

Senate File 2386

S-5042

1 Amend Senate File 2386 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 DIVISION OF SPECIAL EDUCATION OF THE DEPARTMENT OF EDUCATION

6 Section 1. Section 256B.3, Code 2024, is amended by adding  
7 the following new subsection:

8 NEW SUBSECTION. 15A. Oversee the operation of each area  
9 education agency to ensure the area education agency complies  
10 with all applicable federal and state laws related to special  
11 education.

12 Sec. 2. DIVISION OF SPECIAL EDUCATION — EMPLOYEES. From  
13 July 1, 2024, to June 30, 2025, the division of special  
14 education of the department of education shall do all of the  
15 following:

16 1. Devote at least thirteen full-time equivalent positions  
17 within the department of education's location in the city  
18 of Des Moines to oversight of the area education agencies,  
19 including the accreditation of area education agencies under  
20 section 273.10.

21 a. At least one of the full-time equivalent positions shall  
22 be an administrator.

23 b. At least one of the full-time equivalent positions shall  
24 be a bureau chief of special education.

25 c. At least one of the full-time equivalent positions shall  
26 be a liaison for accredited nonpublic schools.

27 d. At least one of the full-time equivalent positions shall  
28 be an employee whose primary job duties relate to the child  
29 find process for special education.

30 e. At least one of the full-time equivalent positions  
31 shall be an employee whose primary job duties relate to best  
32 practices concerning the development and implementation of  
33 individualized education programs.

34 f. At least five of the full-time equivalent positions shall  
35 be devoted to the accreditation of area education agencies.

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1 2. Within the main office of each area education agency,  
2 devote an amount of full-time equivalent positions, as  
3 determined by the division of special education of the  
4 department of education but not to exceed forty full-time  
5 equivalent positions in the aggregate, that is commensurate  
6 with the number of students enrolled in school districts  
7 located within the area education agency to ensure the area  
8 education agency complies with all applicable federal and state  
9 laws related to special education and to review the services  
10 provided by the area education agency.

11 DIVISION II

12 AREA EDUCATION AGENCIES — GENERAL PROVISIONS

13 Sec. 3. Section 256.9, Code 2024, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 36. Develop and distribute to school  
16 districts, accredited nonpublic schools, and area education  
17 agencies a list of evidence-based professional development  
18 services that an area education agency may provide to a school  
19 district or accredited nonpublic school pursuant to section  
20 273.2, subsection 3, paragraph "b".

21 Sec. 4. Section 273.2, subsections 1, 3, and 4, Code 2024,  
22 are amended to read as follows:

23 1. There are established throughout the state fifteen  
24 area education agencies, each of which is ~~governed by an~~  
25 ~~area education agency board of directors~~ under the general  
26 supervision of the director, except as otherwise provided  
27 in this chapter. Each area education agency shall have an  
28 area education agency board of directors that shall serve in  
29 an advisory capacity. The boundaries of an area education  
30 agency shall not divide a school district. The director of  
31 the department of education shall change boundaries of area  
32 education agencies to take into account mergers of local school  
33 districts and changes in boundaries of local school districts,  
34 when necessary to maintain the policy of **this chapter** that a  
35 local school district shall not be a part of more than one area

1 education agency.

2 3. a. The area education agency board shall furnish  
3 educational services and programs as provided in section 273.1,  
4 this section, sections 273.3 through 273.8, and chapter 256B  
5 to the pupils enrolled in public or nonpublic schools located  
6 within its boundaries which are on the list of accredited  
7 schools pursuant to section 256.11, which request to receive  
8 such services. The programs and services provided shall be  
9 at least commensurate with programs and services existing on  
10 July 1, 1974. The programs and services provided to pupils  
11 enrolled in nonpublic schools shall be comparable to programs  
12 and services provided to pupils enrolled in public schools  
13 within constitutional guidelines.

14 b. The area education agency may furnish evidence-based  
15 professional development services to public or nonpublic  
16 schools which are on the list of accredited schools pursuant  
17 to section 256.11 if any of the following requirements are  
18 satisfied:

19 (1) The professional development service is included on the  
20 list developed by the director of the department of education  
21 pursuant to section 256.9, subsection 36.

22 (2) The director of the department of education grants  
23 approval to the area education agency to furnish the  
24 evidence-based professional development services.

25 4. The area education agency board shall provide for special  
26 education services and media services for ~~the local~~ school  
27 districts ~~in the area~~ and shall encourage and assist school  
28 districts ~~in the area~~ to establish programs for gifted and  
29 talented children. The board shall assist in facilitating  
30 interlibrary loans of materials between school districts and  
31 other libraries.

32 Sec. 5. Section 273.2, Code 2024, is amended by adding the  
33 following new subsections:

34 NEW SUBSECTION. 4A. a. The area education agency board may  
35 furnish services under subsection 3 or 4 to public or nonpublic

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1 schools located within its boundaries, or within the boundaries  
2 of a contiguous area education agency, which are on the list of  
3 accredited schools pursuant to section 256.11.

4 *b.* Notwithstanding paragraph "a", the area education agency  
5 board may furnish services under subsection 3 or 4 to a public  
6 school located within the boundaries of an area education  
7 agency that is not contiguous if the school district shares  
8 a superintendent with another school district, pursuant to  
9 section 257.11, subsection 5, that receives services from the  
10 area education agency board pursuant to paragraph "a".

