

Ed 2/28 No Pass 3/8 (p. 962)

FEB 16 1990

HOUSE FILE 2459
BY COMMITTEE ON EDUCATION

Place On Calendar

(SUCCESSOR TO HSB 758)

Passed House, Date 2/26/90 (p. 647) Passed Senate, Date 3/13/90 (p. 1050)
Vote: Ayes 65 Nays 27 Vote: Ayes 34 Nays 11

Approved April 30, 1990

Repassed for H-5671 as amended
3/22/90 (p. 1324)
64-34

Repassed Senate 3/30/90 (p. 1423)
44-5

A BILL FOR

1 An Act relating to the employment of personnel under sharing
2 agreements between school districts.

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

4
5
6
7

HOUSE FILE 2459

H-5234

- 1 Amend House File 2459 as follows:
- 2 1. Page 1, line 21, by inserting after the word
- 3 "license" the following: "and possesses the
- 4 appropriate qualifications".

By MAULSBY of Calhoun

H-5234 FILED FEBRUARY 20, 1990

From 2/26 (p. 647)

13
14
15
16
17
18
19
20
21
22
23

HF 2459

1 Section 1. Section 280.15, Code 1989, is amended to read
2 as follows:

3 280.15 JOINT EMPLOYMENT AND SHARING.

4 Two or more public school districts may jointly employ and
5 share the services of any school personnel, or acquire and
6 share the use of classrooms, laboratories, equipment and
7 facilities. Classes made available to students in the manner
8 provided in this section shall be considered as complying with
9 the requirements of section 275.1 relating to the maintenance
10 of kindergarten and twelve grades by a school district. If
11 students attend classes in another school district under this
12 section under an agreement that provides for whole grade
13 sharing, the boards of directors of districts entering into
14 these agreements shall provide for sharing the costs and
15 expenses as provided in sections 282.10 through 282.12.
16 Sharing agreements that provide for the sharing of personnel
17 shall provide that any person who is not an employee at the
18 time an agreement is signed shall not be employed in any
19 professional position, under the terms of the agreement, for
20 which a current employee of any of the districts involved in
523421 the agreement holds an appropriate license, unless the
22 professional position is first offered to the current
23 employee.

24 EXPLANATION

25 This bill requires that when a district enters into a
26 personnel agreement with another district, the district cannot
27 hire a new employee to fill a professional position, if a
28 current employee possesses the appropriate license for the
29 position, without first offering the position to the current
30 employee.

31
32
33
34
35

HOUSE FILE 2459

S-5474

1 Amend House File 2459, as passed by the House, as
2 follows:
3 1. Page 1, line 4, by inserting before the word
4 "Two" the following: "1."
5 2. Page 1, by inserting after line 23, the
6 following:
7 "2. When a special education personnel pooling
8 agreement, which has been entered into between an area
9 education agency and a public school district pursuant
10 to section 273.5, is terminated by the public school
11 district, the area education agency, or by other state
12 action, the public school district shall assume the
13 contractual obligations for any teachers assigned to
14 the district under the agreement. Teachers, for whom
15 the contractual obligations are assumed by a district,
16 shall retain all leaves, benefits, and seniority
17 rights accumulated under the agreement, consistent
18 with the teacher's education and experience."

By LARRY MURPHY
JIM LIND

S-5474 FILED MARCH 13, 1990
ADOPTED (p. 1048)

HOUSE FILE 2459

S-5475

1 Amend House File 2459 as passed by the House, as
2 follows:
3 1. Page 1, line 21, by inserting after the words
4 "unless the" the following: "professional position is
5 an administrator position or the".

By LARRY MURPHY

S-5475 FILED MARCH 13, 1990
ADOPTED (p. 1048)

HOUSE FILE 2459

S-5476

1 Amend the amendment, S-5474, to House File 2459, as
2 passed by the House, as follows:
3 1. Page 1, lines 11 and 12, by striking the words
4 "the area education agency, or by other state
5 action,".

By LARRY MURPHY
JOHN A. PETERSON

S-5476 FILED MARCH 13, 1990
ADOPTED (p. 1050)

SENATE AMENDMENT TO HOUSE FILE 2459

H-5671

- 1 Amend House File 2459 as passed by the House, as
2 follows:
3 1. Page 1, line 4, by inserting before the word
4 "Two" the following: "1."
5 2. Page 1, line 21, by inserting after the words
6 "unless the" the following: "professional position is
7 an administrator position or the".
8 3. Page 1, by inserting after line 23, the
9 following:
10 "2. When a special education personnel pooling
11 agreement, which has been entered into between an area
12 education agency and a public school district pursuant
13 to section 273.5, is terminated by the public school
14 district, the public school district shall assume the
15 contractual obligations for any teachers assigned to
16 the district under the agreement. Teachers, for whom
17 the contractual obligations are assumed by a district,
18 shall retain all leaves, benefits, and seniority
19 rights accumulated under the agreement, consistent
20 with the teacher's education and experience."
21 4. By renumbering, relettering, or redesignating
22 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-5671 FILED MARCH 14, 1990

Amended (5749) & Concurred 3/22 (p. 1324)

HOUSE FILE 2459

H-5799

- 1 Amend the amendment, H-5671, to House File 2459, as
2 passed by the House, as follows:
3 1. Page 1, lines 13 and 14, by striking the words
4 "by the public school district".
5 2. Page 1, line 19, by inserting after the word
6 "agreement" the following: "which exists between the
7 public school district and the district's collective
8 bargaining unit".

