

*Reprinted*

SENATE FILE 2423  
BY COMMITTEE ON APPROPRIATIONS

FILED MAR 29 1990

(SUCCESSOR TO LSB 8449SC)

Passed Senate, Date 3/30/90 (p.1412) Passed House, Date 4/3/90 (P.1853)  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 61 Nays 33  
Approved May 8, 1990  
*Stem*  
*Veto*

A BILL FOR

1 An Act relating to the funding of, operation of, and  
2 appropriation of moneys to agencies, institutions,  
3 commissions, departments, and boards responsible for  
4 educational and cultural programs of this state, providing  
5 effective dates, and providing retroactive applicability.

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

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1 DIVISION I  
2 DEPARTMENT OF CULTURAL AFFAIRS

3 Section 1.

4 There is appropriated from the general fund of the state to  
5 the department of cultural affairs for the fiscal year  
6 beginning July 1, 1990, and ending June 30, 1991, the  
7 following amounts, or so much thereof as is necessary, to be  
8 used for the purposes designated:

9 1. ADMINISTRATION DIVISION

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

13 .....	\$	468,735
14 .....	FTEs	10

15 2. ARTS DIVISION

16 For salaries, support, maintenance, miscellaneous purposes,  
17 including funds to match federal grants, and for not more than  
18 the following full-time equivalent positions:

19 .....	\$	1,239,125
20 .....	FTEs	13

21 Notwithstanding section 8.33, unobligated or unencumbered  
22 funds appropriated in this subsection, to be used as matching  
23 funds for federal grant moneys administered by the arts  
24 division and remaining on June 30, 1991, shall not revert to  
25 the general fund of the state, but shall remain available for  
26 expenditure by the arts division for those purposes for the  
27 fiscal year beginning July 1, 1991.

28 As a condition, limitation, and qualification of the  
29 appropriation in this subsection, not more than 10 percent of  
30 the difference between the moneys appropriated in this  
31 subsection and the moneys appropriated in 1989 Iowa Acts,  
32 chapter 319, section 1, subsection 2, shall be expended by the  
33 arts division for administrative costs.

34 3. HISTORICAL DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent  
2 positions:

3 ..... \$ 2,775,453  
4 ..... FTEs 76

5 4. LIBRARY DIVISION

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

9 ..... \$ 2,326,277  
10 ..... FTEs 41

11 As a condition, limitation, and qualification of the funds  
12 appropriated in this subsection, the department of cultural  
13 affairs shall adopt, by January 1, 1991, rules relating to the  
14 copying of library material and the defraying of copying  
15 expenses, including, but not limited to, the charging of  
16 reasonable fees for the copying of library material for  
17 nonresident persons.

18 5. PUBLIC BROADCASTING DIVISION

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

22 ..... \$ 6,947,451  
23 ..... FTEs 104

24 6. TERRACE HILL COMMISSION

25 For salaries, support, maintenance, miscellaneous purposes,  
26 for the operation of Terrace Hill and for not more than the  
27 following full-time equivalent positions:

28 ..... \$ 211,581  
29 ..... FTEs 5.25

30 7. REGIONAL LIBRARY SYSTEM

31 a. For state aid:

32 ..... \$ 1,530,655

33 b. For additional state aid:

34 ..... \$ 100,000

35 8. IOWA PEACE INSTITUTE

1 For allocation to the Iowa peace institute established in  
2 chapter 38:

3 ..... \$ 321,600

4 9. For planning and programming for the community cultural  
5 grants program established under section 303.89:

6 ..... \$ 885,000

7 10. For the Iowa town square project:

8 ..... \$ 150,000

9 Sec. 2.

10 Notwithstanding sections 302.1 and 302.1A, for the fiscal  
11 year beginning July 1, 1990, and ending June 30, 1991, the  
12 portion of the interest earned on the permanent school fund  
13 that is not transferred to the credit of the first in the  
14 nation in education foundation and not transferred to the  
15 credit of the national center for gifted and talented  
16 education shall be credited as a payment by the historical  
17 division of the department of cultural affairs of the  
18 principal and interest due on moneys loaned to the historical  
19 division under section 303.18.

20 DIVISION II

21 COLLEGE AID COMMISSION

22 Sec. 3.

23 There is appropriated from the general fund of the state to  
24 the college aid commission for the fiscal year beginning July  
25 1, 1990, and ending June 30, 1991, the following amounts, or  
26 so much thereof as may be necessary, to be used for the  
27 purposes designated:

28 1. GENERAL ADMINISTRATION

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

32 ..... \$ 326,271

33 ..... FTEs 8.05

34 As a condition, limitation, and qualification of the  
35 appropriation in this subsection, the college aid commission

1 shall conduct a study of the cosmetology and chiropractic  
2 programs available to Iowans at both private and public  
3 postsecondary institutions. The study shall include the  
4 number of students attending the programs, the type of  
5 financial aid that is available to the students, a description  
6 of the accreditation standards which are required to be met by  
7 each program, a listing of those areas in which programs have  
8 failed to meet accreditation standards, the number of students  
9 placed within 1 year of graduation in professions for which  
10 they have been trained, and the number of students who have  
11 continued in the professions for which they have been trained  
12 5 years after graduation from a professional program.

13 2. STUDENT AID PROGRAMS

14 For payments to students for student aid programs:

15 ..... \$ 2,520,100

16 As a condition, limitation, and qualification of the funds  
17 appropriated in this subsection, \$1,850,000 shall be expended  
18 for an Iowa grant program, with funds to be allocated to  
19 institutions in the following manner:

20 a. Total allocations to students attending regents'  
21 institutions shall be determined by multiplying 72.973 percent  
22 of \$1,850,000 by 37.6 percent.

23 b. Total allocations to students attending community  
24 colleges shall be determined by multiplying 72.973 percent of  
25 \$1,850,000 by 25.9 percent and by 2.43.

26 c. Total allocations to students attending private  
27 colleges and universities shall be determined by multiplying  
28 72.973 percent of \$1,850,000 by 36.5 percent.

29 As a condition, limitation, and qualification of the funds  
30 appropriated in this subsection for an Iowa grant program, the  
31 college aid commission shall adopt rules relating to student  
32 financial need and provide that the maximum grant amount shall  
33 be equal to the average tuition charged at the state board of  
34 regents' institutions or the tuition at the higher education  
35 institution which the student is attending, whichever is less.

