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MAR 14 1980

HOUSE FILE 2551

Place On Calendar

By COMMITTEE ON EDUCATION

(Formerly Study Bill 745)

Passed House, Date 4/1/80 (p. 1274) Passed Senate, Date 4/22/80

Vote: Ayes 97 Nays 0 Vote: Ayes _____ Nays _____

Approved May 20, 1980

A BILL FOR

1 An Act relating to the calculation of the state percent
2 of growth for school foundation aid purposes.

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

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2551

1 Section 1. Acts of the Sixty-eighth General Assembly,
2 1979 Session, chapter one hundred six (106), sections eight
3 (8) and nine (9), are amended to read as follows:

4 SEC. 8. Section four hundred forty-two point seven (442.7),
5 Code 1979, is amended by adding the following new subsection
6 after section one (1):

7 NEW SUBSECTION. Notwithstanding subsection one (1) of
8 this section, for the school ~~years~~ year beginning July 1,
9 1980~~7~~-~~July-17-1981~~~~7~~-and-~~July-17-1982~~ only, the state percent
10 of growth is the average of the two percentages of growth
11 computed under subsection one (1), paragraph b, of this
12 section.

13 SEC. 9. Section four hundred forty-two point seven (442.7),
14 subsection three (3), Code 1979, is amended to read as follows:

15 3. Each year prior to September fifteenth the state
16 comptroller shall recompute the state percent of growth for
17 the previous year using adjusted estimates and the actual
18 figures available. The difference between the recomputed
19 state percent of growth for the base year and the original
20 computation shall be added to or subtracted from the state
21 percent of growth for the budget year, as applicable. However,
22 for the budget school ~~years~~ year beginning July 1, 1980 only,
23 ~~July-17-1981~~~~7~~-and-~~July-17-1982~~ the state comptroller shall
24 recompute the state percent of growth for the previous year
25 using adjusted estimates and the actual figures available
26 based only upon the consumer price index.

27 For the school year beginning July 1, 1981, the recomputa-
28 tion of the state percent of growth for the year beginning
29 July 1, 1980 computed prior to September 15, 1980 and added
30 to or subtracted from the state percent of growth for the
31 school year beginning July 1, 1981 shall also include a per-
32 cent equal to the difference between the estimate made of
33 the percentage of growth in the receipts of state general
34 fund revenue by the state comptroller prior to September 15,
35 1978 in computing the state percent of growth for the school

1 year beginning July 1, 1979 and the actual figures of the
2 percentage of growth in the receipts of state general fund
3 revenue.

4 EXPLANATION

5 This bill deletes the portion of the subsection which re-
6 quires that the state percent of growth for school foundation
7 aid purposes be calculated only on the basis of changes in
8 the consumer price index for the next two years. It
9 correspondingly amends the section relating to adjustments
10 to the state percent of growth. It also requires the state
11 comptroller to add to or subtract from the state percent of
12 growth a percent equal to the difference between the estimate
13 of revenue growth used in calculating the state percent of
14 growth for the school year beginning July 1, 1979 and the
15 actual revenue growth. The bill takes effect July 1, 1980.
16 The state percent of growth will be calculated on the average
17 of the changes in the receipts of the state general fund and
18 the consumer price index.

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HOUSE FILE 2551

H-5795

1 Amend House File 2551 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section four hundred forty-two point
5 seven (442.7), subsection five (5), paragraph a, Code
6 1979, as amended by Acts of the Sixty-eighth General
7 Assembly, 1979 Session, chapter one hundred six (106),
8 section ten (10), and as the section is amended by
9 Acts of the Sixty-eighth General Assembly, 1979
10 Session, chapter one hundred six (106), sections six
11 (6) through nine (9), is amended by striking the
12 paragraph and inserting in lieu thereof the following:

13 a. If the state cost per pupil for the budget
14 year exceeds the district cost per pupil for the
15 budget year, the basic allowable growth per pupil
16 for the budget year is modified to equal one hundred
17 ten percent of the product of the state cost per pupil
18 for the base year times the state percent of growth
19 for the budget year. However, the basic allowable
20 growth per pupil for the budget year under this
21 paragraph shall not exceed the difference between
22 the state cost per pupil for the budget year and the
23 district cost per pupil for the budget year. For
24 purposes of this paragraph the state cost per pupil
25 and the district cost per pupil shall not include
26 special education support service costs, and the
27 district cost per pupil for the budget year shall
28 not include that portion of the district cost per
29 pupil created by additions or subtractions to the
30 allowable growth per pupil for the budget year and
31 for prior school years beginning with the school year
32 commencing July 1, 1977, as provided under paragraph
33 b of this subsection."

34 2. Page 2, by inserting after line 3 the following
35 section:

36 "Sec _____. Section four hundred forty-two point
37 nine (442.9), subsection one (1), paragraph a, Code
38 1979, is amended by adding the following new unlettered
39 paragraph:

40 NEW UNLETTERED PARAGRAPH. However, district cost
41 per pupil does not include additional allowable growth
42 added for programs for gifted and talented children
43 under this chapter and does not include additional
44 allowable growth established by the school budget
45 review committee for a single school year only."

46 3. Title, line 2, by inserting after the word
47 "growth" the words "and basic allowable growth per
48 pupil".

49 4. By renumbering sections and internal references
50 as necessary.

H-5795 FILED

MARCH 31, 1980

Adopted 4/1 (p. 1244)

BY LIND of Black Hawk

BRANDT of Black Hawk

DIEMER of Black Hawk

HOUSE FILE 2551

S-5797

1 Amend House File 2551, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1, the
4 following section:

5 "Section 1. Section two hundred seventy-three
6 point two (273.2), Code 1979, is amended by adding
7 the following new subsection following subsection
8 five (5):

9 NEW SUBSECTION. Assistance in establishing programs
10 for gifted and talented children."

11 2. Page 1, by inserting before line 1 the following
12 sections:

13 "Sec. ____ . Section two hundred seventy-three point
14 three (273.3), subsection thirteen (13), Code 1979,
15 as the section is amended by Acts of the Sixty-eighth
16 General Assembly, 1979 Session, chapter sixty (60),
17 section one (1), is amended to read as follows:

18 13. Prepare an annual budget estimating income
19 and expenditures for programs and services as provided
20 in sections 273.1 to 273.9 and chapter 281 within
21 the limits of funds provided under section two hundred
22 eighty-one point nine (281.9) and chapter four hundred
23 forty-two (442) of the Code. The board shall give
24 notice of a public hearing on the proposed budget
25 by publication in an official county newspaper in
26 each county located wholly or partially in the merged
27 area. The notice shall specify the date which shall
28 be not later than November 10 of each year, time,
29 and location of the public hearing. The proposed
30 budget as approved by the board shall then be submitted
31 to the state board of public instruction, on forms
32 provided by the department, no later than December
33 1 preceding the next fiscal year for approval. The
34 ~~state-board-shall-forward-copies-of-the-budgets-of~~
35 ~~the-area-education-agencies-to-the-state-comptroller.~~
36 ~~The-state-board-and-the-state-comptroller-shall~~
37 ~~establish-a-maximum-statewide-amount-for-approved~~
38 ~~budgets-for-the-area-education-agencies.--if-the-state~~
39 ~~board-and-the-state-comptroller-cannot-agree-upon~~
40 ~~a-maximum-statewide-amount,-that-amount-shall-be~~
41 ~~established-by-the-school-budget-review-committee.~~
42 The state board shall review the proposed budget of
43 each area education agency ~~with-consideration-given~~
44 ~~to-the-maximum-statewide-amount-established-pursuant~~
45 ~~to-this-subsection,~~ and shall prior to January 1
46 either grant approval or return the budget without
47 approval with comments of the state board included.
48 Any unapproved budget shall be resubmitted to the
49 state board for final approval.

50 Sec. ____ . Section two hundred seventy-three point

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1 five (273.5), subsection six (6), Code 1979, is amended
2 to read as follows:

3 6. Submit to the department of public instruction
4 special education instructional and support program
5 plans and applications including ~~these for new or~~
6 ~~expanded programs and services~~, subject to criteria
7 listed in chapter 281 and this chapter, for approval
8 by November 1 of each year for the school year
9 commencing the following July 1. ~~For the school years~~
10 ~~subsequent to the school year beginning July 1, 1975,~~
11 ~~the director shall include in the program plans~~
12 ~~submitted to the department for support services the~~
13 ~~costs necessary to fund the newly identified nonpublic~~
14 ~~school pupils served by the area with support services~~
15 ~~not previously counted in the program plans for support~~
16 ~~services."~~

17 3. Page 1, by inserting before line 1 the following
18 sections:

19 "Sec. . . . Section two hundred eighty-five point
20 one (285.1), subsections three (3) and four (4), Code
21 1979, are amended to read as follows:

22 3. In any a district where transportation by
23 school bus is impracticable or where school bus service
24 is not available, the board may require the parents
25 or guardian guardians to transport furnish
26 transportation for their children to the school schools
27 designated for attendance. The parent or guardian
28 shall be reimbursed for such transportation service
29 for elementary public and nonpublic school pupils
30 by the board of the resident district for the distance
31 one-way from the pupil's residence to the school
32 designated for attendance at the rate of fifty-six
33 cents per mile per day irrespective of number of
34 children transported. For high school pupils, the
35 parent or guardian shall be reimbursed eighty dollars
36 per pupil per year for such service, provided however
37 the family shall receive more than one hundred sixty
38 dollars per year for transporting the members of the
39 family who attend high school. The provisions of
40 this section shall apply to eligible nonpublic school
41 pupils as well as to eligible public school pupils.
42 However, reimbursement for nonpublic school pupils
43 shall not exceed eighty dollars per pupil per year.
44 The provisions of this subsection shall be effective
45 for transportation of children commencing with the
46 second semester of the school year beginning July
47 1, 1975. in an amount equal to eighty dollars plus
48 the following percent of the difference between eighty
49 dollars and the previous school year's statewide
50 average per pupil transportation cost, as determined

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1 by the department of public instruction:

2 a. For the school year commencing July 1, 1980,
3 twenty-five percent.

4 b. For the school year commencing July 1, 1981,
5 fifty percent.

6 c. For the school year commencing July 1, 1982
7 and each school year thereafter, seventy-five percent.

8 However, a parent or guardian shall not receive
9 reimbursement for furnishing transportation for more
10 than two family members who attend high school.

11 4. In all districts where unsatisfactory roads
12 or other conditions make it advisable, the board at
13 its discretion may require the ~~parent~~ parents or
14 ~~guardian~~ guardians of public and nonpublic school
15 pupils to ~~transport~~ furnish transportation for their
16 children up to two miles to connect with a ~~vehicle~~
17 ~~vehicles~~ of transportation. The ~~parent~~ parents or
18 ~~guardian~~ guardians shall be reimbursed for such
19 transportation by the ~~board~~ boards of the resident
20 ~~district~~ districts at the rate of twenty-eight cents
21 per mile per day, one way, per family for the distance
22 from the pupil's residence to the bus route.

23 Sec. _____. Section two hundred eighty-five point
24 one (285.1), subsection sixteen (16), Code 1979, is
25 amended to read as follows:

26 16. a. If the nonpublic school designated for
27 attendance of a pupil is located outside the boundary
28 line of the school district of the pupil's residence,
29 the pupil may be transported by the district of
30 residence to a public school or other location within
31 the district of the pupil's residence. A public
32 school district in which a nonpublic school is located
33 may establish school bus collection locations within
34 its district from which nonresident nonpublic school
35 pupils may be transported to and from a nonpublic
36 school located in the district. If a pupil receives
37 such transportation, the district of the pupil's
38 residence shall be relieved of any requirement to
39 provide transportation.

40 b. As an alternative to ~~the provisions enumerated~~
41 ~~in paragraph a of~~ this subsection, subject to the
42 ~~provisions of~~ section 285.9, subsection 3, where
43 practicable, and at the option of the public school
44 district in which a nonpublic school pupil resides,
45 the school district may transport a nonpublic school
46 pupil to a nonpublic school located outside the
47 boundary lines of the public school district if the
48 nonpublic school is located in a school district
49 contiguous to the school district which is transporting
50 the nonpublic school pupils, or may contract with

1 the contiguous public school district in which a
2 nonpublic school is located for the contiguous school
3 district to transport the nonpublic school pupils
4 to the nonpublic school of attendance within the
5 boundary lines of the contiguous school district.
6 c. If the nonpublic school designated for
7 attendance of a pupil is located outside the boundary
8 line of the school district of the pupil's residence
9 and the district of residence meets the requirements
10 of subsections fourteen (14) through sixteen (16)
11 of this section by using subsection seventeen (17),
12 paragraph c, of this section and the district in which
13 the nonpublic school is located is contiguous to the
14 district of the pupil's residence and is willing to
15 provide transportation under subsection seventeen
16 (17), paragraph a or b, of this section, the district
17 in which the nonpublic school is located may provide
18 transportation services, subject to section two hundred
19 eighty-five point nine (285.9), subsection three (3),
20 of the Code and may make the claim for reimbursement
21 under section two hundred eighty-five point two (285.2)
22 of the Code. The district in which the nonpublic
23 school is located shall notify the district of the
24 pupil's residence that it is making the claim for
25 reimbursement, and the district of the pupil's
26 residence shall be relieved of the requirement for
27 providing transportation and shall not make a claim
28 for reimbursement for those nonpublic school pupils
29 for which a claim is filed by the district in which
30 the nonpublic school is located.

31 Sec. ____ . Section two hundred eighty-five point
32 one (285.1), subsection seventeen (17), paragraph
33 c, Code 1979, is amended to read as follows:

34 c. Utilizing the transportation reimbursement
35 provision of subsection 3. ~~However, no reimbursement~~
36 ~~shall exceed eighty dollars per nonpublic school pupil~~
37 ~~per year.~~

38 Sec. ____ . Section two hundred eighty-five point
39 sixteen (285.16), Code 1979, is amended to read as
40 follows:

41 285.16 "NONPUBLIC SCHOOL" DEFINED. As used in
42 this chapter, the term "nonpublic school" means those
43 nonpublic schools approved by the department of public
44 instruction as provided in section 257.25 and nonpublic
45 institutions which comply with state board of public
46 instruction standards for providing special education
47 programs."

48 4. Page 1, by inserting before line 1 the follow-
49 ing section:

50 "Sec. ____ . Section four hundred forty-two point

1 three (442.3), Code 1979, is amended to read as
2 follows:

3 442.3 STATE FOUNDATION BASE. The state foundation
4 base for the school year beginning July 1, 1972, is
5 seventy percent of the state cost per pupil. For
6 each succeeding school year the state foundation base
7 shall be increased by the amount of one percent of
8 the state cost per pupil, up to a maximum of eighty
9 percent of the state cost per pupil. However, for
10 the school year beginning July 1, 1980, the state
11 foundation base shall be the same as the state founda-
12 tion base for the school year beginning July 1, 1979.
13 The district foundation base is the larger of the
14 state foundation base or the amount per pupil which
15 the district will receive from foundation property
16 tax and state school foundation aid."

17 5. Page 1, by inserting before line 1 the following
18 section:

19 "Sec. ____ . Section four hundred forty-two point
20 seven (442.7), subsection one (1), unnumbered paragraph
21 one (1), Code 1979, as the section is amended by Acts
22 of the Sixty-eighth General Assembly, 1979 Session,
23 chapter one hundred six (106), sections six (6) through
24 ten (10), is amended to read as follows:

25 For school years subsequent to the school year
26 beginning July 1, 1978, a state percent of growth
27 for the budget year shall be computed by the state
28 comptroller prior to September 15 in the base year
29 and forwarded to the superintendent of public
30 instruction. The state percent of growth shall be
31 an average of the following four percentages of growth
32 except as otherwise provided in paragraph c of this
33 subsection:"

34 6. Page 1, by inserting before line 1 the following
35 sections:

36 "Sec. ____ . Section four hundred forty-two point
37 seven (442.7), subsection one (1), paragraph b, Code
38 1979, as the section is amended by Acts of the Sixty-
39 eighth General Assembly, 1979 Session, chapter one
40 hundred six (106), sections six (6) through ten (10),
41 is amended by striking the paragraph and inserting
42 in lieu thereof the following:

43 b. The difference in the gross national product
44 implicit price deflator published by the bureau of
45 economic analysis, United States department of
46 commerce, computed or estimated as a percentage of
47 change for the following:

48 (1) From the value for the quarter ending December
49 thirty-first eighteen months prior to the beginning
50 of the base year to the value for the quarter ending

1 December thirty-first six months prior to the beginning
2 of the base year.

3 (2) From the value for the quarter ending December
4 thirty-first six months prior to the beginning of
5 the base year to the value for the quarter ending
6 December thirty-first six months prior to the beginning
7 of the budget year.

8 The computation of the percentage change in the
9 gross national product implicit price deflator shall
10 be based, to the extent possible, on the latest
11 available values for these deflators published by
12 the bureau of economic analysis.

13 Sec. Section four hundred forty-two point
14 seven (442.7), subsection one (1), Code 1979, as the
15 section is amended by Acts of the Sixty-eighth General
16 Assembly, 1979 Session, chapter one hundred six (106),
17 sections six (6) through ten (10), is amended by
18 adding the following new paragraph as paragraph c:

19 NEW PARAGRAPH. c. If the average of the
20 percentages computed or estimated under paragraph
21 b of this subsection exceeds the average of the
22 percentages computed or estimated under paragraph
23 a of this subsection, the state percent of growth
24 shall be the average of the two percentages of growth
25 computed or estimated under paragraph a of this
26 subsection "

27 7. Page 1, line 5, by inserting after the word
28 "amended" the words "but not as renumbered".

29 8. Page 1, by inserting after line 26 the following
30 sections:

31 "Sec. Section four hundred forty-two point
32 seven (442.7), subsection five (5), paragraphs d and
33 e, Code 1979, as the section is amended but not as
34 renumbered by Acts of the Sixty-eighth General
35 Assembly, 1979 Session, chapter one hundred six (106),
36 sections six (6) through ten (10), are amended to
37 read as follows:

38 d. For each-year-following the school year
39 beginning July 1, 1975 1976 and ending with the school
40 year beginning July 1, 1980, by adding to the basic
41 allowable growth an amount to compensate for the
42 additional costs of special education support services
43 provided through the area education agency. For the
44 school years beginning July 1, 1978 and July 1, 1979
45 only, the total amount for each area shall be equal
46 to the total amount approved for special education
47 support services for the base year times one hundred
48 percent plus the state percent of growth. In addition
49 to the amount provided in this paragraph to each area
50 for the school years beginning July 1, 1978 and July

1 1, 1979 to compensate for the additional costs of
2 special education support services, each area may
3 be granted by the state board an additional amount
4 to serve children newly-identified as requiring the
5 services pursuant to plans submitted by the special
6 education director of the area education agency as
7 required by section 273.5. The total of additional
8 amounts granted throughout the state by the state
9 board for the school year beginning July 1, 1978 shall
10 not exceed the total amount approved for special
11 education support services for the school year
12 beginning July 1, 1977 times four and eighty-seven
13 hundredths percent, and for the school year beginning
14 July 1, 1979 shall not exceed the total amount approved
15 for special education support services for the school
16 year beginning July 1, 1978 times three percent.
17 For the school year beginning July 1, 1980 and each
18 school-year thereafter the total amount for the state
19 for special education support services shall not
20 exceed the total amount approved for special education
21 support services for the base year times one hundred
22 percent plus the state percent of growth, and the
23 total amount for each area shall be determined by
24 the state board of public instruction pursuant to
25 plans submitted by the special education director
26 of the area education agency as required by section
27 273.5, which shall be modified as necessary and
28 approved by the state board of public instruction
29 according to the criteria and limitations of section
30 273.5 and chapter 281 and within the total amount
31 for the state provided in this paragraph. The amount
32 of additional allowable growth per pupil for the
33 budget year for each district in an area shall be
34 determined by dividing the total amount for the area
35 so determined by the weighted enrollment of the area
36 for the budget year.

