



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 17, 2009

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

Dear Mr. Secretary:

I hereby transmit:

Senate File 445, an Act relating to teacher compensation by requiring school corporations to incorporate teacher compensation into individual salary schedules and by eliminating the educational excellence program.

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 445

AN ACT

RELATING TO TEACHER COMPENSATION BY REQUIRING SCHOOL CORPORATIONS TO INCORPORATE TEACHER COMPENSATION INTO INDIVIDUAL SALARY SCHEDULES AND BY ELIMINATING THE EDUCATIONAL EXCELLENCE PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 256.21, unnumbered paragraph 4, Code 2009, is amended to read as follows:

A sabbatical grant to a teacher shall be equal to the ~~costs to the school district of the teacher's regular compensation as defined in section 294A.2~~ annual salary specified in a teacher's contract pursuant to the salary schedule adopted by the board of directors or negotiated under chapter 20 plus the cost to the district of the fringe benefits of the teacher.

The grant shall be paid to the school district, and the district shall continue to pay the teacher's regular compensation as well as the cost to the district of the substitute teacher. Teachers and boards of school districts are encouraged to seek funding from other sources to pay the costs of sabbaticals for teachers. Grant moneys are miscellaneous income for purposes of chapter 257.

Sec. 2. Section 257.9, subsection 6, Code 2009, is amended to read as follows:

6. TEACHER SALARY SUPPLEMENT STATE COST PER PUPIL. For the budget year beginning July 1, 2009, for the teacher salary supplement state cost per pupil, the department of management shall add together the teacher compensation allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "h", and the phase II allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the statewide total budget enrollment for the fiscal year beginning July 1, 2009. The teacher salary supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of management under this subsection for the base year plus an allowable growth amount that is equal to the teacher salary supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

Sec. 3. Section 257.10, subsection 9, paragraph a, Code 2009, is amended to read as follows:

a. For the budget year beginning July 1, 2009, the department of management shall add together the teacher compensation allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "h", and the phase II allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the district's budget enrollment in the fiscal year beginning July 1, 2009, to determine the teacher salary supplement district cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the teacher salary

supplement district cost per pupil for each school district for a budget year is the teacher salary supplement program district cost per pupil for the base year plus the teacher salary supplement state allowable growth amount for the budget year.

Sec. 4. Section 257.10, subsection 9, paragraph d, Code 2009, is amended to read as follows:

d. The For the budget year beginning July 1, 2009, the use of the funds calculated under this subsection shall comply with the requirements of chapters chapter 284 and-294A and shall be distributed to teachers pursuant to section 284-7 284.3A. For the budget year beginning July 1, 2010, and succeeding budget years, the use of the funds calculated under this subsection shall comply with the requirements of chapter 284 and shall be distributed to teachers pursuant to section 284.3A.

Sec. 5. Section 257.37A, subsection 1, paragraph a, Code 2009, is amended to read as follows:

a. For the budget year beginning July 1, 2009, the department of management shall add together the teacher compensation allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "i", and the phase II allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the special education support services weighted enrollment in the fiscal year beginning July 1, 2009, to determine the area education agency teacher salary supplement cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the area education agency teacher salary supplement district cost per pupil for each area education agency for a budget year is the area education agency teacher salary supplement district cost per pupil for the base year plus the area education agency teacher salary supplement state allowable growth amount for the budget year.

Sec. 6. Section 257.37A, subsection 1, paragraph d, Code 2009, is amended to read as follows:

d. The For the budget year beginning July 1, 2009, the use of the funds calculated under this subsection shall comply with requirements of chapters chapter 284 and-294A and shall

be distributed to teachers pursuant to section ~~284.7~~ 284.3A. For the budget year beginning July 1, 2010, and succeeding budget years, the use of the funds calculated under this subsection shall comply with the requirements of chapter 284 and shall be distributed to teachers pursuant to section 284.3A.