1 3. NATIONAL GUARD LOAN REPAYMENT

2 For payments to students for the national guard loan  
3 payment program in section 261.49:

4 ..... \$ 350,000

5 4. AID FOR DISPLACED WORKERS

6 For payments to institutions for attendance of displaced  
7 workers:

8 ..... \$ 500,000

9 Notwithstanding the purposes for which moneys are  
10 appropriated in this subsection, any unobligated or  
11 unencumbered funds remaining on March 15, 1991, from the  
12 moneys appropriated in this subsection shall be used for the  
13 remainder of the fiscal year by the commission to supplement  
14 moneys appropriated for an Iowa grant program.

15 Sec. 4.

16 There is appropriated from the general fund of the state to  
17 the college aid commission for the fiscal year beginning July  
18 1, 1990, and ending June 30, 1991, the following amounts, or  
19 so much thereof as may be necessary, to be used for the  
20 purposes designated:

21 UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

22 1. For grants to sophomores, juniors, and seniors and for  
23 forgivable loans to freshmen, who are Iowa students attending  
24 the university of osteopathic medicine and health sciences,  
25 under the grant program pursuant to section 261.18 and the  
26 forgivable loan program pursuant to section 261.19A:

27 ..... \$ 497,000

28 2. For the university of osteopathic medicine and health  
29 sciences for the admission and education of Iowa students in  
30 each of the 4 years of classes at the university of  
31 osteopathic medicine and health sciences pursuant to section  
32 261.19:

33 ..... \$ 497,000

34 Sec. 5.

35 Notwithstanding section 261.85, from the moneys

1 appropriated to the college aid commission in section 261.85  
2 for the work-study program for the fiscal year commencing July  
3 1, 1990, and ending June 30, 1991, the college aid commission  
4 shall retain \$40,000 for allocation to pilot projects of the  
5 Iowa heritage corps created in section 261.81A.

6 Sec. 6.

7 There is appropriated from the loan reserve account to the  
8 college aid commission for the fiscal year beginning July 1,  
9 1990, and ending June 30, 1991, the following amount, or so  
10 much thereof as may be necessary, to be used for the purposes  
11 designated:

12 For operating costs of the Stafford loan program including  
13 salaries, support, maintenance, miscellaneous purposes, and  
14 for not more than the following full-time equivalent  
15 positions:

16 .....	\$	2,790,748
17 .....	FTEs	32.52

18 Sec. 7.

19 Funds appropriated in section 3 of this Act for the Iowa  
20 grant program and the graduate student financial assistance  
21 program shall be used to supplement, not supplant, funds  
22 appropriated for existing programs at the institutions  
23 receiving allocations under the sections.

24 DIVISION III  
25 DEPARTMENT OF EDUCATION

26 Sec. 8.

27 There is appropriated from the general fund of the state to  
28 the department of education for the fiscal year beginning July  
29 1, 1990, and ending June 30, 1991, the following amounts, or  
30 so much thereof as may be necessary, to be used for the  
31 purposes designated:

32 1. GENERAL ADMINISTRATION

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

1 ..... \$ 6,495,093  
2 ..... FTEs 135.75

3 As a condition, limitation, and qualification of the  
4 appropriation in this subsection, the department of education  
5 shall expend moneys to contract with institutions of higher  
6 education to provide a summer residence program for gifted and  
7 talented elementary and secondary school students and to  
8 support existing law-related education centers for training  
9 seminars and workshops in law-related education, summer  
10 institutes relating to law-related education and methodology  
11 and substance, and mock trial competitions for junior and  
12 senior high school students. The law-related education  
13 program shall include the legislative lawmaking process.  
14 Educational materials for the legislative lawmaking process  
15 segment of the program shall be developed by the law-related  
16 education centers in consultation with the legislative  
17 council.

18 As a condition, limitation, and qualification of the  
19 appropriation in this subsection, the department of education  
20 shall expend moneys to provide funds for the employment  
21 resources center administered by the fifth judicial district's  
22 department of correctional services to assist clients.

23 As a condition, limitation, and qualification of the  
24 appropriation in this subsection, the bureau of special  
25 education of the department of education shall study the  
26 impact of student weighting on the appropriateness of student  
27 placement in the least restrictive environment. Depending on  
28 the results of the study, alternatives to the assignment of  
29 student weightings that will encourage the placement of  
30 students in the least restrictive appropriate placement shall  
31 be developed accordingly. The bureau of special education  
32 shall report the findings of the study and any identified  
33 alternatives to the state special education advisory panel and  
34 the school budget review committee, and the department shall  
35 include the findings in a report to the legislative fiscal



1 bureau and the general assembly by December 1, 1990.

2 2. SPECIAL PROGRAMS AND PROJECTS

3 For special programs and projects:

4 .....	\$	500,000
5 .....	FTEs	2

6 3. BOARD OF EDUCATIONAL EXAMINERS

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

10 .....	\$	150,007
11 .....	FTEs	2

12 4. VOCATIONAL EDUCATION ADMINISTRATION

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

16 .....	\$	931,636
17 .....	FTEs	39.6

18 5. PENAL INSTITUTION EDUCATION PROGRAM

19 For educational programs at state penal institutions:

20 .....	\$	2,293,893
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21 Funds appropriated by this subsection shall be used by the  
22 department of education, in coordination with the department  
23 of corrections, to provide expanded educational programs to  
24 inmates of the Iowa penal institutions and develop education  
25 program plans for the offenders and ex-offenders in the  
26 community-based corrections system. Educational programs  
27 shall emphasize assessment, cognition, literacy, and social  
28 skills, and shall provide continuity of instruction as the  
29 inmate progresses through the penal system. Educational  
30 technology learning systems which would support the continuity  
31 of instruction shall be used in combination with an  
32 information management system to track student progress. The  
33 information tracking system shall be available throughout the  
34 state. An individualized educational plan shall be developed  
35 for each inmate, which reflects the inmate's total needs and

1 which can be used to assist in the selection of programs and  
2 tracking of the inmate's progress. An information management  
3 system shall be implemented to transmit education information,  
4 including the inmate's plan, programs provided, and program  
5 outcomes to institutions under whose control the inmate is  
6 placed. Evaluation of the results shall be made annually to  
7 determine needed changes and to assess results. The  
8 department of education, in coordination with the department  
9 of corrections, shall investigate, evaluate, and analyze  
10 educational technology systems which reflect inmate needs  
11 before selection of any system or systems. A minimum of three  
12 percent of the funds appropriated in this subsection shall be  
13 used for individualized, personal development, life management  
14 programs established by the general assembly in 1990 Iowa  
15 Acts, Senate File 2212, section 23, under the department of  
16 corrections, and to provide the results of the establishment  
17 of the individualized, personal development, life management  
18 programs to the cochairpersons and ranking members of the  
19 joint education appropriations subcommittee and the  
20 legislative fiscal bureau.