B
37 e. For the school years prior to the school year
38 beginning July 1, 1981, for the additional allowable
39 growth computed under paragraphs "c" and "d" of this
40 subsection, the state board of public instruction,
41 in co-operation with the appropriate personnel of
42 the area education agency, shall determine the amounts
43 for each area education agency, as required and the
44 state comptroller shall calculate the amounts of
45 additional allowable growth for each district necessary
46 to fund the total special education support services
47 costs as increased for the budget year under paragraph
48 "d" of this subsection, and shall calculate the amounts
49 due from each district to its area education agency
50 by multiplying the additional allowable growth per

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1 pupil necessary to fund the total special education
2 support services costs as increased for the budget
3 year under paragraph "d" of this subsection by the
4 weighted enrollment in the district for the budget
5 year. The state comptroller shall deduct the amounts
6 so calculated for each school district from the state
7 aid due to the district pursuant to this chapter and
8 shall pay the amounts to the area education agencies
9 on a quarterly basis during each school year. The
10 state comptroller shall notify each school district
11 of the amount of state aid deducted for this purpose
12 and the balance of state aid will be paid to the
13 district. If a district does not qualify for state
14 aid under this chapter in an amount sufficient to
15 cover its amount due to the area education agency
16 as calculated by the state comptroller, the school
17 district shall pay the deficiency to the area education
18 agency from other moneys received by the district,
19 on a quarterly basis during each school year."

20 9. Page 1, by inserting after line 26 the following
21 section:

22 "Sec. ____ . Section four hundred forty-two point
23 seven (442.7), subsection five (5), Code 1979, as
24 the section is amended but not as renumbered by Acts
25 of the Sixty-eighth General Assembly, 1979 Session,
26 chapter one hundred six (106), sections six (5) through
27 ten (10), is amended by adding the following new
28 paragraph:

29 NEW PARAGRAPH. By the state comptroller under
30 section four hundred forty-two point thirty-five
31 (442.35) of the Code."

32 10. Page 1, by inserting after line 26 the
33 following section:

34 "Sec. ____ . Section four hundred forty-two point
35 seven (442.7), Code 1979, as the section is amended
36 by Acts of the Sixty-eighth General Assembly, 1979
37 Session, chapter one hundred six (106), sections six
38 (6) through ten (10), is amended by adding the
39 following new subsection:

40 NEW SUBSECTION. ALLOWABLE GROWTH. For the school
41 year beginning July 1, 1981, the state comptroller
42 shall add to the allowable growth of affected school
43 districts, an amount equal to the difference between
44 the amount per pupil in weighted enrollment for the
45 approved budget for the school year beginning July
46 1, 1980 for special education support services in
47 that area education agency and the amount per pupil
48 in weighted enrollment for the amount certified to
49 generate funds for the school year beginning July
50 1, 1980 for special education support services in

B 1 the area education agency and shall adjust the state
2 cost per pupil accordingly."

3 11. Page 2, by inserting after line 17 the follow-
4 ing:

5 "With regard to values of gross national product
6 implicit price deflators, the recomputation of the
7 state percent of growth for the previous year shall
8 be made only with respect to the value of the deflator
9 for the quarter which occurred subsequent to the
E 10 calculation of the state percent of growth for the
11 previous year. If subsection one (1), paragraph c,
12 of this section is used in the calculation of the
13 state percent of growth for the previous year, the
14 calculation made in subsection one (1), paragraph
15 b, of this subsection shall not be used in the
16 recomputation of the state percent of growth for the
17 previous year."

18 12. Page 2, by inserting after line 29 the
19 following section:

20 "Sec. _____. Section four hundred forty-two point
21 eight (442.8), unnumbered paragraph two (2), Code
22 1979, as the section is amended by Acts of the Sixty-
23 eighth General Assembly, 1979 Session, chapter one
24 hundred six (106), section eleven (11), is amended
25 to read as follows:

G 26 However, for the budget years beginning July 1,
27 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983,
28 the state cost per pupil shall equal the base year's
29 state cost per pupil plus the allowable growth for
30 the budget year plus an adjustment to the state cost
31 per pupil. For the budget years beginning July 1,
32 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983,
33 the adjustment to the state cost per pupil is twenty
34 dollars per pupil, ~~six dollars per pupil~~, seven dollars
35 per pupil, and eight dollars per pupil, respectively."

36 13. Page 2, by inserting after line 29 the
37 following section:

38 "Sec. _____. Section four hundred forty-two point
39 eight (442.8), unnumbered paragraph three (3), Code
40 1979, as the section is amended by Acts of the Sixty-
41 eighth General Assembly, 1979 Session, chapter one
B 42 hundred six (106), section eleven (11), is amended
43 to read as follows:

44 ~~For each~~ Commencing with the school year subsequent
45 ~~to the school year~~ beginning July 1, ~~1975~~ 1976, and
46 ending with the school year beginning July 1, 1979,
47 the allowable growth added to the state cost per pupil
48 as otherwise computed under section 442.7 shall be
49 the basic allowable growth increased by an amount
50 equal to the average of the amounts of allowable

1 growth added for each school district in the state
2 for additional special education support services
3 needed for that year to serve newly identified children
4 who require the services, under sections 273.9,
5 subsection 3 and 442.7, subsection 5, paragraph "d".
6 The state comptroller shall compute the applicable
7 amount of allowable growth to be added to the state
8 cost per pupil for each school year."

9 14. Page 3, by inserting after line 2 the following
10 section:

11 "Sec. ____ Chapter four hundred forty-two (442),
12 Code 1979, is amended by adding the following new
13 section as section four hundred forty-two point twenty-
14 five (442.25) of the Code:

B 15 NEW SECTION. 442.25 SPECIAL EDUCATION SUPPORT
16 SERVICES PAYMENTS. The state comptroller shall deduct
17 the amounts calculated for special education support
18 services for each school district from the state aid
19 due to the district pursuant to this chapter and shall
20 pay the amounts to the respective area education
21 agencies on a quarterly basis during each school year.
22 The state comptroller shall notify each school district
23 of the amount of state aid deducted for this purpose
24 and the balance of state aid shall be paid to the
25 district. If a district does not qualify for state
26 aid under this chapter in an amount sufficient to
27 cover its amount due to the area education agency
28 as calculated by the state comptroller, the school
29 district shall pay the deficiency to the area education
30 agency from other moneys received by the district,
31 on a quarterly basis during each school year."

32 15. Page 3, by inserting after line 2 the following
33 sections:

A 34 "Sec. ____ Section four hundred forty-two point
35 thirty-one (442.31), Code 1979, as amended by Acts
36 of the Sixty-eighth General Assembly, 1979 Session,
37 chapter thirteen (13), section twenty (20), and as
38 amended by House File two thousand two hundred seventy-
39 five (2275), section one (1), Sixty-eighth General
40 Assembly, 1980 Session, is amended by striking the
41 section and inserting in lieu thereof the following:

42 442.31 GIFTED AND TALENTED CHILDREN. For the
43 school year beginning July 1, 1981 and succeeding
44 school years, boards of school districts, individually
45 or jointly with the boards of other school districts,
46 may provide for gifted and talented children programs
47 and annually submit program plans and budget costs,
48 including requests for additional allowable growth
49 for funding the programs, to the department of public
50 instruction and to the applicable gifted and talented

1 children advisory council, if an advisory council
2 has been established, as provided in this chapter.
3 A district shall not identify more than three percent
4 of its budget enrollment for the budget year as gifted
5 and talented.

6 The department of public instruction shall
7 promulgate rules under chapter seventeen A (17A) of
8 the Code relating to the administration of sections
9 four hundred forty-two point thirty-one (442.31)
10 through four hundred forty-two point thirty-five
11 (442.35) of the Code and the new sections added to
12 chapter four hundred forty-two (442) of the Code by
13 this Act. The rules shall prescribe the format of
14 program plans submitted under section four hundred
15 forty-two point thirty-two (442.32) of the Code and
16 shall require that programs fulfill specified
17 objectives.

18 Sec. _____. Section four hundred forty-two point
19 thirty-two (442.32), Code 1979, is amended by striking
20 the section and inserting in lieu thereof the
21 following:

22 442.32 PROGRAM PLANS. The program plans submitted
23 by school districts shall include all of the following:

- 24 1. Program goals, objectives, and activities to
25 meet the needs of gifted and talented children.
- 26 2. Student identification criteria and procedures.
- 27 3. Staff in-service education design.
- 28 4. Staff utilization plans.
- 29 5. Evaluation criteria and procedures and
30 performance measures.

31 6. Program budget.

32 7. Qualifications required of personnel
33 administering the program.

34 8. Other factors the department requires.

35 Sec. _____. Section four hundred forty-two point
36 thirty-three (442.33), Code 1979, is amended to read
37 as follows:

38 442.33 DEFINED. "Gifted and talented children"
39 are those identified as possessing outstanding
40 abilities who are capable of high performance. Gifted
41 and talented children are children who require
42 ~~differentiated-educational-programs-or-services~~
43 appropriate instruction and educational services
44 commensurate with their abilities and needs beyond
45 those provided by the regular school program.

46 Gifted and talented children include those children
47 with demonstrated achievement or potential ability,
48 or both, in any two-ex-mere of the following areas
49 or in combination:

- 50 1. General intellectual ability.

- 1 1 2. Creative thinking.
- 2 2 3. Leadership ability.
- 3 3 4. Visual and performing arts ability.
- 4 4 5. Specific ability aptitude.
- 5 5---Intellectual-ability-

6 Sec. _____. Section four hundred forty-two point
7 thirty-four (442.34), Code 1979, as amended by Acts
8 of the Sixty-eighth General Assembly, 1979 Session,
9 chapter thirteen (13), section twenty-one (21), and
10 as amended by House File two thousand two hundred
11 seventy-five (2275), section two (2), Sixty-eighth
12 General Assembly, 1980 Session, is amended by striking
13 the section and inserting in lieu thereof the
14 following:

15 442.34 SUBMISSION OF PROGRAM PLANS. The board
16 of directors of a school district shall submit
17 applications for approval for gifted and talented
18 children programs to the department not later than
19 November first preceding the fiscal year during which
20 the program will be offered. The board shall also
21 submit a copy of the program plans to the gifted and
22 talented children advisory council, if an advisory
23 council has been established. The department shall
24 review the program plans and shall prior to January
25 fifteenth either grant approval for the program or
26 return the request for approval with comments of the
27 department included. Any unapproved request for a
28 program may be resubmitted with modifications to the
29 department not later than February first. Not later
30 than February fifteenth the department shall notify
31 the state comptroller and the school budget review
32 committee of the names of the school districts for
33 which gifted and talented children programs have been
34 approved and the approved budget of each program
35 listed separately for each school district having
36 an approved program.

37 Sec. _____. Section four hundred forty-two point
38 thirty-five (442.35), Code 1979, as amended by Acts
39 of the Sixty-eighth General Assembly, 1979 Session,
40 chapter thirteen (13), section twenty-two (22), and
41 as amended by House File two thousand two hundred
42 seventy-five (2275), section three (3), Sixty-eighth
43 General Assembly, 1980 Session, is amended by striking
44 the section and inserting in lieu thereof the
45 following:

46 442.35 FUNDING. The budget of an approved gifted
47 and talented children program for a school district,
48 after subtracting funds received from other sources
49 for that purpose, shall be funded annually on a basis
50 of one-fourth or more from the district cost of the

1 school district and up to three-fourths by an increase
2 in allowable growth as defined in section four hundred
3 forty-two point seven (442.7) of the Code. Annually,
4 the state comptroller shall establish a modified
5 allowable growth for each such district equal to the
6 difference between the approved budget for the gifted
7 and talented children program for that district and
8 the sum of the amount funded from the district cost
9 of the school district plus funds received from other
10 sources.

11 Sec. ____ Chapter four hundred forty-two (442),
12 Code 1979, is amended by adding the following new
13 sections:

14 NEW SECTION. ADVISORY COUNCIL. At the written
15 request of one or more boards of school districts,
16 in an area education agency, the area education agency
17 board shall establish one or more gifted and talented
18 children advisory councils and shall appoint members
19 for four-year staggered terms. The terms of office
20 of advisory council members shall commence on July
21 first of each year. An advisory council shall consist
22 of seven members including teachers, parents, school
23 administrators, and other persons interested in
24 education in the area. Except as otherwise provided
25 in this section, members shall be eligible electors
26 residing in the merged area. Members shall serve
27 without compensation but shall be reimbursed for
28 actual and necessary expenses and mileage incurred
29 in the performance of their duties from funds available
30 to the area education agency.

31 If an area education agency has a weighted
32 enrollment of more than thirty-five thousand, the
33 board may appoint additional advisory councils for
34 each thirty-five thousand weighted enrollment or
35 fraction of thirty-five thousand. If more than one
36 advisory council is appointed by the board, the board
37 shall divide the merged area along school district
38 boundary lines for jurisdiction of the advisory
39 councils, and membership of these advisory councils
40 shall be appointed from the designated portion of
41 the merged area.

42 NEW SECTION. DUTIES OF ADVISORY COUNCIL. The
43 gifted and talented children advisory council shall:

44 1. Elect a chairperson and vice chairperson from
45 the membership of the advisory council.

46 2. Meet as often as deemed necessary by the
47 advisory council.

48 3. Advise and assist a local board of directors
49 in the establishment of gifted and talented children
50 programs, when requested by the local board.

1 4. Review program plans and proposed budgets for
2 a gifted and talented children program, in consultation
3 with a gifted and talented children consultant employed
4 by the area education agency, when requested by a
5 local board.

A 6 5. When requested by a local board, evaluate the
7 results of a gifted and talented children program
8 and file a written report together with recommendations
9 for improvement or change with the board of directors
10 of the applicable school district, the area education
11 agency and the department of public instruction.
12 The evaluation shall be conducted by three or more
13 members of the advisory council."

14 16. Page 3, by inserting after line 2 the following
15 sections:

H 16 "Sec. _____. This Act is effective for the school
17 year beginning July 1, 1981, except that the sections
18 amending chapter two hundred eighty-five (285), section
19 four hundred forty-two point three (442.3) and section
20 four hundred forty-two point seven (442.7), subsection
21 five (5), paragraph a, of the Code are effective for
22 the school year beginning July 1, 1980."

23 Sec. _____. This Act, being deemed of immediate
24 importance, takes effect from and after its publication
25 in The Record, a newspaper published in Cedar Falls,
26 Iowa, and in The Garner Leader & Signal, a newspaper
27 published in Garner, Iowa.

28 17. By numbering and renumbering sections and
29 correcting internal references as necessary.

30 18. Amend the title, line 1, by inserting after
31 the word "to" the words "school finance including".

32 19. Amend the title, line 2, by striking the words
33 "growth and basic" and inserting in lieu thereof the
34 word "growth,".

H 35 20. Amend the title, line 2, by inserting after
36 the word "pupil" the words ", and the state foundation
37 base".

38 21. Amend the title, line 3, by inserting after
39 the word "purposes" the words "and including
40 reimbursement for public and nonpublic pupil
41 transportation".

S-5797 FILED
APRIL 22, 1980

BY WILLARD R. HANSEN
ARTHUR I. GRATIAS

DIVISION A, ADOPTED AS AMENDED ^(p. 1576) BY RAY TAYLOR
DIVISION B - ADOPTED (p. 1577)
DIVISION C - ADOPTED AS AMENDED ^(p. 1581) BY 5818 (p. 1581)
DIVISION D - ADOPTED (p. 1583)
DIVISION E - ADOPTED AS AMENDED ^(p. 1585) BY 5819 (p. 1585)
DIVISION F - ADOPTED (p. 1583)
DIVISION G - ADOPTED (p. 1584)
DIVISION H - ADOPTED "
DIVISION I - ADOPTED "

CLARENCE CARNEY
LUCAS J. DeKOSTER
JOHN JENSEN

S-5801

1 Amend the amendment S-5797, to House File 2551,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 5, by inserting after line 16 the
5 following:

6 "_____. Page 1, by inserting before line 1 the
7 following section:

8 "Sec. _____. Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter one hundred six (106),
10 section three (3), is amended to read as follows:

11 SEC. 3. Section four hundred forty-two point four
12 (442.4), Code 1979, is amended by adding the following
13 new subsections after subsection two (2):

14 NEW SUBSECTION. 3. For the school year beginning
15 July 1, 1980, and each subsequent school year, budget
16 enrollment means the sum of the following:

17 a. Twenty-five percent of the basic enrollment
18 for the school year beginning July 1, 1979.

19 b. Seventy-five percent of the adjusted enrollment
20 computed under subsection 2, paragraph a, of this
21 section.

22 c. Adjustments made by the state comptroller under
23 subsection 4 of this section.

24 NEW SUBSECTION. 4. For the school years beginning
25 July 1, 1980 and July 1, 1981 ~~only~~ and each school
26 year thereafter, if an amount equal to the district
27 cost per pupil for the budget year minus the amount
28 included in the district cost per pupil for the budget
29 year to compensate for the cost of special education
30 support services for a school district times the
31 budget enrollment of the school district for the
32 budget year is less than one hundred four percent
33 for the budget school year beginning July 1, 1980,
34 and the sum of one hundred ~~three~~ percent plus a percent
35 equal to sixty percent of the state percent of growth
36 for the budget school year beginning July 1, 1981
37 and each school year thereafter, times an amount equal
38 to the district cost per pupil for the base year minus
39 the amount included in the district cost per pupil
40 for the base year to compensate for the cost of special
41 education support services for a school district times
42 the adjusted enrollment of the school district for
43 the base year beginning July 1, 1979 or times the
44 budget enrollment of the school district for the base
45 year beginning July 1, 1980 and each school year
46 thereafter, the state comptroller shall increase the
47 budget enrollment for the school district for the
48 budget year to a number which will provide that one
49 hundred four percent amount for the budget school
50 year beginning July 1, 1980, and that one hundred

PAGE 2

1 ~~three~~ percent plus the percent equal to sixty percent
2 of the state percent of growth amount for the budget
3 school year beginning July 1, 1981 and each school
4 year thereafter."

S-5795

1 Amend amendment S-5770, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 14, by inserting after line 13 the
5 following:

6 "____. Page 3, by inserting after line 2
7 the following section:

8 "Sec. _____. For the school year beginning July 1, 1981,
9 an area education agency which requires additional money
10 to provide special education support services to
11 children requiring special education in the area
12 may apply to the school budget review committee for
13 additional funds. The school budget review committee
14 shall review the requests submitted by area education
15 agencies and may allocate additional funds to area
16 education agencies on the basis of need from any
17 funds appropriated to the department of public
18 instruction for the use of the school budget review
19 committee."

S-5795 FILED BY TOM SLATER
APRIL 22, 1980
RULED OUT OF ORDER (p. 1573)

HOUSE FILE 2551

S-5799

1 Amend amendment S-5797 to House File 2551, as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 14, by inserting after line 13 the
5 following:

6 "____. Page 3, by inserting after line 2 the
7 following section:

8 "Sec. _____. Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter thirteen (13), section
10 seven (7), subsection twelve (12), is amended to read
11 as follows:

12 12. PROGRAMS FOR GIFTED
13 AND TALENTED CHILDREN.

14 a. For programs for gifted
15 and talented children approved by
16 the department under section four
17 hundred forty-two point thirty-
18 four (442.34) of the Code \$

\$ 100,000

19 b. For support services for
20 programs for gifted and talented
21 children approved by the department
22 under section four hundred forty-two
23 point thirty-four (442.34) of the
24 Code \$

\$ 31,000

25 If federal funds become available
26 for the purpose for which funds are
27 appropriated by this paragraph, the
28 appropriation in this paragraph shall
29 be reduced by the amount of federal
30 funds received and the amount the
31 appropriation is reduced shall revert
32 to the general fund of the state."

33 2. Page 14, line 41, by inserting after the word
34 "transportation" the words "and to make an appropriation".

S-5799 FILED *Lost (p. 1575)* BY TOM SLATER
APRIL 22, 1980
LOST

HOUSE FILE 2551

S-5800

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 14, by inserting after line 13 the
5 following:

6 "____. Page 3, by inserting after line 2 .
7 the following section:

8 "Sec. _____. For the school year beginning July 1, 1981,
9 an area education agency which requires additional money
10 to provide special education support services to
11 children requiring special education in the area
12 may apply to the school budget review committee for
13 additional funds. The school budget review committee
14 shall review the requests submitted by area education
15 agencies and may allocate additional funds to area
16 education agencies on the basis of need from any
17 funds appropriated to the department of public
18 instruction for the use of the school budget review
19 committee.""

S-5800 FILED

BY TOM SLATER

APRIL 22, 1980

ADOPTED (p. 157)

HOUSE FILE 2551

S-5804

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 5, line 33, by inserting after the word
5 "subsection" the words "and except that for the school
6 year beginning July 1, 1981, the state percent of
7 growth shall be twelve percent and shall not be
8 otherwise computed under this section for the budget
9 year beginning July 1, 1981 and shall not be recomputed
10 under this section for the base year beginning July
11 1, 1980".

S-5804 FILED

BY C. W. HUTCHINS

APRIL 22, 1980

WITHDRAWN (p. 157)

HOUSE FILE 2551

S-5805

1 Amend the Hansen amendment S-5797 to House File 2551
2 as amended, passed and reprinted by the House as follows:

3 1. Page 3, line 10, by striking the words "two family
4 members who attend high school" and inserting in lieu
5 thereof the words "one family member who attends a
6 public or nonpublic school".

S-5805 FILED

BY ARTHUR L. GRATIAS

APRIL 22, 1980

JOANN ORR

LOST (p. 157)

S-5803

1 Amend the amendment S-5797, to House File 2551,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 5, by inserting after line 16 the
5 following:

6 "____. Page 1, by inserting before line 1 the
7 following section:

8 "Sec. _____. Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter one hundred six (106),
10 section three (3), is amended to read as follows:

11 SEC. 3. Section four hundred forty-two point four
12 (442.4), Code 1979, is amended by adding the following
13 new subsections after subsection two (2):

14 NEW SUBSECTION. 3. For the school year beginning
15 July 1, 1980, and each subsequent school year, budget
16 enrollment means the sum of the following:

17 a. Twenty-five percent of the basic enrollment
18 for the school year beginning July 1, 1979.

19 b. Seventy-five percent of the adjusted enrollment
20 computed under subsection 2, paragraph a, of this
21 section.

22 c. Adjustments made by the state comptroller under
23 subsection 4 of this section.

24 NEW SUBSECTION. 4. For the school years beginning
25 July 1, 1980 and July 1, 1981 only, if an amount equal
26 to the district cost per pupil for the budget year
27 minus the amount included in the district cost per
28 pupil for the budget year to compensate for the cost
29 of special education support services for a school
30 district times the budget enrollment of the school
31 district for the budget year is less than one hundred
32 four percent for the budget school year beginning
33 July 1, 1980, and one hundred three six percent for
34 the budget school year beginning July 1, 1981, times
35 an amount equal to the district cost per pupil for
36 the base year minus the amount included in the district
37 cost per pupil for the base year to compensate for
38 the cost of special education support services for
39 a school district times the adjusted enrollment of
40 the school district for the base year beginning July
41 1, 1979 or times the budget enrollment of the school
42 district for the base year beginning July 1, 1980,
43 the state comptroller shall increase the budget
44 enrollment for the school district for the budget
45 year to a number which will provide that one hundred
46 four percent amount for the budget school year
47 beginning July 1, 1980, and that one hundred three
48 six percent amount for the budget school year beginning
49 July 1, 1981."

S-5803 FILED
APRIL 22, 1980
LOST (p. 1574)

BY JOE BROWN

S-5802

1 Amend the amendment S-5797, to House File 2551,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 5, by inserting after line 16 the
5 following:

6 "____. Page 1, by inserting before line 1 the
7 following section:

8 "Sec. ____ . Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter one hundred six (106),
10 section three (3), is amended to read as follows:

11 SEC. 3. Section four hundred forty-two point four
12 (442.4), Code 1979, is amended by adding the following
13 new subsections after subsection two (2):

14 NEW SUBSECTION. 3. For the school year beginning
15 July 1, 1980, and each subsequent school year, budget
16 enrollment means the sum of the following:

17 a. Twenty-five percent of the basic enrollment
18 for the school year beginning July 1, 1979.

19 b. Seventy-five percent of the adjusted enrollment
20 computed under subsection 2, paragraph a, of this
21 section.

22 c. Adjustments made by the state comptroller under
23 subsection 4 of this section.

24 NEW SUBSECTION. 4. For the school years beginning
25 July 1, 1980 and July 1, 1981 only, if an amount equal
26 to the district cost per pupil for the budget year
27 minus the amount included in the district cost per
28 pupil for the budget year to compensate for the cost
29 of special education support services for a school
30 district times the budget enrollment of the school
31 district for the budget year is less than one hundred
32 four percent for the budget school year beginning
33 July 1, 1980, and the sum of one hundred three percent
34 plus a percent equal to sixty percent of the state
35 percent of growth for the budget school year beginning
36 July 1, 1981, times an amount equal to the district
37 cost per pupil for the base year minus the amount
38 included in the district cost per pupil for the base
39 year to compensate for the cost of special education
40 support services for a school district times the
41 adjusted enrollment of the school district for the
42 base year beginning July 1, 1979 or times the budget
43 enrollment of the school district for the base year
44 beginning July 1, 1980, the state comptroller shall
45 increase the budget enrollment for the school district
46 for the budget year to a number which will provide
47 that one hundred four percent amount for the budget
48 school year beginning July 1, 1980, and that one
49 hundred three percent plus the percent equal to sixty
50 percent of the state percent of growth amount for

PAGE 2

1 the budget school year beginning July 1, 1981."

HOUSE FILE 2551

S-5806

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, line 45, by inserting after the word
5 "institutions" the words "which only offer special
6 education programs and".

S-5806 FILED

BY JOANN ORR

APRIL 22, 1980

WITHDRAWN (p. 1581)

HOUSE FILE 2551

S-5807

1 Amend the Hansen amendment S-5797 to House File 2551
2 as amended, passed and reprinted by the House as follows:

3 1. Page 5, by striking lines 17 through 33.
4 2. Page 6, by striking lines 13 through 26.

S-5807 FILED

BY ARTHUR A. SMALL, JR.

APRIL 22, 1980

LOST (p. 1580)

HOUSE FILE 2551

S-5808

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 5, by inserting after line 33 the
5 following:

6 "Sec. ____ . Page 1, by inserting before line 1 the
7 following section:

8 "Sec. ____ . Section four hundred forty-two point
9 seven (442.7), subsection one (1), paragraph a,
10 subparagraphs one (1) and two (2), as amended by Acts
11 of the Sixty-eighth General Assembly, 1979 Session,
12 chapter one hundred six (106), section six (6), and
13 as the section is amended by Acts of the Sixty-eighth
14 General Assembly, 1979 Session, chapter one hundred
15 six (106), sections seven (7) through ten (10), are
16 amended by striking the subparagraphs and inserting
17 in lieu thereof the following:

18 (1) The percentage of change between the revenues
19 received during the second year preceding the base
20 year and the revenues received during the year
21 preceding the base year.

22 (2) The percentage of change between the revenues
23 received during the year preceding the base year and
24 the revenues received during the base year."

S-5808 FILED

BY WILLARD R. HANSEN

APRIL 22, 1980

WITHDRAWN (p. 1582)

S-5816

- 1 Amend amendment S-5797 to House File 2551 as
2 amended, passed, and reprinted by the House as follows:
3 1. Page 4, by striking line 48 and inserting in
4 lieu thereof the following:
5 " _____. Page 1, by inserting before line 1 the
6 following:
7 "Sec. _____. Section four hundred forty-two point
8 two (442.2), subsection one (1), Code 1979, is amended
9 to read as follows:
10 1. Each school district shall cause to be levied
11 each year, for the school general fund, a foundation
12 property tax ~~of five dollars and forty cents per~~
13 ~~thousand dollars of assessed valuation~~ on all taxable
14 property in the district. For school years prior
15 to the school year beginning July 1, 1981, the
16 foundation property tax is five dollars and the forty
17 cents per thousand dollars of assessed valuation.
18 For the school year beginning July 1, 1981, the
19 foundation property tax is five dollars and sixty-
20 seven cents per thousand dollars of assessed valuation.
21 For each succeeding school year, the foundation
22 property tax shall be increased by the amount of
23 twenty-seven cents per thousand dollars of assessed
24 valuation, up to a maximum of the average of the
25 foundation property tax levy plus the additional
26 school district property tax levy for all districts
27 in the state for the base year. For the purpose of
28 this chapter, a school district is defined as a school
29 corporation organized under chapter 274."
30 _____. Page 1, by inserting before line 1 the follow-
31 ".
32 2. Page 5, by striking line 3 and inserting in
33 lieu thereof the following:
34 "442.3 STATE FOUNDATION BASE.
35 1. The state foundation".
36 3. Page 5, by striking lines 9 through 12 and
37 inserting in lieu thereof the following: "percent
38 of the state cost per pupil."
39 4. Page 5, by striking line 16 and inserting in
40 lieu thereof the following: "tax and state school
41 foundation aid.
42 2. Notwithstanding the provisions of subsection
43 one (1) of this section, the state foundation base
44 for the school year beginning July 1, 1981, and for
45 each succeeding school year shall be computed by the
46 state comptroller. The state foundation base shall
47 be that percent, computed to the closest one-tenth
48 of a percent, which would result in the same total
49 amount of state school foundation aid, on a statewide
50 basis, that results from adding the amount of state

S-5816
Page 2

1 school foundation aid that would have been paid had
2 the state foundation base remained as provided under
3 subsection one (1) of this section and the foundation
4 property tax remained at five dollars and forty cents
5 per thousand dollars of assessed valuation plus the
6 amount of moneys deposited in the supplemental
7 foundation fund during the base year."

8 _____. Page 1, by inserting before line 1 the follow-
9 ing:

10 "Sec. _____. Chapter four hundred forty-two (442),
11 Code 1979, is amended by adding the following new
12 section:

13 NEW SECTION. SUPPLEMENTAL FOUNDATION FUND. There
14 is established in the office of the treasurer of state
15 the supplemental foundation fund. No later than May
16 first of each year, the state comptroller shall notify
17 each county auditor the school districts' maximum
18 allowable district costs for the budget year for
19 school districts whose foundation property tax levy
20 will raise money in excess of the school districts'
21 maximum allowable district costs. The moneys raised
22 by a school district by the foundation property tax
23 levy for the budget year in excess of the school
24 district's maximum allowable district cost for the
25 budget year, shall be transferred by the county auditor
26 to the treasurer of state for deposit in the supple-
27 mental foundation fund. The moneys deposited in the
28 supplemental foundation fund in the base year are
29 annually appropriated as additional state school
30 foundation aid in the budget year and shall be
31 distributed as provided in section four hundred forty-
32 two point one (442.1) and section four hundred forty-
33 two point three (442.3), subsection two (2) of the
34 Code."

35 5. By renumbering sections and internal references
36 as necessary.

S-5816 FILED
APRIL 22, 1980
LOST (p. 1582)

BY JOANN ORR

HOUSE FILE 2551

S-5811

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 5, line 33, by inserting after the word
5 "subsection" the words "and except that for the school
6 year beginning July 1, 1981, the state percent of
7 growth computed for the budget year beginning July
8 1, 1981 and recomputed for the base year beginning
9 July 1, 1980 shall not be less than twelve percent".

S-5811 FILED
APRIL 22, 1980
LOST (p. 1581)

BY C. W. HUTCHINS

S-5809

HOUSE FILE 2551

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 13, line 1, by inserting after the word
5 "district" the words "and funds granted by the
6 department to school districts from funds appropriated
7 for that purpose".

8 2. Page 14, by inserting after line 13 the
9 following section:

10 "Sec. ____ . There is appropriated from the general
11 fund of the state to the department of public
12 instruction for the fiscal year beginning July 1,
13 1981 and ending June 30, 1982 the sum of two hundred
14 thousand (200,000) dollars, or so much thereof as
15 may be necessary, to be allocated to eligible school
16 districts on a grant basis for approved gifted and
17 talented children programs."

S-5809 FILED
APRIL 22, 1980
LOST (p. 1572)

BY JOANN ORR

HOUSE FILE 2551

S-5810

1 Amend the Hansen amendment S-5797 to House File
2 2551 as amended, passed and reprinted by the House
3 as follows:

4 1. By striking page 2, line 29 through page 3,
5 line 10 and inserting in lieu thereof the following:
6 "for elementary pupils by the board of resident
7 district for the distance one way from the pupil's
8 residence to the school designated for attendance
9 at the rate of fifty-six cents per mile per day
10 irrespective of number of children transported. For
11 high school pupils, the parent or guardian shall be
12 reimbursed eighty dollars per pupil per year for such
13 service, provided however no family shall receive
14 more than ~~one-hundred-sixty~~ eighty dollars per year
15 for transporting the members of the family who attend
16 high school. The provisions of this section shall
17 apply to eligible nonpublic school pupils as well
18 as to eligible public school pupils. However,
19 reimbursement for nonpublic school pupils shall not
20 exceed eighty dollars per pupil per year. The
21 provisions of this subsection shall be effective for
22 transportation of children commencing with the second
23 semester of the school year beginning July 1, 1975."

24 2. Page 4, by striking lines 31 through 37.

S-5810 FILED & LOST (p. 1577)
APRIL 22, 1980

BY JOANN ORR

HOUSE FILE 2551

S-5819

1 Amend amendment S-5797, to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 5, by inserting after line 33 the
5 following:
6 "_____. Page 1, by inserting before line 1 the
7 following section:
8 "Sec. _____. Section four hundred forty-two point
9 seven (442.7), subsection one (1), paragraph a,
10 subparagraphs one (1) and two (2), as amended by Acts
11 of the Sixty-eighth General Assembly, 1979 Session,
12 chapter one hundred six (106), section six (6), and
13 as the section is amended by Acts of the Sixty-eighth
14 General Assembly, 1979 Session, chapter one hundred
15 six (106), sections seven (7) through ten (10), are
16 amended by striking the subparagraphs and inserting
17 in lieu thereof the following:
18 (1) The percentage of change between the revenues
19 received during the second year preceding the base
20 year and the revenues received during the year
21 preceding the base year.
22 (2) The percentage of change between the revenues
23 received during the year preceding the base year and
24 the revenues received during the base year."

S-5819 FILED BY JOE BROWN
APRIL 22, 1980
ADOPTED (p. 1555)

HOUSE FILE 2551

S-5818

1 Amend amendment S-5797 to House File 2551, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 4, by inserting after line 37 the
5 following:
6 "Sec. _____. Section two hundred eighty-five point
7 fourteen (285.14), Code 1979, is amended by adding
8 the following new unnumbered paragraph:
9 NEW UNNUMBERED PARAGRAPH. A vehicle used for an
10 approved driver education course in which the driver
11 education teacher transports driver education students
12 from their residences for street or highway driving
13 is not a school bus."

S-5818 FILED BY C. W. HUTCHINS
APRIL 22, 1980 W. R. HANSEN
ADOPTED (p. 1551)

S-5783

1 Amend the amendment, S-5770, to House File 2551,
 2 as amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 5, by inserting after line 16 the
 5 following:

6 "____. Page 1, by inserting before line 1 the
 7 following section:

8 "Sec. _____. Acts of the Sixty-eighth General
 9 Assembly, 1979 Session, chapter one hundred six (106),
 10 section three (3), is amended to read as follows:

11 SEC. 3. Section four hundred forty-two point four
 12 (442.4), Code 1979, is amended by adding the following
 13 new subsections after subsection two (2):

14 NEW SUBSECTION. 3. For the school year beginning
 15 July 1, 1980, and each subsequent school year, budget
 16 enrollment means the sum of the following:

17 a. Twenty-five percent of the basic enrollment
 18 for the school year beginning July 1, 1979.

19 b. Seventy-five percent of the adjusted enrollment
 20 computed under subsection 2, paragraph a, of this
 21 section.

22 c. Adjustments made by the state comptroller under
 23 subsection 4 of this section.

24 NEW SUBSECTION. 4. For the school years beginning
 25 July 1, 1980 and July 1, 1981 and each school
 26 year thereafter, if an amount equal to the district
 27 cost per pupil for the budget year minus the amount
 28 included in the district cost per pupil for the budget
 29 year to compensate for the cost of special education
 30 support services for a school district times the
 31 budget enrollment of the school district for the
 32 budget year is less than one hundred four percent
 33 for the budget school year beginning July 1, 1980,
 34 and the sum of one hundred three percent plus a percent
 35 equal to sixty percent of the state percent of growth
 36 for the budget school year beginning July 1, 1981
 37 and each school year thereafter, times an amount equal
 38 to the district cost per pupil for the base year minus
 39 the amount included in the district cost per pupil
 40 for the base year to compensate for the cost of special
 41 education support services for a school district times
 42 the adjusted enrollment of the school district for
 43 the base year beginning July 1, 1979 or times the
 44 budget enrollment of the school district for the base
 45 year beginning July 1, 1980 and each school year
 46 thereafter, the state comptroller shall increase the
 47 budget enrollment for the school district for the
 48 budget year to a number which will provide that one
 49 hundred four percent amount for the budget school
 50 year beginning July 1, 1980, and that one hundred

S-5783

PAGE 2

1 three percent plus the percent equal to sixty percent
 2 of the state percent of growth amount for the budget
 3 school year beginning July 1, 1981 and each school
 4 year thereafter."

