



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 22, 2010

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

Senate File 2376, 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 education, and the state board of regents, providing for related matters including a study of the open meetings and public records laws, and including effective date and applicability provisions.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver", with a long horizontal flourish extending to the right.

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





Senate File 2376

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 EDUCATION, AND THE STATE BOARD OF REGENTS, PROVIDING FOR RELATED MATTERS INCLUDING A STUDY OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS, AND INCLUDING EFFECTIVE DATE AND APPLICABILITY PROVISIONS.

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, 2010, and ending June 30, 2011, 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:

| | | |
|-------|------|-----------|
| ..... | \$ | 1,952,203 |
| ..... | FTEs | 90.00 |

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, 2010, and ending June 30, 2011, 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:

| | | |
|-------|------|---------|
| ..... | \$ | 310,843 |
| ..... | FTEs | 4.30 |

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program established in section 261.93:

| | | |
|-------|----|---------|
| | \$ | 848,761 |
|-------|----|---------|

3. DES MOINES UNIVERSITY — OSTEOPATHIC MEDICAL CENTER

a. For forgivable loans to Iowa students attending Des Moines university — osteopathic medical center under the forgivable loan program pursuant to section 261.19:

| | | |
|-------|----|--------|
| | \$ | 79,251 |
|-------|----|--------|

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 Des Moines university — osteopathic medical center for an initiative in primary health care to direct primary care physicians to shortage areas in the state:

| | | |
|-------|----|---------|
| | \$ | 270,448 |
|-------|----|---------|

4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

| | | |
|-------|----|-----------|
| | \$ | 3,186,233 |
|-------|----|-----------|

5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

For the teacher shortage loan forgiveness program established in section 261.112:

| | | |
|-------|----|---------|
| | \$ | 421,016 |
|-------|----|---------|

6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

For purposes of the all Iowa opportunity foster care grant program established pursuant to section 261.6:

| | | |
|-------|----|---------|
| | \$ | 594,383 |
|-------|----|---------|

7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

For purposes of the all Iowa opportunity scholarship program established pursuant to section 261.87:

| | | |
|-------|----|-----------|
| | \$ | 2,403,949 |
|-------|----|-----------|

If the moneys appropriated by the general assembly to the college student aid commission for fiscal year 2010-2011 for

purposes of the all Iowa opportunity scholarship program exceed \$500,000, "eligible institution" as defined in section 261.87, shall, during fiscal year 2010-2011, include accredited private institutions as defined in section 261.9, subsection 1.

8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS PROGRAM

For purposes of the registered nurse and nurse educator loan forgiveness program established pursuant to section 261.23:

..... \$ 86,736

It is the intent of the general assembly that the commission continue to consider moneys allocated pursuant to this subsection as funds that meet the state matching funds requirements of the federal leveraging educational assistance program and the federal supplemental leveraging educational assistance program established under the Higher Education Act of 1965, as amended.

9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT PROGRAM

For purposes of the barber and cosmetology arts and sciences tuition grant program established pursuant to section 261.18:

..... \$ 39,626

Sec. 3. DES MOINES UNIVERSITY — OSTEOPATHIC MEDICAL CENTER. For the fiscal year beginning July 1, 2010, and ending June 30, 2011, the college student aid commission shall pay a fee to Des Moines university — osteopathic medical center for the administration of the initiative in primary health care to direct primary care physicians to shortage areas in the state. A portion of the fee paid shall be based upon the number of physicians recruited in accordance with section 261.19, subsection 4. However, the fee amount paid shall not exceed \$25,000 for the fiscal year. Such amount shall be subject to any budgetary reductions ordered by the governor or enacted by the general assembly.

Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section 261.72, the moneys deposited in the chiropractic loan revolving fund created pursuant to section 261.72, may be used for purposes of the chiropractic loan forgiveness program established in section 261.73.