21 6. YOUTH LEADERSHIP GRANT PROGRAM

22 For grants to youth leadership programs:

23 ..... \$ 25,000

24 Funds appropriated by this subsection shall be used to  
25 emphasize and support youth leadership skills for students  
26 participating in Iowa activities and students representing  
27 Iowa in regional and national activities.

28 7. SCHOOL FOOD SERVICE

29 For the purpose of providing assistance to students en-  
30 rolled in public school districts and nonpublic schools of the  
31 state for breakfasts, lunches and minimal equipment programs  
32 with the funds being used as state matching funds for federal  
33 programs, which shall be disbursed according to federal  
34 regulations and include salaries and support, for not more  
35 than the following full-time equivalent positions:

1 ..... \$ 3,175,215  
2 ..... FTEs 14

3 As a condition, limitation, and qualification of the funds  
4 appropriated in this subsection, of the \$3,175,215 available,  
5 \$25,000 shall be used for the funding of a nutrition pilot  
6 project, if a pilot project to establish model nutrition  
7 guidelines for school lunch and breakfast programs is  
8 established by the general assembly.

9 8. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

10 To provide funds for costs of providing textbooks to each  
11 resident pupil who attends a nonpublic school as authorized by  
12 section 301.1. The funding is limited to \$20 per pupil and  
13 shall not exceed the comparable services offered to resident  
14 public school pupils:

15 ..... \$ 643,053

16 9. VOCATIONAL REHABILITATION DIVISION

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

20 ..... \$ 3,998,358

21 ..... FTEs 319.50

22 b. For matching funds for programs to enable severely  
23 physically or mentally disabled persons to function more  
24 independently, including salaries and support, for not more  
25 than the following full-time equivalent positions:

26 ..... \$ 19,367

27 ..... FTEs 1.50

28 10. CAREER INFORMATION SYSTEM OF IOWA

29 For the purpose of providing educational information to  
30 students in public and nonpublic schools:

31 ..... \$ 84,000

32 ..... FTEs 5

33 As a condition, limitation, and qualification of the funds  
34 appropriated in this subsection, the educational information  
35 to students shall include, but is not limited to, information

1 relating to the likelihood of employment in Iowa in the  
2 students' career choice areas.

3 11. MERGED AREA SCHOOLS

4 For general state financial aid to merged areas as defined  
5 in section 280A.2, for vocational education programs in  
6 accordance with chapters 258 and 280A, to purchase  
7 instructional equipment for vocational and technical courses  
8 of instruction in such schools, and for salary increases, the  
9 amount of \$84,075,560 to be allocated as follows:

10	a.	Merged Area I.....	\$ 3,832,454
11	b.	Merged Area II.....	\$ 4,784,926
12	c.	Merged Area III.....	\$ 4,550,994
13	d.	Merged Area IV.....	\$ 2,257,869
14	e.	Merged Area V.....	\$ 4,581,724
15	f.	Merged Area VI.....	\$ 4,597,477
16	g.	Merged Area VII.....	\$ 6,496,480
17	h.	Merged Area IX.....	\$ 7,129,274
18	i.	Merged Area X.....	\$ 11,155,203
19	j.	Merged Area XI.....	\$ 11,995,636
20	k.	Merged Area XII.....	\$ 5,023,137
21	l.	Merged Area XIII.....	\$ 4,925,672
22	m.	Merged Area XIV.....	\$ 2,205,846
23	n.	Merged Area XV.....	\$ 6,712,408
24	o.	Merged Area XVI.....	\$ 3,826,461

25 As a condition, limitation, and qualification of the moneys  
26 appropriated in this subsection, each merged area school shall  
27 adopt a policy that prohibits unlawful possession, use, or  
28 distribution of controlled substances by students and  
29 employees on property owned or leased by the merged area  
30 school or in conjunction with activities sponsored by a merged  
31 area school. Each merged area school shall provide  
32 information about the policy to all students and employees.  
33 The policy shall include a clear statement of sanctions for  
34 violation of the policy and information about available drug  
35 or alcohol counseling and rehabilitation programs. In

1 carrying out this policy, the merged area school shall provide  
 2 substance abuse prevention programs for students and  
 3 employees.

4 12. MERGED AREA SCHOOL PERSONAL PROPERTY TAX REPLACEMENT

5 For general financial aid to merged areas in lieu of  
 6 personal property tax replacement payments under section  
 7 427A.13, the amount of \$828,012 to be allocated as follows:

8	a. Merged Area I.....	\$	65,152
9	b. Merged Area II.....	\$	50,567
10	c. Merged Area III.....	\$	33,891
11	d. Merged Area IV.....	\$	23,204
12	e. Merged Area V.....	\$	60,042
13	f. Merged Area VI.....	\$	34,514
14	g. Merged Area VII.....	\$	57,884
15	h. Merged Area IX.....	\$	69,103
16	i. Merged Area X.....	\$	97,180
17	j. Merged Area XI.....	\$	142,463
18	k. Merged Area XII.....	\$	46,200
19	l. Merged Area XIII.....	\$	40,972
20	m. Merged Area XIV.....	\$	20,826
21	n. Merged Area XV.....	\$	55,026
22	o. Merged Area XVI.....	\$	30,988

23 13. FACULTY SALARIES

24 For additional faculty salary increases for full-time  
 25 faculty at each merged area school:

26 ..... \$ 2,100,000

27 For the purpose of this subsection, full-time licensed  
 28 faculty includes instructors who teach at an area school on a  
 29 half-time basis or more.

30 Any amount of salary increase provided to each full-time  
 31 licensed faculty member under this subsection and section 9,  
 32 subsection 2, shall be provided for licensed faculty members  
 33 who teach on less than a full-time basis, but the amount of  
 34 the increase shall be reduced proportionally for a faculty  
 35 member who teaches on less than a full-time basis.

1 14. PROFESSIONAL STAFF SALARIES

2 For additional salary increases for full-time salaried  
3 professional employees of the area schools other than  
4 administrators, faculty, and hourly support staff:  
5 ..... \$ 141,250

6 For the purpose of this subsection, professional staff  
7 includes employees of an area school such as academic  
8 advisors, media specialists, student services staff, financial  
9 aid advisors, data processing staff, program coordinators,  
10 counselors, and librarians not included as licensed faculty  
11 members, and other staff members who are funded under an  
12 existing area school foundation formula cost center.

13 15. PROFESSIONAL DEVELOPMENT

14 For professional development programs at each of the merged  
15 area schools for full-time, part-time, and administrative  
16 faculty or staff:  
17 ..... \$ 454,216

18 Sec. 9.

19 There is appropriated from the general fund of the state to  
20 the department of education for the fiscal year beginning July  
21 1, 1991, and ending June 30, 1992, the following amounts, or  
22 so much thereof as is necessary, to be used for the purposes  
23 designated:

24 1. For state financial aid to merged areas the amount of  
25 \$14,809,864, to be accrued as income and used for expenditures  
26 incurred by the area schools during the fiscal year beginning  
27 July 1, 1990, and ending June 30, 1991, to be allocated to  
28 each area school as follows:

29	a. Merged Area I.....	\$	686,672
30	b. Merged Area II.....	\$	857,410
31	c. Merged Area III.....	\$	815,515
32	d. Merged Area IV.....	\$	371,563
33	e. Merged Area V.....	\$	820,983
34	f. Merged Area VI.....	\$	823,834
35	g. Merged Area VII.....	\$	1,030,138

1	h.	Merged Area IX.....	\$	1,277,469
2	i.	Merged Area X.....	\$	1,910,464
3	j.	Merged Area XI.....	\$	2,149,413
4	k.	Merged Area XII.....	\$	900,074
5	l.	Merged Area XIII.....	\$	882,604
6	m.	Merged Area XIV.....	\$	395,256
7	n.	Merged Area XV.....	\$	1,202,805
8	o.	Merged Area XVI.....	\$	685,664

9     2.   FACULTY SALARIES

10    For additional faculty salary increases for full-time  
 11 faculty at each merged area school:  
 12 ..... \$       370,588

13    Payments under this subsection shall be accrued as income  
 14 and used for faculty salary increases for the fiscal year  
 15 beginning July 1, 1990, and ending June 30, 1991.

16    For the purpose of this subsection, full-time licensed  
 17 faculty includes instructors who teach at an area school on a  
 18 half-time basis or more.

19     3.   PROFESSIONAL STAFF SALARIES

20    For additional salary increases for full-time salaried  
 21 professional employees of the area schools other than  
 22 administrators, faculty, and hourly support staff:  
 23 ..... \$       24,926

24    Payments under this subsection shall be accrued as income  
 25 and used for professional staff salary increases for the  
 26 fiscal year beginning July 1, 1990, and ending June 30, 1991.

27    For the purpose of this subsection, professional staff  
 28 includes employees of an area school such as academic  
 29 advisors, media specialists, student services staff, financial  
 30 aid advisors, data processing staff, program coordinators,  
 31 counselors, and librarians not included as faculty members,  
 32 and other staff members who are funded under an existing area  
 33 school foundation formula cost center.

34     4.   PROFESSIONAL DEVELOPMENT

35    For professional development programs at each of the merged

1 area schools for full-time, part-time, and administrative  
2 faculty or staff:

3 ..... \$ 80,156

4 Payments under this subsection shall be accrued as income  
5 and used for professional development for the fiscal year  
6 beginning July 1, 1990, and ending June 30, 1991.

7 5. Funds appropriated by this section shall be allocated  
8 pursuant to this section and paid on or about August 15, 1991.

9 Sec. 10.

10 There is appropriated from the general fund of the state to  
11 the department of education for the fiscal year beginning July  
12 1, 1991, and ending June 30, 1992, the following amounts to be  
13 used for the purposes designated:

14 1. For general financial aid to merged areas in lieu of  
15 personal property tax replacement payments under section  
16 427A.13, the amount of \$354,840, to be accrued as income and  
17 used for expenditures incurred by the area schools during the  
18 fiscal year beginning July 1, 1990, and ending June 30, 1991,  
19 to be allocated to each area as follows:

20	a. Merged Area I.....	\$ 27,922
21	b. Merged Area II.....	\$ 21,671
22	c. Merged Area III.....	\$ 14,525
23	d. Merged Area IV.....	\$ 9,924
24	e. Merged Area V.....	\$ 25,732
25	f. Merged Area VI.....	\$ 14,792
26	g. Merged Area VII.....	\$ 24,807
27	h. Merged Area IX.....	\$ 29,615
28	i. Merged Area X.....	\$ 41,649
29	j. Merged Area XI.....	\$ 61,056
30	k. Merged Area XII.....	\$ 19,800
31	l. Merged Area XIII.....	\$ 17,559
32	m. Merged Area XIV.....	\$ 8,925
33	n. Merged Area XV.....	\$ 23,582
34	o. Merged Area XVI.....	\$ 13,281

35 2. Funds appropriated in subsection 1 shall be allocated



1 pursuant to this section and paid on or about August 15, 1991.

2 Sec. 11.

3 Moneys allocated to area schools under section 8,  
4 subsections 11 through 15, of this Act, for expenditures  
5 incurred during the fiscal year beginning July 1, 1990, and  
6 ending June 30, 1991, shall be paid by the department of  
7 revenue and finance in installments due on or about November  
8 15, February 15, and May 15 of that fiscal year. The payments  
9 received by area schools on or about August 15 under sections  
10 9 and 10 of this Act are accounts receivable for the previous  
11 fiscal year. The installments shall be as nearly equal as  
12 possible as determined by the department of management, taking  
13 into consideration the relative budget and cash position of  
14 the state resources.

15 Sec. 12.

16 Notwithstanding the appropriation provided in section:  
17 294A.25, subsection 1, there is appropriated from the general  
18 fund of the state to the department of education for the  
19 fiscal year beginning July 1, 1990, and ending June 30, 1991,  
20 the following amount, or so much thereof as may be necessary,  
21 to be used for the purpose designated:

22 For the educational excellence program:

23 ..... \$ 91,007,985

24 Sec. 13.

25 There is appropriated from the general fund of the state to  
26 the department of education for the fiscal year beginning July  
27 1, 1991, and ending June 30, 1992, the following amount, or so  
28 much thereof as is necessary, for vocational education aid to  
29 secondary schools:

30 ..... \$ 3,666,666

31 Funds appropriated by this subsection shall be used for aid  
32 to school districts for the development and the conducting of  
33 both continuing and new vocational programs, services and  
34 activities of vocational education through secondary schools,  
35 and for aid to existing jointly administered secondary

1 vocational education programs, in accordance with chapters 258  
2 and 280A, and to purchase instructional equipment for  
3 vocational and technical courses of instruction in such  
4 schools.

5 Sec. 14.

6 There is appropriated from the general fund of the state to  
7 the school budget review committee for the fiscal year  
8 beginning July 1, 1990, and ending June 30, 1991, the amount  
9 of \$150,000 or so much thereof as is necessary to make  
10 supplemental enrollment payments to school districts, for  
11 compensation for enrollment losses which are greater than five  
12 percent of the district's certified enrollment for the  
13 previous year due to enrollment of the district's resident  
14 children in another school district during the school year  
15 beginning July 1, 1990, under 1990 Iowa Acts, Senate File  
16 2306, section 2, if 1990 Iowa Acts, Senate File 2306, is  
17 enacted by the general assembly.

18 A supplemental enrollment payment for a child under this  
19 section is equal to the state aid transmitted to the receiving  
20 district for that child for that fiscal year.

21 A school district eligible for supplemental enrollment  
22 payments under this chapter shall make application to the  
23 school budget review committee not later than September 1,  
24 1990. If the moneys appropriated in this section are  
25 insufficient to make all payments, the school budget review  
26 committee shall prorate the payments to school districts.

27 DIVISION IV

28 STATE BOARD OF REGENTS

29 Sec. 15.

30 There is appropriated from the general fund of the state to  
31 the state board of regents for the fiscal year beginning July  
32 1, 1990, and ending June 30, 1991, the following amounts, or  
33 so much thereof as may be necessary, to be used for the  
34 purposes designated:

35 1. OFFICE OF STATE BOARD OF REGENTS

1 a. For salaries, support, maintenance, miscellaneous  
 2 purposes, during the fiscal year beginning July 1, 1990, and  
 3 ending June 30, 1991, and for not more than the following  
 4 full-time equivalent positions:  
 5 ..... \$ 1,136,134  
 6 ..... FTEs 19.63

7 As a condition, limitation, and qualification of the moneys  
 8 appropriated in this paragraph, the state board of regents  
 9 shall adopt a policy that prohibits unlawful possession, use,  
 10 or distribution of controlled substances by students and  
 11 employees on property owned or leased by an institution or in  
 12 conjunction with activities sponsored by an institution  
 13 governed by the board. Each institution shall provide  
 14 information about the policy to all students and employees.  
 15 The policy shall include a clear statement of sanctions for  
 16 violation of the policy and information about available drug  
 17 or alcohol counseling and rehabilitation programs. In  
 18 carrying out this policy, the institutions shall provide  
 19 substance abuse prevention programs for students and  
 20 employees.

21 As a condition, limitation, and qualification of the moneys  
 22 appropriated in this paragraph, the state board of regents  
 23 shall not use reimbursements from the institutions under the  
 24 control of the state board of regents for funding the office  
 25 of the state board of regents.

26 b. For allocation by the state board of regents to the  
 27 state university of Iowa, the Iowa state university of science  
 28 and technology, and the university of northern Iowa to  
 29 reimburse the institutions for deficiencies in their operating  
 30 funds resulting from the pledging of tuitions, student fees  
 31 and charges, and institutional income to finance the cost of  
 32 providing academic and administrative buildings and facilities  
 33 and utility services at the institutions:

34 ..... \$ 17,338,340

35 c. For funds to be allocated to the siouxland interstate

1 metropolitan planning council for the tristate graduate center  
2 under section 262.9, subsection 21:

3 ..... \$ 75,000

4 d. For funds to conduct a study for the development of a  
5 graduate center in Council Bluffs:

6 ..... \$ 40,000

7 e. For funds to be allocated to the quad-cities graduate  
8 studies center:

9 ..... \$ 145,000

10 2. STATE UNIVERSITY OF IOWA

11 a. General university, including lakeside laboratory:

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

15 ..... \$164,663,389

16 ..... FTEs 4,413.65

17 As a condition, limitation, and qualification of moneys  
18 appropriated in this subparagraph, from moneys available to  
19 the state university of Iowa, \$550,000 shall be expended for  
20 teaching excellence awards to teaching faculty members and  
21 teaching assistants.

22 Of the \$550,000 available for teaching excellence awards,  
23 \$50,000 shall be awarded to faculty members and teaching  
24 assistants who have been recognized for exceptional teaching.  
25 An exceptional teaching recognition award is for a one-year  
26 period and is in addition to the faculty member or teaching  
27 assistant's salary. Not later than December 15, 1990, the  
28 state board of regents shall report the names of recipients of  
29 teaching excellence awards, and the amounts of the awards  
30 granted, to the joint education appropriations subcommittee  
31 and to the legislative fiscal bureau.

32 (2) Agricultural health and safety programs:

33 ..... \$ 355,000

34 ..... FTEs 7

35 b. Minority and women educators enhancement program:

1 From the moneys appropriated in paragraph "a", subparagraph  
2 (1), \$80,000 shall be used for implementing the minority and  
3 women educators enhancement program.

4 Notwithstanding section 8.33, as a condition, limitation,  
5 and qualification of the allocation in this paragraph,  
6 unobligated and unencumbered funds remaining on June 30, 1991,  
7 from the allocation for use under this paragraph, shall not  
8 revert to the general fund of the state, but shall remain  
9 available for expenditure during the fiscal year beginning  
10 July 1, 1991, for the same purpose or for other minority  
11 recruitment programs.

12 c. College-bound voucher program:

13 From the moneys appropriated in paragraph "a", subparagraph  
14 (1), \$100,000 shall be used for implementing the college-bound  
15 voucher program.

16 d. Iowa minority academic grants for economic success  
17 program:

18 From the moneys appropriated in paragraph "a", subparagraph  
19 (1), \$480,000 shall be used for the Iowa minority academic  
20 grants for economic success program.

21 e. For salary annualization:

22 ..... \$ 323,000

23 f. For inflation costs:

24 ..... \$ 1,319,000

25 g. For utility and debt service:

26 ..... \$ 423,000

27 h. For enhancing undergraduate education:

28 ..... \$ 1,889,000

29 i. For enhancing medical education:

30 ..... \$ 446,000

31 ..... FTEs 10

32 In addition to the funds appropriated in this paragraph,  
33 from the moneys appropriated in paragraph "a", subparagraph  
34 (1), \$554,000 shall also be used for enhancing medical  
35 education.