S-5783 FILED *Classified* BY JOE BROWN
 APRIL 21, 1980 *of order*
1/22 (p. 1577)

SENATE CLIP SHEET

APRIL 21, 1980

HOUSE FILE 2551

S-5770

1 Amend House File 2551, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1, the
4 following section:

5 "Section 1. Section two hundred seventy-three
6 point two (273.2), Code 1979, is amended by adding
7 the following new subsection following subsection
8 five (5):

9 NEW SUBSECTION. Assistance in establishing programs
10 for gifted and talented children."

11 2. Page 1, by inserting before line 1 the following
12 sections:

13 "Sec. ____ . Section two hundred seventy-three point
14 three (273.3), subsection thirteen (13), Code 1979,
15 as the section is amended by Acts of the Sixty-eighth
16 General Assembly, 1979 Session, chapter sixty (60),
17 section one (1), is amended to read as follows:

18 13. Prepare an annual budget estimating income
19 and expenditures for programs and services as provided
20 in sections 273.1 to 273.9 and chapter 281 within
21 the limits of funds provided under section two hundred
22 eighty-one point nine (281.9) and chapter four hundred
23 forty-two (442) of the Code. The board shall give
24 notice of a public hearing on the proposed budget
25 by publication in an official county newspaper in
26 each county located wholly or partially in the merged
27 area. The notice shall specify the date which shall
28 be not later than November 10 of each year, time,
29 and location of the public hearing. The proposed
30 budget as approved by the board shall then be submitted
31 to the state board of public instruction, on forms
32 provided by the department, no later than December
33 1 preceding the next fiscal year for approval. The
34 ~~state-board-shall-forward-copies-of-the-budgets-of~~
35 ~~the-area-education-agencies-to-the-state-comptroller-~~
36 ~~The-state-board-and-the-state-comptroller-shall~~
37 ~~establish-a-maximum-statewide-amount-for-approved~~
38 ~~budgets-for-the-area-education-agencies--if-the-state~~
39 ~~board-and-the-state-comptroller-cannot-agree-upon~~
40 ~~a-maximum-statewide-amount, that amount shall be~~
41 ~~established-by-the-school-budget-review-committee.~~
42 The state board shall review the proposed budget of
43 each area education agency with ~~consideration-given~~
44 ~~to-the-maximum-statewide-amount-established-pursuant~~
45 ~~to-this-subsection,~~ and shall prior to January 1
46 either grant approval or return the budget without
47 approval with comments of the state board included.
48 Any unapproved budget shall be resubmitted to the
49 state board for final approval.

50 Sec. ____ . Section two hundred seventy-three point

SENATE 2
APRIL 21, 1980

g-5770 - Page 2

1 five (273.5), subsection six (6), Code 1979, is amended
2 to read as follows:

3 6. Submit to the department of public instruction
4 special education instructional and support program
5 plans and applications including ~~these for new or~~
6 ~~expanded programs and services~~, subject to criteria
7 listed in chapter 281 and this chapter, for approval
8 by November 1 of each year for the school year
9 commencing the following July 1. ~~For the school years~~
10 ~~subsequent to the school year beginning July 1, 1975,~~
11 ~~the director shall include in the program plans~~
12 ~~submitted to the department for support services the~~
13 ~~costs necessary to fund the newly identified nonpublic~~
14 ~~school pupils served by the area with support services~~
15 ~~not previously counted in the program plans for support~~
16 ~~services."~~

17 3. Page 1, by inserting before line 1 the following
18 sections:

19 "Sec. ____ Section two hundred eighty-five point
20 one (285.1), subsections three (3) and four (4), Code
21 1979, are amended to read as follows:

22 3. In any a district where transportation by
23 school bus is impracticable or where school bus service
24 is not available, the board may require the parents
25 or guardian guardians to transport furnish
26 transportation for their children to the school schools
27 designated for attendance. The parent or guardian
28 shall be reimbursed for such transportation service
29 for elementary public and nonpublic school pupils
30 by the board of the resident district for the distance
31 one-way from the pupil's residence to the school
32 designated for attendance at the rate of fifty-six
33 cents per mile per day irrespective of number of
34 children transported. For high school pupils, the
35 parent or guardian shall be reimbursed eighty dollars
36 per pupil per year for such service, provided however
37 no family shall receive more than one hundred sixty
38 dollars per year for transporting the members of the
39 family who attend high school. The provisions of
40 this section shall apply to eligible nonpublic school
41 pupils as well as to eligible public school pupils.
42 However, reimbursement for nonpublic school pupils
43 shall not exceed eighty dollars per pupil per year.
44 The provisions of this subsection shall be effective
45 for transportation of children commencing with the
46 second semester of the school year beginning July
47 1, 1975, in an amount equal to eighty dollars plus
48 the following percent of the difference between eighty
49 dollars and the previous school year's statewide
50 average per pupil transportation cost, as determined

1 by the department of public instruction:

2 a. For the school year commencing July 1, 1980,

3 twenty-five percent.

4 b. For the school year commencing July 1, 1981,

5 fifty percent.

6 c. For the school year commencing July 1, 1982

7 and each school year thereafter, seventy-five percent.

8 However, a parent or guardian shall not receive
9 reimbursement for furnishing transportation for more
10 than two family members who attend high school.

11 4. In all districts where unsatisfactory roads
12 or other conditions make it advisable, the board at
13 its discretion may require the parent parents or
14 guardian guardians of public and nonpublic school
15 pupils to transport furnish transportation for their
16 children up to two miles to connect with a-vehiele
17 vehicles of transportation. The parent parents or
18 guardian guardians shall be reimbursed for such
19 transportation by the board boards of the resident
20 district districts at the rate of twenty-eight cents
21 per mile per day, one way, per family for the distance
22 from the pupil's residence to the bus route.

23 Sec. ____. Section two hundred eighty-five point
24 one (285.1), subsection sixteen (16), Code 1979, is
25 amended to read as follows:

26 16. a. If the nonpublic school designated for
27 attendance of a pupil is located outside the boundary
28 line of the school district of the pupil's residence,
29 the pupil may be transported by the district of
30 residence to a public school or other location within
31 the district of the pupil's residence. A public
32 school district in which a nonpublic school is located
33 may establish school bus collection locations within
34 its district from which nonresident nonpublic school
35 pupils may be transported to and from a nonpublic
36 school located in the district. If a pupil receives
37 such transportation, the district of the pupil's
38 residence shall be relieved of any requirement to
39 provide transportation.

40 b. As an alternative to the-provisions-enumerated
41 in paragraph a of this subsection, subject to the
42 provisions of section 285.9, subsection 3, where
43 practicable, and at the option of the public school
44 district in which a nonpublic school pupil resides,
45 the school district may transport a nonpublic school
46 pupil to a nonpublic school located outside the
47 boundary lines of the public school district if the
48 nonpublic school is located in a school district
49 contiguous to the school district which is transporting
50 the nonpublic school pupils, or may contract with

1 the contiguous public school district in which a
2 nonpublic school is located for the contiguous school
3 district to transport the nonpublic school pupils
4 to the nonpublic school of attendance within the
5 boundary lines of the contiguous school district.
6 c. If the nonpublic school designated for
7 attendance of a pupil is located outside the boundary
8 line of the school district of the pupil's residence
9 and the district of residence meets the requirements
10 of subsections fourteen (14) through sixteen (16)
11 of this section by using subsection seventeen (17),
12 paragraph c, of this section and the district in which
13 the nonpublic school is located is contiguous to the
14 district of the pupil's residence and is willing to
15 provide transportation under subsection seventeen
16 (17), paragraph a or b, of this section, the district
17 in which the nonpublic school is located may provide
18 transportation services, subject to section two hundred
19 eighty-five point nine (285.9), subsection three (3),
20 of the Code and may make the claim for reimbursement
21 under section two hundred eighty-five point two (285.2)
22 of the Code. The district in which the nonpublic
23 school is located shall notify the district of the
24 pupil's residence that it is making the claim for
25 reimbursement, and the district of the pupil's
26 residence shall be relieved of the requirement for
27 providing transportation and shall not make a claim
28 for reimbursement for those nonpublic school pupils
29 for which a claim is filed by the district in which
30 the nonpublic school is located.

31 Sec. ____ . Section two hundred eighty-five point
32 one (285.1), subsection seventeen (17), paragraph
33 c, Code 1979, is amended to read as follows:

34 c. Utilizing the transportation reimbursement
35 provision of subsection 3. ~~However, no reimbursement~~
36 ~~shall exceed eighty dollars per nonpublic school pupil~~
37 ~~per year.~~

38 Sec. ____ . Section two hundred eighty-five point
39 sixteen (285.16), Code 1979, is amended to read as
40 follows:

41 285.16 "NONPUBLIC SCHOOL" DEFINED. As used in
42 this chapter, the term "nonpublic school" means those
43 nonpublic schools approved by the department of public
44 instruction as provided in section 257.25 and nonpublic
45 institutions which comply with state board of public
46 instruction standards for providing special education
47 programs."

48 4. Page 1, by inserting before line 1 the follow-
49 ing section:

50 "Sec. ____ . Section four hundred forty-two point

1 three (442.3), Code 1979, is amended to read as
2 follows:

3 442.3 STATE FOUNDATION BASE. The state foundation
4 base for the school year beginning July 1, 1972, is
5 seventy percent of the state cost per pupil. For
6 each succeeding school year the state foundation base
7 shall be increased by the amount of one percent of
8 the state cost per pupil, up to a maximum of eighty
9 percent of the state cost per pupil. However, for
10 the school year beginning July 1, 1980, the state
11 foundation base shall be the same as the state founda-
12 tion base for the school year beginning July 1, 1979.

13 The district foundation base is the larger of the
14 state foundation base or the amount per pupil which
15 the district will receive from foundation property
16 tax and state school foundation aid."

17 5. Page 1, by inserting before line 1 the following
18 section:

19 "Sec. _____. Section four hundred forty-two point
20 seven (442.7), subsection one (1), unnumbered paragraph
21 one (1), Code 1979, as the section is amended by Acts
22 of the Sixty-eighth General Assembly, 1979 Session,
23 chapter one hundred six (106), sections six (6) through
24 ten (10), is amended to read as follows:

25 For school years subsequent to the school year
26 beginning July 1, 1978, a state percent of growth
27 for the budget year shall be computed by the state
28 comptroller prior to September 15 in the base year
29 and forwarded to the superintendent of public
30 instruction. The state percent of growth shall be
31 an average of the following four percentages of growth
32 except as otherwise provided in paragraph c of this
33 subsection:"

34 6. Page 1, by inserting before line 1 the following
35 sections:

36 "Sec. _____. Section four hundred forty-two point
37 seven (442.7), subsection one (1), paragraph b, Code
38 1979, as the section is amended by Acts of the Sixty-
39 eighth General Assembly, 1979 Session, chapter one
40 hundred six (106), sections six (6) through ten (10),
41 is amended by striking the paragraph and inserting
42 in lieu thereof the following:

43 b. The difference in the gross national product
44 implicit price deflator published by the bureau of
45 economic analysis, United States department of
46 commerce, computed or estimated as a percentage of
47 change for the following:

48 (1) From the value for the quarter ending December
49 thirty-first eighteen months prior to the beginning
50 of the base year to the value for the quarter ending

1 December thirty-first six months prior to the beginning
2 of the base year.

3 (2) From the value for the quarter ending December
4 thirty-first six months prior to the beginning of
5 the base year to the value for the quarter ending
6 December thirty-first six months prior to the beginning
7 of the budget year.

8 The computation of the percentage change in the
9 gross national product implicit price deflator shall
10 be based, to the extent possible, on the latest
11 available values for these deflators published by
12 the bureau of economic analysis.

13 Sec. _____. Section four hundred forty-two point
14 seven (442.7), subsection one (1), Code 1979, as the
15 section is amended by Acts of the Sixty-eighth General
16 Assembly, 1979 Session, chapter one hundred six (106),
17 sections six (6) through ten (10), is amended by
18 adding the following new paragraph as paragraph c:

19 NEW PARAGRAPH. c. If the average of the
20 percentages computed or estimated under paragraph
21 b of this subsection exceeds the average of the
22 percentages computed or estimated under paragraph
23 a of this subsection, the state percent of growth
24 shall be the average of the two percentages of growth
25 computed or estimated under paragraph a of this
26 subsection."

27 7. Page 1, line 5, by inserting after the word
28 "amended" the words "but not as renumbered".

29 8. Page 1, by inserting after line 26 the following
30 sections:

31 "Sec. _____. Section four hundred forty-two point
32 seven (442.7), subsection five (5), paragraphs d and
33 e, Code 1979, as the section is amended but not as
34 renumbered by Acts of the Sixty-eighth General
35 Assembly, 1979 Session, chapter one hundred six (106),
36 sections six (6) through ten (10), are amended to
37 read as follows:

38 d. For each-year-following the school year
39 beginning July 1, ~~1975~~ 1976 and ending with the school
40 year beginning July 1, 1980, by adding to the basic
41 allowable growth an amount to compensate for the
42 additional costs of special education support services
43 provided through the area education agency. For the
44 school years beginning July 1, 1978 and July 1, 1979
45 only, the total amount for each area shall be equal
46 to the total amount approved for special education
47 support services for the base year times one hundred
48 percent plus the state percent of growth. In addition
49 to the amount provided in this paragraph to each area
50 for the school years beginning July 1, 1978 and July

1 1, 1979 to compensate for the additional costs of
2 special education support services, each area may
3 be granted by the state board an additional amount
4 to serve children newly-identified as requiring the
5 services pursuant to plans submitted by the special
6 education director of the area education agency as
7 required by section 273.5. The total of additional
8 amounts granted throughout the state by the state
9 board for the school year beginning July 1, 1978 shall
10 not exceed the total amount approved for special
11 education support services for the school year
12 beginning July 1, 1977 times four and eighty-seven
13 hundredths percent, and for the school year beginning
14 July 1, 1979 shall not exceed the total amount approved
15 for special education support services for the school
16 year beginning July 1, 1978 times three percent.
17 For the school year beginning July 1, 1980 and each
18 ~~school-year-thereafter~~ the total amount for the state
19 for special education support services shall not
20 exceed the total amount approved for special education
21 support services for the base year times one hundred
22 percent plus the state percent of growth, and the
23 total amount for each area shall be determined by
24 the state board of public instruction pursuant to
25 plans submitted by the special education director
26 of the area education agency as required by section
27 273.5, which shall be modified as necessary and
28 approved by the state board of public instruction
29 according to the criteria and limitations of section
30 273.5 and chapter 281 and within the total amount
31 for the state provided in this paragraph. The amount
32 of additional allowable growth per pupil for the
33 budget year for each district in an area shall be
34 determined by dividing the total amount for the area
35 so determined by the weighted enrollment of the area
36 for the budget year.

37 e. For the school years prior to the school year
38 beginning July 1, 1981, for the additional allowable
39 growth computed under paragraphs "c" and "d" of this
40 subsection, the state board of public instruction,
41 in co-operation with the appropriate personnel of
42 the area education agency, shall determine the amounts
43 for each area education agency, as required and the
44 state comptroller shall calculate the amounts of
45 additional allowable growth for each district necessary
46 to fund the total special education support services
47 costs as increased for the budget year under paragraph
48 "d" of this subsection, and shall calculate the amounts
49 due from each district to its area education agency
50 by multiplying the additional allowable growth per

1 pupil necessary to fund the total special education
2 support services costs as increased for the budget
3 year under paragraph "d" of this subsection by the
4 weighted enrollment in the district for the budget
5 year. The state comptroller shall deduct the amounts
6 so calculated for each school district from the state
7 aid due to the district pursuant to this chapter and
8 shall pay the amounts to the area education agencies
9 on a quarterly basis during each school year. The
10 state comptroller shall notify each school district
11 of the amount of state aid deducted for this purpose
12 and the balance of state aid will be paid to the
13 district. If a district does not qualify for state
14 aid under this chapter in an amount sufficient to
15 cover its amount due to the area education agency
16 as calculated by the state comptroller, the school
17 district shall pay the deficiency to the area education
18 agency from other moneys received by the district,
19 on a quarterly basis during each school year."

20 9. Page 1, by inserting after line 26 the following
21 section:

22 "Sec. _____. Section four hundred forty-two point
23 seven (442.7), subsection five (5), Code 1979, as
24 the section is amended but not as renumbered by Acts.
25 of the Sixty-eighth General Assembly, 1979 Session,
26 chapter one hundred six (106), sections six (6) through
27 ten (10), is amended by adding the following new
28 paragraph:

29 NEW PARAGRAPH. By the state comptroller under
30 section four hundred forty-two point thirty-five
31 (442.35) of the Code."

32 10. Page 1, by inserting after line 26 the
33 following section:

34 "Sec. _____. Section four hundred forty-two point
35 seven (442.7), Code 1979, as the section is amended
36 by Acts of the Sixty-eighth General Assembly, 1979
37 Session, chapter one hundred six (106), sections six
38 (6) through ten (10), is amended by adding the
39 following new subsection:

40 NEW SUBSECTION. ALLOWABLE GROWTH. For the school
41 year beginning July 1, 1981, the state comptroller
42 shall add to the allowable growth of affected school
43 districts, an amount equal to the difference between
44 the amount per pupil in weighted enrollment for the
45 approved budget for the school year beginning July
46 1, 1980 for special education support services in
47 that area education agency and the amount per pupil
48 in weighted enrollment for the amount certified to
49 generate funds for the school year beginning July
50 1, 1980 for special education support services in

1 the area education agency and shall adjust the state
2 cost per pupil accordingly."

3 11. Page 2, by inserting after line 17 the follow-
4 ing:

5 "With regard to values of gross national product
6 implicit price deflators, the recomputation of the
7 state percent of growth for the previous year shall
8 be made only with respect to the value of the deflator
9 for the quarter which occurred subsequent to the
10 calculation of the state percent of growth for the
11 previous year. If subsection one (1), paragraph c,
12 of this section is used in the calculation of the
13 state percent of growth for the previous year, the
14 calculation made in subsection one (1), paragraph
15 b, of this subsection shall not be used in the
16 recomputation of the state percent of growth for the
17 previous year."

18 12. Page 2, by inserting after line 29 the
19 following section:

20 "Sec. ____ . Section four hundred forty-two point
21 eight (442.8), unnumbered paragraph two (2), Code
22 1979, as the section is amended by Acts of the Sixty-
23 eighth General Assembly, 1979 Session, chapter one
24 hundred six (106), section eleven (11), is amended
25 to read as follows:

26 However, for the budget years beginning July 1,
27 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983,
28 the state cost per pupil shall equal the base year's
29 state cost per pupil plus the allowable growth for
30 the budget year plus an adjustment to the state cost
31 per pupil. For the budget years beginning July 1,
32 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983,
33 the adjustment to the state cost per pupil is twenty
34 dollars per pupil, ~~six dollars per pupil~~, seven dollars
35 per pupil, and eight dollars per pupil, respectively."

36 13. Page 2, by inserting after line 29 the
37 following section:

38 "Sec. ____ . Section four hundred forty-two point
39 eight (442.8), unnumbered paragraph three (3), Code
40 1979, as the section is amended by Acts of the Sixty-
41 eighth General Assembly, 1979 Session, chapter one
42 hundred six (106), section eleven (11), is amended
43 to read as follows:

44 ~~For each~~ Commencing with the school year subsequent
45 ~~to the school year~~ beginning July 1, ~~1975~~ 1976, and
46 ending with the school year beginning July 1, 1979,
47 the allowable growth added to the state cost per pupil
48 as otherwise computed under section 442.7 shall be
49 the basic allowable growth increased by an amount
50 equal to the average of the amounts of allowable

1 growth added for each school district in the state
2 for additional special education support services
3 needed for that year to serve newly identified children
4 who require the services, under sections 273.9,
5 subsection 3 and 442.7, subsection 5, paragraph "d".
6 The state comptroller shall compute the applicable
7 amount of allowable growth to be added to the state
8 cost per pupil for each school year."

9 14. Page 3, by inserting after line 2 the following
10 section:

11 "Sec. ____ Chapter four hundred forty-two (442),
12 Code 1979, is amended by adding the following new
13 section as section four hundred forty-two point twenty-
14 five (442.25) of the Code:

15 NEW SECTION. 442.25 SPECIAL EDUCATION SUPPORT
16 SERVICES PAYMENTS. The state comptroller shall deduct
17 the amounts calculated for special education support
18 services for each school district from the state aid
19 due to the district pursuant to this chapter and shall
20 pay the amounts to the respective area education
21 agencies on a quarterly basis during each school year.
22 The state comptroller shall notify each school district
23 of the amount of state aid deducted for this purpose
24 and the balance of state aid shall be paid to the
25 district. If a district does not qualify for state
26 aid under this chapter in an amount sufficient to
27 cover its amount due to the area education agency
28 as calculated by the state comptroller, the school
29 district shall pay the deficiency to the area education
30 agency from other moneys received by the district,
31 on a quarterly basis during each school year."

32 15. Page 3, by inserting after line 2 the following
33 sections:

34 "Sec. ____ Section four hundred forty-two point
35 thirty-one (442.31), Code 1979, as amended by Acts
36 of the Sixty-eighth General Assembly, 1979 Session,
37 chapter thirteen (13), section twenty (20), and as
38 amended by House File two thousand two hundred seventy-
39 five (2275), section one (1), Sixty-eighth General
40 Assembly, 1980 Session, is amended by striking the
41 section and inserting in lieu thereof the following:

42 442.31 GIFTED AND TALENTED CHILDREN. For the
43 school year beginning July 1, 1981 and succeeding
44 school years, boards of school districts, individually
45 or jointly with the boards of other school districts,
46 may provide for gifted and talented children programs
47 and annually submit program plans and budget costs,
48 including requests for additional allowable growth
49 for funding the programs, to the department of public
50 instruction and to the applicable gifted and talented

1 children advisory council, if an advisory council
2 has been established, as provided in this chapter.
3 A district shall not identify more than three percent
4 of its budget enrollment for the budget year as gifted
5 and talented.

6 The department of public instruction shall
7 promulgate rules under chapter seventeen A (17A) of
8 the Code relating to the administration of sections
9 four hundred forty-two point thirty-one (442.31)
10 through four hundred forty-two point thirty-five
11 (442.35) of the Code and the new sections added to
12 chapter four hundred forty-two (442) of the Code by
13 this Act. The rules shall prescribe the format of
14 program plans submitted under section four hundred
15 forty-two point thirty-two (442.32) of the Code and
16 shall require that programs fulfill specified
17 objectives.

18 Sec. _____. Section four hundred forty-two point
19 thirty-two (442.32), Code 1979, is amended by striking
20 the section and inserting in lieu thereof the
21 following:

22 442.32 PROGRAM PLANS. The program plans submitted
23 by school districts shall include all of the following:

- 24 1. Program goals, objectives, and activities to
- 25 meet the needs of gifted and talented children.
- 26 2. Student identification criteria and procedures.
- 27 3. Staff in-service education design.
- 28 4. Staff utilization plans.
- 29 5. Evaluation criteria and procedures and
- 30 performance measures.
- 31 6. Program budget.
- 32 7. Qualifications required of personnel
- 33 administering the program.
- 34 8. Other factors the department requires.

35 Sec. _____. Section four hundred forty-two point
36 thirty-three (442.33), Code 1979, is amended to read
37 as follows:

38 442.33 DEFINED. "Gifted and talented children"
39 are those identified as possessing outstanding
40 abilities who are capable of high performance. Gifted
41 and talented children are children who require
42 ~~differentiated-educational-programs-or-services~~
43 appropriate instruction and educational services
44 commensurate with their abilities and needs beyond
45 those provided by the regular school program.

46 Gifted and talented children include those children
47 with demonstrated achievement or potential ability,
48 or both, in any ~~two-or-more~~ of the following areas
49 or in combination:

- 50 1. General intellectual ability.

- 1 2. Creative thinking.
- 2 3. Leadership ability.
- 3 4. Visual and performing arts ability.
- 4 5. Specific ability aptitude.
- 5 ~~5. Intellectual ability.~~

6 Sec. _____. Section four hundred forty-two point
7 thirty-four (442.34), Code 1979, as amended by Acts
8 of the Sixty-eighth General Assembly, 1979 Session,
9 chapter thirteen (13), section twenty-one (21), and
10 as amended by House File two thousand two hundred
11 seventy-five (2275), section two (2), Sixty-eighth
12 General Assembly, 1980 Session, is amended by striking
13 the section and inserting in lieu thereof the
14 following:

15 442.34 SUBMISSION OF PROGRAM PLANS. The board
16 of directors of a school district shall submit
17 applications for approval for gifted and talented
18 children programs to the department not later than
19 November first preceding the fiscal year during which
20 the program will be offered. The board shall also
21 submit a copy of the program plans to the gifted and
22 talented children advisory council, if an advisory
23 council has been established. The department shall
24 review the program plans and shall prior to January
25 fifteenth either grant approval for the program or
26 return the request for approval with comments of the
27 department included. Any unapproved request for a
28 program may be resubmitted with modifications to the
29 department not later than February first. Not later
30 than February fifteenth the department shall notify
31 the state comptroller and the school budget review
32 committee of the names of the school districts for
33 which gifted and talented children programs have been
34 approved and the approved budget of each program
35 listed separately for each school district having
36 an approved program.

37 Sec. _____. Section four hundred forty-two point
38 thirty-five (442.35), Code 1979, as amended by Acts
39 of the Sixty-eighth General Assembly, 1979 Session,
40 chapter thirteen (13), section twenty-two (22), and
41 as amended by House File two thousand two hundred
42 seventy-five (2275), section three (3), Sixty-eighth
43 General Assembly, 1980 Session, is amended by striking
44 the section and inserting in lieu thereof the
45 following:

46 442.35 FUNDING. The budget of an approved gifted
47 and talented children program for a school district,
48 after subtracting funds received from other sources
49 for that purpose, shall be funded annually on a basis
50 of one-fourth or more from the district cost of the

1 school district and up to three-fourths by an increase
2 in allowable growth as defined in section four hundred
3 forty-two point seven (442.7) of the Code. Annually,
4 the state comptroller shall establish a modified
5 allowable growth for each such district equal to the
6 difference between the approved budget for the gifted
7 and talented children program for that district and
8 the sum of the amount funded from the district cost
9 of the school district plus funds received from other
10 sources.

11 Sec. . Chapter four hundred forty-two (442),
12 Code 1979, is amended by adding the following new
13 sections:

14 NEW SECTION. ADVISORY COUNCIL. At the written
15 request of one or more boards of school districts,
16 in an area education agency, the area education agency
17 board shall establish one or more gifted and talented
18 children advisory councils and shall appoint members
19 for four-year staggered terms. The terms of office
20 of advisory council members shall commence on July
21 first of each year. An advisory council shall consist
22 of seven members including teachers, parents, school
23 administrators, and other persons interested in
24 education in the area. Except as otherwise provided
25 in this section, members shall be eligible electors
26 residing in the merged area. Members shall serve
27 without compensation but shall be reimbursed for
28 actual and necessary expenses and mileage incurred
29 in the performance of their duties from funds available
30 to the area education agency.

31 If an area education agency has a weighted
32 enrollment of more than thirty-five thousand, the
33 board may appoint additional advisory councils for
34 each thirty-five thousand weighted enrollment or
35 fraction of thirty-five thousand. If more than one
36 advisory council is appointed by the board, the board
37 shall divide the merged area along school district
38 boundary lines for jurisdiction of the advisory
39 councils, and membership of these advisory councils
40 shall be appointed from the designated portion of
41 the merged area.

42 NEW SECTION. DUTIES OF ADVISORY COUNCIL. The
43 gifted and talented children advisory council shall:

44 1. Elect a chairperson and vice chairperson from
45 the membership of the advisory council.

46 2. Meet as often as deemed necessary by the
47 advisory council.

48 3. Advise and assist a local board of directors
49 in the establishment of gifted and talented children
50 programs, when requested by the local board.

S-5770
PAGE 14

- 1 4. Review program plans and proposed budgets for
2 a gifted and talented children program, in consultation
3 with a gifted and talented children consultant employed
4 by the area education agency, when requested by a
5 local board.
- 6 5. When requested by a local board, evaluate the
7 results of a gifted and talented children program
8 and file a written report together with recommendations
9 for improvement or change with the board of directors
10 of the applicable school district, the area education
11 agency and the department of public instruction.
12 The evaluation shall be conducted by three or more
13 members of the advisory council."
- 14 16. Page 3, by inserting after line 2 the following
15 sections:
- 16 "Sec. _____. This Act is effective for the school
17 year beginning July 1, 1981, except that the sections
18 amending chapter two hundred eighty-five (285), section
19 four hundred forty-two point three (442.3) and section
20 four hundred forty-two point seven (442.7), subsection
21 five (5), paragraph a, of the Code are effective for
22 the school year beginning July 1, 1980."
- 23 Sec. _____. This Act, being deemed of immediate
24 importance, takes effect from and after its publication
25 in The Record, a newspaper published in Cedar Falls,
26 Iowa, and in The Garner Leader & Signal, a newspaper
27 published in Garner, Iowa.
- 28 17. By numbering and renumbering sections and
29 correcting internal references as necessary.
- 30 18. Amend the title, line 1, by inserting after
31 the word "to" the words "school finance including".
- 32 19. Amend the title, line 2, by striking the words
33 "growth and basic" and inserting in lieu thereof the
34 word "growth,".
- 35 20. Amend the title, line 2, by inserting after
36 the word "pupil" the words ", and the state foundation
37 base".
- 38 21. Amend the title, line 3, by inserting after
39 the word "purposes" the words "and including
40 reimbursement for public and nonpublic pupil
41 transportation".

S-5770 FILED
APRIL 18, 1980

BY COMMITTEE ON EDUCATION
WILLARD R. HANSEN, CHAIRPERSON

4/15 4/22 (p. 1573)

HOUSE FILE 2551

S-5716

1 Amend House File 2551, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting before line 1 the following
4 new section:
5 "Sec. _____. Section four hundred forty-two point
6 two (442.2), subsection two (2), Code 1979, is amended
7 to read as follows:
8 2. The amount paid to each school district for
9 the tax credit for livestock under section 427.17
10 shall be regarded as property tax. The portion of
11 the payment which is foundation property tax shall
12 be determined by applying the foundation property
13 tax rate to the taxable value of livestock assessed
14 for taxation in the district as of January 1, 1973,
15 determined pursuant to section 427.17, and adjusted
16 to actual value as provided in Acts of the Sixty-fifth
17 General Assembly, chapter 1231, section 174. A school
18 district is hereby authorized to levy a tax on all
19 of the taxable property within the district in an
20 amount equal to the difference between the amount
21 due to a school district from the personal property
22 tax replacement fund for the preceding year and the
23 amount actually received during the preceding fiscal
24 year from the personal property tax replacement fund."
25 2. Renumber sections and correct internal
26 references as are necessary in accordance with this
27 amendment.

S-5716 FILED
APRIL 11, 1980

BY EDGAR H. HOLDEN

Adopted 4/22 (p 1524)

Sen. Education 4/2

De. Pass 4/3
(S. 1289)

HOUSE FILE 2551

BY COMMITTEE ON EDUCATION

(As Amended and Passed by the House)

Be Passed House, Date 4/23/80 (p. 2001) Passed Senate, Date 4/22/80 (p. 1555)

Vote: Ayes 56 Nays 42 Vote: Ayes 27 Nays 21

Approved May 30, 1980

A BILL FOR

1 An Act relating to the calculation of the state percent
2 of growth and basic allowable growth per pupil for
3 school foundation aid purposes.

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

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House Amendments _____

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1 Section 1. Section four hundred forty-two point seven
2 (442.7), subsection five (5), paragraph a, Code 1979, as
3 amended by Acts of the Sixty-eighth General Assembly, 1979
4 Session, chapter one hundred six (106), section ten (10),
5 and as the section is amended by Acts of the Sixty-eighth
6 General Assembly, 1979 Session, chapter one hundred six (106),
7 sections six (6) through nine (9), is amended by striking
8 the paragraph and inserting in lieu thereof the following:

9 a. If the state cost per pupil for the budget year exceeds
10 the district cost per pupil for the budget year, the basic
11 allowable growth per pupil for the budget year is modified
12 to equal one hundred ten percent of the product of the state
13 cost per pupil for the base year times the state percent of
14 growth for the budget year. However, the basic allowable
15 growth per pupil for the budget year under this paragraph
16 shall not exceed the difference between the state cost per
17 pupil for the budget year and the district cost per pupil
18 for the budget year. For purposes of this paragraph the state
19 cost per pupil and the district cost per pupil shall not
20 include special education support service costs, and the
21 district cost per pupil for the budget year shall not include
22 that portion of the district cost per pupil created by addi-
23 tions or subtractions to the allowable growth per pupil for
24 the budget year and for prior school years beginning with
25 the school year commencing July 1, 1977, as provided under
26 paragraph b of this subsection.

27 Sec. 2. Acts of the Sixty-eighth General Assembly, 1979
28 Session, chapter one hundred six (106), sections eight (8)
29 and nine (9), are amended to read as follows:

30 SEC. 8. Section four hundred forty-two point seven (442.7),
31 Code 1979, is amended by adding the following new subsection
32 after section one (1):

33 NEW SUBSECTION. Notwithstanding subsection one (1) of
34 this section, for the school years year beginning July 1,
35 1980,--July-1,--1981,--and-July-1,--1982 only, the state percent

1 of growth is the average of the two percentages of growth
2 computed under subsection one (1), paragraph b, of this
3 section.

4 SEC. 9. Section four hundred forty-two point seven (442.7),
5 subsection three (3), Code 1979, is amended to read as follows:

6 3. Each year prior to September fifteenth the state
7 comptroller shall recompute the state percent of growth for
8 the previous year using adjusted estimates and the actual
9 figures available. The difference between the recomputed
10 state percent of growth for the base year and the original
11 computation shall be added to or subtracted from the state
12 percent of growth for the budget year, as applicable. However,
13 for the budget school ~~years~~ year beginning July 1, 1980 only,
14 ~~July-1, 1981, and July-1, 1982~~ the state comptroller shall
15 recompute the state percent of growth for the previous year
16 using adjusted estimates and the actual figures available
17 based only upon the consumer price index.

18 For the school year beginning July 1, 1981, the recomputa-
19 tion of the state percent of growth for the year beginning
20 July 1, 1980 computed prior to September 15, 1980 and added
21 to or subtracted from the state percent of growth for the
22 school year beginning July 1, 1981 shall also include a per-
23 cent equal to the difference between the estimate made of
24 the percentage of growth in the receipts of state general
25 fund revenue by the state comptroller prior to September 15,
26 1978 in computing the state percent of growth for the school
27 year beginning July 1, 1979 and the actual figures of the
28 percentage of growth in the receipts of state general fund
29 revenue.

30 Sec. 3. Section four hundred forty-two point nine (442.9),
31 subsection one (1), paragraph a, Code 1979, is amended by
32 adding the following new unlettered paragraph:

33 NEW UNLETTERED PARAGRAPH. However, district cost per pupil
34 does not include additional allowable growth added for programs
35 for gifted and talented children under this chapter and does

1 not include additional allowable growth established by the
2 school budget review committee for a single school year only.

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SENATE AMENDMENT TO HOUSE FILE 2551

H-6308

1 Amend House File 2551, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1, the
4 following section:

5 "Section 1. Section two hundred seventy-three
6 point two (273.2), Code 1979, is amended by adding
7 the following new subsection following subsection
8 five (5):

9 NEW SUBSECTION. Assistance in establishing programs
10 for gifted and talented children."

11 2. Page 1, by inserting before line 1 the following
12 sections:

13 "Sec. _____. Section two hundred seventy-three point
14 three (273.3), subsection thirteen (13), Code 1979,
15 as the section is amended by Acts of the Sixty-eighth
16 General Assembly, 1979 Session, chapter sixty (60),
17 section one (1), is amended to read as follows:

18 13. Prepare an annual budget estimating income
19 and expenditures for programs and services as provided
20 in sections 273.1 to 273.9 and chapter 281 within
21 the limits of funds provided under section two hundred
22 eighty-one point nine (281.9) and chapter four hundred
23 forty-two (442) of the Code. The board shall give
24 notice of a public hearing on the proposed budget
25 by publication in an official county newspaper in
26 each county located wholly or partially in the merged
27 area. The notice shall specify the date which shall
28 be not later than November 10 of each year, time,
29 and location of the public hearing. The proposed
30 budget as approved by the board shall then be submitted
31 to the state board of public instruction, on forms
32 provided by the department, no later than December
33 1 preceding the next fiscal year for approval. ~~The~~
34 ~~state-board-shall-forward-copies-of-the-budgets-of~~
35 ~~the-area-education-agencies-to-the-state-comptroller.~~
36 ~~The-state-board-and-the-state-comptroller-shall~~
37 ~~establish-a-maximum-statewide-amount-for-approved~~
38 ~~budgets-for-the-area-education-agencies.--If-the-state~~
39 ~~board-and-the-state-comptroller-cannot-agree-upon~~
40 ~~a-maximum-statewide-amount,-that-amount-shall-be~~
41 ~~established-by-the-school-budget-review-committee.~~
42 The state board shall review the proposed budget of
43 each area education agency with ~~consideration-given~~
44 ~~to-the-maximum-statewide-amount-established-pursuant~~
45 ~~to-this-subsection,~~ and shall prior to January 1
46 either grant approval or return the budget without
47 approval with comments of the state board included.
48 Any unapproved budget shall be resubmitted to the
49 state board for final approval.

50 Sec. _____. Section two hundred seventy-three point

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Page two

1 five (273.5), subsection six (6), Code 1979, is amended
2 to read as follows:

3 6. Submit to the department of public instruction
4 special education instructional and support program
5 plans and applications ~~including these for new or~~
6 ~~expanded programs and services~~, subject to criteria
7 listed in chapter 281 and this chapter, for approval
8 by November 1 of each year for the school year
9 commencing the following July 1. ~~For the school years~~
10 ~~subsequent to the school year beginning July 1, 1975,~~
11 ~~the director shall include in the program plans~~
12 ~~submitted to the department for support services the~~
13 ~~costs necessary to fund the newly identified nonpublic~~
14 ~~school pupils served by the area with support services~~
15 ~~not previously counted in the program plans for support~~
16 ~~services."~~

17 3. Page 1, by inserting before line 1 the following
18 sections:

19 "Sec. _____. Section two hundred eighty-five point
20 one (285.1), subsections three (3) and four (4), Code
21 1979, are amended to read as follows:

22 3. In any a district where transportation by
23 school bus is impracticable or where school bus service
24 is not available, the board may require the parents
25 or guardian guardians to transport furnish
26 transportation for their children to the school schools
27 designated for attendance. The parent or guardian
28 shall be reimbursed for such transportation service
29 for elementary public and nonpublic school pupils
30 by the board of the resident district for the distance
31 one-way from the pupil's residence to the school
32 designated for attendance at the rate of fifty-six
33 cents per mile per day irrespective of number of
34 children transported. ~~For high school pupils, the~~
35 ~~parent or guardian shall be reimbursed eighty dollars~~
36 ~~per pupil per year for such service, provided however~~
37 ~~no family shall receive more than one hundred sixty~~
38 ~~dollars per year for transporting the members of the~~
39 ~~family who attend high school.~~ ~~The provisions of~~
40 ~~this section shall apply to eligible nonpublic school~~
41 ~~pupils as well as to eligible public school pupils.~~
42 ~~However, reimbursement for nonpublic school pupils~~
43 ~~shall not exceed eighty dollars per pupil per year.~~
44 ~~The provisions of this subsection shall be effective~~
45 ~~for transportation of children commencing with the~~
46 ~~second semester of the school year beginning July~~
47 ~~1, 1975.~~ in an amount equal to eighty dollars plus
48 the following percent of the difference between eighty
49 dollars and the previous school year's statewide
50 average per pupil transportation cost, as determined

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Page three

1 by the department of public instruction:

2 a. For the school year commencing July 1, 1980,
3 twenty-five percent.

4 b. For the school year commencing July 1, 1981,
5 fifty percent.

6 c. For the school year commencing July 1, 1982
7 and each school year thereafter, seventy-five percent.

8 However, a parent or guardian shall not receive
9 reimbursement for furnishing transportation for more
10 than two family members who attend high school.

11 4. In all districts where unsatisfactory roads
12 or other conditions make it advisable, the board at
13 its discretion may require the parent parents or
14 guardian guardians of public and nonpublic school
15 pupils to transport furnish transportation for their
16 children up to two miles to connect with a-vehicle
17 vehicles of transportation. The parent parents or
18 guardian guardians shall be reimbursed for such
19 transportation by the board boards of the resident
20 district districts at the rate of twenty-eight cents
21 per mile per day, one way, per family for the distance
22 from the pupil's residence to the bus route.

23 Sec. ____ Section two hundred eighty-five point
24 one (285.1), subsection sixteen (16), Code 1979, is
25 amended to read as follows:

26 16. a. If the nonpublic school designated for
27 attendance of a pupil is located outside the boundary
28 line of the school district of the pupil's residence,
29 the pupil may be transported by the district of
30 residence to a public school or other location within
31 the district of the pupil's residence. A public
32 school district in which a nonpublic school is located
33 may establish school bus collection locations within
34 its district from which nonresident nonpublic school
35 pupils may be transported to and from a nonpublic
36 school located in the district. If a pupil receives
37 such transportation, the district of the pupil's
38 residence shall be relieved of any requirement to
39 provide transportation.

40 b. As an alternative to the-provisions-enumerated
41 in paragraph a of this subsection, subject to the
42 provisions-of section 285.9, subsection 3, where
43 practicable, and at the option of the public school
44 district in which a nonpublic school pupil resides,
45 the school district may transport a nonpublic school
46 pupil to a nonpublic school located outside the
47 boundary lines of the public school district if the
48 nonpublic school is located in a school district
49 contiguous to the school district which is transporting
50 the nonpublic school pupils, or may contract with

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Page four

1 the contiguous public school district in which a
2 nonpublic school is located for the contiguous school
3 district to transport the nonpublic school pupils
4 to the nonpublic school of attendance within the
5 boundary lines of the contiguous school district.

6 c. If the nonpublic school designated for
7 attendance of a pupil is located outside the boundary
8 line of the school district of the pupil's residence
9 and the district of residence meets the requirements
10 of subsections fourteen (14) through sixteen (16)
11 of this section by using subsection seventeen (17),
12 paragraph c, of this section and the district in which
13 the nonpublic school is located is contiguous to the
14 district of the pupil's residence and is willing to
15 provide transportation under subsection seventeen
16 (17), paragraph a or b, of this section, the district
17 in which the nonpublic school is located may provide
18 transportation services, subject to section two hundred
19 eighty-five point nine (285.9), subsection three (3),
20 of the Code and may make the claim for reimbursement
21 under section two hundred eighty-five point two (285.2)
22 of the Code. The district in which the nonpublic
23 school is located shall notify the district of the
24 pupil's residence that it is making the claim for
25 reimbursement, and the district of the pupil's
26 residence shall be relieved of the requirement for
27 providing transportation and shall not make a claim
28 for reimbursement for those nonpublic school pupils
29 for which a claim is filed by the district in which
30 the nonpublic school is located.

31 Sec. ____ . Section two hundred eighty-five point
32 one (285.1), subsection seventeen (17), paragraph
33 c, Code 1979, is amended to read as follows:

34 c. Utilizing the transportation reimbursement
35 provision of subsection 3. ~~However, no reimbursement~~
36 ~~shall exceed eighty dollars per nonpublic school pupil~~
37 ~~per year.~~

38 Sec. ____ . Section two hundred eighty-five point
39 fourteen (285.14), Code 1979, is amended by adding
40 the following new unnumbered paragraph:

41 NEW UNNUMBERED PARAGRAPH. A vehicle used for an
42 approved driver education course in which the driver
43 education teacher transports driver education students
44 from their residences for street or highway driving
45 is not a school bus.

46 Sec. ____ . Section two hundred eighty-five point
47 sixteen (285.16), Code 1979, is amended to read as
48 follows:

49 285.16 "NONPUBLIC SCHOOL" DEFINED. As used in
50 this chapter, the term "nonpublic school" means those

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Page five

1 nonpublic schools approved by the department of public
2 instruction as provided in section 257.25 and nonpublic
3 institutions which comply with state board of public
4 instruction standards for providing special education
5 programs."

6 4. Page 1, by inserting before line 1 the follow-
7 ing section:

8 "Sec. _____. Section four hundred forty-two point
9 two (442.2), subsection two (2), Code 1979, is amended
10 to read as follows:

11 2. The amount paid to each school district for
12 the tax credit for livestock under section 427.17
13 shall be regarded as property tax. The portion of
14 the payment which is foundation property tax shall
15 be determined by applying the foundation property
16 tax rate to the taxable value of livestock assessed
17 for taxation in the district as of January 1, 1973,
18 determined pursuant to section 427.17, and adjusted
19 to actual value as provided in Acts of the Sixty-fifth
20 General Assembly, chapter 1231, section 174. A school
21 district is hereby authorized to levy a tax on all
22 of the taxable property within the district in an
23 amount equal to the difference between the amount
24 due to a school district from the personal property
25 tax replacement fund for the preceding year and the
26 amount actually received during the preceding fiscal
27 year from the personal property tax replacement fund."

28 5. Page 1, by inserting before line 1 the following
29 section:

30 "Sec. _____. Section four hundred forty-two point
31 three (442.3), Code 1979, is amended to read as
32 follows:

33 442.3 STATE FOUNDATION BASE. The state foundation
34 base for the school year beginning July 1, 1972, is
35 seventy percent of the state cost per pupil. For
36 each succeeding school year the state foundation base
37 shall be increased by the amount of one percent of
38 the state cost per pupil, up to a maximum of eighty
39 percent of the state cost per pupil. However, for
40 the school year beginning July 1, 1980, the state
41 foundation base shall be the same as the state founda-
42 tion base for the school year beginning July 1, 1979.
43 The district foundation base is the larger of the
44 state foundation base or the amount per pupil which
45 the district will receive from foundation property
46 tax and state school foundation aid."

47 6. Page 1, by inserting before line 1 the following
48 section:

49 "Sec. _____. Section four hundred forty-two point
50 seven (442.7), subsection one (1), unnumbered paragraph

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Page six

1 one (1), Code 1979, as the section is amended by Acts
2 of the Sixty-eighth General Assembly, 1979 Session,
3 chapter one hundred six (106), sections six (6) through
4 ten (10), is amended to read as follows:

5 For school years subsequent to the school year
6 beginning July 1, 1978, a state percent of growth
7 for the budget year shall be computed by the state
8 comptroller prior to September 15 in the base year
9 and forwarded to the superintendent of public
10 instruction. The state percent of growth shall be
11 an average of the following four percentages of growth
12 except as otherwise provided in paragraph c of this
13 subsection:"

14 7. Page 1, by inserting before line 1 the following
15 section:

16 "Sec. _____. Section four hundred forty-two point
17 seven (442.7), subsection one (1), paragraph a,
18 subparagraphs one (1) and two (2), as amended by Acts
19 of the Sixty-eighth General Assembly, 1979 Session,
20 chapter one hundred six (106), section six (6), and
21 as the section is amended by Acts of the Sixty-eighth
22 General Assembly, 1979 Session, chapter one hundred
23 six (106), sections seven (7) through ten (10), are
24 amended by striking the subparagraphs and inserting
25 in lieu thereof the following:

26 (1) The percentage of change between the revenues
27 received during the second year preceding the base
28 year and the revenues received during the year
29 preceding the base year.

30 (2) The percentage of change between the revenues
31 received during the year preceding the base year and
32 the revenues received during the base year."

33 8. Page 1, by inserting before line 1 the following
34 sections:

35 "Sec. _____. Section four hundred forty-two point
36 seven (442.7), subsection one (1), paragraph b, Code
37 1979, as the section is amended by Acts of the Sixty-
38 eighth General Assembly, 1979 Session, chapter one
39 hundred six (106), sections six (6) through ten (10),
40 is amended by striking the paragraph and inserting
41 in lieu thereof the following:

42 b. The difference in the gross national product
43 implicit price deflator published by the bureau of
44 economic analysis, United States department of
45 commerce, computed or estimated as a percentage of
46 change for the following:

47 (1) From the value for the quarter ending December
48 thirty-first eighteen months prior to the beginning
49 of the base year to the value for the quarter ending
50 December thirty-first six months prior to the beginning

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1 of the base year.

2 (2) From the value for the quarter ending December
3 thirty-first six months prior to the beginning of
4 the base year to the value for the quarter ending
5 December thirty-first six months prior to the beginning
6 of the budget year.

7 The computation of the percentage change in the
8 gross national product implicit price deflator shall
9 be based, to the extent possible, on the latest
10 available values for these deflators published by
11 the bureau of economic analysis.

12 Sec. _____. Section four hundred forty-two point
13 seven (442.7), subsection one (1), Code 1979, as the
14 section is amended by Acts of the Sixty-eighth General
15 Assembly, 1979 Session, chapter one hundred six (106),
16 sections six (6) through ten (10), is amended by
17 adding the following new paragraph as paragraph c:

18 NEW PARAGRAPH. c. If the average of the
19 percentages computed or estimated under paragraph
20 b of this subsection exceeds the average of the
21 percentages computed or estimated under paragraph
22 a of this subsection, the state percent of growth
23 shall be the average of the two percentages of growth
24 computed or estimated under paragraph a of this
25 subsection."

26 9. Page 1, line 5, by inserting after the word
27 "amended" the words "but not as renumbered".

28 10. Page 1, by inserting after line 26 the
29 following sections:

30 "Sec. _____. Section four hundred forty-two point
31 seven (442.7), subsection five (5), paragraphs d and
32 e, Code 1979, as the section is amended but not as
33 renumbered by Acts of the Sixty-eighth General
34 Assembly, 1979 Session, chapter one hundred six (106),
35 sections six (6) through ten (10), are amended to
36 read as follows:

37 d. ~~For each year following~~ the school year
38 beginning July 1, ~~1975~~ 1976 and ending with the school
39 year beginning July 1, 1980, by adding to the basic
40 allowable growth an amount to compensate for the
41 additional costs of special education support services
42 provided through the area education agency. For the
43 school years beginning July 1, 1978 and July 1, 1979
44 only, the total amount for each area shall be equal
45 to the total amount approved for special education
46 support services for the base year times one hundred
47 percent plus the state percent of growth. In addition
48 to the amount provided in this paragraph to each area
49 for the school years beginning July 1, 1978 and July
50 1, 1979 to compensate for the additional costs of

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1 special education support services, each area may
2 be granted by the state board an additional amount
3 to serve children newly-identified as requiring the
4 services pursuant to plans submitted by the special
5 education director of the area education agency as
6 required by section 273.5. The total of additional
7 amounts granted throughout the state by the state
8 board for the school year beginning July 1, 1978 shall
9 not exceed the total amount approved for special
10 education support services for the school year
11 beginning July 1, 1977 times four and eighty-seven
12 hundredths percent, and for the school year beginning
13 July 1, 1979 shall not exceed the total amount approved
14 for special education support services for the school
15 year beginning July 1, 1978 times three percent.
16 For the school year beginning July 1, 1980 and each
17 school-year thereafter the total amount for the state
18 for special education support services shall not
19 exceed the total amount approved for special education
20 support services for the base year times one hundred
21 percent plus the state percent of growth, and the
22 total amount for each area shall be determined by
23 the state board of public instruction pursuant to
24 plans submitted by the special education director
25 of the area education agency as required by section
26 273.5, which shall be modified as necessary and
27 approved by the state board of public instruction
28 according to the criteria and limitations of section
29 273.5 and chapter 281 and within the total amount
30 for the state provided in this paragraph. The amount
31 of additional allowable growth per pupil for the
32 budget year for each district in an area shall be
33 determined by dividing the total amount for the area
34 so determined by the weighted enrollment of the area
35 for the budget year.

36 e. For the school years prior to the school year
37 beginning July 1, 1981, for the additional allowable
38 growth computed under paragraphs "c" and "d" of this
39 subsection, the state board of public instruction,
40 in co-operation with the appropriate personnel of
41 the area education agency, shall determine the amounts
42 for each area education agency, as required and the
43 state comptroller shall calculate the amounts of
44 additional allowable growth for each district necessary
45 to fund the total special education support services
46 costs as increased for the budget year under paragraph
47 "d" of this subsection, and shall calculate the amounts
48 due from each district to its area education agency
49 by multiplying the additional allowable growth per
50 pupil necessary to fund the total special education

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1 support services costs as increased for the budget
2 year under paragraph "d" of this subsection by the
3 weighted enrollment in the district for the budget
4 year. The state comptroller shall deduct the amounts
5 so calculated for each school district from the state
6 aid due to the district pursuant to this chapter and
7 shall pay the amounts to the area education agencies
8 on a quarterly basis during each school year. The
9 state comptroller shall notify each school district
10 of the amount of state aid deducted for this purpose
11 and the balance of state aid will be paid to the
12 district. If a district does not qualify for state
13 aid under this chapter in an amount sufficient to
14 cover its amount due to the area education agency
15 as calculated by the state comptroller, the school
16 district shall pay the deficiency to the area education
17 agency from other moneys received by the district,
18 on a quarterly basis during each school year."

19 11. Page 1, by inserting after line 26 the
20 following section:

21 "Sec. _____. Section four hundred forty-two point
22 seven (442.7), subsection five (5), Code 1979, as
23 the section is amended but not as renumbered by Acts
24 of the Sixty-eighth General Assembly, 1979 Session,
25 chapter one hundred six (106), sections six (6) through
26 ten (10), is amended by adding the following new
27 paragraph:

28 NEW PARAGRAPH. By the state comptroller under
29 section four hundred forty-two point thirty-five
30 (442.35) of the Code."

31 12. Page 1, by inserting after line 26 the
32 following section:

33 "Sec. _____. Section four hundred forty-two point
34 seven (442.7), Code 1979, as the section is amended
35 by Acts of the Sixty-eighth General Assembly, 1979
36 Session, chapter one hundred six (106), sections six
37 (6) through ten (10), is amended by adding the
38 following new subsection:

39 NEW SUBSECTION. ALLOWABLE GROWTH. For the school
40 year beginning July 1, 1981, the state comptroller
41 shall add to the allowable growth of affected school
42 districts, an amount equal to the difference between
43 the amount per pupil in weighted enrollment for the
44 approved budget for the school year beginning July
45 1, 1980 for special education support services in
46 that area education agency and the amount per pupil
47 in weighted enrollment for the amount certified to
48 generate funds for the school year beginning July
49 1, 1980 for special education support services in
50 the area education agency and shall adjust the state

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1 cost per pupil accordingly."

2 13. Page 2, by inserting after line 17 the follow-
3 ing:

4 "With regard to values of gross national product
5 implicit price deflators, the recomputation of the
6 state percent of growth for the previous year shall
7 be made only with respect to the value of the deflator
8 for the quarter which occurred subsequent to the
9 calculation of the state percent of growth for the
10 previous year. If subsection one (1), paragraph c,
11 of this section is used in the calculation of the
12 state percent of growth for the previous year, the
13 calculation made in subsection one (1), paragraph
14 b, of this subsection shall not be used in the
15 recomputation of the state percent of growth for the
16 previous year."

17 14. Page 2, by inserting after line 29 the
18 following section:

19 "Sec. _____. Section four hundred forty-two point
20 eight (442.8), unnumbered paragraph two (2), Code
21 1979, as the section is amended by Acts of the Sixty-
22 eighth General Assembly, 1979 Session, chapter one
23 hundred six (106), section eleven (11), is amended
24 to read as follows:

25 However, for the budget years beginning July 1,
26 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983,
27 the state cost per pupil shall equal the base year's
28 state cost per pupil plus the allowable growth for
29 the budget year plus an adjustment to the state cost
30 per pupil. For the budget years beginning July 1,
31 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983,
32 the adjustment to the state cost per pupil is twenty
33 dollars per pupil, ~~six dollars per pupil~~, seven dollars
34 per pupil, and eight dollars per pupil, respectively."

35 15. Page 2, by inserting after line 29 the
36 following section:

37 "Sec. _____. Section four hundred forty-two point
38 eight (442.8), unnumbered paragraph three (3), Code
39 1979, as the section is amended by Acts of the Sixty-
40 eighth General Assembly, 1979 Session, chapter one
41 hundred six (106), section eleven (11), is amended
42 to read as follows:

43 For each Commencing with the school year subsequent
44 to the school year beginning July 1, 1975 1976, and
45 ending with the school year beginning July 1, 1979,
46 the allowable growth added to the state cost per pupil
47 as otherwise computed under section 442.7 shall be
48 the basic allowable growth increased by an amount
49 equal to the average of the amounts of allowable
50 growth added for each school district in the state

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1 for additional special education support services
2 needed for that year to serve newly identified children
3 who require the services, under sections 273.9,
4 subsection 3 and 442.7, subsection 5, paragraph "d".
5 The state comptroller shall compute the applicable
6 amount of allowable growth to be added to the state
7 cost per pupil for each school year."

8 16. Page 3, by inserting after line 2 the following
9 section:

10 "Sec. _____. Chapter four hundred forty-two (442),
11 Code 1979, is amended by adding the following new
12 section as section four hundred forty-two point twenty-
13 five (442.25) of the Code:

14 NEW SECTION. 442.25 SPECIAL EDUCATION SUPPORT
15 SERVICES PAYMENTS. The state comptroller shall deduct
16 the amounts calculated for special education support
17 services for each school district from the state aid
18 due to the district pursuant to this chapter and shall
19 pay the amounts to the respective area education
20 agencies on a quarterly basis during each school year.
21 The state comptroller shall notify each school district
22 of the amount of state aid deducted for this purpose
23 and the balance of state aid shall be paid to the
24 district. If a district does not qualify for state
25 aid under this chapter in an amount sufficient to
26 cover its amount due to the area education agency
27 as calculated by the state comptroller, the school
28 district shall pay the deficiency to the area education
29 agency from other moneys received by the district,
30 on a quarterly basis during each school year."

31 17. Page 3, by inserting after line 2 the following
32 sections:

33 "Sec. _____. Section four hundred forty-two point
34 thirty-one (442.31), Code 1979, as amended by Acts
35 of the Sixty-eighth General Assembly, 1979 Session,
36 chapter thirteen (13), section twenty (20), and as
37 amended by House File two thousand two hundred seventy-
38 five (2275), section one (1), Sixty-eighth General
39 Assembly, 1980 Session, is amended by striking the
40 section and inserting in lieu thereof the following:

41 442.31 GIFTED AND TALENTED CHILDREN. For the
42 school year beginning July 1, 1981 and succeeding
43 school years, boards of school districts, individually
44 or jointly with the boards of other school districts,
45 may provide for gifted and talented children programs
46 and annually submit program plans and budget costs,
47 including requests for additional allowable growth
48 for funding the programs, to the department of public
49 instruction and to the applicable gifted and talented
50 children advisory council, if an advisory council

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1 has been established, as provided in this chapter.
2 A district shall not identify more than three percent
3 of its budget enrollment for the budget year as gifted
4 and talented.

5 The department of public instruction shall
6 promulgate rules under chapter seventeen A (17A) of
7 the Code relating to the administration of sections
8 four hundred forty-two point thirty-one (442.31)
9 through four hundred forty-two point thirty-five
10 (442.35) of the Code and the new sections added to
11 chapter four hundred forty-two (442) of the Code by
12 this Act. The rules shall prescribe the format of
13 program plans submitted under section four hundred
14 forty-two point thirty-two (442.32) of the Code and
15 shall require that programs fulfill specified
16 objectives.

17 Sec. _____. Section four hundred forty-two point
18 thirty-two (442.32), Code 1979, is amended by striking
19 the section and inserting in lieu thereof the
20 following:

21 442.32 PROGRAM PLANS. The program plans submitted
22 by school districts shall include all of the following:

- 23 1. Program goals, objectives, and activities to
- 24 meet the needs of gifted and talented children.
- 25 2. Student identification criteria and procedures.
- 26 3. Staff in-service education design.
- 27 4. Staff utilization plans.
- 28 5. Evaluation criteria and procedures and
- 29 performance measures.
- 30 6. Program budget.
- 31 7. Qualifications required of personnel
- 32 administering the program.
- 33 8. Other factors the department requires.

34 Sec. _____. Section four hundred forty-two point
35 thirty-three (442.33), Code 1979, is amended to read
36 as follows:

37 442.33 DEFINED. "Gifted and talented children"
38 are those identified as possessing outstanding
39 abilities who are capable of high performance. Gifted
40 and talented children are children who require
41 ~~differentiated-educational-programs-or-services~~
42 appropriate instruction and educational services
43 commensurate with their abilities and needs beyond
44 those provided by the regular school program.

45 Gifted and talented children include those children
46 with demonstrated achievement or potential ability,
47 or both, in any two-or-more of the following areas
48 or in combination:

- 49 1. General intellectual ability.
- 50 2. Creative thinking.

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- 1 2 3. Leadership ability.
- 2 3 4. Visual and performing arts ability.
- 3 4 5. Specific ability aptitude.
- 4 5. ~~Intellectual ability.~~

5 Sec. _____. Section four hundred forty-two point
6 thirty-four (442.34), Code 1979, as amended by Acts
7 of the Sixty-eighth General Assembly, 1979 Session,
8 chapter thirteen (13), section twenty-one (21), and
9 as amended by House File two thousand two hundred
10 seventy-five (2275), section two (2), Sixty-eighth
11 General Assembly, 1980 Session, is amended by striking
12 the section and inserting in lieu thereof the
13 following:

14 442.34 SUBMISSION OF PROGRAM PLANS. The board
15 of directors of a school district shall submit
16 applications for approval for gifted and talented
17 children programs to the department not later than
18 November first preceding the fiscal year during which
19 the program will be offered. The board shall also
20 submit a copy of the program plans to the gifted and
21 talented children advisory council, if an advisory
22 council has been established. The department shall
23 review the program plans and shall prior to January
24 fifteenth either grant approval for the program or
25 return the request for approval with comments of the
26 department included. Any unapproved request for a
27 program may be resubmitted with modifications to the
28 department not later than February first. Not later
29 than February fifteenth the department shall notify
30 the state comptroller and the school budget review
31 committee of the names of the school districts for
32 which gifted and talented children programs have been
33 approved and the approved budget of each program
34 listed separately for each school district having
35 an approved program.

36 Sec. _____. Section four hundred forty-two point
37 thirty-five (442.35), Code 1979, as amended by Acts
38 of the Sixty-eighth General Assembly, 1979 Session,
39 chapter thirteen (13), section twenty-two (22), and
40 as amended by House File two thousand two hundred
41 seventy-five (2275), section three (3), Sixty-eighth
42 General Assembly, 1980 Session, is amended by striking
43 the section and inserting in lieu thereof the
44 following:

45 442.35 FUNDING. The budget of an approved gifted
46 and talented children program for a school district,
47 after subtracting funds received from other sources
48 for that purpose, shall be funded annually on a basis
49 of one-fourth or more from the district cost of the
50 school district and up to three-fourths by an increase

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1 in allowable growth as defined in section four hundred
2 forty-two point seven (442.7) of the Code. Annually,
3 the state comptroller shall establish a modified
4 allowable growth for each such district equal to the
5 difference between the approved budget for the gifted
6 and talented children program for that district and
7 the sum of the amount funded from the district cost
8 of the school district plus funds received from other
9 sources.

10 Sec. _____. Chapter four hundred forty-two (442),
11 Code 1979, is amended by adding the following new
12 sections:

13 NEW SECTION. ADVISORY COUNCIL. At the written
14 request of one or more boards of school districts,
15 in an area education agency, the area education agency
16 board shall establish one or more gifted and talented
17 children advisory councils and shall appoint members
18 for four-year staggered terms. The terms of office
19 of advisory council members shall commence on July
20 first of each year. An advisory council shall consist
21 of seven members including teachers, parents, school
22 administrators, and other persons interested in
23 education in the area. Except as otherwise provided
24 in this section, members shall be eligible electors
25 residing in the merged area. Members shall serve
26 without compensation but shall be reimbursed for
27 actual and necessary expenses and mileage incurred
28 in the performance of their duties from funds available
29 to the area education agency.

30 If an area education agency has a weighted
31 enrollment of more than thirty-five thousand, the
32 board may appoint additional advisory councils for
33 each thirty-five thousand weighted enrollment or
34 fraction of thirty-five thousand. If more than one
35 advisory council is appointed by the board, the board
36 shall divide the merged area along school district
37 boundary lines for jurisdiction of the advisory
38 councils, and membership of these advisory councils
39 shall be appointed from the designated portion of
40 the merged area.

41 NEW SECTION. DUTIES OF ADVISORY COUNCIL. The
42 gifted and talented children advisory council shall:

43 1. Elect a chairperson and vice chairperson from
44 the membership of the advisory council.

45 2. Meet as often as deemed necessary by the
46 advisory council.

47 3. Advise and assist a local board of directors
48 in the establishment of gifted and talented children
49 programs, when requested by the local board.

50 4. Review program plans and proposed budgets for

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1 a gifted and talented children program, in consultation
2 with a gifted and talented children consultant employed
3 by the area education agency, when requested by a
4 local board.

5 5. When requested by a local board, evaluate the
6 results of a gifted and talented children program
7 and file a written report together with recommendations
8 for improvement or change with the board of directors
9 of the applicable school district, the area education
10 agency and the department of public instruction.
11 The evaluation shall be conducted by three or more
12 members of the advisory council."

13 18. Page 3, by inserting after line 2 the following
14 section:

15 "Sec. _____. For the school year beginning July
16 1, 1981, an area education agency which requires
17 additional money to provide special education support
18 services to children requiring special education in
19 the area may apply to the school budget review
20 committee for additional funds. The school budget
21 review committee shall review the requests submitted
22 by area education agencies and may allocate additional
23 funds to area education agencies on the basis of need
24 from any funds appropriated to the department of
25 public instruction for the use of the school budget
26 review committee."

27 19. Page 3, by inserting after line 2 the following
28 sections:

29 "Sec. _____. This Act is effective for the school
30 year beginning July 1, 1981, except that the sections
31 amending chapter two hundred eighty-five (285), section
32 four hundred forty-two point three (442.3) and section
33 four hundred forty-two point seven (442.7), subsection
34 five (5), paragraph a, of the Code are effective for
35 the school year beginning July 1, 1980."

36 Sec. _____. This Act, being deemed of immediate
37 importance, takes effect from and after its publication
38 in The Record, a newspaper published in Cedar Falls,
39 Iowa, and in The Garner Leader & Signal, a newspaper
40 published in Garner, Iowa.

41 20. By numbering and renumbering sections and
42 correcting internal references as necessary.

43 21. Amend the title, line 1, by inserting after
44 the word "to" the words "school finance including".

45 22. Amend the title, line 2, by striking the words
46 "growth and basic" and inserting in lieu thereof the
47 word "growth,".

48 23. Amend the title, line 2, by inserting after
49 the word "pupil" the words ", and the state foundation
50 base".

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- 1 24. Amend the title, line 3, by inserting after
- 2 the word "purposes" the words "and including
- 3 reimbursement for public and nonpublic pupil
- 4 transportation".

H-6308 FILED APRIL 22, 1980 RECEIVED FROM THE SENATE

House committee 4/22 (p. 2001)

HOUSE FILE 2551

H-6318

- 1 Amend H-6308, the Senate amendment to House
 2 File 2551, as amended, passed, and reprinted by
 3 the House, as follows:
 4 1. Page 12, line 12, by inserting after the
 5 word "Act." the words "The department shall employ
 6 a consultant for gifted and talented children
 7 programs."

H-6318 FILED APRIL 23, 1980 BY HORN of Ginn
 LOST (p. 2000)

HOUSE FILE 2551

H-6319

- 1 Amend H-6308, the Senate amendment to House
 2 File 2551, as amended, passed, and reprinted by
 3 the House, as follows:
 4 1. By striking page 2, line 48 through page
 5 3, line 7 and inserting in lieu thereof the
 6 following: "seventy-five percent of the
 7 difference between eighty dollars and the
 8 previous school year's statewide average per
 9 pupil transportation cost, as determined by
 10 the department of public instruction."

H-6319 FILED APRIL 23, 1980 BY DIELEMAN of Marion
 LOST (p. 1972) SPEAR of Lee

HOUSE FILE 2551

H-6320

- 1 Amend H-6308, the Senate amendment to House
 2 File 2551, as amended, passed, and reprinted by
 3 the House, as follows:
 4 1. Page 5, by striking lines 28 through 46.

H-6320 FILED APRIL 23, 1980 BY GROTH of Buena Vista
 LOST (p. 1993) BRUNER of Story

HOUSE FILE 2551

H-6321

- 1 Amend H-6308, the Senate amendment to House
 2 File 2551, as amended, passed, and reprinted by
 3 the House, as follows:
 4 1. By striking page 1, line 11 through page
 5 2, line 16.
 6 2. By striking page 7, line 28 through page
 7 9, line 18.
 8 3. By striking page 9, line 31 through page
 9 10, line 1.
 10 4. By striking page 10, line 35 through page
 11 11, line 30.

H-6321 FILED APRIL 23, 1980 BY PATCHETT of Johnson
 LOST (p. 1991)

HOUSE FILE 2551

6327

1 Amend the Senate amendment H-6308 to House File
2 2551, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 5, by inserting after line 46 the
5 following:

6 " . Page 1, by inserting before line 1 the
7 following section:

8 "Sec. . Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter one hundred six (106),
10 section three (3), is amended to read as follows:

11 SEC. 3. Section four hundred forty-two point four
12 (442.4), Code 1979, is amended by adding the following
13 new subsections after subsection two (2):

14 NEW SUBSECTION. 3. For the school year beginning
15 July 1, 1980, and each subsequent school year, budget
16 enrollment means the sum of the following:

17 a. Twenty-five percent of the basic enrollment
18 for the school year beginning July 1, 1979.

19 b. Seventy-five percent of the adjusted enrollment
20 computed under subsection 2, paragraph a, of this
21 section.

22 c. Adjustments made by the state comptroller under
23 subsection 4 of this section.

24 NEW SUBSECTION. 4. For the school years beginning
25 July 1, 1980 and July 1, 1981 and each school
26 year thereafter, if an amount equal to the district
27 cost per pupil for the budget year minus the amount
28 included in the district cost per pupil for the budget
29 year to compensate for the cost of special education
30 support services for a school district times the
31 budget enrollment of the school district for the
32 budget year is less than one hundred four percent
33 for the budget school year beginning July 1, 1980,
34 and one hundred three five percent for the budget
35 school year beginning July 1, 1981 and each school
36 year thereafter, times an amount equal to the district
37 cost per pupil for the base year minus the amount
38 included in the district cost per pupil for the base
39 year to compensate for the cost of special education
40 support services for a school district times the
41 adjusted enrollment of the school district for the
42 base year beginning July 1, 1979 or times the budget
43 enrollment of the school district for the base year
44 beginning July 1, 1980 and each base year thereafter,
45 the state comptroller shall increase the budget
46 enrollment for the school district for the budget
47 year to a number which will provide that one hundred
48 four percent amount for the budget school year
49 beginning July 1, 1980, and that one hundred three
50 five percent amount for the budget school year

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1 beginning July 1, 1981 and each school year thereafter."

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HOUSE FILE 2551

- 1 Amend H-6308, the Senate amendment to House
- 2 File 2551, as amended, passed, and reprinted by
- 3 the House, as follows:
- 4 1. By striking page 5, line 47 through page
- 5 6, line 13.
- 6 2. By striking page 6, line 33 through page
- 7 7, line 25.
- 8 3. Page 10, by striking lines 2 through 16.

H-6323 FILED APRIL 23, 1980

BY HORN of Linn

LOST (7/1987)

HOUSE FILE 2551

H-6324

- 1 Amend H-6308, the Senate amendment to House
- 2 File 2551, as amended, passed, and reprinted by
- 3 the House, as follows:
- 4 1. Page 10, by striking lines 17 through 34.

H-6324 FILED APRIL 23, 1980 By COCHRAN of Webster

LOST (7/1984)

HOUSE FILE 2551

H-6325

- 1 Amend the Senate amendment H-6308 to House File 2551,
- 2 as amended, passed and reprinted by the House, as follows:
- 3 1. Page 6, line 42, by inserting after the word "the"
- 4 the words "values of the".
- 5 2. Page 7, line 10, by striking the word "these" and
- 6 inserting in lieu thereof the words "the appropriate
- 7 quarterly".
- 8 3. Page 7, line 10, by inserting after the word
- 9 "deflators" the word "as".

H-6325 FILED APRIL 23, 1980 By BYERLY of Polk

LOST (7/1983)

HOUSE FILE 2551

H-6326

- 1 Amend H-6308, the Senate amendment to House
- 2 File 2551, as amended, passed, and reprinted by
- 3 the House, as follows:
- 4 1. By striking page 5, line 47 through page 6,
- 5 line 13.
- 6 2. Page 7, by striking lines 12 through 25.
- 7 3. Page 10, by striking lines 10 through 16
- 8 and inserting in lieu thereof the words "previous
- 9 year."

H-6326 FILED APRIL 23, 1980 By CONNOLLY of Dubuque

LOST (7/1986)

HOUSE FILE 2551

AN ACT

RELATING TO SCHOOL FINANCE INCLUDING THE CALCULATION OF THE STATE PERCENT OF GROWTH, ALLOWABLE GROWTH PER PUPIL, AND THE STATE FOUNDATION BASE FOR SCHOOL FOUNDATION AID PURPOSES AND INCLUDING REIMBURSEMENT FOR PUBLIC AND NONPUBLIC PUPIL TRANSPORTATION.

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

Section 1. Section two hundred seventy-three point two (273.2), Code 1979, is amended by adding the following new subsection following subsection five (5):

NEW SUBSECTION. Assistance in establishing programs for gifted and talented children.

Sec. 2. Section two hundred seventy-three point three (273.3), subsection thirteen (13), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1978 Session, chapter sixty (60), section one (1), is amended to read as follows:

13. Prepare an annual budget estimating income and expenditures for programs and services as provided in sections 273.1 to 273.9 and chapter 281 within the limits of funds provided under section two hundred eighty-one point nine (281.9) and chapter four hundred forty-two (442) of the Code. The board shall give notice of a public hearing on the proposed budget by publication in an official county newspaper in each county located wholly or partially in the merged area. The notice shall specify the date which shall be not later than November 10 of each year, time, and location of the public hearing. The proposed budget as approved by the board shall then be submitted to the state board of public instruction, on forms provided by the department, no later than December 1 preceding the next fiscal year for approval. ~~The state~~

~~board shall forward copies of the budgets of the area education agencies to the state comptroller. The state board and the state comptroller shall establish a maximum statewide amount for approved budgets for the area education agencies. If the state board and the state comptroller cannot agree upon a maximum statewide amount that amount shall be established by the school budget review committee. The state board shall review the proposed budget of each area education agency with consideration given to the maximum statewide amount established pursuant to this subsection and shall prior to January 1 either grant approval or return the budget without approval with comments of the state board included. Any unapproved budget shall be resubmitted to the state board for final approval.~~

Sec. 3. Section two hundred seventy-three point five (273.5), subsection six (6), Code 1979, is amended to read as follows:

6. Submit to the department of public instruction special education instructional and support program plans and applications ~~including those for new or expanded programs and services~~, subject to criteria listed in chapter 281 and this chapter, for approval by November 1 of each year for the school year commencing the following July 1. ~~For the second years subsequent to the school year beginning July 1, 1978, the director shall include in the program plans submitted to the department for support services the costs necessary to fund the newly identified nonpublic school pupils served by the area with support services not previously counted in the program plans for support services.~~

Sec. 4. Section two hundred eighty-five point one (285.1), subsections three (3) and four (4), Code 1979, are amended to read as follows:

3. In any a district where transportation by school bus is impracticable or where school bus service is not available, the board may require the parents or guardian guardians to transport furnish transportation for their children to the

~~school schools designated for attendance. The parent or guardian shall be reimbursed for such transportation service for elementary public and nonpublic school pupils by the board of the resident district for the distance one-way from the pupil's residence to the school designated for attendance at the rate of fifty-six cents per mile per day, irrespective of number of children transported. For high school pupils, the parent or guardian shall be reimbursed eighty dollars per pupil per year for such service, provided however no family shall receive more than one hundred sixty dollars per year for transporting the members of the family who attend high school. The provisions of this section shall apply to eligible nonpublic school pupils as well as to eligible public school pupils. However, reimbursement for nonpublic school pupils shall not exceed eighty dollars per pupil per year. The provisions of this subsection shall be effective for transportation of children commencing with the second semester of the school year beginning July 1, 1975, in an amount equal to eighty dollars plus the following percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost, as determined by the department of public instruction:~~

- ~~a. For the school year commencing July 1, 1980, twenty-five percent.~~
- ~~b. For the school year commencing July 1, 1981, fifty percent.~~
- ~~c. For the school year commencing July 1, 1982 and each school year thereafter, seventy-five percent.~~

~~However, a parent or guardian shall not receive reimbursement for furnishing transportation for more than two family members who attend high school.~~

4. In all districts where unsatisfactory roads or other conditions make it advisable, the board at its discretion may require the parent parents or guardian guardians of public and nonpublic school pupils to transport furnish transportation for their children up to two miles to connect with a vehicle

vehicles of transportation. The parent parents or guardian guardians shall be reimbursed for such transportation by the board boards of the resident district districts at the rate of twenty-eight cents per mile per day, one way, per family for the distance from the pupil's residence to the bus route.

Sec. 5. Section two hundred eighty-five point one (285.1), subsection sixteen (16), Code 1979, is amended to read as follows:

16. a. If the nonpublic school designated for attendance of a pupil is located outside the boundary line of the school district of the pupil's residence, the pupil may be transported by the district of residence to a public school or other location within the district of the pupil's residence. A public school district in which a nonpublic school is located may establish school bus collection locations within its district from which nonresident nonpublic school pupils may be transported to and from a nonpublic school located in the district. If a pupil receives such transportation, the district of the pupil's residence shall be relieved of any requirement to provide transportation.

b. As an alternative to ~~the provisions enumerated in paragraph a of this subsection~~, subject to ~~the provisions of section 285.9, subsection 3~~, where practicable, and at the option of the public school district in which a nonpublic school pupil resides, the school district may transport a nonpublic school pupil to a nonpublic school located outside the boundary lines of the public school district if the nonpublic school is located in a school district contiguous to the school district which is transporting the nonpublic school pupils, or may contract with the contiguous public school district in which a nonpublic school is located for the contiguous school district to transport the nonpublic school pupils to the nonpublic school of attendance within the boundary lines of the contiguous school district.

c. If the nonpublic school designated for attendance of a pupil is located outside the boundary line of the school

district of the pupil's residence and the district of residence meets the requirements of subsections fourteen (14) through sixteen (16) of this section by using subsection seventeen (17), paragraph c. of this section and the district in which the nonpublic school is located is contiguous to the district of the pupil's residence and is willing to provide transportation under subsection seventeen (17), paragraph a or b. of this section, the district in which the nonpublic school is located may provide transportation services, subject to section two hundred eighty-five point nine (285.9), subsection three (3), of the Code and may make the claim for reimbursement under section two hundred eighty-five point two (285.2) of the Code. The district in which the nonpublic school is located shall notify the district of the pupil's residence that it is making the claim for reimbursement, and the district of the pupil's residence shall be relieved of the requirement for providing transportation and shall not make a claim for reimbursement for those nonpublic school pupils for which a claim is filed by the district in which the nonpublic school is located.

Sec. 6. Section two hundred eighty-five point one (285.1), subsection seventeen (17), paragraph c, Code 1979, is amended to read as follows:

c. Utilizing the transportation reimbursement provision of subsection 3. ~~However, no reimbursement shall exceed eighty dollars per nonpublic school pupil per year.~~

Sec. 7. Section two hundred eighty-five point fourteen (285.14), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A vehicle used for an approved driver education course in which the driver education teacher transports driver education students from their residences for street or highway driving is not a school bus.

Sec. 8. Section two hundred eighty-five point sixteen (285.16), Code 1979, is amended to read as follows:

285.16 "NONPUBLIC SCHOOL" DEFINED. As used in this chapter, the term "nonpublic school" means those nonpublic schools approved by the department of public instruction as provided in section 257.25 and nonpublic institutions which comply with state board of public instruction standards for providing special education programs.

Sec. 9. Section four hundred forty-two point two (442.2), subsection two (2), Code 1979, is amended to read as follows:

2. The amount paid to each school district for the tax credit for livestock under section 427.17 shall be regarded as property tax. The portion of the payment which is foundation property tax shall be determined by applying the foundation property tax rate to the taxable value of livestock assessed for taxation in the district as of January 1, 1973, determined pursuant to section 427.17, and adjusted to actual value as provided in Acts of the Sixty-fifth General Assembly, chapter 1231, section 174. A school district is hereby authorized to levy a tax on all of the taxable property within the district in an amount equal to the difference between the amount due to a school district from the personal property tax replacement fund for the preceding year and the amount actually received during the preceding fiscal year from the personal property tax replacement fund.

Sec. 10. Section four hundred forty-two point three (442.3), Code 1979, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. For each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. However, for the school year beginning July 1, 1980, the state foundation base shall be the same as the state foundation base for the school year beginning July 1, 1979. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 11. Section four hundred forty-two point seven (442.7), subsection one (1), unnumbered paragraph one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended to read as follows:

For school years subsequent to the school year beginning July 1, 1978, a state percent of growth for the budget year shall be computed by the state comptroller prior to September 15 in the base year and forwarded to the superintendent of public instruction. The state percent of growth shall be an average of the following four percentages of growth except as otherwise provided in paragraph c of this subsection:

Sec. 12. Section four hundred forty-two point seven (442.7), subsection one (1), paragraph a, subparagraphs one (1) and two (2), as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section six (6), and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections seven (7) through ten (10), are amended by striking the subparagraphs and inserting in lieu thereof the following:

(1) The percentage of change between the revenues received during the second year preceding the base year and the revenues received during the year preceding the base year.

(2) The percentage of change between the revenues received during the year preceding the base year and the revenues received during the base year.

Sec. 13. Section four hundred forty-two point seven (442.7), subsection one (1), paragraph b, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by striking the paragraph and inserting in lieu thereof the following:

b. The difference in the gross national product implicit price deflator published by the bureau of economic analysis,

United States department of commerce, computed or estimated as a percentage of change for the following:

(1) From the value for the quarter ending December thirty-first eighteen months prior to the beginning of the base year to the value for the quarter ending December thirty-first six months prior to the beginning of the base year.

(2) From the value for the quarter ending December thirty-first six months prior to the beginning of the base year to the value for the quarter ending December thirty-first six months prior to the beginning of the budget year.

The computation of the percentage change in the gross national product implicit price deflator shall be based, to the extent possible, on the latest available values for these deflators published by the bureau of economic analysis.

Sec. 14. Section four hundred forty-two point seven (442.7), subsection one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by adding the following new paragraph as paragraph c:

NEW PARAGRAPH. c. If the average of the percentages computed or estimated under paragraph b of this subsection exceeds the average of the percentages computed or estimated under paragraph a of this subsection, the state percent of growth shall be the average of the two percentages of growth computed or estimated under paragraph a of this subsection.

Sec. 15. Section four hundred forty-two point seven (442.7), subsection five (5), paragraph a, Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section ten (10), and as the section is amended but not as renumbered by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through nine (9), is amended by striking the paragraph and inserting in lieu thereof the following:

a. If the state cost per pupil for the budget year exceeds the district cost per pupil for the budget year, the basic allowable growth per pupil for the budget year is modified to equal one hundred ten percent of the product of the state cost per pupil for the base year times the state percent of growth for the budget year. However, the basic allowable growth per pupil for the budget year under this paragraph shall not exceed the difference between the state cost per pupil for the budget year and the district cost per pupil for the budget year. For purposes of this paragraph the state cost per pupil and the district cost per pupil shall not include special education support service costs, and the district cost per pupil for the budget year shall not include that portion of the district cost per pupil created by additions or subtractions to the allowable growth per pupil for the budget year and for prior school years beginning with the school year commencing July 1, 1977, as provided under paragraph b of this subsection.

Sec. 16. Section four hundred forty-two point seven (442.7), subsection five (5), paragraphs d and e, Code 1979, as the section is amended but not as renumbered by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), are amended to read as follows:

d. ~~For each year following~~ the school year beginning July 1, ~~1975~~ 1976 and ending with the school year beginning July 1, 1980, by adding to the basic allowable growth an amount to compensate for the additional costs of special education support services provided through the area education agency. For the school years beginning July 1, 1978 and July 1, 1979 only, the total amount for each area shall be equal to the total amount approved for special education support services for the base year times one hundred percent plus the state percent of growth. In addition to the amount provided in this paragraph to each area for the school years beginning July 1, 1978 and July 1, 1979 to compensate for the additional

costs of special education support services, each area may be granted by the state board an additional amount to serve children newly-identified as requiring the services pursuant to plans submitted by the special education director of the area education agency as required by section 273.5. The total of additional amounts granted throughout the state by the state board for the school year beginning July 1, 1978 shall not exceed the total amount approved for special education support services for the school year beginning July 1, 1977 times four and eighty-seven hundredths percent, and for the school year beginning July 1, 1979 shall not exceed the total amount approved for special education support services for the school year beginning July 1, 1978 times three percent. For the school year beginning July 1, 1980 ~~and each school year thereafter~~ the total amount for the state for special education support services shall not exceed the total amount approved for special education support services for the base year times one hundred percent plus the state percent of growth, and the total amount for each area shall be determined by the state board of public instruction pursuant to plans submitted by the special education director of the area education agency as required by section 273.5, which shall be modified as necessary and approved by the state board of public instruction according to the criteria and limitations of section 273.5 and chapter 281 and within the total amount for the state provided in this paragraph. The amount of additional allowable growth per pupil for the budget year for each district in an area shall be determined by dividing the total amount for the area so determined by the weighted enrollment of the area for the budget year.

e. For the school years prior to the school year beginning July 1, 1981, for the additional allowable growth computed under paragraphs "c" and "d" of this subsection, the state board of public instruction, in co-operation with the appropriate personnel of the area education agency, shall determine the amounts for each area education agency, as

required and the state comptroller shall calculate the amounts of additional allowable growth for each district necessary to fund the total special education support services costs as increased for the budget year under paragraph "d" of this subsection, and shall calculate the amounts due from each district to its area education agency by multiplying the additional allowable growth per pupil necessary to fund the total special education support services costs as increased for the budget year under paragraph "d" of this subsection by the weighted enrollment in the district for the budget year. The state comptroller shall deduct the amounts so calculated for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school district of the amount of state aid deducted for this purpose and the balance of state aid will be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

Sec. 17. Section four hundred forty-two point seven (442.7), subsection five (5), Code 1979, as the section is amended but not as renumbered by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by adding the following new paragraph:

NEW PARAGRAPH. By the state comptroller under section four hundred forty-two point thirty-five (442.35) of the Code.

Sec. 18. Section four hundred forty-two point seven (442.7), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by adding the following new subsection:

NEW SUBSECTION. ALLOWABLE GROWTH. For the school year beginning July 1, 1981, the state comptroller shall add to the allowable growth of affected school districts, an amount equal to the difference between the amount per pupil in weighted enrollment for the approved budget for the school year beginning July 1, 1980 for special education support services in that area education agency and the amount per pupil in weighted enrollment for the amount certified to generate funds for the school year beginning July 1, 1980 for special education support services in the area education agency and shall adjust the state cost per pupil accordingly.

Sec. 19. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections eight (8) and nine (9), are amended to read as follows:

SEC. 8. Section four hundred forty-two point seven (442.7), Code 1979, is amended by adding the following new subsection after section one (1):

NEW SUBSECTION. Notwithstanding subsection one (1) of this section, for the school years year beginning July 1, 1980, ~~July 1, 1981, and July 1, 1982~~ only, the state percent of growth is the average of the two percentages of growth computed under subsection one (1), paragraph b, of this section.

SEC. 9. Section four hundred forty-two point seven (442.7), subsection three (3), Code 1979, is amended to read as follows:

3. Each year prior to September fifteenth the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available. The difference between the recomputed state percent of growth for the base year and the original computation shall be added to or subtracted from the state percent of growth for the budget year, as applicable. However, for the budget school years year beginning July 1, 1980 only, ~~July 1, 1981, and July 1, 1982~~ the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available based only upon the consumer price index.

With regard to values of gross national product implicit price deflators, the recomputation of the state percent of growth for the previous year shall be made only with respect to the value of the deflator for the quarter which occurred subsequent to the calculation of the state percent of growth for the previous year. If subsection one (1), paragraph c. of this section is used in the calculation of the state percent of growth for the previous year, the calculation made in subsection one (1), paragraph b. of this subsection shall not be used in the recomputation of the state percent of growth for the previous year.

For the school year beginning July 1, 1981, the recomputation of the state percent of growth for the year beginning July 1, 1980 computed prior to September 15, 1980 and added to or subtracted from the state percent of growth for the school year beginning July 1, 1981 shall also include a percent equal to the difference between the estimate made of the percentage of growth in the receipts of state general fund revenue by the state comptroller prior to September 15, 1978 in computing the state percent of growth for the school year beginning July 1, 1979 and the actual figures of the percentage of growth in the receipts of state general fund revenue.

Sec. 20. Section four hundred forty-two point eight (442.8), unnumbered paragraph two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section eleven (11), is amended to read as follows:

However, for the budget years beginning July 1, 1980, ~~July 1, 1981, July 1, 1982, and July 1, 1983,~~ the state cost per pupil shall equal the base year's state cost per pupil plus the allowable growth for the budget year plus an adjustment to the state cost per pupil. For the budget years beginning July 1, 1980, ~~July 1, 1981, July 1, 1982, and July 1, 1983,~~ the adjustment to the state cost per pupil is twenty dollars per pupil, ~~seven dollars per pupil,~~ seven dollars per pupil, and eight dollars per pupil, respectively.

Sec. 21. Section four hundred forty-two point eight (442.8), unnumbered paragraph three (3), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section eleven (11), is amended to read as follows:

For each Commencing with the school year subsequent-to the-school-year beginning July 1, 1976, and ending with the school year beginning July 1, 1979, the allowable growth added to the state cost per pupil as otherwise computed under section 442.7 shall be the basic allowable growth increased by an amount equal to the average of the amounts of allowable growth added for each school district in the state for additional special education support services needed for that year to serve newly identified children who require the services, under sections 273.9, subsection 3 and 442.7, subsection b, paragraph "d". The state comptroller shall compute the applicable amount of allowable growth to be added to the state cost per pupil for each school year.

Sec. 22. Section four hundred forty-two point nine (442.9), subsection one (1), paragraph a, Code 1979, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. However, district cost per pupil does not include additional allowable growth added for programs for gifted and talented children under this chapter and does not include additional allowable growth established by the school budget review committee for a single school year only.

Sec. 23. Chapter four hundred forty-two (442), Code 1979, is amended by adding the following new section as section four hundred forty-two point twenty-five (442.25) of the Code:

NEW SECTION. 442.25 SPECIAL EDUCATION SUPPORT SERVICES PAYMENTS. The state comptroller shall deduct the amounts calculated for special education support services for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the respective area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school

district of the amount of state aid deducted for this purpose and the balance of state aid shall be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

Sec. 24. Section four hundred forty-two point thirty-one (442.31), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section twenty (20), and as amended by House File two thousand two hundred seventy-five (2275), section one (1), Sixty-eighth General Assembly, 1980 Session, is amended by striking the section and inserting in lieu thereof the following:

442.31 GIFTED AND TALENTED CHILDREN For the school year beginning July 1, 1981 and succeeding school years, boards of school districts, individually or jointly with the boards of other school districts, may provide for gifted and talented children programs and annually submit program plans and budget costs, including requests for additional allowable growth for funding the programs, to the department of public instruction and to the applicable gifted and talented children advisory council, if an advisory council has been established, as provided in this chapter. A district shall not identify more than three percent of its budget enrollment for the budget year as gifted and talented.

The department of public instruction shall promulgate rules under chapter seventeen A (17A) of the Code relating to the administration of sections four hundred forty-two point thirty-one (442.31) through four hundred forty-two point thirty-five (442.35) of the Code and the new sections added to chapter four hundred forty-two (442) of the Code by this Act. The rules shall prescribe the format of program plans submitted under section four hundred forty-two point thirty-two (442.32) of the Code and shall require that programs fulfill specified objectives.

Sec. 25. Section four hundred forty-two point thirty-two (442.32), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

442.32 PROGRAM PLANS. The program plans submitted by school districts shall include all of the following:

1. Program goals, objectives, and activities to meet the needs of gifted and talented children.
2. Student identification criteria and procedures.
3. Staff in-service education design.
4. Staff utilization plans.
5. Evaluation criteria and procedures and performance measures.
6. Program budget.
7. Qualifications required of personnel administering the program.
8. Other factors the department requires.

Sec. 26. Section four hundred forty-two point thirty-three (442.33), Code 1979, is amended to read as follows:

442.33 DEFINED. "Gifted and talented children" are those identified as possessing outstanding abilities who are capable of high performance. Gifted and talented children are children who require ~~differentiated-educational-programs-or-services~~ appropriate instruction and educational services commensurate with their abilities and needs beyond those provided by the regular school program.

Gifted and talented children include those children with demonstrated achievement or potential ability, or both, in any ~~two-or-more~~ of the following areas or in combination:

1. General intellectual ability.
- * 2. Creative thinking.
- * 3. Leadership ability.
- * 4. Visual and performing arts ability.
- * 5. Specific ability aptitude.
6. ~~---intellectual-ability---~~

Sec. 27. Section four hundred forty-two point thirty-four (442.34), Code 1979, as amended by Acts of the Sixty-eighth

General Assembly, 1979 Session, chapter thirteen (13), section twenty-one (21), and as amended by House File two thousand two hundred seventy-five (2275), section two (2), Sixty-eighth General Assembly, 1980 Session, is amended by striking the section and inserting in lieu thereof the following:

442.34 SUBMISSION OF PROGRAM PLANS. The board of directors of a school district shall submit applications for approval for gifted and talented children programs to the department not later than November first preceding the fiscal year during which the program will be offered. The board shall also submit a copy of the program plans to the gifted and talented children advisory council, if an advisory council has been established. The department shall review the program plans and shall prior to January fifteenth either grant approval for the program or return the request for approval with comments of the department included. Any unapproved request for a program may be resubmitted with modifications to the department not later than February first. Not later than February fifteenth the department shall notify the state comptroller and the school budget review committee of the names of the school districts for which gifted and talented children programs have been approved and the approved budget of each program listed separately for each school district having an approved program.

Sec. 28. Section four hundred forty-two point thirty-five (442.35), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section twenty-two (22), and as amended by House File two thousand two hundred seventy-five (2275), section three (3), Sixty-eighth General Assembly, 1980 Session, is amended by striking the section and inserting in lieu thereof the following:

442.35 FUNDING. The budget of an approved gifted and talented children program for a school district, after subtracting funds received from other sources for that purpose, shall be funded annually on a basis of one-fourth or more from the district cost of the school district and up to three-

fourths by an increase in allowable growth as defined in section four hundred forty-two point seven (442.7) of the Code. Annually, the state comptroller shall establish a modified allowable growth for each such district equal to the difference between the approved budget for the gifted and talented children program for that district and the sum of the amount funded from the district cost of the school district plus funds received from other sources.

Sec. 29. Chapter four hundred forty-two (442), Code 1979, is amended by adding the following new sections:

NEW SECTION. ADVISORY COUNCIL. At the written request of one or more boards of school districts, in an area education agency, the area education agency board shall establish one or more gifted and talented children advisory councils and shall appoint members for four-year staggered terms. The terms of office of advisory council members shall commence on July first of each year. An advisory council shall consist of seven members including teachers, parents, school administrators, and other persons interested in education in the area. Except as otherwise provided in this section, members shall be eligible electors residing in the merged area. Members shall serve without compensation but shall be reimbursed for actual and necessary expenses and mileage incurred in the performance of their duties from funds available to the area education agency.

If an area education agency has a weighted enrollment of more than thirty-five thousand, the board may appoint additional advisory councils for each thirty-five thousand weighted enrollment or fraction of thirty-five thousand. If more than one advisory council is appointed by the board, the board shall divide the merged area along school district boundary lines for jurisdiction of the advisory councils, and membership of these advisory councils shall be appointed from the designated portion of the merged area.

NEW SECTION. DUTIES OF ADVISORY COUNCIL. The gifted and talented children advisory council shall:

1. Elect a chairperson and vice chairperson from the membership of the advisory council.

2. Meet as often as deemed necessary by the advisory council.

3. Advise and assist a local board of directors in the establishment of gifted and talented children programs, when requested by the local board.

4. Review program plans and proposed budgets for a gifted and talented children program, in consultation with a gifted and talented children consultant employed by the area education agency, when requested by a local board.

5. When requested by a local board, evaluate the results of a gifted and talented children program and file a written report together with recommendations for improvement or change with the board of directors of the applicable school district, the area education agency and the department of public instruction. The evaluation shall be conducted by three or more members of the advisory council.

Sec. 30. For the school year beginning July 1, 1981, an area education agency which requires additional money to provide special education support services to children requiring special education in the area may apply to the school budget review committee for additional funds. The school budget review committee shall review the requests submitted by area education agencies and may allocate additional funds to area education agencies on the basis of need from any funds appropriated to the department of public instruction for the use of the school budget review committee.

Sec. 31. This Act is effective for the school year beginning July 1, 1981, except that the sections amending chapter two hundred eighty-five (285), section four hundred forty-two point three (442.3) and section four hundred forty-two point seven (442.7), subsection five (5), paragraph a, of the Code are effective for the school year beginning July 1, 1980.

Sec. 32. This Act, being deemed of immediate importance, takes effect from and after its publication in The Record, a newspaper published in Cedar Falls, Iowa, and in The Garner Leader & Signal, a newspaper published in Garner, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. HRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2551, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved May 20, 1980

ROBERT D. RAY
Governor