Sec. 5. WORK-STUDY APPROPRIATION FOR FY 2010-2011. Notwithstanding section 261.85, for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the amount appropriated from the general fund of the state to the college student aid commission for the work-study program under section 261.85

shall be zero.

DEPARTMENT OF EDUCATION

Sec. 6. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2010, and ending June 30, 2011, 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:

| | | |
|-------|------|-----------|
| ..... | \$ | 7,096,482 |
| ..... | FTEs | 83.67 |

2. VOCATIONAL EDUCATION ADMINISTRATION

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

| | | |
|-------|------|---------|
| ..... | \$ | 559,797 |
| ..... | FTEs | 13.50 |

3. VOCATIONAL REHABILITATION SERVICES DIVISION

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

| | | |
|-------|------|-----------|
| ..... | \$ | 5,139,957 |
| ..... | FTEs | 281.50 |

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

| | | |
|-------|------|--------|
| ..... | \$ | 44,156 |
| ..... | FTEs | 1.00 |

c. For the entrepreneurs with disabilities program established pursuant to section 259.4, subsection 9:

| | | |
|-------|----|---------|
| | \$ | 156,128 |
|-------|----|---------|

d. For costs associated with centers for independent living:

| | | |
|-------|----|--------|
| | \$ | 43,227 |
|-------|----|--------|

4. STATE LIBRARY

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

| | | |
|-------|------|-----------|
| ..... | \$ | 1,511,656 |
| ..... | FTEs | 19.00 |

b. For the enrich Iowa program established under section

256.57:

..... \$ 1,796,081

5. LIBRARY SERVICE AREA SYSTEM

For state aid:

..... \$ 1,105,989

6. PUBLIC BROADCASTING DIVISION

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

..... \$ 7,756,417

..... FTEs 82.00

7. REGIONAL TELECOMMUNICATIONS COUNCILS

For state aid:

..... \$ 1,065,180

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

8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

For reimbursement for vocational education expenditures made by secondary schools:

..... \$ 2,590,675

Moneys appropriated in this subsection shall be used to reimburse school districts for vocational education expenditures made by secondary schools to meet the standards set in sections 256.11, 258.4, and 260C.14.

9. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,176,797

..... FTEs 18.13

10. IOWA EMPOWERMENT FUND — GENERAL AID

For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

..... \$ 5,729,907

a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2010, and ending June 30, 2011, not more than \$265,950 is allocated for the community empowerment office and other technical assistance

activities, and of that amount not more than \$44,325 shall be used to administer the early childhood coordinator's position pursuant to section 28.3, subsection 7. It is the intent of the general assembly that regional technical assistance teams will be established and will include staff from various agencies, as appropriate, including the area education agencies, community colleges, the university of northern Iowa, and the Iowa state university of science and technology cooperative extension service in agriculture and home economics. The Iowa empowerment board shall direct staff to work with the advisory council to inventory technical assistance needs. Moneys allocated under this lettered paragraph may be used by the Iowa empowerment board for the purpose of skills development and support for ongoing training of the regional technical assistance teams. However, except as otherwise provided in this subsection, moneys shall not be used for additional staff or for the reimbursement of staff.

b. As a condition of receiving moneys appropriated in this subsection, each community empowerment area board shall report to the Iowa empowerment board progress on each of the state indicators approved by the state board, as well as progress on local indicators. The community empowerment area board must also submit a written plan amendment extending by one year the area's comprehensive school ready children grant plan developed for providing services for children from birth through five years of age and provide other information specified by the Iowa empowerment board. The amendment may also provide for changes in the programs and services provided under the plan. The Iowa empowerment board shall establish a submission deadline for the plan amendment that allows a reasonable period of time for preparation of the plan amendment and for review and approval or request for modification of the plan amendment by the Iowa empowerment board. In addition, the community empowerment board must continue to comply with reporting provisions and other requirements adopted by the Iowa empowerment board in implementing section 28.8.

c. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the Iowa empowerment fund, \$2,318,018 shall be used for efforts to improve the quality of early care, health, and education programs. Moneys allocated pursuant to this paragraph may be used for additional staff and for the reimbursement of staff. The Iowa empowerment board may reserve a portion of the

allocation, not to exceed \$88,650 for the technical assistance expenses of the Iowa empowerment office and shall distribute the remainder to community empowerment areas for local quality improvement efforts through a methodology identified by the board to make the most productive use of the funding, which may include use of the distribution formula, grants, or other means.

d. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the Iowa empowerment fund, \$825,030 shall be used for support of professional development and training activities for persons working in early care, health, and education by the Iowa empowerment board in collaboration with representation from the Iowa state university of science and technology cooperative extension service in agriculture and home economics, the university of northern Iowa, the department of education, area education agencies, community colleges, child care resource and referral services, and community empowerment area boards. Expenditures shall be limited to professional development and training activities agreed upon by the parties participating in the collaboration.

11. IOWA EMPOWERMENT FUND — PRESCHOOL TUITION ASSISTANCE

a. For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

..... \$ 7,583,912

b. The amount appropriated in this subsection shall be used for early care, health, and education programs to assist low-income parents with tuition for preschool and other supportive services for children ages three, four, and five who are not attending kindergarten in order to increase the basic family income eligibility requirement to not more than 200 percent of the federal poverty level. In addition, if sufficient funding is available after addressing the needs of those who meet the basic income eligibility requirement, a community empowerment area board may provide for eligibility for those with a family income in excess of the basic income eligibility requirement through use of a sliding scale or other copayment provisions.

12. IOWA EMPOWERMENT FUND — FAMILY SUPPORT AND PARENT EDUCATION

a. For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

..... \$ 13,153,653

b. The amount appropriated in this subsection shall be

used for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five and shall be distributed using the distribution formula approved by the Iowa empowerment board and shall be used by a community empowerment area only for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five. The programs funded under this subsection shall have a home visitation component.

13. BIRTH TO AGE THREE SERVICES

For expansion of the federal Individuals With Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446, as amended to January 1, 2010, birth through age three services due to increased numbers of children qualifying for those services:

..... \$ 1,721,400

From the moneys appropriated in this subsection, \$383,769 shall be allocated to the child health specialty clinic at the state university of Iowa to provide additional support for infants and toddlers who are born prematurely, drug-exposed, or medically fragile.

14. FOUR-YEAR-OLD PRESCHOOL PROGRAM

For allocation to eligible school districts for the four-year-old preschool program under chapter 256C in lieu of the appropriation made in section 256C.6, subsection 2, paragraph a, subparagraph (3), and for not more than the following full-time equivalent positions:

..... \$ 12,242,230

..... FTEs 3.00

From the moneys appropriated pursuant to this subsection, not more than \$303,531 shall be used by the department for administration of the four-year-old preschool program established pursuant to chapter 256C.

15. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide moneys for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1:

..... \$ 600,987

Funding under this subsection is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils.

16. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION PROGRAM

For purposes of administering the beginning administrator mentoring and induction program established pursuant to chapter

284A:

..... \$ 195,157

17. CORE CURRICULUM AND CAREER INFORMATION AND DECISION-MAKING SYSTEM

For purposes of implementing the statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system:

..... \$ 1,901,556

18. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

For purposes of the student achievement and teacher quality program established pursuant to chapter 284, and for not more than the following full-time equivalent positions:

..... \$ 7,314,765

..... FTEs 4.00

19. MERGED AREA I — NORTHEAST IOWA COMMUNITY COLLEGE

For general state financial aid as defined in section 260C.2 in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

..... \$ 7,883,981

20. MERGED AREA II — NORTH IOWA AREA COMMUNITY COLLEGE

For general state financial aid as defined in section 260C.2 in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

..... \$ 8,436,896

21. MERGED AREA III — IOWA LAKES COMMUNITY COLLEGE

For general state financial aid as defined in section 260C.2 in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

