

House File 816 - Enrolled

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HOUSE FILE 816

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AN ACT
RELATING TO THE FUNDING OF, THE OPERATION OF, AND
APPROPRIATION OF MONEYS TO THE COLLEGE STUDENT AID
COMMISSION, THE DEPARTMENT FOR THE BLIND, THE DEPARTMENT
OF CULTURAL AFFAIRS, THE DEPARTMENT OF EDUCATION, AND THE
STATE BOARD OF REGENTS AND PROVIDING AN EFFECTIVE DATE.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
DEPARTMENT FOR THE BLIND
Section 1. ADMINISTRATION. There is appropriated from the
general fund of the state to the department for the blind for
the fiscal year beginning July 1, 2005, and ending June 30,
2006, the following amount, or so much thereof as is
necessary, to be used for the purposes designated:
For salaries, support, maintenance, miscellaneous purposes
and for not more than the following full-time equivalent
positions:
..... \$ 1,886,842
..... FTEs 109.50
COLLEGE STUDENT AID COMMISSION
Sec. 2. There is appropriated from the general fund of the
state to the college student aid commission for the fiscal
year beginning July 1, 2005, and ending June 30, 2006, the
following amounts, or so much thereof as may be necessary, to
be used for the purposes designated:
1. GENERAL ADMINISTRATION
For salaries, support, maintenance, miscellaneous purposes,
and for not more than the following full-time equivalent
positions:
..... \$ 349,494
..... FTEs 4.30
2. STUDENT AID PROGRAMS
For payments to students for the Iowa grant program:
..... \$ 1,029,784
3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER
a. For forgivable loans to Iowa students attending the Des
Moines university == osteopathic medical center under the
forgivable loan program pursuant to section 261.19:
..... \$ 50,000
To receive funds appropriated pursuant to this paragraph,
Des Moines university == osteopathic medical center shall
match the funds with institutional funds on a dollar-for-
dollar basis.
b. For the Des Moines university == osteopathic medical
center for an initiative in primary health care to direct
primary care physicians to shortage areas in the state:
..... \$ 346,451
4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
For purposes of providing national guard educational
assistance under the program established in section 261.86:
..... \$ 3,800,000
5. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM
For the teacher shortage forgivable loan program
established in section 261.111:
..... \$ 285,000
Sec. 3. COLLEGE STUDENT AID COMMISSION STUDY == STATE AID
FOR STUDENTS ENROLLED IN ACCREDITED PRIVATE INSTITUTIONS. The
college student aid commission shall develop, in consultation
with representatives from accredited private institutions
whose income is not exempt from taxation under section 501(c)
of the Internal Revenue Code, recommendations for a policy
regarding the protection of educational consumers for
inclusion in the definition of "accredited private
institution" under section 261.9. It is the intent of the
general assembly to consider such a policy as it might apply
to private institutions whose income is not exempt, and those
private institutions whose income is exempt, from taxation
under section 501(c) of the Internal Revenue Code. In
determining its recommendations, the commission shall include
a review of information that includes, but is not limited to,
the percent of students who are enrolled in each institution
who have high school graduation diplomas, the percentage of

3 6 students enrolled in each institution who have high school
3 7 equivalency diplomas, the percentage of low-income students
3 8 enrolled in each institution, the percentage of nontraditional
3 9 students enrolled in each institution, the graduation and job
3 10 placement rates of each institution, and each institution's
3 11 official cohort default rate, which is released annually by
3 12 the United States department of education. The commission
3 13 shall submit its findings and recommendations to the governor
3 14 and the general assembly by January 10, 2006.

3 15 Sec. 4. WORK=STUDY APPROPRIATION FOR FY 2005=2006.

3 16 Notwithstanding section 261.85, for the fiscal year beginning
3 17 July 1, 2005, and ending June 30, 2006, the amount
3 18 appropriated from the general fund of the state to the college
3 19 student aid commission for the work=study program under
3 20 section 261.85 shall be \$140,000, and from the moneys
3 21 appropriated in this section, \$76,365 shall be allocated to
3 22 institutions of higher education under the state board of
3 23 regents and community colleges and the remaining dollars
3 24 appropriated in this section shall be allocated by the college
3 25 student aid commission on the basis of need as determined by
3 26 the portion of the federal formula for distribution for work=
3 27 study funds that relates to the current need of institutions.

3 28 DEPARTMENT OF CULTURAL AFFAIRS

3 29 Sec. 5. There is appropriated from the general fund of the
3 30 state to the department of cultural affairs for the fiscal
3 31 year beginning July 1, 2005, and ending June 30, 2006, the
3 32 following amounts, or so much thereof as is necessary, to be
3 33 used for the purposes designated:

3 34 1. ADMINISTRATION

3 35 For salaries, support, maintenance, and miscellaneous
4 1 purposes:

4 2 \$ 235,636

4 3 The department of cultural affairs shall coordinate
4 4 activities with the tourism office of the department of
4 5 economic development to promote attendance at the state
4 6 historical building and at this state's historic sites.

4 7 2. COMMUNITY CULTURAL GRANTS

4 8 For planning and programming for the community cultural
4 9 grants program established under section 303.3:

4 10 \$ 299,240

4 11 3. HISTORICAL DIVISION

4 12 For salaries, support, maintenance, miscellaneous purposes,
4 13 and for not more than the following full-time equivalent
4 14 positions:

4 15 \$ 3,040,920

4 16 FTEs 65.00

4 17 4. HISTORIC SITES

4 18 For salaries, support, maintenance, and miscellaneous
4 19 purposes:

4 20 \$ 526,459

4 21 5. ARTS DIVISION

4 22 For salaries, support, maintenance, miscellaneous purposes,
4 23 including funds to match federal grants and for not more than
4 24 the following full-time equivalent positions:

4 25 \$ 1,157,486

4 26 FTEs 11.25

4 27 6. GREAT PLACES

4 28 For salaries, support, maintenance, and miscellaneous
4 29 purposes:

4 30 \$ 200,000

4 31 7. ARCHIVE IOWA GOVERNORS' RECORDS

4 32 For archiving the records of Iowa governors:

4 33 \$ 75,000

4 34 DEPARTMENT OF EDUCATION

4 35 Sec. 6. There is appropriated from the general fund of the
5 1 state to the department of education for the fiscal year
5 2 beginning July 1, 2005, and ending June 30, 2006, the
5 3 following amounts, or so much thereof as may be necessary, to
5 4 be used for the purposes designated:

5 5 1. GENERAL ADMINISTRATION

5 6 For salaries, support, maintenance, miscellaneous purposes,
5 7 and for not more than the following full-time equivalent
5 8 positions:

5 9 \$ 5,139,542

5 10 FTEs 76.27

5 11 The director of the department of education shall ensure
5 12 that all school districts are aware of the state education
5 13 resources available on the state website for listing teacher
5 14 job openings and shall make every reasonable effort to enable
5 15 qualified practitioners to post their resumes on the state
5 16 website. The department shall administer the posting of job

5 17 vacancies for school districts, accredited nonpublic schools,
5 18 and area education agencies on the state website. The
5 19 department may coordinate this activity with the Iowa school
5 20 board association or other interested education associations
5 21 in the state. The department shall strongly encourage school
5 22 districts to seek direct claiming under the medical assistance
5 23 program for funding of school district nursing services for
5 24 students.

5 25 2. VOCATIONAL EDUCATION ADMINISTRATION

5 26 For salaries, support, maintenance, miscellaneous purposes,
5 27 and for not more than the following full-time equivalent
5 28 positions:

5 29 \$ 514,828
5 30 FTEs 13.80

5 31 3. VOCATIONAL REHABILITATION SERVICES DIVISION

5 32 a. For salaries, support, maintenance, miscellaneous
5 33 purposes, and for not more than the following full-time
5 34 equivalent positions:

5 35 \$ 4,475,050
6 1 FTEs 273.50

6 2 The division of vocational rehabilitation services shall
6 3 seek funding from other sources, such as local funds, for
6 4 purposes of matching the state's federal vocational
6 5 rehabilitation allocation, as well as for matching other
6 6 federal vocational rehabilitation funding that may become
6 7 available.

6 8 Except where prohibited under federal law, the division of
6 9 vocational rehabilitation services of the department of
6 10 education shall accept client assessments, or assessments of
6 11 potential clients, performed by other agencies in order to
6 12 reduce duplication of effort.

6 13 Notwithstanding the full-time equivalent position limit
6 14 established in this lettered paragraph, for the fiscal year
6 15 ending June 30, 2006, if federal funding is received to pay
6 16 the costs of additional employees for the vocational
6 17 rehabilitation services division who would have duties
6 18 relating to vocational rehabilitation services paid for
6 19 through federal funding, authorization to hire not more than
6 20 4.00 additional full-time equivalent employees shall be
6 21 provided, the full-time equivalent position limit shall be
6 22 exceeded, and the additional employees shall be hired by the
6 23 division.

6 24 b. For matching funds for programs to enable persons with
6 25 severe physical or mental disabilities to function more
6 26 independently, including salaries and support, and for not
6 27 more than the following full-time equivalent position:

6 28 \$ 54,150
6 29 FTEs 1.00

6 30 The highest priority use for the moneys appropriated under
6 31 this lettered paragraph shall be for programs that emphasize
6 32 employment and assist persons with severe physical or mental
6 33 disabilities to find and maintain employment to enable them to
6 34 function more independently.

6 35 4. STATE LIBRARY

7 1 a. For salaries, support, maintenance, miscellaneous
7 2 purposes, and for not more than the following full-time
7 3 equivalent positions:

7 4 \$ 1,378,555
7 5 FTEs 18.00

7 6 b. For the enrich Iowa program:

7 7 \$ 1,698,432

7 8 (1) Funds allocated for purposes of the enrich Iowa
7 9 program as provided in this lettered paragraph shall be
7 10 distributed by the division of libraries and information
7 11 services to provide support for Iowa's libraries. The
7 12 commission of libraries shall develop rules governing the
7 13 allocation of funds provided by the general assembly for the
7 14 enrich Iowa program to provide direct state assistance to
7 15 public libraries and to fund the open access and access plus
7 16 programs. Direct state assistance to eligible public
7 17 libraries is provided as an incentive to improve library
7 18 services and to reduce inequities among communities in the
7 19 delivery of library services based on recognized and adopted
7 20 performance measures. Funds distributed as direct state
7 21 assistance shall be distributed to eligible public libraries
7 22 that are in compliance with performance measures adopted by
7 23 rule by the commission of libraries. The funds allocated as
7 24 provided in this lettered paragraph shall not be used for the
7 25 costs of administration by the division. The amount of direct
7 26 state assistance distributed to each eligible public library
7 27 shall be based upon the following:

7 28 (a) The level of compliance by the eligible public library
7 29 with the performance measures adopted by the commission as
7 30 provided in this subparagraph.

7 31 (b) The number of people residing within an eligible
7 32 library's geographic service area for whom the library
7 33 provides services.

7 34 (c) The amount of other funding the eligible public
7 35 library received in the previous fiscal year for providing
8 1 services to rural residents and to contracting communities.

8 2 (2) Moneys received by a public library under this
8 3 lettered paragraph shall supplement, not supplant, any other
8 4 funding received by the library.

8 5 (3) For purposes of this section, "eligible public
8 6 library" means a public library that meets all of the
8 7 following requirements:

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

8 9 (i) The report provided for under section 256.51,
8 10 subsection 1, paragraph "h".

8 11 (ii) An application and accreditation report, in a format
8 12 approved by the commission, that provides evidence of the
8 13 library's compliance with at least one level of the standards
8 14 established in accordance with section 256.51, subsection 1,
8 15 paragraph "k".

8 16 (iii) Any other application or report the division deems
8 17 necessary for the implementation of the enrich Iowa program.

8 18 (b) Participates in the library resource and information
8 19 sharing programs established by the state library.

8 20 (c) Is a public library established by city ordinance or a
8 21 library district as provided in chapter 336.

8 22 (4) Each eligible public library shall maintain a separate
8 23 listing within its budget for payments received and
8 24 expenditures made pursuant to this lettered paragraph, and
8 25 shall annually submit this listing to the division.

8 26 (5) By January 15, 2007, the division shall submit a
8 27 program evaluation report to the general assembly and the
8 28 governor detailing the uses and the impacts of funds allocated
8 29 under this lettered paragraph.

8 30 (6) A public library that receives funds in accordance
8 31 with this lettered paragraph shall have an internet use policy
8 32 in place, which may or may not include internet filtering.
8 33 The library shall submit a report describing the library's
8 34 internet use efforts to the division.

8 35 (7) A public library that receives funds in accordance
9 1 with this lettered paragraph shall provide open access, the
9 2 reciprocal borrowing program, as a service to its patrons, at
9 3 a reimbursement rate determined by the state library.

9 4 5. LIBRARY SERVICE AREA SYSTEM
9 5 For state aid:
9 6 \$ 1,376,558

9 7 6. PUBLIC BROADCASTING DIVISION
9 8 For salaries, support, maintenance, capital expenditures,
9 9 miscellaneous purposes, and for not more than the following
9 10 full-time equivalent positions:
9 11 \$ 7,356,722
9 12 FTEs 86.00

9 13 7. REGIONAL TELECOMMUNICATIONS COUNCILS
9 14 For state aid:
9 15 \$ 1,240,478

9 16 The regional telecommunications councils established in
9 17 section 8D.5 shall use the funds appropriated in this
9 18 subsection to provide technical assistance for network
9 19 classrooms, planning and troubleshooting for local area
9 20 networks, scheduling of video sites, and other related support
9 21 activities.

9 22 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
9 23 For reimbursement for vocational education expenditures
9 24 made by secondary schools:
9 25 \$ 2,936,904

9 26 Funds appropriated in this subsection shall be used for
9 27 expenditures made by school districts to meet the standards
9 28 set in sections 256.11, 258.4, and 260C.14 as a result of the
9 29 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used
9 30 as reimbursement for vocational education expenditures made by
9 31 secondary schools in the manner provided by the department of
9 32 education for implementation of the standards set in 1989 Iowa
9 33 Acts, chapter 278.

9 34 9. SCHOOL FOOD SERVICE
9 35 For use as state matching funds for federal programs that
10 1 shall be disbursed according to federal regulations, including
10 2 salaries, support, maintenance, and miscellaneous purposes:
10 3 \$ 2,509,683

10 4 10. IOWA EMPOWERMENT FUND
10 5 For deposit in the school ready children grants account of
10 6 the Iowa empowerment fund created in section 28.9:
10 7 \$ 23,781,594
10 8 a. From the moneys deposited in the school ready children
10 9 grants account for the fiscal year beginning July 1, 2005, and
10 10 ending June 30, 2006, not more than \$300,000 is allocated for
10 11 the community empowerment office and other technical
10 12 assistance activities and of that amount, not more than
10 13 \$50,000 shall be used to administer the early childhood
10 14 coordinator's position pursuant to section 28.3, subsection
10 15 6A, if enacted by 2005 Iowa Acts, House File 761, and not more
10 16 than \$50,000 shall be used to implement an early childhood
10 17 Iowa website for wide dissemination of early care and early
10 18 childhood learning information and assistance. It is the
10 19 intent of the general assembly that regional technical
10 20 assistance teams will be established and will include staff
10 21 from various agencies, as appropriate, including the area
10 22 education agencies, community colleges, and the Iowa state
10 23 university of science and technology cooperative extension
10 24 service in agriculture and home economics. The Iowa
10 25 empowerment board shall direct staff to work with the advisory
10 26 council to inventory technical assistance needs. Funds
10 27 allocated under this lettered paragraph may be used by the
10 28 Iowa empowerment board for the purpose of skills development
10 29 and support for ongoing training of the regional technical
10 30 assistance teams. However, funds shall not be used for
10 31 additional staff or for the reimbursement of staff.
10 32 b. Notwithstanding any other provision of law to the
10 33 contrary, the community empowerment office shall use the
10 34 documentation created by the legislative services agency to
10 35 continue the implementation of the four-year phase-in period
11 1 of the distribution formula approved by the community
11 2 empowerment board.
11 3 c. As a condition of receiving funding appropriated in
11 4 this subsection, each community empowerment area board shall
11 5 report to the Iowa empowerment board progress on each of the
11 6 state indicators approved by the state board, as well as
11 7 progress on local indicators. The community empowerment area
11 8 board must also submit a written plan amendment extending by
11 9 one year the area's comprehensive school ready children grant
11 10 plan developed for providing services for children from birth
11 11 through five years of age and provide other information
11 12 specified by the Iowa empowerment board. The amendment may
11 13 also provide for changes in the programs and services provided
11 14 under the plan. The Iowa empowerment board shall establish a
11 15 submission deadline for the plan amendment that allows a
11 16 reasonable period of time for preparation of the plan
11 17 amendment and for review and approval or request for
11 18 modification of the plan amendment by the Iowa empowerment
11 19 board. In addition, the community empowerment board must
11 20 continue to comply with reporting provisions and other
11 21 requirements adopted by the Iowa empowerment board in
11 22 implementing section 28.8.
11 23 d. Of the amount appropriated in this subsection for
11 24 deposit in the school ready children grants account of the
11 25 Iowa empowerment fund that is used for distribution to areas,
11 26 \$4,650,000 shall be used to assist low-income parents with
11 27 preschool tuition.
11 28 e. Of the amount appropriated in this subsection for
11 29 deposit in the school ready children grants account of the
11 30 Iowa empowerment fund that is used for distribution to areas,
11 31 \$1,000,000 shall be used to collaborate with area education
11 32 agencies and community colleges to provide both child care and
11 33 preschool providers with ready access to high-quality
11 34 professional development.
11 35 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
12 1 To provide funds for costs of providing textbooks to each
12 2 resident pupil who attends a nonpublic school as authorized by
12 3 section 301.1. The funding is limited to \$20 per pupil and
12 4 shall not exceed the comparable services offered to resident
12 5 public school pupils:
12 6 \$ 614,058
12 7 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM
12 8 For purposes, as provided in law, of the student
12 9 achievement and teacher quality program established pursuant
12 10 to chapter 284:
12 11 \$ 69,593,894
12 12 13. COMMUNITY COLLEGES
12 13 For general state financial aid to merged areas as defined
12 14 in section 260C.2 in accordance with chapters 258 and 260C:

12 15	.....	\$149,579,244
12 16	The funds appropriated in this subsection shall be	
12 17	allocated as provided under section 260C.18C, as enacted by	
12 18	this Act, as follows:	
12 19	a. Merged Area I	\$ 7,235,394
12 20	b. Merged Area II	\$ 8,293,881
12 21	c. Merged Area III	\$ 7,673,998
12 22	d. Merged Area IV	\$ 3,764,072
12 23	e. Merged Area V	\$ 8,129,369
12 24	f. Merged Area VI	\$ 7,299,114
12 25	g. Merged Area VII	\$ 10,652,239
12 26	h. Merged Area IX	\$ 13,139,157
12 27	i. Merged Area X	\$ 21,321,279
12 28	j. Merged Area XI	\$ 22,050,079
12 29	k. Merged Area XII	\$ 8,684,671
12 30	l. Merged Area XIII	\$ 8,819,900
12 31	m. Merged Area XIV	\$ 3,810,283
12 32	n. Merged Area XV	\$ 11,972,648
12 33	o. Merged Area XVI	\$ 6,733,160

12 34 Sec. 7. STATEWIDE TEACHER INTERN PROGRAM == FEDERAL GRANT
12 35 APPLICATION COORDINATION.

13 1 The department shall work cooperatively with the state
13 2 board of regents and other appropriate eligible grantees to
13 3 obtain any available federal funding, including grants that
13 4 may be available for the establishment and operation of a
13 5 teacher intern program.

13 6 Sec. 8. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.

13 7 Notwithstanding section 272.10, for the fiscal year
13 8 beginning July 1, 2005, and ending June 30, 2006, the
13 9 executive director of the board of educational examiners shall
13 10 deposit at least 27 percent of the fees collected annually
13 11 with the treasurer of state which shall be credited to the
13 12 general fund of the state. The remaining licensing fees
13 13 collected during the fiscal year beginning July 1, 2005, and
13 14 retained are appropriated to the board for the purposes
13 15 related to the board's duties. Notwithstanding section 8.33,
13 16 licensing fees retained by and appropriated to the board
13 17 pursuant to this section that remain unencumbered or
13 18 unobligated at the close of the fiscal year in an amount of
13 19 not more than 10 percent of the total licensing fees collected
13 20 by the board by the close of the fiscal year shall not revert
13 21 but shall remain available for expenditure for the purposes
13 22 designated until the close of the succeeding fiscal year.

13 23 Sec. 9. EDUCATOR LICENSING REVIEW WORKING GROUP.

13 24 1. The board of educational examiners, in consultation
13 25 with the department of education, shall convene a working
13 26 group whose work shall be conducted over a three-year period
13 27 to identify and recommend measures to improve Iowa's current
13 28 teacher and administrator preparation and licensing practices.
13 29 The working group shall review the current teacher and
13 30 administrator preparation and licensing processes to identify
13 31 essential standards to maintain quality preparation and
13 32 licensing requirements for teachers and administrators. The
13 33 review shall also do the following:

- 13 34 a. Identify state laws and agency rules that are no longer
13 35 essential to maintain quality.
- 14 1 b. Compare Iowa's teacher and administrator preparation
14 2 and licensing practices with those of neighboring states, and
14 3 identify those areas where Iowa's practices differ from, or
14 4 are consistent with, the practices of the states neighboring
14 5 Iowa.
- 14 6 c. Identify potential barriers preventing teacher and
14 7 administrator candidates from neighboring states from applying
14 8 for licensure in Iowa.
- 14 9 d. Review federal laws and regulations relating to
14 10 teachers and teacher licensure in order to ensure compliance
14 11 with federal laws and regulations, especially those relating
14 12 to highly qualified teachers.

14 13 2. The working group shall consist of teachers,
14 14 administrators, and representatives of the department of
14 15 education, the state board of education, the board of
14 16 educational examiners, and practitioner preparation
14 17 institutions.

14 18 3. The working group shall annually submit its findings
14 19 and recommendations to the chairpersons and ranking members of
14 20 the senate and house standing education committees and the
14 21 joint appropriations subcommittee on education by January 15.

14 22 Sec. 10. MINIMUM TEACHER SALARY REQUIREMENTS == FY 2005=
14 23 2006.

14 24 1. Notwithstanding section 284.7, subsection 1, paragraph
14 25 "a", subparagraph (2), the minimum teacher salary paid by a

14 26 school district or area education agency for purposes of
14 27 teacher compensation in accordance with chapter 284, for the
14 28 fiscal year beginning July 1, 2005, and ending June 30, 2006,
14 29 shall be the minimum salary amount the school district or area
14 30 education agency paid to a first-year beginning teacher or,
14 31 the minimum salary amount the school district or area
14 32 education agency would have paid a first-year beginning
14 33 teacher if the school district or area education agency had
14 34 participated in the program in the 2001=2002 school year, in
14 35 accordance with section 284.7, subsection 1, Code Supplement
15 1 2001. If the school district or area education agency did not
15 2 employ a first-year beginning teacher in the 2001=2002 school
15 3 year, the minimum salary is the amount that the district would
15 4 have paid a first-year beginning teacher under chapter 284 in
15 5 the 2001=2002 school year.

15 6 2. Notwithstanding section 284.7, subsection 1, paragraph
15 7 "b", subparagraph (2), the minimum career teacher salary paid
15 8 to a career teacher who was a beginning teacher in the 2004=
15 9 2005 school year, by a school district or area education
15 10 agency participating in the student achievement and teacher
15 11 quality program, for the school year beginning July 1, 2005,
15 12 and ending June 30, 2006, shall be, unless the school district
15 13 has a minimum career teacher salary that exceeds thirty
15 14 thousand dollars, one thousand dollars greater than the
15 15 minimum salary amount the school district or area education
15 16 agency paid to a first-year beginning teacher if the school
15 17 district or area education agency participated in the program
15 18 during the 2001=2002 school year, or the minimum salary amount
15 19 the school district or area education agency would have paid a
15 20 first-year beginning teacher if the school district or area
15 21 education agency had participated in the program in the 2001=
15 22 2002 school year, in accordance with section 284.7, subsection
15 23 1, Code Supplement 2001.

15 24 3. Notwithstanding section 284.7, subsection 1, paragraph
15 25 "b", subparagraph (2), and except as provided in subsection 2,
15 26 the minimum career teacher salary paid by a school district or
15 27 area education agency participating in the student achievement
15 28 and teacher quality program, for purposes of teacher
15 29 compensation in accordance with chapter 284, for the school
15 30 year beginning July 1, 2005, and ending June 30, 2006, shall
15 31 be the minimum salary amount the school district or area
15 32 education agency paid to a career teacher if the school
15 33 district or area education agency participated in the program
15 34 during the 2001=2002 school year, or, the minimum salary
15 35 amount the school district or area education agency would have
16 1 paid a career teacher if the school district or area education
16 2 agency had participated in the program in the 2001=2002 school
16 3 year, in accordance with section 284.7, subsection 1, Code
16 4 Supplement 2001.

16 5 Sec. 11. TRANSFER OF TECHNOLOGY PURCHASED FOR ACCREDITED
16 6 NONPUBLIC SCHOOL STUDENTS. In the event that an accredited
16 7 nonpublic school physically relocates to another school
16 8 district, technology purchased prior to July 1, 2005, by a
16 9 school district with state funds appropriated for purposes of
16 10 making technology available to pupils attending the accredited
16 11 nonpublic school shall be transferred to the school district
16 12 in which the nonpublic school has relocated and may be made
16 13 available to the nonpublic school.

16 14 STATE BOARD OF REGENTS

16 15 Sec. 12. There is appropriated from the general fund of
16 16 the state to the state board of regents for the fiscal year
16 17 beginning July 1, 2005, and ending June 30, 2006, the
16 18 following amounts, or so much thereof as may be necessary, to
16 19 be used for the purposes designated:

16 20 1. OFFICE OF STATE BOARD OF REGENTS

16 21 a. For salaries, support, maintenance, miscellaneous
16 22 purposes, and for not more than the following full-time
16 23 equivalent positions:

16 24 \$ 1,167,137
16 25 FTEs 16.00

16 26 The state board of regents, the department of management,
16 27 and the legislative services agency shall cooperate to
16 28 determine and agree upon, by November 15, 2005, the amount
16 29 that needs to be appropriated for tuition replacement for the
16 30 fiscal year beginning July 1, 2006.

16 31 The state board of regents shall submit a monthly financial
16 32 report in a format agreed upon by the state board of regents
16 33 office and the legislative services agency.

16 34 b. For allocation by the state board of regents to the
16 35 state university of Iowa, the Iowa state university of science
17 1 and technology, and the university of northern Iowa to

17 2 reimburse the institutions for deficiencies in their operating
17 3 funds resulting from the pledging of tuitions, student fees
17 4 and charges, and institutional income to finance the cost of
17 5 providing academic and administrative buildings and facilities
17 6 and utility services at the institutions:
17 7 \$ 13,975,431
17 8 Notwithstanding section 8.33, funds appropriated for the
17 9 purposes in this lettered paragraph remaining unencumbered or
17 10 unobligated at the end of the fiscal year shall not revert but
17 11 shall be available for expenditure for the purposes specified
17 12 in this lettered paragraph during the subsequent fiscal year.
17 13 c. For funds to be allocated to the southwest Iowa
17 14 graduate studies center:
17 15 \$ 105,956
17 16 d. For funds to be allocated to the siouxland interstate
17 17 metropolitan planning council for the tristate graduate center
17 18 under section 262.9, subsection 21:
17 19 \$ 77,941
17 20 e. For funds to be allocated to the quad-cities graduate
17 21 studies center:
17 22 \$ 157,144
17 23 f. For funds for regents universities' general operating
17 24 budgets:
17 25 \$ 14,969,288
17 26 The funds appropriated for purposes of this lettered
17 27 paragraph are subject to the following allocations and
17 28 requirements:
17 29 (1) The partnership for transformation and excellence is a
17 30 four-year partnership plan created by the state board of
17 31 regents for the purpose of enhancing the regents' strategic
17 32 priorities for educational quality and public accountability.
17 33 Under the plan, Iowa students and families will be subject to
17 34 moderate student tuition increases, and a clear and concise
17 35 reallocation plan that may be audited will exist to strengthen
18 1 the academic focus at the regents universities. The
18 2 reallocation plan will enhance the quality of the regents
18 3 universities and provide both an incentive and an opportunity
18 4 for university-wide reprioritization and reallocation of
18 5 resources to the most important strategic areas.
18 6 (2) The funds shall be distributed by the board as
18 7 outlined in the state board of regents partnership for
18 8 transformation and excellence. The funds may be used for any
18 9 of the following purposes:
18 10 (a) Supporting new strategic initiatives.
18 11 (b) Meeting enrollment increases.
18 12 (c) Meeting the demand for new courses and services.
18 13 (d) Funding new but unavoidable or mandated cost
18 14 increases.
18 15 (e) Supporting any other initiatives important to the core
18 16 functions of the university.
18 17 The funds may also be used for pay adjustments, expense
18 18 reimbursements, and related benefits for state board of
18 19 regents employees covered by a collective bargaining agreement
18 20 and for state board of regents employees not covered by a
18 21 collective bargaining agreement. The board shall provide from
18 22 other available sources any additional funding needed for such
18 23 pay adjustments, expense reimbursements, and related benefits.
18 24 (3) The state board of regents shall annually set a target
18 25 dollar amount or percentage figure of expected reallocation of
18 26 resources for each university. The universities shall report
18 27 to the board on a semiannual basis regarding the actions taken
18 28 relating to the reallocations. Once funds have been
18 29 reallocated, that amount shall not be redirected to the
18 30 original entity or purpose unless extraordinary circumstances
18 31 exist and an equivalent reallocation amount is increased for
18 32 the same fiscal year. A reallocation of resources may be made
18 33 for any of the following purposes:
18 34 (a) Supporting new strategic initiatives.
18 35 (b) Meeting enrollment increases.
19 1 (c) Meeting the demand for new courses and services.
19 2 (d) Funding new but unavoidable or mandated cost
19 3 increases.
19 4 (e) Supporting any other initiatives important to the core
19 5 functions of the university.
19 6 (4) For the purposes of this lettered paragraph:
19 7 (a) "Entity" means a president, vice president, or a
19 8 college, academic or nonacademic department, division,
19 9 program, or other unit.
19 10 (b) "Reallocation of resources" means funds within the
19 11 base budget of a university entity are removed by the
19 12 administrator of that entity and redirected to another

19 13 university entity or purpose.

19 14 (5) The state university of Iowa, the Iowa state
19 15 university of science and technology, and the university of
19 16 northern Iowa shall each generate matching internal
19 17 reallocations in an amount equal to 50 percent of the amounts
19 18 received by the universities pursuant to this lettered
19 19 paragraph.

19 20 (6) From the moneys allocated to the Iowa state university
19 21 of science and technology pursuant to this lettered paragraph,
19 22 an amount equal to \$127,000 shall be distributed to the
19 23 college of veterinary medicine to reduce the operating fees
19 24 charged by the veterinary diagnostic laboratory. If Iowa
19 25 state university of science and technology fails to distribute
19 26 funds to the college of veterinary science in accordance with
19 27 this paragraph, the moneys shall revert to the general fund of
19 28 the state. The Iowa state university of science and
19 29 technology shall prepare a report on the operation of the
19 30 veterinary diagnostic laboratory which shall include, but
19 31 shall not be limited to, the following information:

19 32 (a) The current business structure of the veterinary
19 33 diagnostic laboratory, along with a comparison to business
19 34 structures of similar laboratories at other institutions of
19 35 higher learning.

20 1 (b) Recent trends in fees for services charged by the
20 2 veterinary diagnostic laboratory and by similar laboratories
20 3 at other institutions of higher learning.

20 4 (c) The use of other funding sources, including state
20 5 general fund appropriations for the veterinary diagnostic
20 6 laboratory and a comparison to funding sources at similar
20 7 laboratories at other institutions of higher learning.

20 8 (d) Recommendations for changes in the business structure
20 9 and methods of funding for the veterinary diagnostic
20 10 laboratory.

20 11 The report shall be submitted to the governor and the
20 12 general assembly not later than October 1, 2005.

20 13 g. For funds to be distributed to the midwestern higher
20 14 education compact to pay Iowa's member state annual
20 15 obligation:

20 16 \$ 90,000

20 17 2. STATE UNIVERSITY OF IOWA

20 18 a. General university, including lakeside laboratory

20 19 For salaries, support, maintenance, equipment,
20 20 miscellaneous purposes, and for not more than the following
20 21 full-time equivalent positions:

20 22 \$220,131,572

20 23 FTEs 5,058.55

20 24 It is the intent of the general assembly that the
20 25 university continue progress on the school of public health
20 26 and the public health initiative for the purposes of
20 27 establishing an accredited school of public health and for
20 28 funding an initiative for the health and independence of
20 29 elderly Iowans.

20 30 b. University hospitals

20 31 For salaries, support, maintenance, equipment, and
20 32 miscellaneous purposes and for medical and surgical treatment
20 33 of indigent patients as provided in chapter 255, for medical
20 34 education, and for not more than the following full-time
20 35 equivalent positions:

21 1 \$ 27,284,584

21 2 FTEs 6,877.34

21 3 (1) The university of Iowa hospitals and clinics shall,
21 4 within the context of chapter 255 and when medically
21 5 appropriate, make reasonable efforts to extend the university
21 6 of Iowa hospitals and clinics' use of home telemedicine and
21 7 other technologies to reduce the frequency of visits to the
21 8 hospital required by the indigent patients.

21 9 (2) The university of Iowa hospitals and clinics shall
21 10 submit quarterly a report regarding the portion of the
21 11 appropriation in this lettered paragraph expended on medical
21 12 education. The report shall be submitted in a format jointly
21 13 developed by the university of Iowa hospitals and clinics, the
21 14 legislative services agency, and the department of management,
21 15 and shall delineate the expenditures and purposes of the
21 16 funds.

21 17 (3) Funds appropriated in this lettered paragraph shall
21 18 not be used to perform abortions except medically necessary
21 19 abortions, and shall not be used to operate the early
21 20 termination of pregnancy clinic except for the performance of
21 21 medically necessary abortions. For the purpose of this
21 22 lettered paragraph, an abortion is the purposeful interruption
21 23 of pregnancy with the intention other than to produce a live=

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

23	35	..... FTEs	1.00
24	1	k. Center for biocatalysis	
24	2	For the center for biocatalysis, and for not more than the	
24	3	following full-time equivalent positions:	
24	4	..... \$	881,384
24	5	..... FTEs	6.28
24	6	l. Primary health care initiative	
24	7	For the primary health care initiative in the college of	
24	8	medicine and for not more than the following full-time	
24	9	equivalent positions:	
24	10	..... \$	759,875
24	11	..... FTEs	5.89
24	12	From the funds appropriated in this lettered paragraph,	
24	13	\$330,000 shall be allocated to the department of family	
24	14	practice at the state university of Iowa college of medicine	
24	15	for family practice faculty and support staff.	
24	16	m. Birth defects registry	
24	17	For the birth defects registry and for not more than the	
24	18	following full-time equivalent position:	
24	19	..... \$	44,636
24	20	..... FTEs	1.00
24	21	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY	
24	22	a. General university	
24	23	For salaries, support, maintenance, equipment,	
24	24	miscellaneous purposes, and for not more than the following	
24	25	full-time equivalent positions:	
24	26	..... \$	173,269,729
24	27	..... FTEs	3,647.42
24	28	It is the intent of the general assembly that the	
24	29	university continue progress on the center for excellence in	
24	30	fundamental plant sciences.	
24	31	b. Agricultural experiment station	
24	32	For salaries, support, maintenance, miscellaneous purposes,	
24	33	and for not more than the following full-time equivalent	
24	34	positions:	
24	35	..... \$	31,019,520
25	1	..... FTEs	546.98
25	2	c. Cooperative extension service in agriculture and home	
25	3	economics	
25	4	For salaries, support, maintenance, miscellaneous purposes,	
25	5	and for not more than the following full-time equivalent	
25	6	positions:	
25	7	..... \$	19,738,432
25	8	..... FTEs	383.34
25	9	d. Leopold center	
25	10	For agricultural research grants at Iowa state university	
25	11	under section 266.39B, and for not more than the following	
25	12	full-time equivalent positions:	
25	13	..... \$	464,319
25	14	..... FTEs	11.25
25	15	e. Livestock disease research	
25	16	For deposit in and the use of the livestock disease	
25	17	research fund under section 267.8:	
25	18	..... \$	220,708
25	19	4. UNIVERSITY OF NORTHERN IOWA	
25	20	a. General university	
25	21	For salaries, support, maintenance, equipment,	
25	22	miscellaneous purposes, and for not more than the following	
25	23	full-time equivalent positions:	
25	24	..... \$	77,831,821
25	25	..... FTEs	1,398.01
25	26	It is the intent of the general assembly that the	
25	27	university continue to allocate funds for a masters in social	
25	28	work program, the roadside vegetation project, and the Iowa	
25	29	office for staff development.	
25	30	b. Recycling and reuse center	
25	31	For purposes of the recycling and reuse center, and for not	
25	32	more than the following full-time equivalent positions:	
25	33	..... \$	211,858
25	34	..... FTEs	3.00
25	35	5. STATE SCHOOL FOR THE DEAF	
26	1	For salaries, support, maintenance, miscellaneous purposes,	
26	2	and for not more than the following full-time equivalent	
26	3	positions:	
26	4	..... \$	8,810,471
26	5	..... FTEs	126.60
26	6	6. IOWA BRAILLE AND SIGHT SAVING SCHOOL	
26	7	For salaries, support, maintenance, miscellaneous purposes,	
26	8	and for not more than the following full-time equivalent	
26	9	positions:	
26	10	..... \$	4,930,295

26 11 FTEs 81.00
26 12 7. TUITION AND TRANSPORTATION COSTS
26 13 For payment to local school boards for the tuition and
26 14 transportation costs of students residing in the Iowa braille
26 15 and sight saving school and the state school for the deaf
26 16 pursuant to section 262.43 and for payment of certain
26 17 clothing, prescription, and transportation costs for students
26 18 at these schools pursuant to section 270.5:
26 19 \$ 15,020
26 20 Sec. 13. INSTITUTE FOR TOMORROW'S WORKFORCE. There is
26 21 appropriated from the general fund of the state to the
26 22 department of management for allocation to the institute for
26 23 tomorrow's workforce created under chapter 7K, if enacted by
26 24 this Act, for the fiscal year beginning July 1, 2005, and
26 25 ending June 30, 2006, the following amount, or so much thereof
26 26 as is necessary, to be used for the purposes designated:
26 27 For the activities of the institute created pursuant to
26 28 section 7K.1, and subject to the matching fund requirement of
26 29 that section, if enacted:
26 30 \$ 250,000
26 31 Sec. 14. MEDICAL ASSISTANCE == SUPPLEMENTAL AMOUNTS. For
26 32 the fiscal year beginning July 1, 2005, and ending June 30,
26 33 2006, the department of human services shall continue the
26 34 supplemental disproportionate share and a supplemental
26 35 indirect medical education adjustment applicable to state=
27 1 owned acute care hospitals with more than 500 beds and shall
27 2 reimburse qualifying hospitals pursuant to that adjustment
27 3 with a supplemental amount for services provided medical
27 4 assistance recipients. The adjustment shall generate
27 5 supplemental payments intended to equal the state
27 6 appropriation made to a qualifying hospital for treatment of
27 7 indigent patients as provided in chapter 255. To the extent
27 8 of the supplemental payments, a qualifying hospital shall,
27 9 after receipt of the funds, transfer to the department of
27 10 human services an amount equal to the actual supplemental
27 11 payments that were made in that month. The aggregate amounts
27 12 for the fiscal year shall not exceed the state appropriation
27 13 made to the qualifying hospital for treatment of indigent
27 14 patients as provided in chapter 255. The department of human
27 15 services shall deposit these funds in the department's medical
27 16 assistance account. To the extent that state funds
27 17 appropriated to a qualifying hospital for the treatment of
27 18 indigent patients as provided in chapter 255 have been
27 19 transferred to the department of human services as a result of
27 20 these supplemental payments made to the qualifying hospital,
27 21 the department shall not, directly or indirectly, recoup the
27 22 supplemental payments made to a qualifying hospital for any
27 23 reason, unless an equivalent amount of the funds transferred
27 24 to the department of human services by a qualifying hospital
27 25 pursuant to this provision is transferred to the qualifying
27 26 hospital by the department.
27 27 If the state supplemental amount allotted to the state of
27 28 Iowa for the federal fiscal year beginning October 1, 2005,
27 29 and ending September 30, 2006, pursuant to section 1923(f)(3)
27 30 of the federal Social Security Act, as amended, or pursuant to
27 31 federal payments for indirect medical education is greater
27 32 than the amount necessary to fund the federal share of the
27 33 supplemental payments specified in the preceding paragraph,
27 34 the department of human services shall increase the
27 35 supplemental disproportionate share or supplemental indirect
28 1 medical education adjustment by the lesser of the amount
28 2 necessary to utilize fully the state supplemental amount or
28 3 the amount of state funds appropriated to the state university
28 4 of Iowa general education fund and allocated to the university
28 5 for the college of medicine. The state university of Iowa
28 6 shall transfer from the allocation for the college of medicine
28 7 to the department of human services, on a monthly basis, an
28 8 amount equal to the additional supplemental payments made
28 9 during the previous month pursuant to this paragraph. A
28 10 qualifying hospital receiving supplemental payments pursuant
28 11 to this paragraph that are greater than the state
28 12 appropriation made to the qualifying hospital for treatment of
28 13 indigent patients as provided in chapter 255 shall be
28 14 obligated as a condition of its participation in the medical
28 15 assistance program to transfer to the state university of Iowa
28 16 general education fund on a monthly basis an amount equal to
28 17 the funds transferred by the state university of Iowa to the
28 18 department of human services. To the extent that state funds
28 19 appropriated to the state university of Iowa and allocated to
28 20 the college of medicine have been transferred to the
28 21 department of human services as a result of these supplemental

28 22 payments made to the qualifying hospital, the department shall
28 23 not, directly or indirectly, recoup these supplemental
28 24 payments made to a qualifying hospital for any reason, unless
28 25 an equivalent amount of the funds transferred to the
28 26 department of human services by the state university of Iowa
28 27 pursuant to this paragraph is transferred to the qualifying
28 28 hospital by the department.

28 29 Continuation of the supplemental disproportionate share and
28 30 supplemental indirect medical education adjustment shall
28 31 preserve the funds available to the university hospital for
28 32 medical and surgical treatment of indigent patients as
28 33 provided in chapter 255 and to the state university of Iowa
28 34 for educational purposes at the same level as provided by the
28 35 state funds initially appropriated for that purpose.

29 1 The department of human services shall, in any compilation
29 2 of data or other report distributed to the public concerning
29 3 payments to providers under the medical assistance program,
29 4 set forth reimbursements to a qualifying hospital through the
29 5 supplemental disproportionate share and supplemental indirect
29 6 medical education adjustment as a separate item and shall not
29 7 include such payments in the amounts otherwise reported as the
29 8 reimbursement to a qualifying hospital for services to medical
29 9 assistance recipients.

29 10 For purposes of this section, "supplemental payment" means
29 11 a supplemental payment amount paid for medical assistance to a
29 12 hospital qualifying for that payment under this section.

29 13 Sec. 15. For the fiscal year beginning July 1, 2005, and
29 14 ending June 30, 2006, the state board of regents may use
29 15 notes, bonds, or other evidences of indebtedness issued under
29 16 section 262.48 to finance projects that will result in energy
29 17 cost savings in an amount that will cause the state board to
29 18 recover the cost of the projects within an average of six
29 19 years.

29 20 Sec. 16. Notwithstanding section 270.7, the department of
29 21 administrative services shall pay the state school for the
29 22 deaf and the Iowa braille and sight saving school the moneys
29 23 collected from the counties during the fiscal year beginning
29 24 July 1, 2005, for expenses relating to prescription drug costs
29 25 for students attending the state school for the deaf and the
29 26 Iowa braille and sight saving school.

29 27 Sec. 17. NEW SECTION. 7K.1 INSTITUTE FOR TOMORROW'S
29 28 WORKFORCE.

29 29 1. FINDINGS. The general assembly finds that Iowa's
29 30 children are this state's greatest asset and to improve the
29 31 future for Iowa's children, it is necessary to focus
29 32 elementary, secondary, and postsecondary education efforts on
29 33 what children need to know to be successful students and
29 34 successful participants in Iowa's global workforce. Iowa's
29 35 state community and business leaders are at the forefront of
30 1 this ongoing conversation. The general assembly further finds
30 2 that the creation of an institute for tomorrow's workforce
30 3 provides a long-term forum for bold, innovative
30 4 recommendations to improve Iowa's education system to meet the
30 5 workforce needs of Iowa's new economy.

30 6 2. FOUNDATION CREATED == DUTIES. There is created a
30 7 public body corporate and politic to be known as the
30 8 "institute for tomorrow's workforce, an educational
30 9 foundation". The foundation is an independent nonprofit
30 10 quasi-public instrumentality and the exercise of the powers
30 11 granted to the foundation as a corporation in this chapter is
30 12 an essential government function. As used in this chapter,
30 13 "foundation" means the "institute for tomorrow's workforce, an
30 14 educational foundation". The foundation shall, at a minimum,
30 15 do the following:

30 16 a. Review educational standards to determine relevance and
30 17 rigor necessary for continuous improvement in student
30 18 achievement and meeting workforce needs.

30 19 b. Identify jobs skills and corresponding high school
30 20 coursework necessary to achieve success in the Iowa workforce.

30 21 c. Review the state's education accountability measures,
30 22 including but not limited to student proficiency and
30 23 individual and organization program accountability.

30 24 d. Identify state and local barriers to improved student
30 25 achievement and student success as well as barriers to sharing
30 26 among and within all areas of Iowa's education system.

30 27 e. Identify effective education structure and delivery
30 28 models that promote optimum student achievement opportunities
30 29 for all Iowa students that include, but are not limited to,
30 30 the role of technology.

30 31 f. Serve as a clearinghouse for existing and emerging
30 32 innovative educational sharing and collaborative efforts among

30 33 and between Iowa's secondary education system as well as
30 34 Iowa's postsecondary education system.

30 35 g. Promote partnerships between private sector business
31 1 and all areas of Iowa's education system.

31 2 h. Promote partnerships between other Iowa governance
31 3 structures including, but not limited to, cities and counties,
31 4 and all areas of Iowa's education system.

31 5 i. Identify ways to reduce the achievement gap between
31 6 white and non-white, non-Asian students.

31 7 j. The board of directors of the foundation, within the
31 8 limits of the funds available to the foundation, shall do the
31 9 following:

31 10 (1) Employ an executive director to direct the activities
31 11 of the foundation.

31 12 (2) Execute contracts with public and private agencies to
31 13 conduct research and development activities.

31 14 (3) Perform functions necessary to carry out the purposes
31 15 of the foundation.

31 16 3. MEMBERSHIP. The board of directors of the foundation
31 17 shall consist of fifteen members serving staggered three-year
31 18 terms beginning on May 1 of the year of appointment who shall
31 19 be appointed as follows:

31 20 a. Five members shall be appointed by the governor as
31 21 follows:

31 22 (1) A school district superintendent from a school
31 23 district with enrollment of one thousand one hundred forty=
31 24 nine or fewer pupils.

31 25 (2) An individual representing an Iowa business employing
31 26 more than two hundred fifty employees.

31 27 (3) A community college president.

31 28 (4) An individual representing labor and workforce
31 29 interests.

31 30 (5) An individual representing an Iowa agriculture
31 31 association.

31 32 b. Five members shall be appointed by the speaker of the
31 33 house of representatives as follows:

31 34 (1) An individual representing the area education
31 35 agencies.

32 1 (2) The president of an accredited private institution as
32 2 defined in section 261.9.

32 3 (3) An individual representing an Iowa business employing
32 4 more than fifty employees but not more than two hundred fifty
32 5 employees.

32 6 (4) An individual representing urban economic development
32 7 interests.

32 8 (5) An individual from an association representing Iowa
32 9 businesses.

32 10 c. Five members shall be appointed by the president of the
32 11 senate as follows:

32 12 (1) A school district superintendent from a school
32 13 district with an enrollment of more than one thousand one
32 14 hundred forty-nine pupils.

32 15 (2) A president of an institution of higher education
32 16 under the control of the state board of regents.

32 17 (3) An individual representing an Iowa business employing
32 18 fifty or fewer employees.

32 19 (4) An individual representing rural economic development
32 20 interests.

32 21 (5) An individual representing a business that established
32 22 itself in Iowa on or after July 1, 1999.

32 23 Members, except as provided in paragraph "c", subparagraph
32 24 (2), shall not be employed by the state. One co-chairperson
32 25 shall be appointed by the speaker of the house of
32 26 representatives and one co-chairperson shall be appointed by
32 27 the president of the senate.

32 28 4. MATCHING FUNDS REQUIREMENT. Moneys appropriated by the
32 29 general assembly for purposes of the foundation shall be
32 30 allocated only to the extent that the state moneys are matched
32 31 from other sources by the foundation on a dollar-for-dollar
32 32 basis.

32 33 5. REPORTING REQUIREMENTS. The foundation shall submit
32 34 its findings and recommendations by January 15 annually in a
32 35 report to the governor, the speaker of the house of
33 1 representatives, the president of the senate, the state board
33 2 of education, the state board of regents, the department of
33 3 workforce development, the department of economic development,
33 4 the Iowa association of community college trustees, the
33 5 college student aid commission, the Iowa association of
33 6 independent colleges and universities, and associations
33 7 representing school boards, nonpublic schools, area education
33 8 agencies, and teachers. The report shall include an

33 9 accounting of the revenues and expenditures of the foundation.
33 10 6. This chapter is repealed effective July 1, 2015.
33 11 Sec. 18. Section 256.9, Code 2005, is amended by adding
33 12 the following new subsection:
33 13 NEW SUBSECTION. 53. Develop and make available to school
33 14 districts, examples of age-appropriate materials and lists of
33 15 resources which parents may use to teach their children to
33 16 recognize unwanted physical and verbal sexual advances, to not
33 17 make unwanted physical and verbal sexual advances, to
33 18 effectively reject unwanted sexual advances, that it is wrong
33 19 to take advantage of or exploit another person, and about
33 20 counseling, medical, and legal resources available to
33 21 survivors of sexual abuse and sexual assault, including
33 22 resources for escaping violent relationships. The materials
33 23 and resources shall cover verbal, physical, and visual sexual
33 24 harassment, including nonconsensual sexual advances, and
33 25 nonconsensual physical sexual contact. In developing the
33 26 materials and resource list, the director shall consult with
33 27 entities that shall include, but not be limited to, the
33 28 departments of human services, public health, and public
33 29 safety, education stakeholders, and parent-teacher
33 30 organizations. School districts shall provide age-appropriate
33 31 materials and a list of available community and web-based
33 32 resources to parents at registration and shall also include
33 33 the age-appropriate materials and resource list in the student
33 34 handbook. School districts are encouraged to work with their
33 35 communities to provide voluntary parent education sessions to
34 1 provide parents with the skills and appropriate strategies to
34 2 teach their children as described in this subsection. School
34 3 districts shall incorporate the age-appropriate materials
34 4 into relevant curricula and shall reinforce the importance of
34 5 preventive measures when reasonable with parents and students.
34 6 Sec. 19. NEW SECTION. 256.24 VALUE-ADDED ASSESSMENT

34 7 SYSTEM.
34 8 1. A value-added assessment system shall be established by
34 9 the department to provide for multivariate longitudinal
34 10 analysis of annual student test scores to determine the
34 11 influence of a school district's educational program on
34 12 student academic growth and to guide school district
34 13 improvement efforts. The department shall select a value=
34 14 added assessment system provider through a request for
34 15 proposals process. The system provider selected by the
34 16 department shall offer a value-added assessment system to
34 17 calculate annually the academic growth of each student
34 18 enrolled in grade levels three through eleven and tested in
34 19 accordance with this section, and shall, at a minimum, meet
34 20 all of the following criteria:

34 21 a. Use a mixed-model statistical analysis that has the
34 22 ability to use all achievement test data for each student,
34 23 including the data for students with missing test scores, that
34 24 does not adjust downward expectations for student progress
34 25 based on race, poverty, or gender, and that will provide the
34 26 best linear unbiased predictions of school or other
34 27 educational entity effects to minimize the impact of
34 28 fortuitous accumulation of random errors.

34 29 b. Have the ability to work with test data from a variety
34 30 of sources, including data that are not vertically scaled, and
34 31 to provide support for school districts utilizing the system.

34 32 c. Have the capacity to receive and report results
34 33 electronically and provide support for districts utilizing the
34 34 system.

34 35 d. Have the ability to create for each school district a
35 1 chart that reports grade-equivalent scores for grades three
35 2 through eight and gains between consecutive pairs of grades
35 3 for each attendance center and that provides for a district=
35 4 wide study of grade-equivalent scores.

35 5 2. Annually, each school district that administers the
35 6 Iowa test of basic skills or the Iowa test of educational
35 7 development shall, within thirty days of receiving the test
35 8 scores from the American college testing program, inc., submit
35 9 the test scores for each attendance center within the school
35 10 district and each grade level tested, from grades three
35 11 through eleven, to the system provider selected pursuant to
35 12 subsection 1. School districts may submit additional
35 13 assessment data for analysis and inclusion in reports provided
35 14 to school districts pursuant to subsection 3, to the extent
35 15 that the assessment meets the criteria for valid academic
35 16 progress interpretation specified by the system provider.

35 17 3. The system provider shall provide analysis to school
35 18 districts submitting test scores pursuant to subsection 2, and
35 19 to the department of education. The analysis shall include,

35 20 but not be limited to, attendance=center=level test results
35 21 for the Iowa test of basic skills in the areas of reading and
35 22 mathematics and other core academic areas when possible. The
35 23 analysis shall also include, but not be limited to, the number
35 24 of students tested, the number of test results used to compute
35 25 the averages, the average standard score, the corresponding
35 26 grade equivalent score, the average stanine score for the
35 27 group, the normal curve equivalent of average standard scores,
35 28 and percentile ranks based on student norms, as well as
35 29 measures of student progress. The system provider shall
35 30 create a chart for each school district in accordance with the
35 31 criteria set forth in subsection 1, paragraphs "a" through
35 32 "d".

35 33 4. Each school district shall have complete access to and
35 34 full utilization of its own value-added assessment reports and
35 35 charts generated by the system provider at the student level
36 1 for the purpose of measuring student achievement at different
36 2 educational entity levels.

36 3 5. Student academic growth determined pursuant to this
36 4 section shall not be used in teacher evaluation and shall not
36 5 be published if individual teacher effects can be surmised.

36 6 6. Information about student academic growth may be used
36 7 by the school district, including school board members,
36 8 administration, and staff, for defining student and district
36 9 learning goals and professional development related to student
36 10 learning goals across the school district. A school district
36 11 may submit its academic growth measures in the annual report
36 12 submitted pursuant to section 256.7, subsection 21, and may
36 13 reference in the report state level norms for purposes of
36 14 demonstrating school district performance. However, unless a
36 15 school district chooses to submit its academic measures in the
36 16 annual report submitted pursuant to section 256.7, such
36 17 measures are not public records for the purposes of chapter
36 18 22.

36 19 7. The department may use student academic progress data
36 20 to determine school improvement and technical assistance needs
36 21 of school districts, and to identify school districts
36 22 achieving exceptional gains. Beginning January 15, 2006, and
36 23 by January 15 of each succeeding year, the department shall
36 24 submit an annual progress report regarding the use of student
36 25 academic growth information in the school improvement
36 26 processes to the house and senate education committees and
36 27 shall publish the progress report on its internet web site.

36 28 8. The department is encouraged to advocate that the
36 29 United States department of education allow reporting of
36 30 student academic progress as an additional valid measure of
36 31 school performance, as an alternative for meeting federal safe
36 32 harbor provisions, and for establishing statewide progress
36 33 under the federal No Child Left Behind Act of 2001, Pub. L.
36 34 No. 107-110, and any federal regulations adopted pursuant to
36 35 the federal Act.

37 1 9. A school district shall use the value-added assessment
37 2 system established by the department pursuant to subsection 1
37 3 not later than the school year ending June 30, 2007. However,
37 4 the director of educational services of an area education
37 5 agency may grant a request made by a board of directors of a
37 6 school district located within the boundaries of the area
37 7 education agency stating its desire to use an alternative
37 8 system to compute and report value-added scores that is
37 9 statistically valid and reliable.

37 10 Sec. 20. Section 256.44, subsection 1, paragraph a, Code
37 11 2005, is amended to read as follows:

37 12 a. If a teacher registers for national board for
37 13 professional teaching standards certification prior to June
37 14 30, ~~2005~~ 2006, a one-time initial reimbursement award in the
37 15 amount of up to one-half of the registration fee paid by the
37 16 teacher for registration for certification by the national
37 17 board for professional teaching standards. The teacher shall
37 18 apply to the department of education within one year of
37 19 registration, submitting to the department any documentation
37 20 the department requires. A teacher who receives an initial
37 21 reimbursement award shall receive a one-time final
37 22 registration award in the amount of the remaining national
37 23 board registration fee paid by the teacher if the teacher
37 24 notifies the department of the teacher's certification
37 25 achievement and submits any documentation requested by the
37 26 department.

37 27 Sec. 21. Section 256.44, subsection 1, paragraph b,
37 28 subparagraph (2), Code 2005, is amended to read as follows:

37 29 (2) If the teacher registers for national board for
37 30 professional teaching standards certification between January

37 31 1, 1999, and January 1, ~~2005~~ 2006, and achieves certification
37 32 within three years from the date of initial score
37 33 notification, an annual award in the amount of two thousand
37 34 five hundred dollars upon achieving certification by the
37 35 national board of professional teaching standards.

38 1 Sec. 22. Section 257B.1B, subsection 1, Code 2005, is
38 2 amended to read as follows:

~~38 3 1. Fifty-five For the fiscal year beginning July 1, 2004,~~
~~38 4 and each succeeding fiscal year, fifty-five percent of the~~
38 5 moneys deposited in the fund to the department of education
38 6 for allocation to the Iowa reading recovery ~~center council~~ to
38 7 assist school districts in developing reading recovery and
38 8 literacy programs. The Iowa reading recovery council shall
38 9 use the area education agency unified budget as its fiscal
38 10 agent for grant moneys and for other moneys administered by
38 11 the council.

38 12 Sec. 23. Section 260C.2, Code 2005, is amended by adding
38 13 the following new subsection:

38 14 NEW SUBSECTION. 1A. "Department" means the department of
38 15 education.

38 16 Sec. 24. NEW SECTION. 260C.18C STATE AID DISTRIBUTION
38 17 FORMULA.

38 18 1. PURPOSE. A distribution plan for general state
38 19 financial aid to Iowa's community colleges is established for
38 20 the fiscal year commencing July 1, 2005, and succeeding fiscal
38 21 years. Funds appropriated by the general assembly to the
38 22 department for general financial aid to community colleges
38 23 shall be allocated to each community college in the manner
38 24 provided under this section.

38 25 2. DEFINITIONS. As used in this section, unless the
38 26 context otherwise requires:

38 27 a. "Base funding allocation" means the amount of general
38 28 state financial aid all community colleges received in the
38 29 base year.

38 30 b. "Base year" means the fiscal year immediately preceding
38 31 the budget year.

38 32 c. "Below-average support per FTEE" for a community
38 33 college means the state-average combined support per FTEE
38 34 minus the combined support per FTEE for the community college
38 35 if the community college's combined support per FTEE is less

39 1 than the state-average combined support per FTEE.

39 2 d. "Budget year" means the fiscal year for which moneys
39 3 are appropriated by the general assembly.

39 4 e. "Combined support" for a community college means the
39 5 total amount of moneys the community college received in
39 6 general state financial aid in the base year plus the
39 7 community college's general fund property tax revenue,
39 8 including utility replacement, for the base year.

39 9 f. "Combined support per FTEE" for a community college
39 10 means the community college's combined support divided by its
39 11 three-year rolling average full-time equivalent enrollment for
39 12 the three years prior to the base year.

39 13 g. "Contact hour" for a noncredit course equals fifty
39 14 minutes of contact between an instructor and students in a
39 15 scheduled course offering for which students are registered.

39 16 h. "Credit hour", for purposes of community college
39 17 funding distribution, shall be as defined by the department by
39 18 rule.

39 19 i. "Eligible credit courses" means all credit courses that
39 20 are eligible for general state financial aid which are part of
39 21 a department-approved program of study. The department shall
39 22 review and provide a determination should a question of
39 23 eligibility occur.

39 24 j. "Eligible growth support" for a community college is
39 25 the community college's below-average support per FTEE
39 26 multiplied times its three-year rolling average full-time
39 27 equivalent enrollment.

39 28 k. "Eligible noncredit courses" means all noncredit
39 29 courses eligible for general state financial aid which fall
39 30 under one of the eligible categories for noncredit courses as
39 31 defined by rule of the department. The department shall
39 32 review and provide a determination should a question of
39 33 eligibility occur.

39 34 l. "Eligible student" means a student enrolled in eligible
39 35 credit or eligible noncredit courses. The department shall
40 1 review and provide a determination should a question of
40 2 eligibility occur.

40 3 m. "Fiscal year" means the period of twelve months
40 4 beginning on July 1 and ending on June 30.

40 5 n. One "full-time equivalent enrollment (FTEE)" equals
40 6 twenty-four credit hours for credit courses or six hundred

40 7 contact hours for noncredit courses generated by all eligible
40 8 students enrolled in eligible courses.

40 9 o. "General fund property tax revenue" means the amount of
40 10 moneys a community college raised or could have raised from a
40 11 property tax of twenty and one-fourth cents per thousand
40 12 dollars of assessed valuation on all taxable property in its
40 13 merged area collected for the base year.

40 14 p. "General state financial aid" means the amount of
40 15 general state financial aid the community college received
40 16 from the general fund.

40 17 q. "Inflation adjustment amount" means the inflation rate
40 18 minus two percentage points multiplied times the base funding
40 19 allocation. The inflation adjustment amount shall not be less
40 20 than zero.

40 21 r. "Inflation rate" means the average of the preceding
40 22 twelve-month percentage change, which shall be computed on a
40 23 monthly basis, in the consumer price index for all urban
40 24 consumers, not seasonally adjusted, published by the United
40 25 States department of labor, bureau of labor statistics,
40 26 calculated for the calendar year ending six months after the
40 27 beginning of the base year.

40 28 s. "State-average combined support per FTEE" means the
40 29 average of the combined support per FTEE for all community
40 30 colleges in the state in the base year.

40 31 t. "Three-year rolling average full-time equivalent
40 32 enrollment" means the average of the audited full-time
40 33 equivalent enrollment for a community college over the three
40 34 fiscal years prior to the base year as determined by the
40 35 department.

41 1 u. "Total growth support amount" means the sum of the
41 2 eligible growth support for all the community colleges.

41 3 3. DISTRIBUTION FORMULA. Moneys appropriated by the
41 4 general assembly from the general fund to the department for
41 5 community college purposes for general state financial aid for
41 6 a budget year shall be allocated to each community college by
41 7 the department as follows:

41 8 a. If the inflation rate is equal to two percent or less:

41 9 (1) BASE FUNDING ALLOCATION. The moneys shall first be
41 10 allocated in the amount of general state financial aid each
41 11 community college received in the base year. If the
41 12 appropriation is less than the total of the amount of general
41 13 state financial aid each community college received in the
41 14 base year, the moneys shall be allocated in the same
41 15 proportion as the allocation of general state financial aid
41 16 each community college received in the base year.

41 17 (2) MARGINAL COST ADJUSTMENT. After the base funding has
41 18 been allocated, each community college shall be allocated up
41 19 to an additional two percent of its base funding allocation.
41 20 The community college's allocation shall be in the same
41 21 proportion as the allocation of general state financial aid
41 22 each community college received in the base year.

41 23 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME EQUIVALENT
41 24 ENROLLMENT. If the increase in the total state general aid
41 25 exceeds two percent over the base funding allocation, an
41 26 amount up to an additional one percent of the base funding
41 27 allocation shall be distributed based upon each community
41 28 college's proportional share of the three-year rolling average
41 29 full-time equivalent enrollments for all community colleges.

41 30 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the increase in
41 31 total state general aid exceeds three percent over the base
41 32 funding allocation, an amount up to an additional one percent
41 33 of the base funding allocation shall be distributed as
41 34 follows:

41 35 (a) Forty percent of the moneys shall be allocated based
42 1 upon each community college's proportional share of the three=
42 2 year rolling average full-time equivalent enrollments for all
42 3 community colleges.

42 4 (b) Sixty percent of the moneys shall be allocated to
42 5 community colleges that have eligible growth support. The
42 6 allocation shall be based upon the proportional share that
42 7 each community college's eligible growth support bears to the
42 8 total growth support amount. Once the moneys allocated under
42 9 this subparagraph subdivision equal the total growth support
42 10 amount, the remaining moneys allocated under this subparagraph
42 11 shall be allocated as provided in subparagraph subdivision
42 12 (a).

42 13 (5) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE ALLOCATION.
42 14 If the increase in total state general aid exceeds four
42 15 percent over the base funding allocation, all remaining moneys
42 16 shall be distributed based upon each college's proportional
42 17 share of the three-year rolling average full-time equivalent

42 18 enrollments for all community colleges.

42 19 b. If the inflation rate is greater than two percent but
42 20 less than four percent:

42 21 (1) BASE FUNDING ALLOCATION. The moneys shall first be
42 22 allocated in the amount of general state financial aid each
42 23 community college received in the base year. If the
42 24 appropriation is less than the total of the amount of general
42 25 state financial aid each community college received in the
42 26 base year, the moneys shall be allocated in the same
42 27 proportion as the allocation of general state financial aid
42 28 each community college received in the base year.

42 29 (2) MARGINAL COST ADJUSTMENT. After the base funding has
42 30 been allocated, each community college shall be allocated up
42 31 to an additional two percent of its base funding allocation.
42 32 The community college's allocation shall be in the same
42 33 proportion as the allocation of general state financial aid
42 34 each community college received in the base year.

42 35 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME EQUIVALENT
43 1 ENROLLMENT. If the increase in the total state general aid
43 2 exceeds two percent over the base funding allocation, an
43 3 amount up to an additional one percent of the base funding
43 4 allocation shall be distributed based upon each community
43 5 college's proportional share of the three-year rolling average
43 6 full-time equivalent enrollments for all community colleges.

43 7 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the increase in
43 8 total state general aid exceeds three percent over the base
43 9 funding allocation, an amount up to an additional one percent
43 10 of the base funding allocation shall be based as follows:

43 11 (a) Forty percent of the moneys shall be allocated based
43 12 upon each community college's proportional share of the three=
43 13 year rolling average full-time equivalent enrollments for all
43 14 community colleges.

43 15 (b) Sixty percent of the moneys shall be allocated to
43 16 community colleges that have eligible growth support. The
43 17 allocation shall be based upon the proportional share that
43 18 each community college's eligible growth support bears to the
43 19 total growth support amount. Once the moneys allocated under
43 20 this subparagraph subdivision equal the total growth support
43 21 amount, the remaining moneys allocated under this subparagraph
43 22 shall be allocated as provided in subparagraph subdivision

43 23 (a).
43 24 (5) INFLATION ADJUSTMENT. If the increase in total state
43 25 general aid exceeds four percent over the base funding
43 26 allocation, an amount up to the inflation adjustment amount
43 27 shall be distributed to each community college in the same
43 28 proportion as the allocation of general state financial aid
43 29 each community college received in the base year.

43 30 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE ALLOCATION.
43 31 If there are remaining moneys to be distributed under this
43 32 paragraph after distributing moneys under subparagraph (5),
43 33 all remaining moneys shall be distributed based upon each
43 34 community college's proportional share of the three-year
43 35 rolling average full-time equivalent enrollments for all
44 1 community colleges.

44 2 c. If the inflation rate equals or exceeds four percent:

44 3 (1) BASE FUNDING ALLOCATION. The moneys shall first be
44 4 allocated in the amount of general state financial aid each
44 5 community college received in the base year. If the
44 6 appropriation is less than the total of the amount of general
44 7 state financial aid each community college received in the
44 8 base year, the moneys shall be allocated in the same
44 9 proportion as the allocation of general state financial aid
44 10 each community college received in the base year.

44 11 (2) MARGINAL COST ADJUSTMENT. After the base funding has
44 12 been allocated, each community college shall be allocated up
44 13 to an additional two percent of its base funding allocation.
44 14 The community college's allocation shall be in the same
44 15 proportion as the allocation of general state financial aid
44 16 each community college received in the base year.

44 17 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME EQUIVALENT
44 18 ENROLLMENT. If the increase in the total state general aid
44 19 exceeds two percent over the base funding allocation, an
44 20 amount up to an additional one percent of the base funding
44 21 allocation shall be distributed based upon each community
44 22 college's proportional share of the three-year rolling average
44 23 full-time equivalent enrollments for all community colleges.

44 24 (4) INFLATION ADJUSTMENT. If the increase in total state
44 25 general aid exceeds three percent over the base funding
44 26 allocation, an amount up to the inflation adjustment amount
44 27 shall be distributed to each community college in the same
44 28 proportion as the allocation of general state financial aid

44 29 each community college received in the base year.
44 30 (5) EXTRAORDINARY GROWTH ADJUSTMENT. If there are
44 31 remaining moneys to be distributed under this paragraph after
44 32 distributing moneys under subparagraph (4), an amount up to an
44 33 additional one percent of the base funding allocation shall be
44 34 based as follows:

44 35 (a) Forty percent of the moneys shall be allocated based
45 1 upon each community college's proportional share of the three=
45 2 year rolling average full-time equivalent enrollments for all
45 3 community colleges.

45 4 (b) Sixty percent of the moneys shall be allocated to
45 5 community colleges that have eligible growth support. The
45 6 allocation shall be based upon the proportional share that
45 7 each community college's eligible growth support bears to the
45 8 total growth support amount. Once the moneys allocated under
45 9 this subparagraph subdivision equals the total growth support
45 10 amount, the remaining moneys allocated under this subparagraph
45 11 shall be allocated as provided in subparagraph subdivision

45 12 (a).
45 13 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE ALLOCATION.
45 14 If there are remaining moneys to be distributed under this
45 15 paragraph after distributing moneys under subparagraph (5),
45 16 all remaining moneys shall be distributed based upon each
45 17 community college's proportional share of the three-year
45 18 rolling average full-time equivalent enrollments for all
45 19 community colleges.

45 20 4. INFORMATION SUPPLIED BY COLLEGES AND ADOPTION OF RULES.

45 21 a. Each community college shall provide information in the
45 22 manner and form as determined by the department. If a
45 23 community college fails to provide the information as
45 24 requested, the department shall estimate the full-time
45 25 equivalent enrollment of that college.

45 26 b. Each community college shall complete and submit an
45 27 annual student enrollment audit to the department.
45 28 Adjustments to community college state general aid allocations
45 29 shall be made based on student enrollment audit outcomes.

45 30 c. The department shall adopt rules under chapter 17A as
45 31 necessary for the allocation of general state financial aid.

45 32 Sec. 25. Section 261.9, subsection 1, paragraph b, Code
45 33 2005, is amended to read as follows:

45 34 b. Is accredited by the north central association of
45 35 colleges and secondary schools accrediting agency based on
46 1 their requirements, is exempt from taxation under section
46 2 501(c)(3) of the Internal Revenue Code, and annually provides
46 3 a matching aggregate amount of institutional financial aid
46 4 equal to at least seventy-five percent of the amount received
46 5 in a fiscal year by the institution's students for Iowa
46 6 tuition grant assistance under this chapter. Commencing with
46 7 the fiscal year beginning July 1, ~~2005~~ 2006, the matching
46 8 aggregate amount of institutional financial aid shall increase
46 9 by the percentage of increase each fiscal year of funds
46 10 appropriated for Iowa tuition grants under section 261.25,
46 11 subsection 1, to a maximum match of one hundred percent. The
46 12 institution shall file annual reports with the commission
46 13 prior to receipt of tuition grant moneys under this chapter.
46 14 An institution whose income is not exempt from taxation under
46 15 section 501(c) of the Internal Revenue Code and whose students
46 16 were eligible to receive Iowa tuition grant money in the
46 17 fiscal year beginning July 1, 2003, shall meet the match
46 18 requirements of this paragraph no later than June 30, 2005.

46 19 Sec. 26. Section 261.25, subsection 1, Code 2005, is
46 20 amended to read as follows:

46 21 1. There is appropriated from the general fund of the
46 22 state to the commission for each fiscal year the sum of ~~forty=
46 23 seven forty-nine million one six hundred fifty-seven seventy=
46 24 three thousand five hundred fifteen seventy-five~~ dollars for
46 25 tuition grants. From the funds appropriated in this
46 26 subsection, ~~not more than three million four hundred thousand
46 27 dollars may be distributed to an amount equal to ten percent
46 28 of the funds appropriated in this subsection shall be reserved
46 29 for distribution to students attending private institutions~~
46 30 whose income is not exempt from taxation under section 501(c)
46 31 of the Internal Revenue Code and whose students were eligible
46 32 to receive Iowa tuition grant moneys in the fiscal year
46 33 beginning July 1, 2003. A for-profit institution which,
46 34 effective March 9, 2005, purchased an accredited private
46 35 institution that was exempt from taxation under section 501(c)
47 1 of the Internal Revenue Code, shall be an eligible institution
47 2 under the Iowa tuition grant program. In the case of a
47 3 qualified student who was enrolled in such accredited private
47 4 institution that was purchased by the for-profit institution

47 5 effective March 9, 2005, and who continues to be enrolled in
47 6 the eligible institution in succeeding years, the amount the
47 7 student qualifies for under this subsection shall be not less
47 8 than the amount the student qualified for in the fiscal year
47 9 beginning July 1, 2004.

47 10 Sec. 27. Section 261.25, subsection 2, Code 2005, is
47 11 amended by striking the subsection.

47 12 Sec. 28. NEW SECTION. 272.29 ANNUAL ADMINISTRATIVE RULES
47 13 REVIEW.

47 14 The executive director shall annually review the
47 15 administrative rules adopted pursuant to this chapter and
47 16 related state laws. The executive director shall annually
47 17 submit the executive director's findings and recommendations
47 18 in a report to the board and the chairpersons and ranking
47 19 members of the senate and house standing committees on
47 20 education and the joint appropriations subcommittee on
47 21 education by January 15.

47 22 Sec. 29. Section 284.4, subsection 1, paragraph c, Code
47 23 2005, is amended to read as follows:

47 24 c. Provide, beginning in the fifth year of participation,
47 25 the equivalent of ~~two one~~ additional contract ~~days~~ day,
47 26 outside of instruction time, than ~~were~~ was provided in the
47 27 school year preceding the first year of participation, to
47 28 provide additional time for teacher career development that
47 29 aligns with student learning and teacher development needs,
47 30 including the integration of technology into curriculum
47 31 development, in order to achieve attendance center and
47 32 district-wide student achievement goals outlined in the
47 33 district comprehensive school improvement plan. School
47 34 districts are encouraged to develop strategies for
47 35 restructuring the school calendar to provide for the most
48 1 effective professional development, evaluate their current
48 2 career development alignment with their student achievement
48 3 goals and research-based instructional strategies, and
48 4 implement district career development plans. A school
48 5 district that provides the equivalent of ten or more contract
48 6 days for career development is exempt from this paragraph.

48 7 Sec. 30. Section 284.13, subsection 1, paragraphs a, d,
48 8 and i, Code 2005, are amended by striking the paragraphs.

48 9 Sec. 31. Section 284.13, subsection 1, paragraphs b and c,
48 10 Code 2005, are amended to read as follows:

48 11 b. For the fiscal year beginning July 1, ~~2004~~ 2005, and
48 12 ending June 30, ~~2005~~ 2006, to the department of education, the
48 13 amount of ~~one two~~ million ~~one hundred thousand~~ dollars for the
48 14 issuance of national board certification awards in accordance
48 15 with section 256.44. From the moneys allocated to the

48 16 department pursuant to this paragraph, up to five thousand
48 17 dollars shall be used for purposes of conducting a study of
48 18 the impact the national board for professional teaching
48 19 standards certification of Iowa's teachers has on student
48 20 achievement and the advisability of continuing state funding
48 21 pursuant to section 256.44. The department shall submit its
48 22 findings and recommendations to the chairpersons and ranking
48 23 members of the house and senate committees on education and
48 24 the chairpersons and ranking members of the joint
48 25 appropriations subcommittee on education by January 15, 2006.

48 26 c. For the fiscal year beginning July 1, ~~2004~~ 2005, and
48 27 succeeding fiscal years, an amount up to ~~three four~~ million
48 28 ~~five two~~ hundred thousand dollars for first-year and second=
48 29 year beginning teachers, to the department of education for
48 30 distribution to school districts for purposes of the beginning
48 31 teacher mentoring and induction programs. A school district
48 32 shall receive one thousand three hundred dollars per beginning
48 33 teacher participating in the program. If the funds
48 34 appropriated for the program are insufficient to pay mentors
48 35 and school districts as provided in this paragraph, the
49 1 department shall prorate the amount distributed to school
49 2 districts based upon the amount appropriated. Moneys received
49 3 by a school district pursuant to this paragraph shall be
49 4 expended to provide each mentor with an award of five hundred
49 5 dollars per semester, at a minimum, for participation in the
49 6 school district's beginning teacher mentoring and induction
49 7 program; to implement the plan; and to pay any applicable
49 8 costs of the employer's share of contributions to federal
49 9 social security and the Iowa public employees' retirement
49 10 system or a pension and annuity retirement system established
49 11 under chapter 294, for such amounts paid by the district.

49 12 Sec. 32. Section 284.13, subsection 1, paragraph e, Code
49 13 2005, is amended to read as follows:

49 14 e. For the fiscal year beginning July 1, ~~2004~~ 2005, and
49 15 ending June 30, ~~2005~~ 2006, up to ~~two four~~ hundred ~~fifty~~

49 16 eighty=five thousand dollars to the department of education
49 17 for purposes of implementing the career development program
49 18 requirements of section 284.6, ~~and the review panel~~
49 19 requirements of section 284.9, ~~and the evaluator training~~
49 20 ~~program in section 284.10.~~ From the moneys allocated to the
49 21 department pursuant to this paragraph, not less than ~~seventy=~~
49 22 ~~five~~ ten thousand dollars shall be used to administer the
49 23 ~~ambassador to education position in accordance with section~~
49 24 ~~256.45 distributed to the board of educational examiners for~~
49 25 ~~purposes of convening an educator licensing review working~~
49 26 ~~group.~~ From the moneys allocated to the department pursuant
49 27 ~~to this paragraph, not less than eighty=~~five thousand dollars
49 28 ~~shall be used to administer the ambassador to education~~
49 29 ~~position in accordance with section 256.45.~~ A portion of the
49 30 funds allocated to the department for purposes of this
49 31 paragraph may be used by the department for administrative
49 32 purposes. Notwithstanding section 8.33, moneys allocated for
49 33 purposes of this paragraph prior to July 1, 2004, which remain
49 34 unobligated or unexpended at the end of the fiscal year for
49 35 which the moneys were appropriated, shall remain available for
50 1 expenditure for the purposes for which they were allocated,
50 2 for the fiscal year beginning July 1, 2004, and ending June
50 3 30, 2005.

50 4 Sec. 33. Section 284.13, subsection 1, Code 2005, is
50 5 amended by adding the following new paragraphs before
50 6 paragraph h:

50 7 NEW PARAGRAPH. ga. For the fiscal year beginning July 1,
50 8 2005, and ending June 30, 2006, up to ten million dollars to
50 9 the department of education for use by school districts to add
50 10 one additional teacher contract day to the school calendar.
50 11 The department shall distribute funds allocated for the
50 12 purpose of this paragraph based on the average per diem
50 13 contract salary for each district as reported to the
50 14 department for the school year beginning July 1, 2004,
50 15 multiplied by the total number of full-time equivalent
50 16 teachers in the base year. The department shall adjust each
50 17 district's average per diem salary by the allowable growth
50 18 rate established under section 257.8 for the fiscal year
50 19 beginning July 1, 2005. The contract salary amount shall be
50 20 the amount paid for their regular responsibilities but shall
50 21 not include pay for extracurricular activities. A school
50 22 district shall submit a report to the department in a manner
50 23 determined by the department describing its use of the funds
50 24 received under this paragraph. The department shall submit a
50 25 report on school district use of the moneys distributed
50 26 pursuant to this paragraph to the chairpersons and ranking
50 27 members of the house and senate standing committees on
50 28 education, the joint appropriations subcommittee on education,
50 29 and the legislative services agency not later than January 15,
50 30 2006.

50 31 NEW PARAGRAPH. gb. For the fiscal year beginning July 1,
50 32 2005, and ending June 30, 2006, up to six million six hundred
50 33 twenty=five thousand dollars to the department of education
50 34 for use by school districts for either salaries or
50 35 professional development, or both, as determined by the school
51 1 district. Funds received by a school district for purposes of
51 2 this paragraph shall be distributed using the formula provided
51 3 in paragraph "f" and are subject to the provisions of section
51 4 284.7, subsection 6. A school district shall submit a report
51 5 to the department in a manner determined by the department
51 6 describing its use of the funds received under this paragraph.
51 7 The department shall submit a report on school district use of
51 8 the funds distributed pursuant to this paragraph to the
51 9 chairpersons and ranking members of the house and senate
51 10 standing committees on education, the joint appropriations
51 11 subcommittee on education, and the legislative services agency
51 12 not later than January 15, 2006.

51 13 NEW PARAGRAPH. gc. For the fiscal year beginning July 1,
51 14 2005, and succeeding fiscal years, up to one million dollars
51 15 to the department of education for purposes of the value=added
51 16 assessment system established pursuant to section 256.24. The
51 17 department shall allocate the moneys to school districts based
51 18 upon the percentage of the budget enrollment of each school
51 19 district for the fiscal year beginning July 1, 2004, compared
51 20 to the budget enrollment of all school districts in the state
51 21 for the fiscal year beginning July 1, 2004. The department
51 22 shall distribute the moneys to a school district upon
51 23 demonstration by the school district to the department that
51 24 the school district agrees to participate in a qualified
51 25 value=added assessment system.

51 26 Sec. 34. Section 301.1, subsection 2, Code 2005, is

51 27 amended to read as follows:

51 28 2. Textbooks adopted and purchased by a school district
51 29 shall, to the extent funds are appropriated by the general
51 30 assembly, be made available to pupils attending accredited
51 31 nonpublic schools upon request of the pupil or the pupil's
51 32 parent under comparable terms as made available to pupils
51 33 attending public schools. If the general assembly
51 34 appropriates moneys for purposes of making textbooks available
51 35 to accredited nonpublic school pupils, the department of
52 1 education shall ascertain the amount available to a school
52 2 district for the purchase of nonsectarian, nonreligious
52 3 textbooks for pupils attending accredited nonpublic schools.
52 4 The amount shall be in the proportion that the basic
52 5 enrollment of a participating accredited nonpublic school
52 6 bears to the sum of the basic enrollments of all participating
52 7 accredited nonpublic schools in the state for the budget year.
52 8 For purposes of this section, a "participating accredited
52 9 nonpublic school" means an accredited nonpublic school that
52 10 submits a written request on behalf of the school's pupils in
52 11 accordance with this subsection, and that certifies its actual
52 12 enrollment to the department of education by October 1,
52 13 annually. By October 15, annually, the department of
52 14 education shall certify to the director of the department of
52 15 administrative services the annual amount to be paid to each
52 16 school district, and the director of the department of
52 17 administrative services shall draw warrants payable to school
52 18 districts in accordance with this subsection. For purposes of
52 19 this subsection, an accredited nonpublic school's enrollment
52 20 count shall include only students who are residents of Iowa.
52 21 The costs of providing textbooks to accredited nonpublic
52 22 school pupils as provided in this subsection shall not be
52 23 included in the computation of district cost under chapter
52 24 257, but shall be shown in the budget as an expense from
52 25 miscellaneous income. Textbook expenditures made in
52 26 accordance with this subsection shall be kept on file in the
52 27 school district. In the event that a participating accredited
52 28 nonpublic school physically relocates to another school

52 29 district, textbooks purchased for the nonpublic school with
52 30 funds appropriated for purposes of this chapter shall be
52 31 transferred to the school district in which the nonpublic
52 32 school has relocated and may be made available to the
52 33 nonpublic school. Funds distributed to a school district for
52 34 purposes of purchasing textbooks in accordance with this
52 35 subsection which remain unexpended and available for the
53 1 purchase of textbooks for the nonpublic school that relocated
53 2 in the fiscal year in which the funds were distributed shall
53 3 also be transferred to the school district in which the
53 4 nonpublic school has relocated.

53 5 Sec. 35. EFFECTIVE DATE. The section of this Act that
53 6 amends section 257B.1B, being deemed of immediate importance,
53 7 takes effect upon enactment.

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CHRISTOPHER C. RANTS
Speaker of the House

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JOHN P. KIBBIE
President of the Senate

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I hereby certify that this bill originated in the House and
is known as House File 816, Eighty-first General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

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Approved _____, 2005

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THOMAS J. VILSACK

53 31

Governor