11 NEW SUBSECTION. 4B. A school district shall not receive  
12 services under subsection 3 or 4 from different area education  
13 agency boards.

14 Sec. 6. Section 273.3, subsections 1, 11, and 12, Code 2024,  
15 are amended to read as follows:

16 1. ~~Determine the policies of~~ Advise and consult with the  
17 area education agency on policies and procedures for providing  
18 programs and services.

19 11. Employ personnel to carry out the functions of the  
20 area education agency which shall include the employment of  
21 an administrator who shall possess a license issued ~~under~~  
22 chapter 256, subchapter VII, part 3 by the board of educational  
23 examiners and, beginning July 1, 2025, a prekindergarten  
24 through grade twelve superintendent and area education agency  
25 administrator authorization issued by the board of educational  
26 examiners and either a prekindergarten through grade twelve  
27 principal and special education supervisor authorization issued  
28 by the board of educational examiners or a director of special  
29 education authorization issued by the board of educational  
30 examiners. The administrator shall be employed pursuant to  
31 section 279.20 and sections 279.23, 279.24, and 279.25. The  
32 salary for an area education agency administrator shall be  
33 established by the board based upon the previous experience  
34 and education of the administrator; provided, however, that  
35 the salary for an area education agency administrator shall

1 not exceed one hundred twenty-five percent of the average  
2 salary of all superintendents of the school districts that  
3 are located within the boundaries of the area education  
4 agency at the time the employment agreement is entered into or  
5 renewed between an area education agency and an area education  
6 agency administrator, not including superintendents who are  
7 responsible for supplementary weighting being made available  
8 to a school district pursuant to section 257.11, subsection 5.  
9 The salary for an area education agency administrator shall not  
10 be reduced during the initial term of the employment agreement  
11 between the area education agency and the area education agency  
12 administrator. Section 279.13 applies to the area education  
13 agency board and to all teachers employed by the area education  
14 agency. Sections 279.23, 279.24, and 279.25 apply to the area  
15 education board and to all administrators employed by the area  
16 education agency. Section 279.69 applies to the area education  
17 agency board and employees of the board, including part-time,  
18 substitute, or contract employees, who provide services to a  
19 school or school district.

20 12. Prepare an annual budget estimating income and  
21 expenditures for programs and services as provided in sections  
22 273.1, 273.2, this section, sections 273.4 through 273.8,  
23 and chapter 256B within the limits of funds provided under  
24 section 256B.9 and chapter 257. The board shall ~~post notice~~  
25 ~~of a public hearing on~~ submit the proposed budget ~~on the area~~  
26 ~~education agency's internet site and by publication in the~~  
27 ~~newspaper of general circulation in the territory of the area~~  
28 ~~education agency in which the principal place of business of~~  
29 ~~a school district that is a part of the area education agency~~  
30 is located to the director of the department of education  
31 for approval not later than March 1 of each year, and the  
32 director shall either approve or reject the proposed budget for  
33 changes within ten days after submission. ~~The notice shall~~  
34 ~~specify the date, which shall be not later than March 1 of~~  
35 ~~each year, the time, and the location of the public hearing.~~

1 The proposed budget as approved by the ~~board~~ director of the  
2 department of education shall then be submitted to the state  
3 board of education, on forms provided by the department,  
4 no later than March 15 preceding the next fiscal year for  
5 approval. The state board shall review the proposed budget of  
6 each area education agency and shall before May 1, either grant  
7 approval or return the budget without approval with comments  
8 of the state board included. An unapproved budget shall be  
9 resubmitted to the state board for final approval not later  
10 than May 15. The state board shall give final approval only to  
11 budgets submitted by area education agencies accredited by the  
12 state board or that have been given conditional accreditation  
13 by the state board.

14 Sec. 7. Section 273.3, Code 2024, is amended by adding the  
15 following new subsection:

16 NEW SUBSECTION. 26. On a quarterly basis, prepare and  
17 submit to each school district that receives services from  
18 the area education agency a report that includes all of the  
19 following:

20 a. A monetary accounting of payments the area education  
21 agency received from the school district, including payments  
22 under section 257.35.

23 b. A description of all of the following:

24 (1) The special education services provided by the area  
25 education agency to the school district.

26 (2) The services provided by the area education agency under  
27 part C of the federal Individuals with Disabilities Education  
28 Act.

29 (3) The services provided by the area education agency that  
30 are related to the child find process for special education.

31 (4) The general supervision services provided by the area  
32 education agency.

33 (5) The services provided by the area education agency to  
34 accredited nonpublic schools and charter schools.

35 Sec. 8. Section 273.8, subsection 1, Code 2024, is amended

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1 to read as follows:

2 1. *Board of directors.* The board of directors of an area  
3 education agency shall consist of not less than five nor more  
4 than nine members, ~~each a resident of and elected in the~~  
5 ~~manner provided in [this section](#) from a director district that~~  
6 ~~is approximately equal in population to the other director~~  
7 ~~districts in the area education agency.~~ Each director shall  
8 serve a four-year term which commences at the organization  
9 meeting.

10 a. A majority of the members of the board of directors of  
11 an area education agency must be superintendents of school  
12 districts located within the boundaries of the area education  
13 agency who are elected in the manner provided in this section.

14 b. The remainder of the members of the board of directors of  
15 an area education agency must be residents of and elected in  
16 the manner provided in this section from a director district  
17 that is approximately equal in population to the other director  
18 districts in the area education agency.

19 Sec. 9. Section 273.8, subsection 2, paragraphs c and d,  
20 Code 2024, are amended to read as follows:

21 c. The board of each separate school district that is  
22 located entirely or partially inside an area education agency  
23 director district shall cast a vote for director of the area  
24 education agency board based upon the ratio that the population  
25 of the school district, or portion of the school district, in  
26 the director district bears to the total population in the  
27 director district. The population of each school district or  
28 portion shall be determined by the department of education.  
29 The member of the area education agency board to be elected  
30 may be a superintendent of a local school district or a member  
31 of a local school district board of directors and shall be an  
32 elector and a resident of the director district, ~~but shall not~~  
33 ~~be a school district employee.~~

34 d. Vacancies, as defined in [section 277.29](#), in the  
35 membership of the area education agency board shall be filled

1 for the unexpired portion of the term at a director district  
2 convention called and conducted in the manner provided in  
3 subsection 3. A vacancy created in a membership position  
4 described in section 273.8, subsection 1, paragraph "a",  
5 shall be filled for the unexpired portion of the term by  
6 a superintendent of a school district located within the  
7 boundaries of the area education agency at a director district  
8 convention called and conducted in the manner provided in  
9 subsection 3.

10 Sec. 10. Section 273.8, subsection 3, Code 2024, is amended  
11 to read as follows:

12 3. *Director district convention.* If no candidate files  
13 with the area education agency secretary by the deadline  
14 specified in subsection 2, or a vacancy occurs, or if otherwise  
15 required as provided in section 273.23, subsection 3, a  
16 director district convention, attended by members of the  
17 boards of directors of the local school districts located  
18 within the director district, shall be called to elect a  
19 board member for that director district, consistent with  
20 the membership requirements described in subsection 1. The  
21 convention location shall be determined by the area education  
22 agency administrator. Notice of the time, date, and place  
23 of a director district convention shall be published by the  
24 area education agency administrator in at least one newspaper  
25 of general circulation in the director district at least  
26 thirty days prior to the day of the convention. The cost of  
27 publication shall be paid by the area education agency. A  
28 candidate for election to the area education agency board shall  
29 file a statement of candidacy with the area education agency  
30 secretary at least ten days prior to the date of the director  
31 district convention on forms prescribed by the department of  
32 education, or nominations may be made at the convention by a  
33 delegate from a board of directors of a school district located  
34 within the director district. A statement of candidacy shall  
35 include the candidate's name, address, and school district.



1 Delegates to director district conventions shall not be bound  
2 by a school board or any school board member to pledge their  
3 votes to any candidate prior to the date of the convention.

4 Sec. 11. Section 273.10, subsection 6, Code 2024, is amended  
5 to read as follows:

6 6. *a.* If the deficiencies in an area education program have  
7 not been corrected, the ~~agency board~~ director of the department  
8 of education shall take one of the following actions within  
9 sixty days from removal of accreditation:

10 (1) Merge the deficient program with a program from another  
11 accredited area education agency.

12 (2) Contract with another area education agency or other  
13 public educational institution for purposes of program  
14 delivery.

15 *b.* The rules developed by the state board of education for  
16 the accreditation process shall include provisions for removal  
17 of accreditation, including provisions for proper notice to the  
18 administrator of the area education agency, each member of the  
19 board of directors of the area education agency, the department  
20 of education, and the superintendents and administrators of the  
21 schools of the districts served by the area education agency.

22 Sec. 12. Section 273.11, Code 2024, is amended to read as  
23 follows:

24 **273.11 Standards for accrediting area education programs.**

25 1. The state board of education, in consultation with the  
26 department of education, shall develop standards and rules  
27 for the accreditation of area education agencies. Standards  
28 shall be general in nature, but at a minimum shall identify  
29 requirements addressing the services provided by each division,  
30 as well as identifying indicators of quality that will permit  
31 area education agencies, school districts, the division of  
32 special education of the department of education, and the  
33 general public to judge accurately the effectiveness of area  
34 education agency services.

35 2. Standards developed shall include, but are not limited

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1 to, the following:

2 *a.* Support for school-community planning, including a means  
3 of assessing needs, developing collaborative relationships  
4 among community agencies, establishing shared direction, and  
5 implementing program plans and reporting progress toward goals  
6 for all students, including students with disabilities.

7 *b.* ~~Professional~~ Evidence-based professional development  
8 programs that respond to current needs.

9 *c.* Support for curriculum development, instruction, and  
10 assessment ~~for~~ services that address the areas of reading,  
11 language arts, math, and science, using research-based  
12 methodologies, for all students, including students with  
13 disabilities.

14 *d.* Special education compliance and support.

15 *e.* Management services, including financial reporting and  
16 purchasing as requested and funded by local districts.

17 *f.* Support for instructional media services that supplement  
18 and support local district media centers and services.

19 *g.* Support for school technology planning and staff  
20 development for implementing instructional technologies.

21 *h.* A program and services evaluation and reporting system  
22 related to special education.

23 *i.* Support for school district libraries in accordance with  
24 section 273.2, subsection 4.

25 *j.* Support for early childhood service coordination for  
26 families and children, age birth through three years, to  
27 meet health, safety, and learning needs, including service  
28 coordination.

29 *k.* Support for schools and school districts in analyzing  
30 student achievement data related to the learning environment,  
31 comparing data to the external knowledge base, and using that  
32 information to guide schools and school districts in setting  
33 goals and implementing actions to improve student learning for  
34 all students, including students with disabilities.

35 *l.* Support for addressing the diverse learning needs of

1 all children and youths with disabilities who are eligible for  
2 special education, including through services that include  
3 direct services to students with disabilities.

4 m. Support for schools and school districts to ensure  
5 compliance with rules adopted by the state board of education  
6 related to special education.

7 n. Support necessary to implement effective instruction for  
8 all students, including students with disabilities, through  
9 school technology services.

10 o. Support for students using educational programs and  
11 services in a manner that is consistent with the educational  
12 standards established pursuant to section 256.11.

13 p. Support for staff development and adult learners  
14 utilizing evidence-based professional development in a manner  
15 that meets the professional needs of staff and adult learners  
16 consistent with standards adopted by the state board of  
17 education.

18 q. Compliance with all relevant federal and state laws in  
19 the provision of services and supports to students, including  
20 students with disabilities.

21 Sec. 13. AREA EDUCATION AGENCY — TASK FORCE.

22 1. The legislative council shall convene an area education  
23 agency task force that shall do all of the following:

24 a. Study and make recommendations related to how to improve  
25 the outcomes of students who utilize services provided by area  
26 education agencies.

27 b. Study and make recommendations related to the amount of  
28 compensation paid to administrators employed by area education  
29 agencies, core services provided by area education agencies,  
30 and how to best fund the following services provided by area  
31 education agencies:

32 (1) Crisis response services.

33 (2) Media services for nonpublic schools.

34 (3) Professional development services.

35 (4) Cooperative purchasing.

1 (5) Services associated with regional planning  
2 partnerships.

3 (6) Services associated with the federal Carl D. Perkins  
4 Career and Technical Education Improvement Act of 2006,  
5 codified at 20 U.S.C. §2301 et seq., as amended.

6 (7) Services associated with the federal Every Student  
7 Succeeds Act, Pub. L. No. 114-95.

8 (8) Services provided in conjunction with special education  
9 equipment.

10 c. Study and make recommendations related to all of the  
11 following:

12 (1) The real property and facilities utilized by each area  
13 education agency.

14 (2) The media services, educational services, and special  
15 education services provided by each area education agency.

16 (3) What services area education agencies should provide.

17 (4) Current accountability measures applicable to area  
18 education agencies.

19 (5) The special education services provided by the division  
20 of special education of the department of education, area  
21 education agencies, and school districts.

22 (6) The overall organizational structure that determines  
23 how special education services are provided to students in this  
24 state.

25 (7) How the operation of area education agencies is  
26 overseen.

27 (8) The accreditation standards related to area education  
28 agencies.

29 (9) A timeline for modifications to the staffing numbers of  
30 area education agencies and the transition of responsibilities  
31 related to the oversight of area education agencies.

32 2. a. The task force shall consist of the following  
33 voting members who are appointed by the legislative council to  
34 represent different geographical regions of this state:

35 (1) One special education teacher who is employed by a

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1 school district with a total enrollment of greater than or  
2 equal to one thousand students.

3 (2) One special education teacher who is employed by a  
4 school district with a total enrollment of less than one  
5 thousand students.

6 (3) One superintendent who is employed by a school district  
7 with a total enrollment of greater than or equal to one  
8 thousand students.

9 (4) One superintendent who is employed by a school district  
10 with a total enrollment of less than one thousand students.

11 (5) One teacher who is employed by a school district and who  
12 does not provide special education programs or services.

13 (6) One parent or guardian of a student who has an  
14 individualized education program.

15 (7) One parent or guardian of a student who has a plan under  
16 section 504 of the Rehabilitation Act, 29 U.S.C. §794.

17 (8) One president or chief executive officer of an  
18 accredited nonpublic school.

19 b. The task force shall also consist of the following voting  
20 members:

21 (1) One member to be appointed by the governor.

22 (2) One member to be appointed by the director of the  
23 department of education.

24 (3) One member who is the chief administrator of the  
25 heartland area education agency.

26 c. The task force shall also consist of the following ex  
27 officio, nonvoting members of the general assembly:

28 (1) Two state senators appointed by the majority leader of  
29 the senate.

30 (2) One state senator appointed by the minority leader of  
31 the senate.

32 (3) Two state representatives appointed by the speaker of  
33 the house of representatives.

34 (4) One state representative appointed by the minority  
35 leader of the house of representatives.

1 3. Any expenses incurred by a member of the task force  
2 shall be the responsibility of the individual member or the  
3 respective entity represented by the member.