By COHOON of Des Moines

H-5799 FILED MARCH 21, 1990

Adopted 3/22 (p. 1324)

HOUSE FILE 2459

H-5824

- 1 Amend Senate amendment H-5671 to House File 2459,
2 as passed by the House, as follows:
3 1. Page 1, by striking lines 3 and 4.
4 2. Page 1, by striking lines 8 through 22.
5 3. By renumbering as necessary.

By DAGGETT of Adams

H-5824 FILED MARCH 22, 1990

LOST (p. 1324)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2459

S-5679

- 1 Amend the amendment, H-5671, to House File 2459, as
- 2 passed by the House, as follows:
- 3 1. Page 1, lines 13 and 14, by striking the words
- 4 "by the public school district".
- 5 2. Page 1, line 19, by inserting after the word
- 6 "agreement" the following: "which exists between the
- 7 public school district and the district's collective
- 8 bargaining unit".

RECEIVED FROM THE HOUSE

S-5679 FILED MARCH 26, 1990

Senate concurred 3/30 (p. 1422)

HOUSE FILE 2459

BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY CHAIR-
PERSON OLLIE)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the employment of personnel under sharing
2 agreements between school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 Section 1. Section 280.15, Code 1989, is amended to read
2 as follows:

3 280.15 JOINT EMPLOYMENT AND SHARING.

4 Two or more public school districts may jointly employ and
5 share the services of any school personnel, or acquire and
6 share the use of classrooms, laboratories, equipment and
7 facilities. Classes made available to students in the manner
8 provided in this section shall be considered as complying with
9 the requirements of section 275.1 relating to the maintenance
10 of kindergarten and twelve grades by a school district. If
11 students attend classes in another school district under this
12 section under an agreement that provides for whole grade
13 sharing, the boards of directors of districts entering into
14 these agreements shall provide for sharing the costs and
15 expenses as provided in sections 282.10 through 282.12.
16 Sharing agreements that provide for the sharing of personnel
17 shall provide that any person who is not an employee at the
18 time an agreement is signed shall not be employed in any
19 professional position, under the terms of the agreement, for
20 which a current employee of any of the districts involved in
21 the agreement holds an appropriate license, unless the
22 professional position is first offered to the current
23 employee.

24 EXPLANATION

25 This bill requires that when a district enters into a
26 personnel agreement with another district, the district cannot
27 hire a new employee to fill a professional position, if a
28 current employee possesses the appropriate license for the
29 position, without first offering the position to the current
30 employee.

31
32
33
34
35

HOUSE FILE 2459

AN ACT
RELATING TO THE EMPLOYMENT OF PERSONNEL UNDER SHARING AGREEMENTS BETWEEN SCHOOL DISTRICTS.

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

Section 1. Section 280.15, Code 1989, is amended to read as follows:

280.15 JOINT EMPLOYMENT AND SHARING.

1. Two or more public school districts may jointly employ and share the services of any school personnel, or acquire and share the use of classrooms, laboratories, equipment and facilities. Classes made available to students in the manner provided in this section shall be considered as complying with the requirements of section 275.1 relating to the maintenance of kindergarten and twelve grades by a school district. If students attend classes in another school district under this section under an agreement that provides for whole grade sharing, the boards of directors of districts entering into these agreements shall provide for sharing the costs and expenses as provided in sections 282.10 through 282.12.

Sharing agreements that provide for the sharing of personnel shall provide that any person who is not an employee at the time an agreement is signed shall not be employed in any professional position, under the terms of the agreement, for which a current employee of any of the districts involved in the agreement holds an appropriate license, unless the professional position is an administrator position or the professional position is first offered to the current employee.

2. When a special education personnel pooling agreement, which has been entered into between an area education agency and a public school district pursuant to section 273.5, is

terminated, the public school district shall assume the contractual obligations for any teachers assigned to the district under the agreement. Teachers, for whom the contractual obligations are assumed by a district, shall retain all leaves, benefits, and seniority rights accumulated under the agreement which exists between the public school district and the district's collective bargaining unit, consistent with the teacher's education and experience.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2459, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 30, 1990

TERRY E. BRANSTAD
Governor