Sec. 7. Section 257.51, Code 2009, is amended to read as follows:

257.51 CATEGORICAL STATE APPROPRIATIONS.

For the budget year beginning July 1, 2009, and succeeding budget years, if the general assembly makes an appropriation pursuant to section 284.13, subsection 1, paragraph "h" or "i", ~~or for the phase II allocation pursuant to section 294A.97~~ or for professional development pursuant to section 284.13, subsection 1, paragraph "d", or for early intervention pursuant to section 256D.4, the department of management shall recalculate the formulas in section 257.9, subsections 6 through 10; section 257.10, subsections 9, 10, and 11; and section 257.37A.

Sec. 8. Section 284.7, subsection 5, Code 2009, is amended by striking the subsection.

Sec. 9. NEW SECTION. 284.3A TEACHER COMPENSATION -- SINGLE SALARY SYSTEM.

1. a. For the school year beginning July 1, 2009, if the licensed employees of a school district or area education agency receiving funds pursuant to sections 257.10 and 257.37A are organized under chapter 20 for collective bargaining purposes, the school board and the certified bargaining representative for the licensed employees shall negotiate the distribution of the funds among the teachers employed by the school district or area education agency according to chapter 20.

b. If the licensed employees of a school district or area education agency are not organized for collective bargaining purposes, the board of directors shall determine the method of distribution of such funds.

c. For the school years beginning July 1, 2008, and July 1, 2009, a school district or area education agency receiving funds pursuant to sections 257.10 and 257.37A, shall determine the amount to be paid to teachers in accordance with this subsection and the amount determined to be paid to an

individual teacher shall be divided evenly by the appropriate number of pay periods and paid in each pay period of the fiscal year beginning with the October payroll.

2. a. For the school budget year beginning July 1, 2010, and each succeeding school year, school districts and area education agencies shall combine payments made to teachers under sections 257.10 and 257.37A with regular wages and create one salary system. If a school district or area education agency uses a salary schedule, one salary schedule shall be used for regular wages and for distribution of payments under sections 257.10 and 257.37A, incorporating the salary minimums required in section 284.7.

b. If the licensed employees of a school district or area education agency are organized under chapter 20 for collective bargaining purposes, the creation of the new salary system shall be subject to the scope of negotiations specified in section 20.9. A reduction in the teacher salary supplement per pupil amount shall also be subject to the scope of negotiations specified in section 20.9.

c. If the licensed employees of a school district or area education agency are not organized for collective bargaining purposes, the board of directors shall create the new salary system. The board of directors shall determine adjustments in salaries resulting from a reduction in the teacher salary supplement per pupil amount.

3. A school district or area education agency shall not be required to maintain a separate account within its budget based on source of funds for payments received and expenditures made pursuant to this section. The school district or area education agency shall annually certify to the department of education that funding received pursuant to sections 257.10 and 257.37A was expended on salaries for qualified teachers.

Sec. 10. Section 294A.9, subsection 9, Code 2009, is amended by striking the subsection and inserting in lieu thereof the following:

9. This section is repealed June 30, 2009.

Sec. 11.

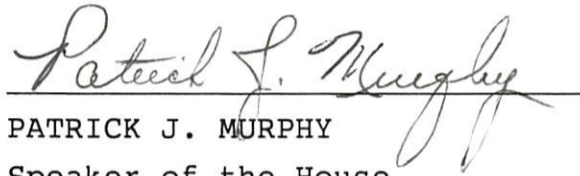
1. Sections 294A.1 through 294A.6, 294A.8, 294A.21, and 294A.25, Code 2009, are repealed.

2. Any moneys remaining in the educational excellence fund established in section 294A.3, Code 2009, shall be distributed as directed pursuant to that section.



JOHN P. KIBBIE

President of the Senate



PATRICK J. MURPHY

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 445, Eighty-third General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved April 17th, 2009



CHESTER J. CULVER

Governor