..... \$ 7,768,728

22. MERGED AREA IV — NORTHWEST COMMUNITY COLLEGE

For general state financial aid as defined in section 260C.2 in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

..... \$ 3,815,063

23. MERGED AREA V — IOWA CENTRAL COMMUNITY COLLEGE

For general state financial aid as defined in section 260C.2 in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

..... \$ 8,716,704

24. MERGED AREA VI — IOWA VALLEY COMMUNITY COLLEGE DISTRICT

For general state financial aid as defined in section 260C.2 in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

- \$ 7,429,793
25. MERGED AREA VII — HAWKEYE COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 11,063,319
- 26. MERGED AREA IX — EASTERN IOWA COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 13,761,226
- 27. MERGED AREA X — KIRKWOOD COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 24,208,455
- 28. MERGED AREA XI — DES MOINES AREA COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 24,375,295
- 29. MERGED AREA XII — WESTERN IOWA TECH COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 9,034,857
- 30. MERGED AREA XIII — IOWA WESTERN COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 9,285,726
- 31. MERGED AREA XIV — SOUTHWESTERN COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 3,872,747
- 32. MERGED AREA XV — INDIAN HILLS COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2
in accordance with chapters 258 and 260C, notwithstanding the
allocation formula in section 260C.18:
..... \$ 12,139,931
- 33. MERGED AREA XVI — SOUTHEASTERN COMMUNITY COLLEGE
For general state financial aid as defined in section 260C.2

in accordance with chapters 258 and 260C, notwithstanding the allocation formula in section 260C.18:

..... \$ 6,961,511

Sec. 7. LIBRARY SERVICE AREA GEOGRAPHIC REGIONS FOR FY 2010-2011 — OPERATIONS STUDY.

1. Notwithstanding section 256.61, for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the library service areas shall serve and represent six geographic regions by combining at least two of seven library service areas existing in fiscal year 2009-2010, including their staff and boards of trustees.

2. Moneys appropriated to the department of education for state aid for the library service area system pursuant to section 6, subsection 5, of this Act shall be equally divided and allocated to the six library services areas.

3. a. The library services areas and the state library shall work collaboratively to conduct a study of ways to streamline state-funded library operations and services. The study shall, at a minimum, address the following:

- (1) Library service area service delivery strengths.
- (2) Best practices for delivering continuing education.
- (3) The use of social networking tools to provide consulting services.
- (4) Consolidation of bookkeeping and auditing functions.
- (5) Locally based creative collaborations among all types of libraries.

b. The library service areas shall collaboratively submit their findings and recommendations in a report to the general assembly on or before November 1, 2010.

Sec. 8. COMMUNITY COLLEGE SALARIES. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution to community colleges to supplement faculty salaries:

..... \$ 825,012

Sec. 9. COMMUNITY COLLEGE EFFICIENCIES INITIATIVES AND FUNDING REDUCTION REPORT. The board of directors of each community college shall submit to the department of education on or before October 1, 2010, a report which provides details on any initiatives implemented by the community college to create greater efficiency within the community college during the

2009-2010 fiscal year, and details on the methods by which the community college implemented budget reductions ordered by the governor pursuant to executive order number 19 issued October 8, 2009. The department shall compile and summarize the reports in a report that shall be submitted to the state board of education and the general assembly on or before December 15, 2010.

STATE BOARD OF REGENTS

Sec. 10. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

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

..... \$ 1,105,123
..... FTEs 16.00

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

b. For moneys to be allocated to the southwest Iowa graduate studies center:

..... \$ 90,766

c. For moneys to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 22:

..... \$ 69,110

d. For moneys to be allocated to the quad-cities graduate studies center:

..... \$ 134,665

e. For moneys to be distributed to Iowa public radio for public radio operations:

..... \$ 406,318

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

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

..... \$217,638,034
..... FTEs 5,058.55

b. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes,