

House File 2612

S-5043

1 Amend House File 2612, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <DIVISION I

6 DIVISION OF SPECIAL EDUCATION OF THE DEPARTMENT OF EDUCATION

7 Section 1. Section 256.9, subsection 54, Code 2024, is
8 amended by striking the subsection.

9 Sec. 2. Section 256B.3, Code 2024, is amended by adding the
10 following new subsections:

11 NEW SUBSECTION. 15A. Beginning July 1, 2025, oversee the
12 operation of each area education agency to ensure the area
13 education agency complies with all applicable federal and state
14 laws related to special education.

15 NEW SUBSECTION. 15B. Beginning July 1, 2025, provide
16 guidance and standards to area education agencies for federal
17 and state education initiatives which the area education
18 agencies must implement statewide.

19 Sec. 3. DEPARTMENT OF EDUCATION AND AREA EDUCATION AGENCIES
20 — STAFFING AND TRANSITION PLAN.

21 1. The department of education shall coordinate with
22 each area education agency, and with the division of special
23 education of the department, to develop a plan to transfer
24 employees of the area education agency whose primary job duties
25 involve providing oversight and compliance services to the area
26 education agency to ensure the area education agency complies
27 with all applicable federal and state laws related to special
28 education from employment under the area education agency to
29 employment under the division of special education of the
30 department, as needed. The plan shall include a description of
31 how the area education agency will accommodate any space needed
32 in the area education agency's facilities for employees of the
33 division of special education.

34 2. The department of education will compile all of the plans
35 created pursuant to subsection 1 and submit the compilation to

1 the general assembly on or before January 1, 2025.

2 DIVISION II

3 AREA EDUCATION AGENCIES — GENERAL PROVISIONS

4 Sec. 4. Section 273.1, Code 2024, is amended to read as
5 follows:

6 **273.1 Intent.**

7 It is the intent of the general assembly to provide an
8 effective, efficient, and economical means of identifying and
9 serving children from under five years of age through grade
10 twelve who require special education and any other children
11 requiring special education as defined in [section 256B.2](#); to
12 provide for media services and other programs and services
13 for pupils in grades kindergarten through twelve and children
14 requiring special education as defined in [section 256B.2](#); to
15 provide a method of financing the programs and services; and
16 ~~to avoid a duplication of programs and services provided by~~
17 ~~any other school corporation in the state; and to provide~~
18 services to school districts under a contract with those school
19 districts; to improve student achievement; and to close student
20 achievement gaps.

21 Sec. 5. 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~~ nine
24 area education agencies, each of which is governed by an area
25 education agency board of directors and, beginning July 1,
26 2025, by the division of special education of the department of
27 education to the extent described in section 256B.3, subsection
28 15A. The boundaries of an area education agency shall not
29 divide a school district. The director of the department of
30 education shall change boundaries of area education agencies
31 to take into account mergers of local school districts and
32 changes in boundaries of local school districts, when necessary
33 to maintain the policy of [this chapter](#) that a local school
34 district shall not be a part of more than one area education
35 agency.

1 3. a. (1) The Subject to subparagraph (2), the area
2 education agency board shall furnish educational services and
3 programs as provided in section 273.1, this section, sections
4 273.3 through 273.8, and chapter 256B to the pupils enrolled
5 in public or nonpublic schools located within its boundaries
6 which are on the list of accredited schools pursuant to section
7 256.11.

8 (2) A public school located within an area education
9 agency's boundaries that wishes to receive educational services
10 and programs from the area education agency must request to
11 receive such educational services and programs by February 1 of
12 the preceding school year, including by providing for a method
13 of payment for such services and programs and entering into an
14 agreement with the area education agency. If a public school
15 located within an area education agency's boundaries requests
16 to receive such services after February 1 of the preceding
17 school year, the area education agency board may furnish the
18 educational services and programs.

19 (3) The programs and services provided under this
20 subsection shall be at least commensurate with programs and
21 services existing on July 1, 1974.

22 (4) The programs and services provided to pupils enrolled
23 in nonpublic schools shall be comparable to programs and
24 services provided to pupils enrolled in public schools within
25 constitutional guidelines.

26 b. The area education agencies may furnish evidence-based
27 professional development services to public or nonpublic
28 schools located within its boundaries which are on the list of
29 accredited schools pursuant to section 256.11, subject to the
30 approval of the director of the department of education.

31 4. The area education agency board shall provide do all of
32 the following:

33 a. Provide for special education services and media services
34 for the local school districts in the area and shall encourage
35 that request to receive such services by February 1 of the

1 preceding school year, including by providing for a method of
2 payment for such services and entering into agreements with the
3 area education agency. An area education agency may provide
4 special education services for local school districts in the
5 area that request to receive such services after February 1 of
6 the preceding school year.

7 b. Encourage and assist school districts in the area to
8 establish programs for gifted and talented children. ~~The board~~
9 ~~shall assist~~

10 c. Assist in facilitating interlibrary loans of materials
11 between school districts and other libraries.

12 Sec. 6. Section 273.2, Code 2024, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 4A. The area education agency board shall
15 provide for media services for the local school districts in
16 the area that request to receive such services by February 1 of
17 the preceding school year, including by providing for a method
18 of payment for such services and entering into agreements
19 with the area education agency. An area education agency may
20 provide media services for local school districts in the area
21 that request to receive such services after February 1 of the
22 preceding school year.

23 NEW SUBSECTION. 12. The area education agency board shall
24 charge reasonable costs that are consistent with current
25 market rates for the educational services, special education
26 services, professional development services, and media services
27 established by the area education agency board.

28 NEW SUBSECTION. 13. The area education agency board
29 shall provide an annual report by October 1 of each year to
30 the general assembly and the department of education that
31 includes a description of the progress the area education
32 agency has made to improve the outcomes achieved by students
33 receiving special education services and a description of how
34 the area education agency is focusing the moneys it receives on
35 providing services in the classroom.

1 Sec. 7. Section 273.3, subsection 11, Code 2024, is amended
2 to read as follows:

3 11. Employ personnel to carry out the functions of the
4 area education agency which shall include the employment of
5 an administrator who shall possess a license issued under
6 chapter 256, subchapter VII, part 3. The administrator shall
7 be employed pursuant to [section 279.20](#) and [sections 279.23](#),
8 [279.24](#), and [279.25](#). The salary for an area education agency
9 administrator shall be established by the board based upon
10 the previous experience and education of the administrator;
11 provided, however, that the salary for an area education agency
12 administrator shall not exceed one hundred twenty-five percent
13 of the average salary of all superintendents of the school
14 districts that are located within the boundaries of the area
15 education agency. [Section 279.13](#) applies to the area education
16 agency board and to all teachers employed by the area education
17 agency. [Sections 279.23](#), [279.24](#), and [279.25](#) apply to the area
18 education board and to all administrators employed by the area
19 education agency. [Section 279.69](#) applies to the area education
20 agency board and employees of the board, including part-time,
21 substitute, or contract employees, who provide services to a
22 school or school district.

23 Sec. 8. Section 273.3, Code 2024, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 26. Annually, on or before January 1 of
26 each year, prepare and submit to each school district within
27 the boundaries of the area education agency a report that
28 includes all of the following:

29 a. A monetary accounting of payments the area education
30 agency received from the school district, including payments
31 under section 257.35, during the previous fiscal year.

32 b. A description of the services the area education agency
33 provided to the school district during the previous fiscal
34 year, including a calculation of the cost per pupil for each
35 category of service the area education agency provided to the

1 school district.

2 Sec. 9. Section 273.4, unnumbered paragraph 1, Code 2024,
3 is amended to read as follows:

4 Under direction of the board of directors of the area
5 education agency, and, beginning July 1, 2025, the division of
6 special education of the department of education, to the extent
7 described in section 256B.3, subsection 15A, the administrator
8 of the area education agency shall, in addition to other
9 duties:

10 Sec. 10. Section 273.5, unnumbered paragraph 1, Code 2024,
11 is amended to read as follows:

12 There shall be established a division of special education
13 of the area education agency which shall provide for special
14 education programs and services to the local school districts.
15 The division of special education shall be headed by a director
16 of special education who meets certification standards of the
17 department of education. The director of special education
18 shall be an employee of the division of special education of
19 the department of education. The director of special education
20 shall have the responsibility for implementation of state
21 regulations and guidelines relating to special education
22 programs and services. The director of special education shall
23 have the following powers and duties:

24 Sec. 11. Section 273.8, subsection 1, Code 2024, is amended
25 to read as follows:

26 1. *Board of directors.*

27 a. The board of directors of an area education agency shall
28 consist of ~~not less than five nor more than nine members,~~
29 ~~each a resident of and elected in the manner provided in this~~
30 ~~section from a director district that is approximately equal~~
31 ~~in population to the other director districts in the area~~
32 ~~education agency.~~ Each director shall serve a four-year term
33 which commences at the organization meeting.

34 b. Five members of the board of directors of an area
35 education agency must be residents of and elected in the

1 manner provided in this section from a director district that
2 is approximately equal in population to the other director
3 districts in the area education agency.

4 c. Four members of the board of directors of an area
5 education agency must be appointed by the majority vote of
6 the superintendents of school districts located within the
7 boundaries of the area education agency. A member appointed
8 pursuant to this paragraph must be a superintendent of a school
9 district located within the boundaries of the area education
10 agency; provided, however, that a superintendent appointed
11 pursuant to this paragraph may designate any individual to
12 serve for all, or the remainder of, the superintendent's term.

13 Sec. 12. Section 273.8, subsection 2, paragraphs c and d,
14 Code 2024, are amended to read as follows:

15 c. The board of each separate school district that is
16 located entirely or partially inside an area education agency
17 director district shall cast a vote for director of the area
18 education agency board described in subsection 1, paragraph
19 "b", based upon the ratio that the population of the school
20 district, or portion of the school district, in the director
21 district bears to the total population in the director
22 district. The population of each school district or portion
23 shall be determined by the department of education. The member
24 of the area education agency board described in subsection 1,
25 paragraph "b", to be elected may be a member of a local school
26 district board of directors and shall be an elector and a
27 resident of the director district, but shall not be a school
28 district employee.

29 d. (1) ~~Vacancies~~ A vacancy, as defined in [section 277.29,](#)
30 ~~in the~~ a membership position of the area education agency board
31 described in subsection 1, paragraph "b", shall be filled
32 for the unexpired portion of the term at a director district
33 convention called and conducted in the manner provided in
34 subsection 3.

35 (2) A vacancy, as defined in section 277.29, in a membership

1 position of the area education agency board described in
2 subsection 1, paragraph "c", shall be filled for the unexpired
3 portion of the term by an individual who is appointed by
4 the majority vote of the superintendents of school districts
5 located within the boundaries of the area education agency.

6 Sec. 13. Section 273.8, subsection 3, Code 2024, is amended
7 to read as follows:

8 3. *Director district convention.* If no candidate files with
9 the area education agency secretary by the deadline specified
10 in subsection 2, or a vacancy occurs, or if otherwise required
11 as provided in section 273.23, subsection 3, a director
12 district convention, attended by members of the boards of
13 directors of the local school districts located within the
14 director district, shall be called to elect a board member
15 described in subsection 1, paragraph "b", for that director
16 district. The convention location shall be determined by the
17 area education agency administrator. Notice of the time, date,
18 and place of a director district convention shall be published
19 by the area education agency administrator in at least one
20 newspaper of general circulation in the director district at
21 least thirty days prior to the day of the convention. The cost
22 of publication shall be paid by the area education agency. A
23 candidate for election to the area education agency board shall
24 file a statement of candidacy with the area education agency
25 secretary at least ten days prior to the date of the director
26 district convention on forms prescribed by the department of
27 education, or nominations may be made at the convention by a
28 delegate from a board of directors of a school district located
29 within the director district. A statement of candidacy shall
30 include the candidate's name, address, and school district.
31 Delegates to director district conventions shall not be bound
32 by a school board or any school board member to pledge their
33 votes to any candidate prior to the date of the convention.

34 Sec. 14. Section 273.10, Code 2024, is amended to read as
35 follows:

1 **273.10 Accreditation of area education programs.**

2 1. The division of special education of the department
3 of education shall develop, in consultation with the area
4 education agencies, and establish an accreditation process for
5 area education agencies ~~by July 1, 1997~~. At a minimum, the
6 accreditation process shall consist of the following:

7 a. The timely submission by an area education agency of
8 information required by the division of special education of
9 the department on forms provided by the ~~department~~ division of
10 special education.

11 b. The use of an accreditation team appointed by the
12 ~~director~~ division of special education of the department of
13 education to conduct an evaluation, including an on-site visit
14 of each area education agency. The team shall include, but
15 is not limited to, department staff members, representatives
16 from the school districts served by the area education agency
17 being evaluated, area education agency staff members from area
18 education agencies other than the area education agency that
19 conducts the programs being evaluated for accreditation, and
20 other team members with expertise as deemed appropriate by the
21 ~~director~~ division of special education.

22 2. Prior to a visit to an area education agency, the
23 accreditation team shall have access to that area education
24 agency's program audit report filed with the ~~department~~
25 division of special education of the department of education.
26 After a visit to an area education agency, the accreditation
27 team shall determine whether the accreditation standards for
28 a program, including but not limited to standards established
29 pursuant to ~~section 256.9, subsection 54~~ section 256B.3,
30 subsection 15B, have been met and shall make a report to the
31 ~~director and the state board~~ division of special education,
32 together with a recommendation as to whether the programs of
33 the area education agency should receive initial accreditation
34 or remain accredited. The accreditation team shall report
35 strengths and weaknesses, if any, for each accreditation

1 standard and shall advise the area education agency of
2 available resources and technical assistance to further enhance
3 the strengths and improve areas of weakness. An area education
4 agency may respond to the accreditation team's report.

5 3. ~~The state board of education~~ division of special
6 education of the department of education shall determine
7 whether a program of an area education agency shall receive
8 initial accreditation or shall remain accredited.

9 a. Approval of area education agency programs by the ~~state~~
10 ~~board~~ division of special education shall be based upon the
11 ~~recommendation of the director of the department of education~~
12 after a study of the factual and evaluative evidence on record
13 about each area education agency program in terms of the
14 accreditation standards adopted by the state board.

15 b. Approval, if granted, shall be for a term of five years.
16 However, the ~~state board~~ division of special education may
17 grant conditional approval for a term of less than five years
18 if conditions warrant.

19 4. If the ~~state board of education~~ division of special
20 education of the department of education determines that an
21 area education agency's program does not meet accreditation
22 standards, the ~~director of the department of education~~
23 division of special education, in cooperation with the board
24 of directors of the area education agency, shall establish a
25 remediation plan prescribing the procedures that must be taken
26 to correct deficiencies in meeting the program standards,
27 and shall establish a deadline date for correction of the
28 deficiencies. ~~The remediation plan is subject to the approval~~
29 ~~of the state board.~~

30 5. The division of special education of the department
31 of education may suspend the accreditation of the area
32 education agency program ~~shall remain accredited~~ during the
33 implementation of the remediation plan. The accreditation
34 team shall visit the area education agency and shall determine
35 whether the deficiencies in the standards for the program have

1 been corrected and shall make a report and recommendation
2 to the ~~director and the state board of education~~ division
3 of special education. The ~~state board~~ division of special
4 education shall review the report and recommendation and shall
5 determine whether the deficiencies in the program have been
6 corrected. If the division of special education determines
7 that the deficiencies in the program have been corrected, the
8 division of special education shall reinstate the accreditation
9 of the area education agency program if such accreditation was
10 suspended pursuant to this subsection.

11 6. *a.* If the deficiencies in an area education program
12 have not been corrected, the ~~agency board~~ division of special
13 education of the department of education shall take one
14 of the following actions within sixty days from removal of
15 accreditation:

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

18 (2) Contract with another area education agency or other
19 public educational institution for purposes of program
20 delivery.

21 *b.* The rules developed by the state board of education for
22 the accreditation process shall include provisions for removal
23 of accreditation, including provisions for proper notice to the
24 administrator of the area education agency, each member of the
25 board of directors of the area education agency, the department
26 of education, and the superintendents and administrators of the
27 schools of the districts served by the area education agency.

28 Sec. 15. Section 273.11, Code 2024, is amended to read as
29 follows:

30 **273.11 Standards for accrediting area education programs.**

31 1. The state board of education, in consultation with the
32 division of special education of the department of education,
33 shall develop standards and rules for the accreditation of area
34 education agencies. Standards shall be general in nature,
35 but at a minimum shall identify requirements addressing the

1 services provided by each division, as well as identifying
2 indicators of quality that will permit area education agencies,
3 school districts, the division of special education of the
4 department of education, and the general public to judge
5 accurately the effectiveness of area education agency services.

6 2. Standards developed shall include, but are not limited
7 to, the following:

8 a. Support for school-community planning, including a means
9 of assessing needs, developing collaborative relationships
10 among community agencies, establishing shared direction, and
11 implementing program plans and reporting progress toward goals
12 for all students, including students with disabilities.

13 b. ~~Professional~~ Evidence-based professional development
14 programs that respond to current needs.

15 c. Support for curriculum development, instruction, and
16 assessment ~~for~~ services that address the areas of reading,
17 language arts, math, and science, using research-based
18 methodologies, for all students, including students with
19 disabilities.

20 d. Special education ~~compliance and~~ support.

21 e. Management services, including financial reporting and
22 purchasing as requested and funded by local districts.

23 f. Support for instructional media services that supplement
24 and support local district media centers and services.

25 g. Support for school technology planning and staff
26 development for implementing instructional technologies.

27 h. A program and services evaluation and reporting system
28 that includes information related to special education.

29 i. Support for school district libraries in accordance with
30 section 273.2, subsection 4.

31 j. Support for early childhood service coordination for
32 families and children, age birth through three years, to
33 meet health, safety, and learning needs, including service
34 coordination.

35 k. Timely submission of required reports and documents to

1 the state board of education, the department of education,
2 and the division of special education of the department of
3 education.

4 l. Support for schools and school districts in analyzing
5 student achievement data related to the learning environment,
6 comparing data to the external knowledge base, and using that
7 information to guide schools and school districts in setting
8 goals and implementing actions to improve student learning for
9 all students, including students with disabilities.

10 m. Support for addressing the diverse learning needs of
11 all children and youths, including children and youths who are
12 eligible for special education through services that include
13 direct services to students with disabilities.

14 n. Support for schools and school districts to ensure
15 compliance with rules adopted by the state board of education
16 related to special education.

17 o. Support necessary to implement effective instruction for
18 all students, including students with disabilities, through
19 school technology services.

20 p. Support for students using educational programs and
21 services in a manner that is consistent with the educational
22 standards established pursuant to section 256.11.

23 q. Support for staff development and adult learners
24 utilizing evidence-based professional development in a manner
25 that meets the professional needs of staff and adult learners
26 consistent with standards adopted by the state board of
27 education.

28 r. Compliance with all relevant federal and state laws
29 in the provision of services and supports to students with
30 disabilities.

31 **Sec. 16. TRANSITION PROVISIONS.**

32 **1. An area education agency that was accredited pursuant to**
33 **section 273.10 on or before the effective date of the section**
34 **of this division of this Act amending section 273.10 shall**
35 **remain accredited unless and until the division of special**

1 education of the department of education takes action to remove
2 accreditation from the area education agency pursuant to
3 section 273.10, as amended in this division of this Act.

4 2. a. As of July 1, 2024, each area education agency shall
5 terminate the employment of all directors of special education
6 employed by the area education agency pursuant to section
7 273.5, as amended in this division of this Act.

8 b. Within a reasonable time after July 1, 2024, the
9 division of special education of the department of education
10 shall employ at least one individual to serve as a director
11 of special education in each area education agency. During
12 the hiring process associated with employing an individual to
13 serve as director of special education in an area education
14 agency, the division of special education shall give preference
15 to individuals whose employment was terminated pursuant to
16 paragraph "a".

17 Sec. 17. EFFECTIVE DATE. The following take effect July 1,
18 2025:

19 1. The section of this division of this Act amending section
20 273.10.

21 2. The section of this division of this Act amending section
22 273.11.

23 Sec. 18. APPLICABILITY. The following applies to
24 employment agreements entered into or renewed between an area
25 education agency and an area education agency administrator on
26 or after July 1, 2024:

27 The section of this division of this Act amending section
28 273.3, subsection 11.

29 Sec. 19. APPLICABILITY. The following applies to the
30 election of directors and vacancies occurring under section
31 273.8, as amended in this division of this Act, on or after
32 July 1, 2024:

33 The sections of this division of this Act amending section
34 273.8.

35 Sec. 20. APPLICABILITY. The following apply to school years

1 beginning on or after July 1, 2025:

2 1. The portion of the section of this division of this Act
3 amending section 273.2, subsection 3.

4 2. The portion of the section of this division of this Act
5 amending section 273.2, subsection 4.

6 3. The portion of the section of this division of this Act
7 enacting section 273.2, subsection 4A.

8

DIVISION III

9

AREA EDUCATION AGENCIES — FUNDING

10 Sec. 21. Section 257.1, subsection 3, Code 2024, is amended
11 to read as follows:

12 3. *Computations rounded.* In making computations and
13 payments under [this chapter](#), except in the case of computations
14 relating to funding of special education support services,
15 media services, and educational services ~~provided through the~~
16 ~~area education agencies~~ under section 257.37, and the teacher
17 salary supplement, the professional development supplement,
18 the early intervention supplement, and the teacher leadership
19 supplement, the department of management shall round amounts to
20 the nearest whole dollar.

21 Sec. 22. Section 257.10, subsection 7, Code 2024, is amended
22 to read as follows:

23 7. *Special education support services district cost.* Special
24 education support services district cost for a school district
25 for a budget year is equal to the special education support
26 services district cost per pupil for the budget year multiplied
27 by the special education support services weighted enrollment
28 for the district for the budget year. If the special education
29 support services district cost for a school district for
30 a budget year is less than the special education support
31 services district cost for that district for the base year, the
32 department of management shall adjust the special education
33 support services district cost for that district for the budget
34 year to equal the special education support services district
35 cost for the base year. Funds calculated under this subsection

1 and received by a school district or an area education agency,
2 as applicable, shall be used for special education support
3 services.

4 Sec. 23. Section 257.10, subsection 8, paragraph a, Code
5 2024, is amended to read as follows:

6 a. Combined district cost is the sum of the regular program
7 district cost per pupil multiplied by the weighted enrollment,
8 the special education support services district cost, the
9 total teacher salary supplement district cost, the total
10 professional development supplement district cost, the total
11 early intervention supplement district cost, and the total
12 teacher leadership supplement district cost, plus the sum of
13 the additional district cost allocated to the district to fund
14 media services and educational services ~~provided through the~~
15 ~~area education agency~~ under section 257.37, the area education
16 agency total teacher salary supplement district cost and the
17 area education agency total professional development supplement
18 district cost.

19 Sec. 24. Section 257.35, subsection 1, Code 2024, is amended
20 to read as follows:

21 1. a. (1) ~~The~~ For fiscal years beginning before July 1,
22 2024, the department of management shall deduct the amounts
23 calculated for special education support services, media
24 services, area education agency teacher salary supplement
25 district cost, area education agency professional development
26 supplement district cost, and educational services for each
27 school district from the state aid due to the district pursuant
28 to [this chapter](#) and shall pay the amounts to the respective
29 area education agencies on a monthly basis from September 15
30 through June 15 during each school year.

31 (2) For the fiscal year beginning July 1, 2024, the
32 department of management shall deduct the following amounts
33 from the state aid due to each school district pursuant to
34 this chapter and shall pay the amounts to the respective area
35 education agencies on a monthly basis from September 15 through

1 June 15 during each school year:

2 (a) The amount calculated for special education support
3 services for the school district.

4 (b) Forty percent of the amount calculated for media
5 services for the school district.

6 (c) The area education agency teacher salary supplement
7 district cost.

8 (d) The area education agency professional development
9 supplement district cost.

10 (e) Forty percent of the amount calculated in section 257.37
11 for educational services for the school district.

12 (3) For the fiscal year beginning July 1, 2025, and each
13 fiscal year thereafter, the department of management shall
14 deduct the following from the state aid due to each school
15 district pursuant to this chapter and shall pay the amounts to
16 the respective area education agencies on a monthly basis from
17 September 15 through June 15 during each school year:

18 (a) Ten percent of the amount calculated for special
19 education support services for the school district.

20 (b) The area education agency teacher salary supplement
21 district cost.

22 (c) The area education agency professional development
23 supplement district cost.

24 b. The department of management shall notify each school
25 district of the amount of state aid deducted for these purposes
26 and the balance of state aid shall be paid to the district. If
27 a district does not qualify for state aid under [this chapter](#)
28 in an amount sufficient to cover its amount due to the area
29 education agency as calculated by the department of management,
30 the school district shall pay the deficiency to the area
31 education agency from other moneys received by the district, on
32 a quarterly basis during each school year.

33 Sec. 25. Section 257.37, Code 2024, is amended to read as
34 follows:

35 **257.37 Funding media and educational services.**

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

5 1. For the budget year beginning July 1, 1991, and
6 succeeding budget years, the total amount funded in each area
7 for media 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 media services in the
10 base year shall be divided by the enrollment served in the
11 base year to provide an area media services cost per pupil in
12 the base year, and the department of management shall compute
13 the state media services cost per pupil in the base year which
14 is equal to the average of the area media services costs per
15 pupil in the base year. For the budget year beginning July 1,
16 1991, and succeeding budget years, the department of management
17 shall compute the supplemental state aid for media services
18 in the budget year by multiplying the state media services
19 cost per pupil in the base year times the state percent of
20 growth for the budget year, and the total amount funded in each
21 area for media services cost in the budget year equals the
22 area media services cost per pupil in the base year plus the
23 supplemental state aid for media services in the budget year
24 times the enrollment served in the budget year. Funds shall be
25 paid to area education agencies as provided in [section 257.35](#).
26 Funds not required to be paid to the area education agency as
27 provided in section 257.35 may be used by the school district
28 for media services provided by the district or by contract
29 through the area education agency. A school district may use
30 unreserved fund balances for media services in a manner which
31 the school district determines is appropriate to best maintain
32 the level of special education services.

33 2. Up to thirty percent of the budget of an area for media
34 services may be expended for media resource material including
35 the purchase or replacement of material required in section

1 273.6, subsection 1. ~~Funds shall be paid to area education~~
2 ~~agencies as provided in section 257.35.~~

3 3. For the budget year beginning July 1, 1991, and
4 succeeding budget years, the total amount funded in each area
5 for educational services shall be computed as provided in this
6 subsection. For the budget year beginning July 1, 1991, the
7 total amount funded in each area for educational services
8 in the base year shall be divided by the enrollment served
9 in the area in the base year to provide an area educational
10 services cost per pupil in the base year, and the department of
11 management shall compute the state educational services cost
12 per pupil in the base year, which is equal to the average of
13 the area educational services costs per pupil in the base year.
14 For the budget year beginning July 1, 1991, and succeeding
15 budget years, the department of management shall compute the
16 supplemental state aid for educational services by multiplying
17 the state educational services cost per pupil in the base year
18 times the state percent of growth for the budget year, and the
19 total amount funded in each area for educational services for
20 the budget year equals the area educational services cost per
21 pupil for the base year plus the supplemental state aid for
22 educational services in the budget year times the enrollment
23 served in the area in the budget year. Funds shall be paid
24 to area education agencies as provided in [section 257.35](#).

25 Funds not required to be paid to the area education agency as
26 provided in section 257.35 may be used by the school district
27 for educational services provided by the district or by
28 contract through the area education agency. A school district
29 may use unreserved fund balances for educational services in a
30 manner which the school district determines is appropriate to
31 best maintain the level of special education services.

32 4. *"Enrollment served"* means the basic enrollment of all
33 school districts within the boundaries of the area education
34 agency plus the number of nonpublic school pupils served by
35 the area education agency with media services or educational

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

15 5. *a.* If an area education agency does not serve nonpublic
16 school pupils in a manner comparable to services provided
17 public school pupils for media and educational services, as
18 determined by the state board of education, the state board
19 shall instruct the department of management to reduce the funds
20 for media services and educational services within the area one
21 time by an amount to compensate for such reduced services. The
22 media services budget shall be reduced by an amount equal to
23 the product of the cost per pupil in basic enrollment for the
24 budget year for media services times the difference between
25 the enrollment served and the basic enrollment recorded for
26 the area. The educational services budget shall be reduced by
27 an amount equal to the product of the cost per pupil in basic
28 enrollment for the budget year for educational services times
29 the difference between the enrollment served and the basic
30 enrollment recorded for the area.

31 *b.* [This subsection](#) applies only to media and educational
32 services which cannot be diverted for religious purposes.

33 *c.* Notwithstanding [this subsection](#), an area education agency
34 shall distribute to nonpublic schools media materials purchased
35 wholly or partially with federal funds in a manner comparable

1 to the distribution of such media materials to public schools
2 as determined by the director of the department of education.

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

14 Sec. 26. APPLICABILITY. This division of this Act applies
15 July 1, 2024, for school budget years beginning on or after
16 that date.

17 DIVISION IV

18 INITIAL TEACHER COMPENSATION

19 Sec. 27. Section 257.10, subsection 12, paragraph d, Code
20 2024, is amended to read as follows:

21 *d.* Except as otherwise allowed under this paragraph, for
22 the budget year beginning July 1, 2014, and succeeding budget
23 years, the use of the funds calculated under [this subsection](#)
24 shall comply with the requirements of [chapter 284](#) and shall
25 be distributed to teachers pursuant to [section 284.15](#). The
26 funds shall be used only to increase the payment for a teacher
27 assigned to a leadership role pursuant to a framework or
28 comparable system approved pursuant to [section 284.15](#); to
29 increase the percentages of teachers assigned to leadership
30 roles; to increase the minimum teacher starting salary to
31 ~~thirty-three thousand five hundred dollars~~ the amount provided
32 in section 284.15, subsection 2, paragraph "a", subparagraph
33 (1); to cover the costs for the time mentor and lead teachers
34 are not providing instruction to students in a classroom;
35 for coverage of a classroom when an initial or career

1 teacher is observing or co-teaching with a teacher assigned
2 to a leadership role; for professional development time to
3 learn best practices associated with the career pathways
4 leadership process; and for other costs associated with a
5 framework or comparable system approved by the department of
6 education under [section 284.15](#) with the goals of improving
7 instruction and elevating the quality of teaching and student
8 learning. If all requirements for the school district for
9 the use of funds calculated under [this subsection](#) are met
10 and funds received under [this subsection](#) remain unexpended
11 and unobligated at the end of a fiscal year beginning on or
12 after July 1, 2020, the school district may transfer all or a
13 portion of such unexpended and unobligated funds for deposit
14 in the school district's flexibility account established
15 under [section 298A.2, subsection 2](#). At the end of a fiscal
16 year beginning on or after July 1, 2022, school districts may
17 use all or a portion of funds under [this subsection](#) for the
18 purposes authorized under [subsection 9](#), paragraph "d", and,
19 notwithstanding any provision of law to the contrary, school
20 districts shall not be required to participate in or comply
21 with [section 284.15](#) in order to continue to receive funding
22 under [this subsection](#).

23 Sec. 28. Section 284.15, subsection 2, paragraph a,
24 subparagraph (1), Code 2024, is amended to read as follows:

25 (1) The salary for an initial teacher who has successfully
26 completed an approved practitioner preparation program as
27 defined in [section 256.145](#) or holds an initial or intern
28 teacher license issued under chapter 256, subchapter VII,
29 part 3, shall be at least ~~thirty-three thousand five hundred~~
30 forty-six thousand two hundred fifty-one dollars, which shall
31 also constitute the minimum salary for an Iowa teacher.

32 Sec. 29. Section 284.16, subsection 1, paragraph a,
33 unnumbered paragraph 1, Code 2024, is amended to read as
34 follows:

35 The beginning teacher shall be paid not less than

1 ~~thirty-three thousand five hundred~~ forty-six thousand two
2 hundred fifty-one dollars and shall meet the following
3 requirements:

4 Sec. 30. Section 284.17, subsection 1, Code 2024, is amended
5 to read as follows:

6 1. A minimum salary of ~~thirty-three thousand five hundred~~
7 forty-six thousand two hundred fifty-one dollars for a
8 full-time teacher.

9

DIVISION V

10 AREA EDUCATION AGENCIES — REQUIRED EVALUATIONS AND REPORTS

11 Sec. 31. AREA EDUCATION AGENCIES — CONTINUOUS

12 IMPROVEMENT. On or before January 1, 2025, each area education
13 agency shall submit a report to the director of the department
14 of education and the general assembly that contains all of the
15 following information:

16 1. Progress the area education agency has made in reducing
17 expenditures associated with administration and administrators,
18 including chief administrators, directors and department heads,
19 regional administrators, regional and zone coordinators,
20 district coordinators, and human resources and personnel
21 managers by at least thirty percent by July 1, 2026.

22 2. A proposal for the reorganization of services provided by
23 area education agencies to centralize some services provided by
24 the area education agencies, including media services, and to
25 create centers of excellence for other services.

26 Sec. 32. AREA EDUCATION AGENCY FACILITIES AND PROPERTY. On
27 or before January 1, 2025, the department of administrative
28 services, in coordination with the department of education
29 and each area education agency, shall submit a report to
30 the general assembly that contains all of the following
31 information:

32 1. An inventory of all real property and facilities owned
33 by the area education agencies.

34 2. An evaluation of the value of all real property and
35 facilities owned by the area education agencies.

1 3. An evaluation of how the real property and facilities
2 owned by the area education agencies are used.

3 DIVISION VI

4 TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL

5 Sec. 33. Section 257.10, subsection 9, paragraph a, Code
6 2024, is amended to read as follows:

7 a. (1) For the budget year beginning July 1, 2009, the
8 department of management shall add together the teacher
9 compensation allocation made to each district for the fiscal
10 year beginning July 1, 2008, pursuant to section 284.13,
11 subsection 1, paragraph "h", Code 2009, and the phase II
12 allocation made to each district for the fiscal year beginning
13 July 1, 2008, pursuant to [section 294A.9, Code 2009](#), and divide
14 that sum by the district's budget enrollment in the fiscal
15 year beginning July 1, 2009, to determine the teacher salary
16 supplement district cost per pupil. For the budget year
17 beginning July 1, 2010, and succeeding budget years beginning
18 before July 1, 2024, the teacher salary supplement district
19 cost per pupil for each school district for a budget year
20 is the teacher salary supplement program district cost per
21 pupil for the base year plus the teacher salary supplement
22 supplemental state aid amount for the budget year.

23 (2) For the budget year beginning July 1, 2024, the teacher
24 salary supplement district cost per pupil for a school district
25 shall be the greater of the following:

26 (a) The teacher salary supplement district cost per pupil
27 for the school district for the base year plus the teacher
28 salary supplement supplemental state aid amount for the budget
29 year.

30 (b) The per pupil amount necessary, as calculated by
31 the department of management, to allow the school district
32 to provide a minimum teacher starting salary of forty-six
33 thousand two hundred fifty-one dollars in accordance with
34 the requirements of chapter 284, including costs associated
35 with the employer's share of contributions to the Iowa public

1 employees' retirement system and the employer's share of the
2 tax imposed by the federal Insurance Contributions Act.

3 (3) For the budget year beginning July 1, 2025, and
4 succeeding budget years, the teacher salary supplement district
5 cost per pupil for each school district for a budget year
6 is the teacher salary supplement program district cost per
7 pupil for the base year plus the teacher salary supplement
8 supplemental state aid amount for the budget year.

9

DIVISION VII

10

DEPARTMENT OF EDUCATION REQUIREMENTS

11

Sec. 34. Section 256.9, Code 2024, is amended by adding the
12 following new subsections:

13

NEW SUBSECTION. 70. Develop and distribute to school
14 districts and accredited nonpublic schools a process to
15 facilitate the development of individualized education
16 programs and assist individualized education program teams
17 with decisions regarding free appropriate public education
18 and placement for students enrolled in accredited nonpublic
19 schools.

20

NEW SUBSECTION. 71. Provide professional learning and
21 other support materials and tools for individualized education
22 program teams, including students, families, teacher service
23 providers, and administrators of both school districts
24 and accredited nonpublic schools to help such individuals
25 understand the processes required under the federal law that
26 are relevant to students enrolled in accredited nonpublic
27 schools and to promote informed participation in individualized
28 education program meetings of students enrolled in accredited
29 nonpublic schools.

30

NEW SUBSECTION. 72. Provide information to individualized
31 education program teams and public agencies that nonpublic
32 schools shall be considered a placement option so long as the
33 individualized education program of a child with a disability
34 does not require some other arrangement.

35

NEW SUBSECTION. 73. Develop and distribute to school

1 districts professional learning and other materials for
2 meaningful consultation for representatives of area education
3 agencies, school districts, and accredited nonpublic schools.
4 NEW SUBSECTION. 74. Establish sustainable accountability
5 and data collection systems related to special education
6 that meet federal and state legal requirements and encourage
7 innovative models for meeting the needs of students.

8 NEW SUBSECTION. 75. Develop and distribute to school
9 districts and accredited nonpublic schools an implementation
10 plan related to identifying, evaluating, and promoting
11 strategies and models for providing special education and
12 related services with accredited nonpublic schools that improve
13 the experiences and outcomes for students with disabilities.

14 DIVISION VIII

15 STATE MANDATE

16 Sec. 35. IMPLEMENTATION OF ACT. Section 25B.2, subsection
17 3, shall not apply to this Act.>

18 2. Title page, by striking lines 1 through 7 and inserting
19 <An Act relating to education, including modifying provisions
20 related to the duties and powers of area education agencies,
21 the membership of the boards of directors of area education
22 agencies, the department of education, the department of
23 administrative services, area education agency funding, the
24 calculation of the teacher salary supplement district cost per
25 pupil and the minimum teacher starting salary, and including
26 transition, effective date, and applicability provisions.>

LYNN EVANS