4 4. The task force shall submit its findings and  
5 recommendations in a report to the general assembly on  
6 or before December 31, 2024. The report shall include an  
7 examination and evaluation of the impact to area education  
8 agencies and their operations and services made by this Act.

9 Sec. 14. AREA EDUCATION AGENCY BOARDS OF DIRECTORS —  
10 TRANSITION.

11 1. a. If, as of July 1, 2024, the membership of an area  
12 education agency board of directors does not comply with the  
13 provisions of section 273.8, subsection 1, as amended in this  
14 division of this Act, the members of the boards of directors of  
15 the local school districts located within the area education  
16 agency director districts shall select the applicable number  
17 of the members of the area education agency board of directors  
18 whose terms shall, as of July 1, 2024, be deemed to have  
19 expired, notwithstanding the terms of office associated with  
20 the members under section 273.8, subsection 1, as amended in  
21 this division of this Act.

22 b. If the members of the boards of directors of the local  
23 school districts located within the area education agency  
24 director districts are unable to select the applicable number  
25 of the members of the area education agency board of directors  
26 whose terms shall be deemed to have expired, as required in  
27 paragraph "a", the director of the department of education  
28 shall select the applicable number of such members.

29 2. The membership of the board members that were selected  
30 under subsection 1 shall be deemed vacant when such selection  
31 is made. A director district convention shall be called under  
32 section 273.8, subsection 3, to fill such vacancies.

33 3. From the time the membership of the board members is  
34 deemed vacant pursuant to subsection 2 until the time the  
35 vacancies are filled through the director district convention,

1 the area education agency board shall be authorized to exercise  
2 all power granted to it under chapter 273, notwithstanding the  
3 lack of a quorum under section 273.8, subsection 5.

4 Sec. 15. EFFECTIVE DATE. The following take effect July 1,  
5 2025:

6 1. The portion of the section of this division of this Act  
7 amending section 273.2, subsection 1.

8 2. The portion of the section of this division of this Act  
9 amending section 273.3, subsection 1.

10 Sec. 16. APPLICABILITY. The following applies to  
11 employment agreements entered into or renewed between an area  
12 education agency and an area education agency administrator on  
13 or after July 1, 2024:

14 The portion of the section of this division of this Act  
15 amending section 273.3, subsection 11.

16 Sec. 17. APPLICABILITY. The following apply to members of  
17 the boards of directors of area education agencies elected on  
18 or after July 1, 2024:

19 1. The section of this division of this Act amending section  
20 273.8, subsection 1.

21 2. The section of this division of this Act amending section  
22 273.8, subsection 2, paragraph "c".

23 DIVISION III

24 AREA EDUCATION AGENCIES — FUNDING

25 Sec. 18. Section 257.1, subsection 3, Code 2024, is amended  
26 to read as follows:

27 3. *Computations rounded.* In making computations and  
28 payments under [this chapter](#), except in the case of computations  
29 relating to funding of special education support services,  
30 media services, and educational services ~~provided through the~~  
31 ~~area education agencies~~ under section 257.37, and the teacher  
32 salary supplement, the professional development supplement,  
33 the early intervention supplement, and the teacher leadership  
34 supplement, the department of management shall round amounts to  
35 the nearest whole dollar.

1     Sec. 19. Section 257.10, subsection 7, Code 2024, is amended  
2 to read as follows:

3     7. *Special education support services district cost.* Special  
4 education support services district cost for a school district  
5 for a budget year is equal to the special education support  
6 services district cost per pupil for the budget year multiplied  
7 by the special education support services weighted enrollment  
8 for the district for the budget year. If the special education  
9 support services district cost for a school district for  
10 a budget year is less than the special education support  
11 services district cost for that district for the base year, the  
12 department of management shall adjust the special education  
13 support services district cost for that district for the  
14 budget year to equal the special education support services  
15 district cost for the base year. Funds calculated under this  
16 subsection and received by a school district shall be used by  
17 the school district for special education support services  
18 contracted from an area education agency. The contract between  
19 the school district and the area education agency shall not  
20 require the school district to describe the specific special  
21 education services the school district will receive from the  
22 area education agency. The special education services provided  
23 by the area education agency to the school district pursuant to  
24 the contract shall not be limited by the amount of funding the  
25 school district provided to the area education agency.

26     Sec. 20. Section 257.10, subsection 8, paragraph a, Code  
27 2024, is amended to read as follows:

28     a. Combined district cost is the sum of the regular program  
29 district cost per pupil multiplied by the weighted enrollment,  
30 the special education support services district cost, the  
31 total teacher salary supplement district cost, the total  
32 professional development supplement district cost, the total  
33 early intervention supplement district cost, and the total  
34 teacher leadership supplement district cost, plus the sum of  
35 the additional district cost allocated to the district to fund



1 media services and educational services ~~provided through the~~  
2 ~~area education agency~~ under section 257.37, the area education  
3 agency total teacher salary supplement district cost and the  
4 area education agency total professional development supplement  
5 district cost.

6 Sec. 21. Section 257.35, subsection 1, Code 2024, is amended  
7 to read as follows:

8 1. a. (1) The For fiscal years beginning before July 1,  
9 2025, the department of management shall deduct the amounts  
10 calculated for special education support services, media  
11 services, area education agency teacher salary supplement  
12 district cost, area education agency professional development  
13 supplement district cost, and educational services for each  
14 school district from the state aid due to the district pursuant  
15 to this chapter and shall pay the amounts to the respective  
16 area education agencies on a monthly basis from September 15  
17 through June 15 during each school year.

18 (2) (a) For the fiscal year beginning July 1, 2025, and  
19 each fiscal year thereafter, the department of management shall  
20 deduct the area education agency teacher salary supplement  
21 district cost from the state aid due to each school district  
22 pursuant to this chapter and shall pay the amounts to the  
23 respective area education agencies on a monthly basis from  
24 September 15 through June 15 during each school year.

25 (b) For the fiscal year beginning July 1, 2025, and each  
26 fiscal year thereafter, the department of management shall  
27 deduct the area education agency professional development  
28 supplement district cost from the state aid due to each school  
29 district pursuant to this chapter and shall pay the amounts  
30 to the department of education to be used for evidence-based  
31 professional development purposes.

32 b. The department of management shall notify each school  
33 district of the amount of state aid deducted for these purposes  
34 and the balance of state aid shall be paid to the district. If  
35 a district does not qualify for state aid under this chapter

1 in an amount sufficient to cover its amount due to the area  
2 education agency or the department of education as calculated  
3 by the department of management, the school district shall pay  
4 the deficiency to the area education agency or department of  
5 education, as applicable, from other moneys received by the  
6 district, on a quarterly basis during each school year.

7 Sec. 22. Section 257.36, subsection 1, Code 2024, is amended  
8 to read as follows:

9 1. Notwithstanding **chapters 256B** and **273** and sections  
10 of **this chapter** relating to the moneys available to school  
11 districts and area education agencies for special education  
12 support services, for each school year, the department of  
13 education may direct the department of management to deduct  
14 amounts from the portions of school district budgets that  
15 fund special education support services in an area education  
16 agency. The total amount deducted ~~in an area~~ for a school  
17 district shall be based upon excess special education support  
18 services unreserved and undesignated fund balances in that  
19 school district or paid by the school district to an area  
20 education agency for a school year that remain unreserved and  
21 undesignated as determined by the department of education. ~~The~~  
22 ~~department of management shall determine the amount deducted~~  
23 ~~from each school district in an area education agency on~~  
24 ~~a proportional basis.~~ The department of management shall  
25 determine from the amounts deducted from the portions of school  
26 district budgets that fund area education agency special  
27 education support services the amount that would have been  
28 local property taxes and the amount that would have been state  
29 aid and for the next following budget year shall increase the  
30 district's total state school aid available under **this chapter**  
31 for area education agency special education support services  
32 and reduce the district's property tax levy for area education  
33 agency special education support services by the amount  
34 necessary for the property tax portion of the deductions made  
35 under **this section** during the budget year.

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1     Sec. 23. Section 257.37, Code 2024, is amended to read as  
2 follows:

3     **257.37 Funding media and educational services.**

4     Media services and educational services provided by a school  
5 district or through the area education agencies agency shall be  
6 funded, to the extent provided, by an addition to the combined  
7 district cost of each school district, determined as follows:

8     1. For the budget year beginning July 1, 1991, and  
9 succeeding budget years, the total amount funded in each area  
10 for media services shall be computed as provided in this  
11 subsection. For the budget year beginning July 1, 1991, the  
12 total amount funded in each area for media services in the base  
13 year shall be divided by the enrollment served in the base year  
14 to provide an area media services cost per pupil in the base  
15 year, and the department of management shall compute the state  
16 media services cost per pupil in the base year which is equal  
17 to the average of the area media services costs per pupil in  
18 the base year. For the budget year beginning July 1, 1991, and  
19 succeeding budget years, the department of management shall  
20 compute the supplemental state aid for media services in the  
21 budget year by multiplying the state media services cost per  
22 pupil in the base year times the state percent of growth for  
23 the budget year, and the total amount funded in each area for  
24 media services cost in the budget year equals the area media  
25 services cost per pupil in the base year plus the supplemental  
26 state aid for media services in the budget year times the  
27 enrollment served in the budget year. ~~Funds~~ For fiscal years  
28 beginning before July 1, 2025, funds shall be paid to area  
29 education agencies as provided in section 257.35. For fiscal  
30 years beginning on or after July 1, 2025, funds may be used by  
31 the school district for media services provided by the district  
32 or by contract through an area education agency. A school  
33 district may use unreserved fund balances for media services  
34 for special education support services.

35     2. ~~Up to thirty percent of the budget of an area for media~~

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1 ~~services may be expended for media resource material including~~  
2 ~~the purchase or replacement of material required in section~~  
3 ~~273.6, subsection 1. Funds shall be paid to area education~~  
4 ~~agencies as provided in [section 257.35](#).~~

5 ~~3.~~ 2. For the budget year beginning July 1, 1991, and  
6 succeeding budget years, the total amount funded in each area  
7 for educational services shall be computed as provided in this  
8 subsection. For the budget year beginning July 1, 1991, the  
9 total amount funded in each area for educational services  
10 in the base year shall be divided by the enrollment served  
11 in the area in the base year to provide an area educational  
12 services cost per pupil in the base year, and the department of  
13 management shall compute the state educational services cost  
14 per pupil in the base year, which is equal to the average of  
15 the area educational services costs per pupil in the base year.  
16 For the budget year beginning July 1, 1991, and succeeding  
17 budget years, the department of management shall compute the  
18 supplemental state aid for educational services by multiplying  
19 the state educational services cost per pupil in the base year  
20 times the state percent of growth for the budget year, and the  
21 total amount funded in each area for educational services for  
22 the budget year equals the area educational services cost per  
23 pupil for the base year plus the supplemental state aid for  
24 educational services in the budget year times the enrollment  
25 served in the area in the budget year. Funds For fiscal years  
26 beginning before July 1, 2025, funds shall be paid to area  
27 education agencies as provided in [section 257.35](#). For the  
28 fiscal year beginning July 1, 2025, funds shall be used by the  
29 school district for educational services contracted from an  
30 area education agency. For fiscal years beginning on or after  
31 July 1, 2026, funds may be used by the school district for  
32 educational services provided by the district or by contract  
33 through an area education agency. A school district may use  
34 unreserved fund balances for educational services for special  
35 education support services.

1     ~~4.~~ 3. *"Enrollment served"* means the basic enrollment of all  
2 school districts within the boundaries of the area education  
3 agency plus the number of nonpublic school pupils served by  
4 the area education agency with media services or educational  
5 services, as applicable, except that if a nonpublic school  
6 pupil or a pupil attending another district under a whole grade  
7 sharing agreement or open enrollment receives services through  
8 an area other than the area of the pupil's residence, the  
9 pupil shall be deemed to be served by the area of the pupil's  
10 residence, which shall by contractual arrangement reimburse  
11 the area through which the pupil actually receives services.  
12 Each school district shall include in the enrollment report  
13 submitted pursuant to [section 257.6, subsection 1](#), the number  
14 of nonpublic school pupils within each school district for  
15 media and educational services served by the area. However,  
16 the school district shall not include in the enrollment report  
17 nonpublic school pupils receiving classes or services funded  
18 entirely by federal grants or allocations.

19     ~~5.~~ 4. a. ~~If~~ For fiscal years beginning before July 1,  
20 2025, if an area education agency does not serve nonpublic  
21 school pupils in a manner comparable to services provided  
22 public school pupils for media and educational services, as  
23 determined by the state board of education, the state board  
24 shall instruct the department of management to reduce the funds  
25 for media services and educational services within the area one  
26 time by an amount to compensate for such reduced services. The  
27 media services budget shall be reduced by an amount equal to  
28 the product of the cost per pupil in basic enrollment for the  
29 budget year for media services times the difference between  
30 the enrollment served and the basic enrollment recorded for  
31 the area. The educational services budget shall be reduced by  
32 an amount equal to the product of the cost per pupil in basic  
33 enrollment for the budget year for educational services times  
34 the difference between the enrollment served and the basic  
35 enrollment recorded for the area.

1     *b.* This subsection applies only to media and educational  
2 services which cannot be diverted for religious purposes.

3     *c.* Notwithstanding this subsection, an area education agency  
4 shall distribute to nonpublic schools media materials purchased  
5 wholly or partially with federal funds in a manner comparable  
6 to the distribution of such media materials to public schools  
7 as determined by the director of the department of education.

8     ~~6.~~ 5. For the budget year beginning July 1, 2002, and each  
9 succeeding budget year, notwithstanding the requirements of  
10 this section for determining the budgets and funding of media  
11 services and education services, an area education agency or  
12 school district may, ~~within the limits of the total of the~~  
13 ~~funds provided for the budget years pursuant to section 257.35,~~  
14 expend for special education support services an amount that  
15 exceeds the payment for special education support services  
16 ~~pursuant to section 257.35~~ in order to maintain the level  
17 of required special education support services in the area  
18 education agency or the school district, as applicable.

19     Sec. 24. Section 257.37A, subsection 2, paragraph d, Code  
20 2024, is amended to read as follows:

21     *d.* The For budget years beginning before July 1, 2025,  
22 the use of the funds calculated under this subsection shall  
23 comply with requirements of chapter 284. For budget years  
24 beginning on or after July 1, 2025, the funds calculated under  
25 this subsection shall be paid to the department of education  
26 as provided in section 257.35.

27     Sec. 25. Section 284.4, subsection 1, paragraph b,  
28 subparagraph (3), Code 2024, is amended to read as follows:

29     (3) Determine, following the adoption of the Iowa  
30 professional development model by the state board of education,  
31 the use and distribution of the professional development  
32 funds calculated and paid to the school district ~~or agency~~ as  
33 provided in ~~section 257.9, subsection 10,~~ or section 257.10,  
34 subsection 10, based upon school district ~~or agency,~~ attendance  
35 center, and individual teacher and professional development

1 plans.

2 Sec. 26. Section 284.6, subsections 8 and 9, Code 2024, are  
3 amended to read as follows:

4 8. For each year in which a school district receives funds  
5 calculated and paid to school districts for professional  
6 development pursuant to [section 257.10, subsection 10](#), ~~or~~  
7 ~~section 257.37A, subsection 2~~, the school district shall create  
8 quality professional development opportunities. Not less than  
9 thirty-six hours in the school calendar, held outside of the  
10 minimum school day, shall be set aside during nonpreparation  
11 time or designated professional development time to allow  
12 practitioners to collaborate with each other to deliver  
13 educational programs and assess student learning, or to engage  
14 in peer review pursuant to [section 284.8, subsection 1](#). The  
15 funds may be used to implement the professional development  
16 provisions of the teacher career paths and leadership roles  
17 specified in [section 284.15](#), including but not limited to  
18 providing professional development to teachers, including  
19 additional salaries for time beyond the normal negotiated  
20 agreement; activities and pay to support a beginning teacher  
21 mentoring and induction program that meets the requirements  
22 of [section 284.5](#); pay for substitute teachers, professional  
23 development materials, speakers, and professional development  
24 content; textbooks and curriculum materials used for classroom  
25 purposes if such textbooks and curriculum materials include  
26 professional development; administering assessments pursuant to  
27 [section 256.7, subsection 21, paragraph "b"](#), subparagraphs (1)  
28 and (2), if such assessments include professional development;  
29 and costs associated with implementing the individual  
30 professional development plans. The use of the funds shall  
31 be balanced between school district, attendance center,  
32 and individual professional development plans, making every  
33 reasonable effort to provide equal access to all teachers.

34 9. Moneys received pursuant to [section 257.10, subsection](#)  
35 [10](#), ~~or section 257.37A, subsection 2~~, shall be maintained

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1 as a separate listing within a school district's ~~or area~~  
2 ~~education agency's~~ budget for funds received and expenditures  
3 made pursuant to [this subsection](#). The department shall not  
4 require a school district ~~or area education agency~~ to allocate  
5 a specific amount or percentage of moneys received pursuant to  
6 section 257.10, subsection 10, ~~or section 257.37A, subsection~~  
7 ~~2,~~ for professional development related to implementation of  
8 the core curriculum under [section 256.7, subsection 26](#). A  
9 school district shall certify to the department how the school  
10 district allocated the funds and that moneys received under  
11 this subsection were used to supplement, not supplant, the  
12 professional development opportunities the school district  
13 would otherwise make available. For budget years beginning  
14 on or after July 1, 2017, all or a portion of the moneys  
15 received pursuant to [section 257.10, subsection 10](#), that remain  
16 unexpended and unobligated at the end of a fiscal year may,  
17 pursuant to [section 257.10, subsection 10](#), paragraph "d", be  
18 transferred for deposit in the school district's flexibility  
19 account established under [section 298A.2, subsection 2](#).

20 Sec. 27. EFFECTIVE DATE. This division of this Act takes  
21 effect January 1, 2025.

22 Sec. 28. APPLICABILITY. This division of this Act applies  
23 July 1, 2025, for school budget years beginning on or after  
24 that date.

#### 25 DIVISION IV

#### 26 DEPARTMENT OF EDUCATION REQUIREMENTS

27 Sec. 29. Section 256.9, Code 2024, is amended by adding the  
28 following new subsections:

29 NEW SUBSECTION. 70. Develop and distribute to school  
30 districts and accredited nonpublic schools a process to  
31 facilitate the development of individualized education  
32 programs and assist individualized education program teams  
33 with decisions regarding free appropriate public education  
34 and placement for students enrolled in accredited nonpublic  
35 schools.



1     NEW SUBSECTION. 71. Provide professional learning and  
2 other support materials and tools for individualized education  
3 program teams, including students, families, teacher service  
4 providers, and administrators of both school districts  
5 and accredited nonpublic schools to help such individuals  
6 understand the processes required under the federal law that  
7 are relevant to students enrolled in accredited nonpublic  
8 schools and to promote informed participation in individualized  
9 education program meetings of students enrolled in accredited  
10 nonpublic schools.

11     NEW SUBSECTION. 72. Provide information to individualized  
12 education program teams and public agencies that nonpublic  
13 schools may be considered a placement option so long as the  
14 individualized education program of a child with a disability  
15 does not require some other arrangement.

16     NEW SUBSECTION. 73. Develop and distribute to school  
17 districts professional learning and other materials for  
18 meaningful consultation for representatives of area education  
19 agencies, school districts, and accredited nonpublic schools.

20     NEW SUBSECTION. 74. Establish sustainable accountability  
21 and data collection systems related to special education  
22 that meet federal and state legal requirements and encourage  
23 innovative models for meeting the needs of students.

24     NEW SUBSECTION. 75. Develop and distribute to school  
25 districts and accredited nonpublic schools an implementation  
26 plan related to identifying, evaluating, and promoting  
27 strategies and models for providing special education and  
28 related services with accredited nonpublic schools that improve  
29 the experiences and outcomes for students with disabilities.

30                                   DIVISION V

31                                   STATE MANDATE

32     Sec. 30. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
33 3, shall not apply to this Act.>

34     2. Title page, by striking lines 1 through 8 and inserting  
35 <An Act relating to area education agencies, including by

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1 modifying provisions related to the duties and powers of  
2 area education agencies, the membership of area education  
3 agency boards of directors, oversight by the department of  
4 education, funding, and establishing a task force related to  
5 area education agency operations, and including effective date  
6 and applicability provisions.>

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LYNN EVANS