimum salary
11 47 amount the school district or area education agency
11 48 would have paid a first-year beginning teacher if the
11 49 school district or area education agency had
11 50 participated in the program in the 2001=2002 school
12 1 year, in accordance with section 284.7, subsection 1,
12 2 Code Supplement 2001.
- 12 3 3. Notwithstanding section 284.7, subsection 1,
12 4 paragraph "b", subparagraph (2), and except as
12 5 provided in subsection 2, the minimum career teacher
12 6 salary paid by a school district or area education
12 7 agency participating in the student achievement and
12 8 teacher quality program, for purposes of teacher
12 9 compensation in accordance with chapter 284, for the
12 10 school year beginning July 1, 2005, and ending June

12 11 30, 2006, shall be the minimum salary amount the
12 12 school district or area education agency paid to a
12 13 career teacher if the school district or area
12 14 education agency participated in the program during
12 15 the 2001=2002 school year, or, the minimum salary
12 16 amount the school district or area education agency
12 17 would have paid a career teacher if the school
12 18 district or area education agency had participated in
12 19 the program in the 2001=2002 school year, in
12 20 accordance with section 284.7, subsection 1, Code
12 21 Supplement 2001.

12 22 STATE BOARD OF REGENTS

12 23 Sec. 10. There is appropriated from the general
12 24 fund of the state to the state board of regents for
12 25 the fiscal year beginning July 1, 2005, and ending
12 26 June 30, 2006, the following amounts, or so much
12 27 thereof as may be necessary, to be used for the
12 28 purposes designated:

12 29 1. OFFICE OF STATE BOARD OF REGENTS

12 30 a. For salaries, support, maintenance,
12 31 miscellaneous purposes, and for not more than the
12 32 following full-time equivalent positions:

12 33 \$ 1,167,137
12 34 FTEs 16.00

12 35 The state board of regents, the department of
12 36 management, and the legislative services agency shall
12 37 cooperate to determine and agree upon, by November 15,
12 38 2005, the amount that needs to be appropriated for
12 39 tuition replacement for the fiscal year beginning July
12 40 1, 2006.

12 41 The state board of regents shall submit a monthly
12 42 financial report in a format agreed upon by the state
12 43 board of regents office and the legislative services
12 44 agency.

12 45 b. For allocation by the state board of regents to
12 46 the state university of Iowa, the Iowa state
12 47 university of science and technology, and the
12 48 university of northern Iowa to reimburse the
12 49 institutions for deficiencies in their operating funds
12 50 resulting from the pledging of tuitions, student fees
13 1 and charges, and institutional income to finance the
13 2 cost of providing academic and administrative
13 3 buildings and facilities and utility services at the
13 4 institutions:

13 5 \$ 13,975,431

13 6 Notwithstanding section 8.33, funds appropriated
13 7 for the purposes in this lettered paragraph remaining
13 8 unencumbered or unobligated at the end of the fiscal
13 9 year shall not revert but shall be available for
13 10 expenditure for the purposes specified in this
13 11 lettered paragraph during the subsequent fiscal year.

13 12 c. For funds to be allocated to the southwest Iowa
13 13 graduate studies center:

13 14 \$ 105,956

13 15 d. For funds to be allocated to the siouxland
13 16 interstate metropolitan planning council for the
13 17 tristate graduate center under section 262.9,
13 18 subsection 21:

13 19 \$ 77,941

13 20 e. For funds to be allocated to the quad-cities
13 21 graduate studies center:

13 22 \$ 157,144

13 23 f. For funds for regents universities' general
13 24 operating budgets:

13 25 \$ 21,219,288

13 26 The funds appropriated for purposes of this
13 27 lettered paragraph are subject to the following
13 28 allocations and requirements:

13 29 (1) The partnership for transformation and
13 30 excellence is a four-year partnership plan created by
13 31 the state board of regents for the purpose of
13 32 enhancing the regents' strategic priorities for
13 33 educational quality and public accountability. Under
13 34 the plan, Iowa students and families will be subject
13 35 to moderate student tuition increases, and a clear and
13 36 concise reallocation plan that may be audited will
13 37 exist to strengthen the academic focus at the regents
13 38 universities. The reallocation plan will enhance the
13 39 quality of the regents universities and provide both
13 40 an incentive and an opportunity for university-wide
13 41 reprioritization and reallocation of resources to the

13 42 most important strategic areas.
13 43 (2) The funds shall be distributed by the board as
13 44 outlined in the state board of regents partnership for
13 45 transformation and excellence. The funds may be used
13 46 for any of the following purposes:
13 47 (a) Supporting new strategic initiatives.
13 48 (b) Meeting enrollment increases.
13 49 (c) Meeting the demand for new courses and
13 50 services.
14 1 (d) Funding new but unavoidable or mandated cost
14 2 increases.
14 3 (e) Supporting any other initiatives important to
14 4 the core functions of the university.
14 5 The funds may also be used for pay adjustments,
14 6 expense reimbursements, and related benefits for state
14 7 board of regents employees covered by a collective
14 8 bargaining agreement and for state board of regents
14 9 employees not covered by a collective bargaining
14 10 agreement. The board shall provide from other
14 11 available sources any additional funding needed for
14 12 such pay adjustments, expense reimbursements, and
14 13 related benefits.
14 14 (3) The state board of regents shall annually set
14 15 a target dollar amount or percentage figure of
14 16 expected reallocation of resources for each
14 17 university. The universities shall report to the
14 18 board on a semiannual basis regarding the actions
14 19 taken relating to the reallocations. Once funds have
14 20 been reallocated, that amount shall not be redirected
14 21 to the original entity or purpose unless extraordinary
14 22 circumstances exist and an equivalent reallocation
14 23 amount is increased for the same fiscal year. A
14 24 reallocation of resources may be made for any of the
14 25 following purposes:
14 26 (a) Supporting new strategic initiatives.
14 27 (b) Meeting enrollment increases.
14 28 (c) Meeting the demand for new courses and
14 29 services.
14 30 (d) Funding new but unavoidable or mandated cost
14 31 increases.
14 32 (e) Supporting any other initiatives important to
14 33 the core functions of the university.
14 34 (4) For the purposes of this lettered paragraph:
14 35 (a) "Entity" means a president, vice president, or
14 36 a college, academic or nonacademic department,
14 37 division, program, or other unit.
14 38 (b) "Reallocation of resources" means funds within
14 39 the base budget of a university entity are removed by
14 40 the administrator of that entity and redirected to
14 41 another university entity or purpose.
14 42 (5) The state university of Iowa, the Iowa state
14 43 university of science and technology, and the
14 44 university of northern Iowa shall each generate
14 45 matching internal reallocations in an amount equal to
14 46 50 percent of the amounts received by the universities
14 47 pursuant to this lettered paragraph.
14 48 (6) From the moneys allocated to the Iowa state
14 49 university of science and technology pursuant to this
14 50 lettered paragraph, an amount equal to \$127,000 shall
15 1 be distributed to the college of veterinary medicine
15 2 to reduce the operating fees charged by the veterinary
15 3 diagnostic laboratory. If Iowa state university of
15 4 science and technology fails to distribute funds to
15 5 the college of veterinary science in accordance with
15 6 this paragraph, the moneys shall revert to the general
15 7 fund of the state. The Iowa state university of
15 8 science and technology shall prepare a report on the
15 9 operation of the veterinary diagnostic laboratory
15 10 which shall include, but shall not be limited to, the
15 11 following information:
15 12 (a) The current business structure of the
15 13 veterinary diagnostic laboratory, along with a
15 14 comparison to business structures of similar
15 15 laboratories at other institutions of higher learning.
15 16 (b) Recent trends in fees for services charged by
15 17 the veterinary diagnostic laboratory and by similar
15 18 laboratories at other institutions of higher learning.
15 19 (c) The use of other funding sources, including
15 20 state general fund appropriations for the veterinary
15 21 diagnostic laboratory and a comparison to funding
15 22 sources at similar laboratories at other institutions

15 23 of higher learning.

15 24 (d) Recommendations for changes in the business
15 25 structure and methods of funding for the veterinary
15 26 diagnostic laboratory.

15 27 The report shall be submitted to the governor and
15 28 the general assembly not later than October 1, 2005.

15 29 g. For funds to be distributed to the midwestern
15 30 higher education compact to pay Iowa's member state
15 31 annual obligation:

15 32	\$	90,000
15 33 2. STATE UNIVERSITY OF IOWA		
15 34 a. General university, including lakeside 15 35 laboratory		
15 36 For salaries, support, maintenance, equipment, 15 37 miscellaneous purposes, and for not more than the 15 38 following full-time equivalent positions:		
15 39	\$220,131,572	
15 40	FTEs	5,058.55

15 41 It is the intent of the general assembly that the
15 42 university continue progress on the school of public
15 43 health and the public health initiative for the
15 44 purposes of establishing an accredited school of
15 45 public health and for funding an initiative for the
15 46 health and independence of elderly Iowans.

15 47 b. University hospitals

15 48 For salaries, support, maintenance, equipment, and
15 49 miscellaneous purposes and for medical and surgical
15 50 treatment of indigent patients as provided in chapter
16 1 255, for medical education, and for not more than the
16 2 following full-time equivalent positions:

16 3	\$	27,284,584
16 4	FTEs	6,877.34

16 5 (1) The university of Iowa hospitals and clinics
16 6 shall, within the context of chapter 255 and when
16 7 medically appropriate, make reasonable efforts to
16 8 extend the university of Iowa hospitals and clinics'
16 9 use of home telemedicine and other technologies to
16 10 reduce the frequency of visits to the hospital
16 11 required by the indigent patients.

16 12 (2) The university of Iowa hospitals and clinics
16 13 shall submit quarterly a report regarding the portion
16 14 of the appropriation in this lettered paragraph
16 15 expended on medical education. The report shall be
16 16 submitted in a format jointly developed by the
16 17 university of Iowa hospitals and clinics, the
16 18 legislative services agency, and the department of
16 19 management, and shall delineate the expenditures and
16 20 purposes of the funds.

16 21 (3) Funds appropriated in this lettered paragraph
16 22 shall not be used to perform abortions except
16 23 medically necessary abortions, and shall not be used
16 24 to operate the early termination of pregnancy clinic
16 25 except for the performance of medically necessary
16 26 abortions. For the purpose of this lettered
16 27 paragraph, an abortion is the purposeful interruption
16 28 of pregnancy with the intention other than to produce
16 29 a live-born infant or to remove a dead fetus, and a
16 30 medically necessary abortion is one performed under
16 31 one of the following conditions:

16 32 (a) The attending physician certifies that
16 33 continuing the pregnancy would endanger the life of
16 34 the pregnant woman.

16 35 (b) The attending physician certifies that the
16 36 fetus is physically deformed, mentally deficient, or
16 37 afflicted with a congenital illness.

16 38 (c) The pregnancy is the result of a rape which is
16 39 reported within 45 days of the incident to a law
16 40 enforcement agency or public or private health agency
16 41 which may include a family physician.

16 42 (d) The pregnancy is the result of incest which is
16 43 reported within 150 days of the incident to a law
16 44 enforcement agency or public or private health agency
16 45 which may include a family physician.

16 46 (e) The abortion is a spontaneous abortion,
16 47 commonly known as a miscarriage, wherein not all of
16 48 the products of conception are expelled.

16 49 (4) The total quota allocated to the counties for
16 50 indigent patients for the fiscal year beginning July
17 1 1, 2005, shall not be lower than the total quota
17 2 allocated to the counties for the fiscal year
17 3 commencing July 1, 1998. The total quota shall be

17 4 allocated among the counties on the basis of the 2000
17 5 census pursuant to section 255.16.
17 6 c. Psychiatric hospital
17 7 For salaries, support, maintenance, equipment,
17 8 miscellaneous purposes, and for the care, treatment,
17 9 and maintenance of committed and voluntary public
17 10 patients, and for not more than the following full=
17 11 time equivalent positions:
17 12 \$ 7,043,056
17 13 FTEs 269.65
17 14 d. Center for disabilities and development
17 15 For salaries, support, maintenance, miscellaneous
17 16 purposes, and for not more than the following full=
17 17 time equivalent positions:
17 18 \$ 6,363,265
17 19 FTEs 130.37
17 20 From the funds appropriated in this lettered
17 21 paragraph, \$200,000 shall be allocated for purposes of
17 22 the employment policy group.
17 23 e. Oakdale campus
17 24 For salaries, support, maintenance, miscellaneous
17 25 purposes, and for not more than the following full=
17 26 time equivalent positions:
17 27 \$ 2,657,335
17 28 FTEs 38.25
17 29 f. State hygienic laboratory
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 \$ 3,849,461
17 34 FTEs 102.50
17 35 g. Family practice program
17 36 For allocation by the dean of the college of
17 37 medicine, with approval of the advisory board, to
17 38 qualified participants, to carry out chapter 148D for
17 39 the family practice program, including salaries and
17 40 support, and for not more than the following full=
17 41 time equivalent positions:
17 42 \$ 2,075,948
17 43 FTEs 190.40
17 44 h. Child health care services
17 45 For specialized child health care services,
17 46 including childhood cancer diagnostic and treatment
17 47 network programs, rural comprehensive care for
17 48 hemophilia patients, and the Iowa high=
17 49 risk infant follow=
17 50 up program, including salaries and support, and
17 51 for not more than the following full=
18 1 time equivalent
18 2 positions:
18 3 \$ 649,066
18 4 FTEs 57.97
18 5 i. Statewide cancer registry
18 6 For the statewide cancer registry, and for not more
18 7 than the following full=
18 8 time equivalent positions:
18 9 \$ 178,739
18 10 FTEs 2.10
18 11 j. Substance abuse consortium
18 12 For funds to be allocated to the Iowa consortium
18 13 for substance abuse research and evaluation, and for
18 14 not more than the following full=
18 15 time equivalent
18 16 position:
18 17 \$ 64,871
18 18 FTEs 1.00
18 19 k. Center for biocatalysis
18 20 For the center for biocatalysis, and for not more
18 21 than the following full=
18 22 time equivalent positions:
18 23 \$ 881,384
18 24 FTEs 6.28
18 25 l. Primary health care initiative
18 26 For the primary health care initiative in the
18 27 college of medicine and for not more than the
18 28 following full=
18 29 time equivalent positions:
18 30 \$ 759,875
18 31 FTEs 5.89
18 32 From the funds appropriated in this lettered
18 33 paragraph, \$330,000 shall be allocated to the
18 34 department of family practice at the state university
of Iowa college of medicine for family practice
faculty and support staff.
m. Birth defects registry
For the birth defects registry and for not more
than the following full=
time equivalent position:

18 35	.....	\$	44,636
18 36	.....	FTEs	1.00
18 37	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY		
18 38	a. General university		
18 39	For salaries, support, maintenance, equipment,		
18 40	miscellaneous purposes, and for not more than the		
18 41	following full-time equivalent positions:		
18 42	.....	\$173,269,729	
18 43	.....	FTEs	3,647.42
18 44	It is the intent of the general assembly that the		
18 45	university continue progress on the center for		
18 46	excellence in fundamental plant sciences.		
18 47	b. Agricultural experiment station		
18 48	For salaries, support, maintenance, miscellaneous		
18 49	purposes, and for not more than the following full-		
18 50	time equivalent positions:		
19 1	.....	\$	31,019,520
19 2	.....	FTEs	546.98
19 3	c. Cooperative extension service in agriculture		
19 4	and home economics		
19 5	For salaries, support, maintenance, miscellaneous		
19 6	purposes, and for not more than the following full-		
19 7	time equivalent positions:		
19 8	.....	\$	19,738,432
19 9	.....	FTEs	383.34
19 10	d. Leopold center		
19 11	For agricultural research grants at Iowa state		
19 12	university under section 266.39B, and for not more		
19 13	than the following full-time equivalent positions:		
19 14	.....	\$	464,319
19 15	.....	FTEs	11.25
19 16	e. Livestock disease research		
19 17	For deposit in and the use of the livestock disease		
19 18	research fund under section 267.8:		
19 19	.....	\$	220,708
19 20	4. UNIVERSITY OF NORTHERN IOWA		
19 21	a. General university		
19 22	For salaries, support, maintenance, equipment,		
19 23	miscellaneous purposes, and for not more than the		
19 24	following full-time equivalent positions:		
19 25	.....	\$	77,831,821
19 26	.....	FTEs	1,398.01
19 27	It is the intent of the general assembly that the		
19 28	university continue to allocate funds for a masters in		
19 29	social work program, the roadside vegetation project,		
19 30	and the Iowa office for staff development.		
19 31	b. Recycling and reuse center		
19 32	For purposes of the recycling and reuse center, and		
19 33	for not more than the following full-time equivalent		
19 34	positions:		
19 35	.....	\$	211,858
19 36	.....	FTEs	3.00
19 37	5. STATE SCHOOL FOR THE DEAF		
19 38	For salaries, support, maintenance, miscellaneous		
19 39	purposes, and for not more than the following full-		
19 40	time equivalent positions:		
19 41	.....	\$	8,810,471
19 42	.....	FTEs	126.60
19 43	6. IOWA BRAILLE AND SIGHT SAVING SCHOOL		
19 44	For salaries, support, maintenance, miscellaneous		
19 45	purposes, and for not more than the following full-		
19 46	time equivalent positions:		
19 47	.....	\$	4,930,295
19 48	.....	FTEs	81.00
19 49	7. TUITION AND TRANSPORTATION COSTS		
19 50	For payment to local school boards for the tuition		
20 1	and transportation costs of students residing in the		
20 2	Iowa braille and sight saving school and the state		
20 3	school for the deaf pursuant to section 262.43 and for		
20 4	payment of certain clothing, prescription, and		
20 5	transportation costs for students at these schools		
20 6	pursuant to section 270.5:		
20 7	.....	\$	15,020
20 8	Sec. 11. INSTITUTE FOR TOMORROW'S WORKFORCE.		
20 9	There is appropriated from the general fund of the		
20 10	state to the department of management for allocation		
20 11	to the institute for tomorrow's workforce created		
20 12	under chapter 7K, if enacted by this Act, for the		
20 13	fiscal year beginning July 1, 2005, and ending June		
20 14	30, 2006, the following amount, or so much thereof as		
20 15	is necessary, to be used for the purposes designated:		

20 16 For the activities of the institute created
20 17 pursuant to section 7K.1, and subject to the matching
20 18 fund requirement of that section, if enacted:
20 19 \$ 250,000

20 20 Sec. 12. MEDICAL ASSISTANCE == SUPPLEMENTAL
20 21 AMOUNTS. For the fiscal year beginning July 1, 2005,
20 22 and ending June 30, 2006, the department of human
20 23 services shall continue the supplemental
20 24 disproportionate share and a supplemental indirect
20 25 medical education adjustment applicable to state=
20 26 owned acute care hospitals with more than 500 beds and
20 27 shall reimburse qualifying hospitals pursuant to that
20 28 adjustment with a supplemental amount for services
20 29 provided medical assistance recipients. The
20 30 adjustment shall generate supplemental payments
20 31 intended to equal the state appropriation made to a
20 32 qualifying hospital for treatment of indigent patients
20 33 as provided in chapter 255. To the extent of the
20 34 supplemental payments, a qualifying hospital shall,
20 35 after receipt of the funds, transfer to the department
20 36 of human services an amount equal to the actual
20 37 supplemental payments that were made in that month.
20 38 The aggregate amounts for the fiscal year shall not
20 39 exceed the state appropriation made to the qualifying
20 40 hospital for treatment of indigent patients as
20 41 provided in chapter 255. The department of human
20 42 services shall deposit these funds in the department's
20 43 medical assistance account. To the extent that state
20 44 funds appropriated to a qualifying hospital for the
20 45 treatment of indigent patients as provided in chapter
20 46 255 have been transferred to the department of human
20 47 services as a result of these supplemental payments
20 48 made to the qualifying hospital, the department shall
20 49 not, directly or indirectly, recoup the supplemental
20 50 payments made to a qualifying hospital for any reason,
21 1 unless an equivalent amount of the funds transferred
21 2 to the department of human services by a qualifying
21 3 hospital pursuant to this provision is transferred to
21 4 the qualifying hospital by the department.

21 5 If the state supplemental amount allotted to the
21 6 state of Iowa for the federal fiscal year beginning
21 7 October 1, 2005, and ending September 30, 2006,
21 8 pursuant to section 1923(f)(3) of the federal Social
21 9 Security Act, as amended, or pursuant to federal
21 10 payments for indirect medical education is greater
21 11 than the amount necessary to fund the federal share of
21 12 the supplemental payments specified in the preceding
21 13 paragraph, the department of human services shall
21 14 increase the supplemental disproportionate share or
21 15 supplemental indirect medical education adjustment by
21 16 the lesser of the amount necessary to utilize fully
21 17 the state supplemental amount or the amount of state
21 18 funds appropriated to the state university of Iowa
21 19 general education fund and allocated to the university
21 20 for the college of medicine. The state university of
21 21 Iowa shall transfer from the allocation for the
21 22 college of medicine to the department of human
21 23 services, on a monthly basis, an amount equal to the
21 24 additional supplemental payments made during the
21 25 previous month pursuant to this paragraph. A
21 26 qualifying hospital receiving supplemental payments
21 27 pursuant to this paragraph that are greater than the
21 28 state appropriation made to the qualifying hospital
21 29 for treatment of indigent patients as provided in
21 30 chapter 255 shall be obligated as a condition of its
21 31 participation in the medical assistance program to
21 32 transfer to the state university of Iowa general
21 33 education fund on a monthly basis an amount equal to
21 34 the funds transferred by the state university of Iowa
21 35 to the department of human services. To the extent
21 36 that state funds appropriated to the state university
21 37 of Iowa and allocated to the college of medicine have
21 38 been transferred to the department of human services
21 39 as a result of these supplemental payments made to the
21 40 qualifying hospital, the department shall not,
21 41 directly or indirectly, recoup these supplemental
21 42 payments made to a qualifying hospital for any reason,
21 43 unless an equivalent amount of the funds transferred
21 44 to the department of human services by the state
21 45 university of Iowa pursuant to this paragraph is
21 46 transferred to the qualifying hospital by the

21 47 department.

21 48 Continuation of the supplemental disproportionate
21 49 share and supplemental indirect medical education
21 50 adjustment shall preserve the funds available to the
22 1 university hospital for medical and surgical treatment
22 2 of indigent patients as provided in chapter 255 and to
22 3 the state university of Iowa for educational purposes
22 4 at the same level as provided by the state funds
22 5 initially appropriated for that purpose.

22 6 The department of human services shall, in any
22 7 compilation of data or other report distributed to the
22 8 public concerning payments to providers under the
22 9 medical assistance program, set forth reimbursements
22 10 to a qualifying hospital through the supplemental
22 11 disproportionate share and supplemental indirect
22 12 medical education adjustment as a separate item and
22 13 shall not include such payments in the amounts
22 14 otherwise reported as the reimbursement to a
22 15 qualifying hospital for services to medical assistance
22 16 recipients.

22 17 For purposes of this section, "supplemental
22 18 payment" means a supplemental payment amount paid for
22 19 medical assistance to a hospital qualifying for that
22 20 payment under this section.

22 21 Sec. 13. For the fiscal year beginning July 1,
22 22 2005, and ending June 30, 2006, the state board of
22 23 regents may use notes, bonds, or other evidences of
22 24 indebtedness issued under section 262.48 to finance
22 25 projects that will result in energy cost savings in an
22 26 amount that will cause the state board to recover the
22 27 cost of the projects within an average of six years.

22 28 Sec. 14. Notwithstanding section 270.7, the
22 29 department of administrative services shall pay the
22 30 state school for the deaf and the Iowa braille and
22 31 sight saving school the moneys collected from the
22 32 counties during the fiscal year beginning July 1,
22 33 2005, for expenses relating to prescription drug costs
22 34 for students attending the state school for the deaf
22 35 and the Iowa braille and sight saving school.

22 36 Sec. 15. NEW SECTION. 7K.1 INSTITUTE FOR
22 37 TOMORROW'S WORKFORCE.

22 38 1. FINDINGS. The general assembly finds that
22 39 Iowa's children are this state's greatest asset and to
22 40 improve the future for Iowa's children, it is
22 41 necessary to focus elementary, secondary, and
22 42 postsecondary education efforts on what children need
22 43 to know to be successful students and successful
22 44 participants in Iowa's global workforce. Iowa's state
22 45 community and business leaders are at the forefront of
22 46 this ongoing conversation. The general assembly
22 47 further finds that the creation of an institute for
22 48 tomorrow's workforce provides a long-term forum for
22 49 bold, innovative recommendations to improve Iowa's
22 50 education system to meet the workforce needs of Iowa's
23 1 new economy.

23 2 2. FOUNDATION CREATED == DUTIES. There is created
23 3 a public body corporate and politic to be known as the
23 4 "institute for tomorrow's workforce, an educational
23 5 foundation". The foundation is an independent
23 6 nonprofit quasi-public instrumentality and the
23 7 exercise of the powers granted to the foundation as a
23 8 corporation in this chapter is an essential government
23 9 function. As used in this chapter, "foundation" means
23 10 the "institute for tomorrow's workforce, an
23 11 educational foundation". The foundation shall, at a
23 12 minimum, do the following:

23 13 a. Review educational standards to determine
23 14 relevance and rigor necessary for continuous
23 15 improvement in student achievement and meeting
23 16 workforce needs.

23 17 b. Identify jobs skills and corresponding high
23 18 school coursework necessary to achieve success in the
23 19 Iowa workforce.

23 20 c. Review the state's education accountability
23 21 measures, including but not limited to student
23 22 proficiency and individual and organization program
23 23 accountability.

23 24 d. Identify state and local barriers to improved
23 25 student achievement and student success as well as
23 26 barriers to sharing among and within all areas of
23 27 Iowa's education system.

23 28 e. Identify effective education structure and
23 29 delivery models that promote optimum student
23 30 achievement opportunities for all Iowa students that
23 31 include, but are not limited to, the role of
23 32 technology.

23 33 f. Serve as a clearinghouse for existing and
23 34 emerging innovative educational sharing and
23 35 collaborative efforts among and between Iowa's
23 36 secondary education system as well as Iowa's
23 37 postsecondary education system.

23 38 g. Promote partnerships between private sector
23 39 business and all areas of Iowa's education system.

23 40 h. Promote partnerships between other Iowa
23 41 governance structures including, but not limited to,
23 42 cities and counties, and all areas of Iowa's education
23 43 system.

23 44 i. Identify ways to reduce the achievement gap
23 45 between white and non-white, non-Asian students.

23 46 j. The board of directors of the foundation,
23 47 within the limits of the funds available to the
23 48 foundation, shall do the following:

23 49 (1) Employ an executive director to direct the
23 50 activities of the foundation.

24 1 (2) Execute contracts with public and private
24 2 agencies to conduct research and development
24 3 activities.

24 4 (3) Perform functions necessary to carry out the
24 5 purposes of the foundation.

24 6 3. MEMBERSHIP. The board of directors of the
24 7 foundation shall consist of fifteen members serving
24 8 staggered three-year terms beginning on May 1 of the
24 9 year of appointment who shall be appointed as follows:

24 10 a. Five members shall be appointed by the governor
24 11 as follows:

24 12 (1) A school district superintendent from a school
24 13 district with enrollment of one thousand one hundred
24 14 forty-nine or fewer pupils.

24 15 (2) An individual representing an Iowa business
24 16 employing more than two hundred fifty employees.

24 17 (3) A community college president.

24 18 (4) An individual representing labor and workforce
24 19 interests.

24 20 (5) An individual representing an Iowa agriculture
24 21 association.

24 22 b. Five members shall be appointed by the speaker
24 23 of the house of representatives as follows:

24 24 (1) An individual representing the area education
24 25 agencies.

24 26 (2) The president of an accredited private
24 27 institution as defined in section 261.9.

24 28 (3) An individual representing an Iowa business
24 29 employing more than fifty employees but less than two
24 30 hundred fifty employees.

24 31 (4) An individual representing urban economic
24 32 development interests.

24 33 (5) An individual from an association representing
24 34 Iowa businesses.

24 35 c. Five members shall be appointed by the
24 36 president of the senate as follows:

24 37 (1) A school district superintendent from a school
24 38 district with an enrollment of more than one thousand
24 39 one hundred forty-nine pupils.

24 40 (2) A president of an institution of higher
24 41 education under the control of the state board of
24 42 regents.

24 43 (3) An individual representing an Iowa business
24 44 employing fifty or fewer employees.

24 45 (4) An individual representing rural economic
24 46 development interests.

24 47 (5) An individual representing a business that
24 48 established itself in Iowa on or after July 1, 1999.

24 49 Members, except as provided in paragraph "c",
24 50 subparagraph (2), shall not be employed by the state.

25 1 One co-chairperson shall be appointed by the speaker
25 2 of the house of representatives and one co-chairperson
25 3 shall be appointed by the president of the senate.

25 4 4. MATCHING FUNDS REQUIREMENT. Moneys
25 5 appropriated by the general assembly for purposes of
25 6 the foundation shall be allocated only to the extent
25 7 that the state moneys are matched from other sources
25 8 by the foundation on a dollar-for-dollar basis.

25 9 5. REPORTING REQUIREMENTS. The foundation shall
25 10 submit its findings and recommendations by January 15
25 11 annually in a report to the governor, the speaker of
25 12 the house of representatives, the president of the
25 13 senate, the state board of education, the state board
25 14 of regents, the department of workforce development,
25 15 the department of economic development, the Iowa
25 16 association of community college trustees, the college
25 17 student aid commission, the Iowa association of
25 18 independent colleges and universities, and
25 19 associations representing school boards, nonpublic
25 20 schools, area education agencies, and teachers. The
25 21 report shall include an accounting of the revenues and
25 22 expenditures of the foundation.

25 23 6. This chapter is repealed effective July 1,
25 24 2015.

25 25 Sec. 16. Section 256.9, Code 2005, is amended by
25 26 adding the following new subsection:

25 27 NEW SUBSECTION. 53. Develop and make available to
25 28 school districts, examples of age-appropriate
25 29 materials and lists of resources which parents may use
25 30 to teach their children to recognize unwanted physical
25 31 and verbal sexual advances, to not make unwanted
25 32 physical and verbal sexual advances, to effectively
25 33 reject unwanted sexual advances, that it is wrong to
25 34 take advantage of or exploit another person, and about
25 35 counseling, medical, and legal resources available to
25 36 survivors of sexual abuse and sexual assault,
25 37 including resources for escaping violent
25 38 relationships. The materials and resources shall
25 39 cover verbal, physical, and visual sexual harassment,
25 40 including nonconsensual sexual advances, and
25 41 nonconsensual physical sexual contact. In developing
25 42 the materials and resource list, the director shall
25 43 consult with entities that shall include, but not be
25 44 limited to, the departments of human services, public
25 45 health, and public safety, education stakeholders, and
25 46 parent-teacher organizations. School districts shall
25 47 provide age-appropriate materials and a list of
25 48 available community and web-based resources to parents
25 49 at registration and shall also include the age-
25 50 appropriate materials and resource list in the student
26 1 handbook. School districts are encouraged to work
26 2 with their communities to provide voluntary parent
26 3 education sessions to provide parents with the skills
26 4 and appropriate strategies to teach their children as
26 5 described in this subsection. School districts shall
26 6 incorporate the age-appropriate materials into
26 7 relevant curricula and shall reinforce the importance
26 8 of preventive measures when reasonable with parents
26 9 and students.

26 10 Sec. 17. NEW SECTION. 256.24 VALUE-ADDED
26 11 ASSESSMENT SYSTEM.

26 12 1. A value-added assessment system shall be
26 13 established by the department to provide for
26 14 multivariate longitudinal analysis of annual student
26 15 test scores to determine the influence of a school
26 16 district's educational program on student academic
26 17 growth and to guide school district improvement
26 18 efforts. The department shall select a value-added
26 19 assessment system provider through a request for
26 20 proposals process. The system provider selected by
26 21 the department shall offer a value-added assessment
26 22 system to calculate annually the academic growth of
26 23 each student enrolled in grade levels three through
26 24 eleven and tested in accordance with this section, and
26 25 shall, at a minimum, meet all of the following
26 26 criteria:

26 27 a. Use a mixed-model statistical analysis that has
26 28 the ability to use all achievement test data for each
26 29 student, including the data for students with missing
26 30 test scores, that does not adjust downward
26 31 expectations for student progress based on race,
26 32 poverty, or gender, and that will provide the best
26 33 linear unbiased predictions of school or other
26 34 educational entity effects to minimize the impact of
26 35 fortuitous accumulation of random errors.

26 36 b. Have the ability to work with test data from a
26 37 variety of sources, including data that are not
26 38 vertically scaled, and to provide support for school
26 39 districts utilizing the system.

26 40 c. Have the capacity to receive and report results
26 41 electronically and provide support for districts
26 42 utilizing the system.

26 43 d. Have the ability to create for each school
26 44 district a chart that reports grade=equivalent scores
26 45 for grades three through eight and gains between
26 46 consecutive pairs of grades for each attendance center
26 47 and that provides for a district-wide study of grade=
26 48 equivalent scores.

26 49 2. Annually, each school district that administers
26 50 the Iowa test of basic skills or the Iowa test of
27 1 educational development shall, within thirty days of
27 2 receiving the test scores from the American college
27 3 testing program, inc., submit the test scores for each
27 4 attendance center within the school district and each
27 5 grade level tested, from grades three through eleven,
27 6 to the system provider selected pursuant to subsection
27 7 1. School districts may submit additional assessment
27 8 data for analysis and inclusion in reports provided to
27 9 school districts pursuant to subsection 3, to the
27 10 extent that the assessment meets the criteria for
27 11 valid academic progress interpretation specified by
27 12 the system provider.

27 13 3. The system provider shall provide analysis to
27 14 school districts submitting test scores pursuant to
27 15 subsection 2, and to the department of education. The
27 16 analysis shall include, but not be limited to,
27 17 attendance=center=level test results for the Iowa test
27 18 of basic skills in the areas of reading and
27 19 mathematics and other core academic areas when
27 20 possible. The analysis shall also include, but not be
27 21 limited to, the number of students tested, the number
27 22 of test results used to compute the averages, the
27 23 average standard score, the corresponding grade
27 24 equivalent score, the average stanine score for the
27 25 group, the normal curve equivalent of average standard
27 26 scores, and percentile ranks based on student norms,
27 27 as well as measures of student progress. The system
27 28 provider shall create a chart for each school district
27 29 in accordance with the criteria set forth in
27 30 subsection 1, paragraphs "a" through "d".

27 31 4. Each school district shall have complete access
27 32 to and full utilization of its own value-added
27 33 assessment reports and charts generated by the system
27 34 provider at the student level for the purpose of
27 35 measuring student achievement at different educational
27 36 entity levels.

27 37 5. Student academic growth determined pursuant to
27 38 this section shall not be used in teacher evaluation
27 39 and shall not be published if individual teacher
27 40 effects can be surmised.

27 41 6. Information about student academic growth may
27 42 be used by the school district, including school board
27 43 members, administration, and staff, for defining
27 44 student and district learning goals and professional
27 45 development related to student learning goals across
27 46 the school district. A school district may submit its
27 47 academic growth measures in the annual report
27 48 submitted pursuant to section 256.7, subsection 21,
27 49 and may reference in the report state level norms for
27 50 purposes of demonstrating school district performance.

28 1 However, unless a school district chooses to submit
28 2 its academic measures in the annual report submitted
28 3 pursuant to section 256.7, such measures are not
28 4 public records for the purposes of chapter 22.

28 5 7. The department may use student academic
28 6 progress data to determine school improvement and
28 7 technical assistance needs of school districts, and to
28 8 identify school districts achieving exceptional gains.
28 9 Beginning January 15, 2006, and by January 15 of each
28 10 succeeding year, the department shall submit an annual
28 11 progress report regarding the use of student academic
28 12 growth information in the school improvement processes
28 13 to the house and senate education committees and shall
28 14 publish the progress report on its internet web site.

28 15 8. The department is encouraged to advocate that
28 16 the United States department of education allow
28 17 reporting of student academic progress as an
28 18 additional valid measure of school performance, as an
28 19 alternative for meeting federal safe harbor
28 20 provisions, and for establishing statewide progress

28 21 under the federal No Child Left Behind Act of 2001,
28 22 Pub. L. No. 107=110, and any federal regulations
28 23 adopted pursuant to the federal Act.

28 24 9. A school district shall use the value-added
28 25 assessment system established by the department
28 26 pursuant to subsection 1 not later than the school
28 27 year ending June 30, 2007. However, the director of
28 28 educational services of an area education agency may
28 29 grant a request made by a board of directors of a
28 30 school district located within the boundaries of the
28 31 area education agency stating its desire to use an
28 32 alternative system to compute and report value-added
28 33 scores that is statistically valid and reliable.

28 34 Sec. 18. Section 256.44, subsection 1, paragraph
28 35 a, Code 2005, is amended to read as follows:

28 36 a. If a teacher registers for national board for
28 37 professional teaching standards certification prior to
28 38 June 30, ~~2005~~ 2006, a one-time initial reimbursement
28 39 award in the amount of up to one-half of the
28 40 registration fee paid by the teacher for registration
28 41 for certification by the national board for
28 42 professional teaching standards. The teacher shall
28 43 apply to the department of education within one year
28 44 of registration, submitting to the department any
28 45 documentation the department requires. A teacher who
28 46 receives an initial reimbursement award shall receive
28 47 a one-time final registration award in the amount of
28 48 the remaining national board registration fee paid by
28 49 the teacher if the teacher notifies the department of
28 50 the teacher's certification achievement and submits
29 1 any documentation requested by the department.

29 2 Sec. 19. Section 256.44, subsection 1, paragraph
29 3 b, subparagraph 2, Code 2005, is amended to read as
29 4 follows:

29 5 (2) If the teacher registers for national board
29 6 for professional teaching standards certification
29 7 between January 1, 1999, and January 1, ~~2005~~ 2006, and
29 8 achieves certification within three years from the
29 9 date of initial score notification, an annual award in
29 10 the amount of two thousand five hundred dollars upon
29 11 achieving certification by the national board of
29 12 professional teaching standards.

29 13 Sec. 20. Section 257B.1B, subsection 1, Code 2005,
29 14 is amended to read as follows:

29 15 1. ~~Fifty-five~~ For the fiscal year beginning July
29 16 1, 2004, and each succeeding fiscal year, fifty-five
29 17 percent of the moneys deposited in the fund to the
29 18 department of education for allocation to the Iowa
29 19 reading recovery ~~center~~ council to assist school
29 20 districts in developing reading recovery and literacy
29 21 programs. The Iowa reading recovery council shall use
29 22 the area education agency unified budget as its fiscal
29 23 agent for grant moneys and for other moneys
29 24 administered by the council.

29 25 Sec. 21. Section 260C.2, Code 2005, is amended by
29 26 adding the following new subsection:

29 27 NEW SUBSECTION. 1A. "Department" means the
29 28 department of education.

29 29 Sec. 22. NEW SECTION. 260C.18C STATE AID
29 30 DISTRIBUTION FORMULA.

29 31 1. PURPOSE. A distribution plan for general state
29 32 financial aid to Iowa's community colleges is
29 33 established for the fiscal year commencing July 1,
29 34 2005, and succeeding fiscal years. Funds appropriated
29 35 by the general assembly to the department for general
29 36 financial aid to community colleges shall be allocated
29 37 to each community college in the manner provided under
29 38 this section.

29 39 2. DEFINITIONS. As used in this section, unless
29 40 the context otherwise requires:

29 41 a. "Base funding allocation" means the amount of
29 42 general state financial aid all community colleges
29 43 received in the base year.

29 44 b. "Base year" means the fiscal year immediately
29 45 preceding the budget year.

29 46 c. "Below-average support per FTEE" for a
29 47 community college means the state-average combined
29 48 support per FTEE minus the combined support per FTEE
29 49 for the community college if the community college's
29 50 combined support per FTEE is less than the state=
30 1 average combined support per FTEE.

30 2 d. "Budget year" means the fiscal year for which
30 3 moneys are appropriated by the general assembly.

30 4 e. "Combined support" for a community college
30 5 means the total amount of moneys the community college
30 6 received in general state financial aid in the base
30 7 year plus the community college's general fund
30 8 property tax revenue, including utility replacement,
30 9 for the base year.

30 10 f. "Combined support per FTEE" for a community
30 11 college means the community college's combined support
30 12 divided by its three-year rolling average full-time
30 13 equivalent enrollment for the three years prior to the
30 14 base year.

30 15 g. "Contact hour" for a noncredit course equals
30 16 fifty minutes of contact between an instructor and
30 17 students in a scheduled course offering for which
30 18 students are registered.

30 19 h. "Credit hour", for purposes of community
30 20 college funding distribution, shall be as defined by
30 21 the department by rule.

30 22 i. "Eligible credit courses" means all credit
30 23 courses that are eligible for general state financial
30 24 aid which are part of a department-approved program of
30 25 study. The department shall review and provide a
30 26 determination should a question of eligibility occur.

30 27 j. "Eligible growth support" for a community
30 28 college is the community college's below-average
30 29 support per FTEE multiplied times its three-year
30 30 rolling average full-time equivalent enrollment.

30 31 k. "Eligible noncredit courses" means all
30 32 noncredit courses eligible for general state financial
30 33 aid which fall under one of the eligible categories
30 34 for noncredit courses as defined by rule of the
30 35 department. The department shall review and provide a
30 36 determination should a question of eligibility occur.

30 37 l. "Eligible student" means a student enrolled in
30 38 eligible credit or eligible noncredit courses. The
30 39 department shall review and provide a determination
30 40 should a question of eligibility occur.

30 41 m. "Fiscal year" means the period of twelve months
30 42 beginning on July 1 and ending on June 30.

30 43 n. One "full-time equivalent enrollment (FTEE)"
30 44 equals twenty-four credit hours for credit courses or
30 45 six hundred contact hours for noncredit courses
30 46 generated by all eligible students enrolled in
30 47 eligible courses.

30 48 o. "General fund property tax revenue" means the
30 49 amount of moneys a community college raised or could
30 50 have raised from a property tax of twenty and one=
31 1 fourth cents per thousand dollars of assessed
31 2 valuation on all taxable property in its merged area
31 3 collected for the base year.

31 4 p. "General state financial aid" means the amount
31 5 of general state financial aid the community college
31 6 received from the general fund.

31 7 q. "Inflation adjustment amount" means the
31 8 inflation rate minus two percentage points multiplied
31 9 times the base funding allocation. The inflation
31 10 adjustment amount shall not be less than zero.

31 11 r. "Inflation rate" means the average of the
31 12 preceding twelve-month percentage change, which shall
31 13 be computed on a monthly basis, in the consumer price
31 14 index for all urban consumers, not seasonally
31 15 adjusted, published by the United States department of
31 16 labor, bureau of labor statistics, calculated for the
31 17 calendar year ending six months after the beginning of
31 18 the base year.

31 19 s. "State-average combined support per FTEE" means
31 20 the average of the combined support per FTEE for all
31 21 community colleges in the state in the base year.

31 22 t. "Three-year rolling average full-time
31 23 equivalent enrollment" means the average of the
31 24 audited full-time equivalent enrollment for a
31 25 community college over the three fiscal years prior to
31 26 the base year as determined by the department.

31 27 u. "Total growth support amount" means the sum of
31 28 the eligible growth support for all the community
31 29 colleges.

31 30 3. DISTRIBUTION FORMULA. Moneys appropriated by
31 31 the general assembly from the general fund to the
31 32 department for community college purposes for general

31 33 state financial aid for a budget year shall be
31 34 allocated to each community college by the department
31 35 as follows:

31 36 a. If the inflation rate is equal to two percent
31 37 or less:

31 38 (1) BASE FUNDING ALLOCATION. The moneys shall
31 39 first be allocated in the amount of general state
31 40 financial aid each community college received in the
31 41 base year. If the appropriation is less than the
31 42 total of the amount of general state financial aid
31 43 each community college received in the base year, the
31 44 moneys shall be allocated in the same proportion as
31 45 the allocation of general state financial aid each
31 46 community college received in the base year.

31 47 (2) MARGINAL COST ADJUSTMENT. After the base
31 48 funding has been allocated, each community college
31 49 shall be allocated up to an additional two percent of
31 50 its base funding allocation. The community college's
32 1 allocation shall be in the same proportion as the
32 2 allocation of general state financial aid each
32 3 community college received in the base year.

32 4 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME
32 5 EQUIVALENT ENROLLMENT. If the increase in the total
32 6 state general aid exceeds two percent over the base
32 7 funding allocation, an amount up to an additional one
32 8 percent of the base funding allocation shall be
32 9 distributed based upon each community college's
32 10 proportional share of the three-year rolling average
32 11 full-time equivalent enrollments for all community
32 12 colleges.

32 13 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the
32 14 increase in total state general aid exceeds three
32 15 percent over the base funding allocation, an amount up
32 16 to an additional one percent of the base funding
32 17 allocation shall be distributed as follows:

32 18 (a) Forty percent of the moneys shall be allocated
32 19 based upon each community college's proportional share
32 20 of the three-year rolling average full-time equivalent
32 21 enrollments for all community colleges.

32 22 (b) Sixty percent of the moneys shall be allocated
32 23 to community colleges that have eligible growth
32 24 support. The allocation shall be based upon the
32 25 proportional share that each community college's
32 26 eligible growth support bears to the total growth
32 27 support amount. Once the moneys allocated under this
32 28 subparagraph subdivision equal the total growth
32 29 support amount, the remaining moneys allocated under
32 30 this subparagraph shall be allocated as provided in
32 31 subparagraph subdivision (a).

32 32 (5) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE
32 33 ALLOCATION. If the increase in total state general
32 34 aid exceeds four percent over the base funding
32 35 allocation, all remaining moneys shall be distributed
32 36 based upon each college's proportional share of the
32 37 three-year rolling average full-time equivalent
32 38 enrollments for all community colleges.

32 39 b. If the inflation rate is greater than two
32 40 percent but less than four percent:

32 41 (1) BASE FUNDING ALLOCATION. The moneys shall
32 42 first be allocated in the amount of general state
32 43 financial aid each community college received in the
32 44 base year. If the appropriation is less than the
32 45 total of the amount of general state financial aid
32 46 each community college received in the base year, the
32 47 moneys shall be allocated in the same proportion as
32 48 the allocation of general state financial aid each
32 49 community college received in the base year.

32 50 (2) MARGINAL COST ADJUSTMENT. After the base
33 1 funding has been allocated, each community college
33 2 shall be allocated up to an additional two percent of
33 3 its base funding allocation. The community college's
33 4 allocation shall be in the same proportion as the
33 5 allocation of general state financial aid each
33 6 community college received in the base year.

33 7 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME
33 8 EQUIVALENT ENROLLMENT. If the increase in the total
33 9 state general aid exceeds two percent over the base
33 10 funding allocation, an amount up to an additional one
33 11 percent of the base funding allocation shall be
33 12 distributed based upon each community college's
33 13 proportional share of the three-year rolling average

33 14 full-time equivalent enrollments for all community
33 15 colleges.

33 16 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the
33 17 increase in total state general aid exceeds three
33 18 percent over the base funding allocation, an amount up
33 19 to an additional one percent of the base funding
33 20 allocation shall be based as follows:

33 21 (a) Forty percent of the moneys shall be allocated
33 22 based upon each community college's proportional share
33 23 of the three-year rolling average full-time equivalent
33 24 enrollments for all community colleges.

33 25 (b) Sixty percent of the moneys shall be allocated
33 26 to community colleges that have eligible growth
33 27 support. The allocation shall be based upon the
33 28 proportional share that each community college's
33 29 eligible growth support bears to the total growth
33 30 support amount. Once the moneys allocated under this
33 31 subparagraph subdivision equal the total growth
33 32 support amount, the remaining moneys allocated under
33 33 this subparagraph shall be allocated as provided in
33 34 subparagraph subdivision (a).

33 35 (5) INFLATION ADJUSTMENT. If the increase in
33 36 total state general aid exceeds four percent over the
33 37 base funding allocation, an amount up to the inflation
33 38 adjustment amount shall be distributed to each
33 39 community college in the same proportion as the
33 40 allocation of general state financial aid each
33 41 community college received in the base year.

33 42 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE
33 43 ALLOCATION. If there are remaining moneys to be
33 44 distributed under this paragraph after distributing
33 45 moneys under subparagraph (5), all remaining moneys
33 46 shall be distributed based upon each community
33 47 college's proportional share of the three-year rolling
33 48 average full-time equivalent enrollments for all
33 49 community colleges.

33 50 c. If the inflation rate equals or exceeds four
34 1 percent:

34 2 (1) BASE FUNDING ALLOCATION. The moneys shall
34 3 first be allocated in the amount of general state
34 4 financial aid each community college received in the
34 5 base year. If the appropriation is less than the
34 6 total of the amount of general state financial aid
34 7 each community college received in the base year, the
34 8 moneys shall be allocated in the same proportion as
34 9 the allocation of general state financial aid each
34 10 community college received in the base year.

34 11 (2) MARGINAL COST ADJUSTMENT. After the base
34 12 funding has been allocated, each community college
34 13 shall be allocated up to an additional two percent of
34 14 its base funding allocation. The community college's
34 15 allocation shall be in the same proportion as the
34 16 allocation of general state financial aid each
34 17 community college received in the base year.

34 18 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME
34 19 EQUIVALENT ENROLLMENT. If the increase in the total
34 20 state general aid exceeds two percent over the base
34 21 funding allocation, an amount up to an additional one
34 22 percent of the base funding allocation shall be
34 23 distributed based upon each community college's
34 24 proportional share of the three-year rolling average
34 25 full-time equivalent enrollments for all community
34 26 colleges.

34 27 (4) INFLATION ADJUSTMENT. If the increase in
34 28 total state general aid exceeds three percent over the
34 29 base funding allocation, an amount up to the inflation
34 30 adjustment amount shall be distributed to each
34 31 community college in the same proportion as the
34 32 allocation of general state financial aid each
34 33 community college received in the base year.

34 34 (5) EXTRAORDINARY GROWTH ADJUSTMENT. If there are
34 35 remaining moneys to be distributed under this
34 36 paragraph after distributing moneys under subparagraph
34 37 (4), an amount up to an additional one percent of the
34 38 base funding allocation shall be based as follows:

34 39 (a) Forty percent of the moneys shall be allocated
34 40 based upon each community college's proportional share
34 41 of the three-year rolling average full-time equivalent
34 42 enrollments for all community colleges.

34 43 (b) Sixty percent of the moneys shall be allocated
34 44 to community colleges that have eligible growth

34 45 support. The allocation shall be based upon the
34 46 proportional share that each community college's
34 47 eligible growth support bears to the total growth
34 48 support amount. Once the moneys allocated under this
34 49 subparagraph subdivision equals the total growth
34 50 support amount, the remaining moneys allocated under
35 1 this subparagraph shall be allocated as provided in
35 2 subparagraph subdivision (a).

35 3 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE
35 4 ALLOCATION. If there are remaining moneys to be
35 5 distributed under this paragraph after distributing
35 6 moneys under subparagraph (5), all remaining moneys
35 7 shall be distributed based upon each community
35 8 college's proportional share of the three-year rolling
35 9 average full-time equivalent enrollments for all
35 10 community colleges.

35 11 4. INFORMATION SUPPLIED BY COLLEGES AND ADOPTION
35 12 OF RULES.

35 13 a. Each community college shall provide
35 14 information in the manner and form as determined by
35 15 the department. If a community college fails to
35 16 provide the information as requested, the department
35 17 shall estimate the full-time equivalent enrollment of
35 18 that college.

35 19 b. Each community college shall complete and
35 20 submit an annual student enrollment audit to the
35 21 department. Adjustments to community college state
35 22 general aid allocations shall be made based on student
35 23 enrollment audit outcomes.

35 24 c. The department shall adopt rules under chapter
35 25 17A as necessary for the allocation of general state
35 26 financial aid.

35 27 Sec. 23. Section 261.9, subsection 1, paragraph b,
35 28 Code 2005, is amended to read as follows:

35 29 b. Is accredited by the north central association
35 30 of colleges and secondary schools accrediting agency
35 31 based on their requirements, ~~is exempt from taxation~~
~~35 32 under section 501(c)(3) of the Internal Revenue Code,~~
35 33 and annually provides a matching aggregate amount of
35 34 institutional financial aid equal to at least seventy=
35 35 five percent of the amount received in a fiscal year=
35 36 by the institution's students for Iowa tuition grant
35 37 assistance under this chapter. Commencing with the
35 38 fiscal year beginning July 1, ~~2005~~ 2006, the matching
35 39 aggregate amount of institutional financial aid shall
35 40 increase by the percentage of increase each fiscal
35 41 year of funds appropriated for Iowa tuition grants
35 42 under section 261.25, subsection 1, to a maximum match
35 43 of one hundred percent. The institution shall file
35 44 annual reports with the commission prior to receipt of
35 45 tuition grant moneys under this chapter. ~~An~~
~~35 46 institution whose income is not exempt from taxation~~
~~35 47 under section 501(c) of the Internal Revenue Code and~~
~~35 48 whose students were eligible to receive Iowa tuition~~
~~35 49 grant money in the fiscal year beginning July 1, 2003,~~
~~35 50 shall meet the match requirements of this paragraph no~~
~~36 1 later than June 30, 2005.~~

36 2 Sec. 24. Section 261.17, subsection 1, Code 2005,
36 3 is amended to read as follows:

36 4 1. A vocational=technical tuition grant may be
36 5 awarded to any resident of Iowa who is admitted and in
36 6 attendance as a full-time or part-time student in a
36 7 vocational=technical or career option program at a
36 8 community college in the state, or at a licensed
36 9 school of cosmetology arts and sciences in this state,
36 10 and who establishes financial need.

36 11 Sec. 25. Section 261.17, subsection 7, paragraph
36 12 a, Code 2005, is amended to read as follows:

36 13 a. Provide application forms for distribution to
36 14 students by Iowa high schools, ~~and~~ community colleges,
36 15 and licensed schools of cosmetology arts and sciences.

36 16 Sec. 26. Section 261.25, subsection 1, Code 2005,
36 17 is amended to read as follows:

36 18 1. There is appropriated from the general fund of
36 19 the state to the commission for each fiscal year the
36 20 sum of ~~forty-seven~~ forty-nine million ~~one~~ six hundred
36 21 ~~fifty-seven~~ seventy-three thousand five hundred
36 22 ~~fifteen~~ seventy-five dollars for tuition grants. ~~From~~
~~36 23 the funds appropriated in this subsection, not more~~
~~36 24 than three million four hundred thousand dollars may~~
~~36 25 be distributed to private institutions whose income is~~

~~36 26 not exempt from taxation under section 501(c) of the~~
~~36 27 Internal Revenue Code and whose students were eligible~~
~~36 28 to receive Iowa tuition grant moneys in the fiscal~~
~~36 29 year beginning July 1, 2003.~~

36 30 Sec. 27. Section 261.85, Code 2005, is amended to
36 31 read as follows:

36 32 261.85 APPROPRIATION.

36 33 There is appropriated from the general fund of the
36 34 state to the commission for each fiscal year the sum
36 35 of ~~two million seven one hundred fifty~~ four thousand
36 36 dollars for the work-study program.

36 37 From moneys appropriated in this section, ~~one~~
~~36 38 million five hundred seventy-six thousand three~~
~~36 39 hundred sixty-five~~ dollars shall be allocated to
36 40 institutions of higher education under the state board
36 41 of regents and community colleges and the remaining
36 42 dollars appropriated in this section shall be
36 43 allocated by the commission on the basis of need as
36 44 determined by the portion of the federal formula for
36 45 distribution of work-study funds that relates to the
36 46 current need of institutions.

36 47 Sec. 28. NEW SECTION. 272.29 ANNUAL

36 48 ADMINISTRATIVE RULES REVIEW.

36 49 The executive director shall annually review the
36 50 administrative rules adopted pursuant to this chapter
37 1 and related state laws. The executive director shall
37 2 annually submit the executive director's findings and
37 3 recommendations in a report to the board and the
37 4 chairpersons and ranking members of the senate and
37 5 house standing committees on education and the joint
37 6 appropriations subcommittee on education by January
37 7 15.

37 8 Sec. 29. Section 284.13, subsection 1, paragraphs
37 9 b and c, Code 2005, are amended to read as follows:

37 10 b. For the fiscal year beginning July 1, ~~2004~~
37 11 2005, and ending June 30, ~~2005~~ 2006, to the department
37 12 of education, the amount of ~~one two million one~~
~~37 13 hundred thousand~~ dollars for the issuance of national
37 14 board certification awards in accordance with section
37 15 256.44.

37 16 c. For the fiscal year beginning July 1, ~~2004~~
37 17 2005, and succeeding fiscal years, an amount up to
37 18 ~~three four million five two hundred thousand~~ three million dollars
37 19 for first-year and second-year beginning teachers, to
37 20 the department of education for distribution to school
37 21 districts for purposes of the beginning teacher
37 22 mentoring and induction programs. A school district
37 23 shall receive one thousand three hundred dollars per
37 24 beginning teacher participating in the program. If
37 25 the funds appropriated for the program are
37 26 insufficient to pay mentors and school districts as
37 27 provided in this paragraph, the department shall
37 28 prorate the amount distributed to school districts
37 29 based upon the amount appropriated. Moneys received
37 30 by a school district pursuant to this paragraph shall
37 31 be expended to provide each mentor with an award of
37 32 five hundred dollars per semester, at a minimum, for
37 33 participation in the school district's beginning
37 34 teacher mentoring and induction program; to implement
37 35 the plan; and to pay any applicable costs of the
37 36 employer's share of contributions to federal social
37 37 security and the Iowa public employees' retirement
37 38 system or a pension and annuity retirement system
37 39 established under chapter 294, for such amounts paid
37 40 by the district.

37 41 Sec. 30. Section 284.13, subsection 1, paragraph
37 42 e, Code 2005, is amended to read as follows:

37 43 e. For the fiscal year beginning July 1, ~~2004~~
37 44 2005, and ending June 30, ~~2005~~ 2006, up to ~~two four~~ two ~~four~~
37 45 ~~hundred fifty eighty-five~~ hundred thousand dollars to the
37 46 department of education for purposes of implementing
37 47 the career development program requirements of section
37 48 284.6, ~~and~~ the review panel requirements of section
37 49 284.9, ~~and the evaluator training program in section~~
37 50 ~~284.10~~.

38 1 From the moneys allocated to the department
~~38 2 pursuant to this paragraph, not less than seventy-~~
~~38 3 five ten thousand dollars shall be used to administer~~
~~38 4 the ambassador to education position in accordance~~
~~38 5 with section 256.45 distributed to the board of~~
~~38 6 educational examiners for purposes of convening an~~
~~38 7 educator licensing review working group. From the~~

38 7 moneys allocated to the department pursuant to this
38 8 paragraph, not less than eighty-five thousand dollars
38 9 shall be used to administer the ambassador to
38 10 education position in accordance with section 256.45.

38 11 A portion of the funds allocated to the department for
38 12 purposes of this paragraph may be used by the
38 13 department for administrative purposes.
38 14 Notwithstanding section 8.33, moneys allocated for
38 15 purposes of this paragraph prior to July 1, ~~2004~~ 2005,
38 16 which remain unobligated or unexpended at the end of
38 17 the fiscal year for which the moneys were
38 18 appropriated, shall remain available for expenditure
38 19 for the purposes for which they were allocated, for
38 20 the fiscal year beginning July 1, ~~2004~~ 2005, and
38 21 ending June 30, ~~2005~~ 2006.

38 22 Sec. 31. Section 284.13, subsection 1, Code 2005,
38 23 is amended by adding the following new paragraphs:
38 24 NEW PARAGRAPH. dd. For the fiscal year beginning
38 25 July 1, 2005, and ending June 30, 2006, up to ten
38 26 million dollars to the department of education for use
38 27 by school districts to add one additional teacher
38 28 contract day to the school calendar. Prior to
38 29 receiving funds under this paragraph, a school
38 30 district shall submit for approval to the department
38 31 the school district's professional development plan
38 32 for use of the moneys. The department shall submit a
38 33 report on school district use of the moneys
38 34 distributed pursuant to this paragraph to the
38 35 chairpersons and ranking members of the house and
38 36 senate standing committees on education, the joint
38 37 appropriations subcommittee on education, and the
38 38 legislative services agency not later than January 15,
38 39 2006. The department shall distribute funds allocated
38 40 for purposes of this paragraph based on each school
38 41 district's teacher per diem. If the funds allocated
38 42 are insufficient to pay the per diem for one
38 43 additional teacher contract day, the department shall
38 44 prorate the funds to the school districts and
38 45 notwithstanding section 284.4, subsection 1, paragraph
38 46 "c", the department shall prorate the number of
38 47 additional teacher contract days a school district
38 48 shall be required to provide consistent with section
38 49 284.4, subsection 1, paragraph "c". If the department
38 50 receives funds for purposes of this paragraph in
39 1 excess of the per diem for one additional teacher
39 2 contract day, the funds shall be distributed as
39 3 provided under paragraph "f".

39 4 NEW PARAGRAPH. ee. For the fiscal year beginning
39 5 July 1, 2005, and succeeding fiscal years, up to one
39 6 million dollars to the department of education for
39 7 purposes of the value-added assessment system
39 8 established pursuant to section 256.24. The
39 9 department shall allocate the moneys to school
39 10 districts based upon the percentage of the budget
39 11 enrollment of each school district for the fiscal year
39 12 beginning July 1, 2004, compared to the budget
39 13 enrollment of all school districts in the state for
39 14 the fiscal year beginning July 1, 2004. The
39 15 department shall distribute the moneys to a school
39 16 district upon demonstration by the school district to
39 17 the department that the school district agrees to
39 18 participate in a qualified value-added assessment
39 19 system.

39 20 Sec. 32. Section 284.13, subsection 1, paragraphs
39 21 a, d, and i, Code 2005, are amended by striking the
39 22 paragraphs.

39 23 Sec. 33. Section 298.3, Code 2005, is amended by
39 24 adding the following new subsection:
39 25 NEW SUBSECTION. 13. EXPENDITURES FOR WIND
39 26 GENERATORS. If a school district's anticipated energy
39 27 savings is projected to pay for construction of a wind
39 28 generator, the school district may use revenues
39 29 received under this section to pay off the
39 30 construction loan.

39 31 Sec. 34. Section 301.1, subsection 2, Code 2005,
39 32 is amended to read as follows:
39 33 2. Textbooks adopted and purchased by a school
39 34 district shall, to the extent funds are appropriated
39 35 by the general assembly, be made available to pupils
39 36 attending accredited nonpublic schools upon request of
39 37 the pupil or the pupil's parent under comparable terms

39 38 as made available to pupils attending public schools.
39 39 If the general assembly appropriates moneys for
39 40 purposes of making textbooks available to accredited
39 41 nonpublic school pupils, the department of education
39 42 shall ascertain the amount available to a school
39 43 district for the purchase of nonsectarian,
39 44 nonreligious textbooks for pupils attending accredited
39 45 nonpublic schools. The amount shall be in the
39 46 proportion that the basic enrollment of a
39 47 participating accredited nonpublic school bears to the
39 48 sum of the basic enrollments of all participating
39 49 accredited nonpublic schools in the state for the
39 50 budget year. For purposes of this section, a
40 1 "participating accredited nonpublic school" means an
40 2 accredited nonpublic school that submits a written
40 3 request on behalf of the school's pupils in accordance
40 4 with this subsection, and that certifies its actual
40 5 enrollment to the department of education by October
40 6 1, annually. By October 15, annually, the department
40 7 of education shall certify to the director of the
40 8 department of administrative services the annual
40 9 amount to be paid to each school district, and the
40 10 director of the department of administrative services
40 11 shall draw warrants payable to school districts in
40 12 accordance with this subsection. For purposes of this
40 13 subsection, an accredited nonpublic school's
40 14 enrollment count shall include only students who are
40 15 residents of Iowa. The costs of providing textbooks
40 16 to accredited nonpublic school pupils as provided in
40 17 this subsection shall not be included in the
40 18 computation of district cost under chapter 257, but
40 19 shall be shown in the budget as an expense from
40 20 miscellaneous income. Textbook expenditures made in
40 21 accordance with this subsection shall be kept on file
40 22 in the school district. Textbooks made available by a
40 23 school district to pupils attending accredited
40 24 nonpublic schools in accordance with this subsection
40 25 are not to be the property of the school district.

40 26 Sec. 35. Section 423E.4, subsection 3, paragraph
40 27 a, Code 2005, is amended to read as follows:

40 28 a. The director of revenue by June 1 preceding
40 29 each fiscal year shall compute the guaranteed school
40 30 infrastructure amount for each school district, each
40 31 school district's sales tax capacity per student for
40 32 each county, the statewide tax revenues per student,
40 33 and the supplemental school infrastructure amount for
40 34 the coming fiscal year.

40 35 Sec. 36. Section 423E.4, subsection 3, paragraph
40 36 b, subparagraph (3), Code 2005, is amended by striking
40 37 the subparagraph and inserting in lieu thereof the
40 38 following:

40 39 (3) "Statewide tax revenues per student" means the
40 40 amount determined by estimating the total revenues
40 41 that would be generated by a one percent local option
40 42 sales and services tax for school infrastructure
40 43 purposes if imposed by all the counties during the
40 44 entire fiscal year and dividing this estimated revenue
40 45 amount by the sum of the combined actual enrollment
40 46 for all counties as determined in section 423E.3,
40 47 subsection 5, paragraph "d", subparagraph (2).

40 48 Sec. 37. EFFECTIVE DATES.

40 49 1. The section of this Act that amends section
40 50 257B.1B, being deemed of immediate importance, takes
41 1 effect upon enactment.

41 2 2. The section of this Act that amends section
41 3 423E.4, being deemed of immediate importance, takes
41 4 effect upon enactment.>

41 5 #2. Title page, by striking line 5 and inserting
41 6 the following: <regents, and providing effective
41 7 dates.>

41 8 #3. By renumbering as necessary.

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41 11

41 12 _____
41 12 JEFF ANGELO

41 13

41 14

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41 16 _____
41 16 WALLY E. HORN

41 17 ROBERT E. DVORSKY

41 18 HF 816.322 81