1 j. For the statewide tumor registry:  
2 ..... \$ 190,500  
3 .....FTEs 5.05

4 k. University hospitals:  
5 (1) For salaries, support, maintenance, equipment,  
6 miscellaneous purposes, and for not more than the following  
7 full-time equivalent positions for medical and surgical  
8 treatment of indigent patients as provided in chapter 255:  
9 ..... \$ 28,021,398  
10 ..... FTEs 5,251.76

11 (2) For allocation by the dean of the college of medicine,  
12 with approval of the advisory board, to qualified  
13 participants, to carry out chapter 148D for the family  
14 practice program, including salaries and support, and for not  
15 more than the following full-time equivalent positions:  
16 ..... \$ 1,738,142  
17 ..... FTEs 174.19

18 (3) For specialized child health care services, including  
19 childhood cancer diagnostic and treatment network programs;  
20 rural comprehensive care for hemophilia patients; and Iowa  
21 high-risk infant follow-up program, including salaries and  
22 support, and for not more than the following full-time  
23 equivalent positions:  
24 ..... \$ 399,945  
25 ..... FTEs 12.55

26 1. As a condition, limitation, and qualification of the  
27 appropriation made in paragraph "k", subparagraph (1), the  
28 county quotas for indigent patients for the fiscal year  
29 commencing July 1, 1990, shall not be lower than the county  
30 quotas for the fiscal year commencing July 1, 1989. Before a  
31 patient is eligible for the indigent patient program, the  
32 county general relief director shall first ascertain from the  
33 local office of human services if the applicant would qualify  
34 for medical assistance or the medically needy program without  
35 the spend-down provision under chapter 249A. If the applicant

1 qualifies, then the patient shall be certified for medical  
2 assistance and shall not be counted under chapter 255.  
3 Transportation shall be provided at no charge to a patient who  
4 is certified for medical assistance under chapter 249A.

5 m. As a condition, limitation, and qualification of the  
6 appropriation made in paragraph "k", subparagraph (1), funds  
7 appropriated in that subparagraph shall not be allocated to  
8 the university hospitals until the superintendent has filed  
9 with the department of revenue and finance and the legislative  
10 fiscal bureau a quarterly report containing the account  
11 required in section 255.24. The report shall include the  
12 information required in section 255.24 for patients by the  
13 type of service provided.

14 n. As a condition, limitation, and qualification of the  
15 appropriation made in paragraph "k", subparagraph (1), funds  
16 appropriated in that subparagraph shall not be used to perform  
17 abortions except medically necessary abortions, and shall not  
18 be used to operate the early termination of pregnancy clinic  
19 except for the performance of medically necessary abortions.  
20 For the purpose of this paragraph, an abortion is the  
21 purposeful interruption of pregnancy with the intention other  
22 than to produce a live-born infant or to remove a dead fetus,  
23 and a medically necessary abortion is one performed under one  
24 of the following conditions:

25 (1) The attending physician certifies that continuing the  
26 pregnancy would endanger the life of the pregnant woman.

27 (2) The attending physician certifies that the fetus is  
28 physically deformed, mentally deficient, or afflicted with a  
29 congenital illness.

30 (3) The pregnancy is the result of a rape which is  
31 reported within 45 days of the incident to a law enforcement  
32 agency or public or private health agency which may include a  
33 family physician.

34 (4) The pregnancy is the result of incest which is  
35 reported within 150 days of the incident to a law enforcement

1 agency or public or private health agency which may include a  
2 family physician.

3 (5) The abortion is a spontaneous abortion, commonly known  
4 as a miscarriage, wherein not all of the products of  
5 conception are expelled.

6 o. Psychiatric hospital:

7 For salaries, support, maintenance, equipment,  
8 miscellaneous purposes, and for not more than the following  
9 full-time equivalent positions and for the care, treatment,  
10 and maintenance of committed and voluntary public patients:

11 .....	\$	6,635,852
12 .....	FTEs	286.76

13 p. State hygienic laboratory:

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

17 .....	\$	2,877,214
18 .....	FTEs	117.26

19 q. Hospital-school:

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

23 .....	\$	5,179,650
24 .....	FTEs	184.22

25 r. Oakdale campus:

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

29 .....	\$	2,833,505
30 .....	FTEs	73.60

31 s. Center for simulation and design:

32 For planning and development of funding sources related to  
33 the creation of the university of Iowa driving simulation  
34 center:

35 .....	\$	200,000
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1 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

2 a. General university:

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

6 .....	\$133,589,728
7 .....	FTEs 3,740.48

8 As a condition, limitation, and qualification of moneys  
9 appropriated in this paragraph, from moneys available to Iowa  
10 state university, \$550,000 shall be expended for teaching  
11 excellence awards to teaching faculty members and teaching  
12 assistants.

13 Of the \$550,000 available for teaching excellence awards,  
14 \$50,000 shall be awarded to faculty members and teaching  
15 assistants who have been recognized for exceptional teaching.  
16 An exceptional teaching recognition award is for a one-year  
17 period and is in addition to the faculty member or teaching  
18 assistant's salary. Not later than December 1, 1990, the  
19 state board of regents shall report the names of recipients of  
20 teaching excellence awards, and the amounts of the awards  
21 granted, to the joint education appropriations subcommittee  
22 and to the legislative fiscal bureau.

23 b. Minority and women educators enhancement program:

24 From the moneys appropriated in paragraph "a", \$80,000  
25 shall be used for implementing the minority and women  
26 educators enhancement program.

27 Notwithstanding section 8.33, as a condition, limitation,  
28 and qualification of the allocation in this paragraph,  
29 unobligated and unencumbered funds remaining on June 30, 1991,  
30 from the allocation for use under this paragraph, shall not  
31 revert to the general fund of the state, but shall remain  
32 available for expenditure during the fiscal year beginning  
33 July 1, 1991, for the same purpose or for other minority  
34 recruitment programs.

35 c. College-bound voucher program:

1 From the moneys appropriated in paragraph "a", \$100,000  
2 shall be used for implementing the college-bound voucher  
3 program.

4 d. Iowa minority academic grants for economic success  
5 program:

6 From the moneys appropriated in paragraph "a", \$480,000  
7 shall be used for the Iowa minority academic grants for  
8 economic success program.

9 e. Agricultural experiment station:

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

13 .....	\$ 17,200,167
14 .....	FTEs 473

15 f. Comprehensive agricultural research:

16 For conducting the comprehensive agricultural research  
17 program:

18 .....	\$ 4,000,000
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19 g. Leopold center:

20 For agricultural research grants awarded under section  
21 266.39B:

22 .....	\$ 600,000
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23 h. Cooperative extension service in agriculture and home  
24 economics:

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

28 .....	\$ 15,878,812
29 .....	FTEs 480

30 i. Fire service education, including salaries and support,  
31 and for not more than the following full-time equivalent  
32 positions:

33 .....	\$ 417,000
34 .....	FTEs 11

35 j. For salary annualization:

1 ..... \$ 261,000  
 2 k. For inflation costs:  
 3 ..... \$ 993,000  
 4 l. For utility and debt service costs:  
 5 ..... \$ 724,000  
 6 m. For enhancing undergraduate education:  
 7 ..... \$ 1,317,000  
 8 n. For opening new buildings:  
 9 ..... \$ 63,000

10 4. UNIVERSITY OF NORTHERN IOWA

11 a. For salaries, support, maintenance, miscellaneous  
 12 purposes, and for not more than the following full-time  
 13 equivalent positions:  
 14 ..... \$ 53,563,012  
 15 ..... FTEs 1,385.33

16 As a condition, limitation, and qualification of moneys  
 17 appropriated in this paragraph, from moneys available to the  
 18 university of northern Iowa, \$275,000 shall be expended for  
 19 teaching excellence awards to teaching faculty members and  
 20 teaching assistants.

21 Teaching excellence awards shall be granted to faculty  
 22 members and teaching assistants for excellence in the quality  
 23 of classroom instruction. An award shall be built into the  
 24 faculty member's or teaching assistant's base salary. Moneys  
 25 appropriated for teaching excellence awards shall not result  
 26 in a negative impact upon a collective bargaining agreement  
 27 between an employee organization and the university. Not  
 28 later than December 1, 1990, the state board of regents shall  
 29 report the names of recipients of teaching excellence awards,  
 30 and the amounts of the awards granted, to the joint education  
 31 appropriations subcommittee and to the legislative fiscal  
 32 bureau.

33 As a condition, limitation, and qualification of the  
 34 appropriation in this subsection, \$50,000 shall be expended  
 35 for the Iowa academy of science and no more than 20 percent of

1 the funds shall be used for administrative purposes or for  
2 publication of the Iowa academy of science journal. The  
3 remainder of the \$50,000 shall be expended for grants for  
4 research projects and studies awarded by the Iowa academy of  
5 science.

6 As a condition, limitation, and qualification of the  
7 appropriation for the Iowa academy of science in this  
8 subsection, the Iowa academy of science shall permit all grant  
9 recipients to publish the results of the recipients' research  
10 projects and studies in the Iowa academy of science journal at  
11 no cost to the grant recipient.

12 b. Minority and women educators enhancement program:

13 From the moneys appropriated in paragraph "a", \$40,000  
14 shall be used for implementing the minority and women  
15 educators enhancement program.

16 Notwithstanding section 8.33, as a condition, limitation,  
17 and qualification of the allocation in this paragraph,  
18 unobligated and unencumbered funds remaining on June 30, 1991,  
19 from the allocation for use under this paragraph, shall not  
20 revert to the general fund of the state, but shall remain  
21 available for expenditure during the fiscal year beginning  
22 July 1, 1991, for the same purpose or for other minority  
23 recruitment programs.

24 c. College-bound voucher program:

25 From the moneys appropriated in paragraph "a", \$80,000  
26 shall be used for implementing the college-bound voucher  
27 program.

28 d. Iowa minority academic grants for economic success  
29 program:

30 From the moneys appropriated in paragraph "a", \$240,000  
31 shall be used for the Iowa minority academic grants for  
32 economic success program.

33 e. For salary annualization:

34 ..... \$ 130,000

35 f. For inflation costs:

1 ..... \$ 359,000  
 2 g. For utility and debt service costs:  
 3 ..... \$ 54,000  
 4 h. For opening new buildings:  
 5 ..... \$ 216,000  
 6 i. For enhancing undergraduate education:  
 7 ..... \$ 1,130,000  
 8 j. For leadership for teacher education:  
 9 ..... \$ 475,000  
 10 ..... FTEs 7

11 5. STATE SCHOOL FOR THE DEAF

12 For salaries, support, maintenance, miscellaneous purposes,  
 13 and for not more than the following full-time equivalent  
 14 positions:  
 15 ..... \$ 5,770,768  
 16 ..... FTEs 133.24

17 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

18 For salaries, support, maintenance, miscellaneous purposes,  
 19 and for not more than the following full-time equivalent  
 20 positions:  
 21 ..... \$ 3,197,141  
 22 ..... FTEs 92.45

23 Sec. 16.

24 Moneys appropriated in section 15, subsection 2, paragraph  
 25 "a", subparagraph (1); section 15, subsection 3, paragraph  
 26 "a"; and section 15, subsection 4, paragraph "a", of this Act  
 27 and designated for the minority and women educators  
 28 enhancement program under paragraph "b" of those subsections  
 29 shall be used solely for the purposes for which they have been  
 30 designated and not for general university purposes.

31 Sec. 17.

32 Moneys appropriated in section 15, subsection 2, paragraph  
 33 "a", subparagraph (1); section 15, subsection 3, paragraph  
 34 "a"; and section 15, subsection 4, paragraph "a", of this Act  
 35 and designated for the Iowa minority academic grants for

1 economic success program under paragraph "d" of those  
2 subsections shall be used solely for the purposes for which  
3 they have been designated and not for general university  
4 purposes.

5 Sec. 18.

6 Funds appropriated under section 15, subsection 2,  
7 paragraphs "e" through "i"; section 15, subsection 3,  
8 paragraphs "j" through "n"; and section 15, subsection 4,  
9 paragraphs "e" through "i", of this Act shall be used to  
10 supplement, not supplant, existing funds for the purposes  
11 designated.

12 Sec. 19.

13 Funds appropriated under section 15, subsections 2, 3, 4,  
14 5, and 6, of this Act shall be used exclusively for the uses  
15 and purposes designated in those subsections by the  
16 institutions designated in those subsections.

17 Sec. 20.

18 As a condition, limitation, and qualification of the  
19 appropriations made to the state board of regents and regents'  
20 institutions under this Act, for the fiscal years beginning  
21 July 1, 1990, and July 1, 1991, the state board of regents  
22 shall use notes, bonds, or other evidences of indebtedness  
23 issued under section 262.48 to finance projects that will  
24 result in energy cost savings in an amount that will cause the  
25 state board to recover the cost of the projects within an  
26 average of 6 years.

27 Sec. 21.

28 There is appropriated from the general fund of the state to  
29 the department of elder affairs for the fiscal year beginning  
30 July 1, 1990, and ending June 30, 1991, the following amount,  
31 or so much thereof as may be necessary, to conduct the  
32 elderlaw education program under section 249D.54:

33 ..... \$ 75,000

34 Sec. 22.

35 Notwithstanding sections 8.33 and 18.137, unencumbered and

1 unobligated funds remaining from any appropriation made to the  
2 state communications network fund shall not revert to the  
3 general fund of the state but shall remain in the state  
4 communications network fund and are available for expenditure.

5     Sec. 23.

6     Notwithstanding section 267.5, for the fiscal year  
7 beginning July 1, 1990, and ending June 30, 1991, there is  
8 appropriated to and the college of veterinary medicine at Iowa  
9 state university of science and technology shall use \$25,000  
10 from the livestock disease research fund, established pursuant  
11 to section 267.8, for research into the causes of and  
12 available treatment for an unknown reproductive and neonatal  
13 disease, generally known as "mysterious pig disease",  
14 currently afflicting swine in this state.

15     Sec. 24.

16     The department of education shall conduct a study of and  
17 develop recommendations for an administrators' excellence  
18 program. The department's recommendations shall include  
19 components which address issues relating to recruitment, skill  
20 enhancement, and retention of administrators. In developing  
21 recommendations, the department shall consult with education  
22 associations or organizations which have developed  
23 recommendations relating to an administrators' excellence  
24 program. The department shall submit its recommendations in a  
25 report to the general assembly by January 1, 1991.

26     Sec. 25.

27     Notwithstanding section 8.33, funds appropriated in 1989  
28 Iowa Acts, chapter 319, section 19, subsection 1, paragraph  
29 "b", remaining unencumbered or unobligated on June 30, 1990,  
30 shall not revert to the general fund of the state but shall be  
31 available for expenditure for the purposes listed in section  
32 15, subsection 1, paragraph "b", of this Act during the fiscal  
33 year beginning July 1, 1990, and ending June 30, 1991.

34     Sec. 26.

35     Notwithstanding section 282.10, boards of school districts

1 with existing whole grade sharing agreements which wish to  
2 include sixth grade as one of the grades in which the pupils  
3 of the districts may attend school in other districts under  
4 the agreement, but which have failed to meet the February 1,  
5 1990, deadline for the signing of agreements for sharing  
6 during the 1990-1991 school year, shall be permitted to amend  
7 the existing whole grade sharing agreements to include the  
8 sixth grade, provided that the school districts meet all of  
9 the other requirements contained in chapter 282 relating to  
10 the signing of whole grade agreements and the addition of the  
11 sixth grade to the current agreement is signed by the board,  
12 under chapter 282, by July 1, 1990.

13 Sec. 27.

14 Notwithstanding the amounts of the budgets approved under  
15 section 273.3, subsection 12, in addition to the moneys  
16 available to area education agencies under section 442.7, sub-  
17 section 7, paragraphs "g" and "h", for special education  
18 support services, there is appropriated from the general fund  
19 of the state to the department of education for the fiscal  
20 year beginning July 1, 1990, the amount of \$225,000, or as  
21 much thereof as may be necessary, to be paid to area education  
22 agencies that have fewer than 3.5 public school pupils per  
23 square mile, to be expended for special education support  
24 services of the applicable area education agencies during the  
25 fiscal year beginning July 1, 1990.

26 Sec. 28. 1989 Iowa Acts, chapter 135, section 130, is  
27 amended to read as follows:

28 SEC. 130. The department of education is directed to  
29 conduct a survey of school districts to determine the  
30 academic, cocurricular, and extracurricular fees charged to  
31 students as a requirement for enrollment in the schools, or  
32 participation in an activity, of the school district. Both  
33 districtwide and building fees shall be included in the  
34 survey. The survey shall include the procedures used by the  
35 district for payment of fees for low-income pupils. The



1 survey shall provide information listing the total of fees  
2 collected and of fees waived. The department of education  
3 shall report the results of the survey to the chairpersons and  
4 members of the house and senate committees on education by  
5 January-15 July 1, 1990.

6 Sec. 29. 1989 Iowa Acts, chapter 278, sections 1 and 2,  
7 are amended to read as follows:

8 SECTION 1. Section 256.11, subsection 4, Code 1989, is  
9 amended to read as follows:

10 4. The following shall be taught in grades seven and  
11 eight: English-language arts; social studies; mathematics;  
12 science; health; human growth and development, family,  
13 consumer, career, and technology education; physical  
14 education; music; and visual art. The health curriculum shall  
15 include the characteristics of sexually transmitted diseases  
16 and acquired immune deficiency syndrome. The state board as  
17 part of accreditation standards shall adopt curriculum  
18 definitions for implementing the program in grades seven and  
19 eight. However, family, consumer, career, and technology  
20 education are not required to be taught in nonpublic schools  
21 which do not offer vocational education programs.

22 SEC. 2. Section 256.11, subsection 5, paragraph h, Code  
23 1989, is amended by striking the paragraph and inserting in  
24 lieu thereof the following:

25 h. A minimum of three sequential units in at least four of  
26 the following six vocational service areas: agriculture,  
27 business or office occupations, health occupations, consumer  
28 and family sciences or home economics occupations, industrial  
29 technology or trade and industrial education, and marketing  
30 education. Instruction shall be competency-based, articulated  
31 with postsecondary programs of study, and include field,  
32 laboratory, or on-the-job training. Each sequential unit  
33 shall include instruction in a minimum set of competencies  
34 established by the department of education that relate to the  
35 following: new and emerging technologies; job-seeking, job-

1 adaptability, and other employment, self-employment and  
2 entrepreneurial skills that reflect current industry standards  
3 and labor-market needs; and reinforcement of basic academic  
4 skills. The instructional programs shall also comply with the  
5 provisions of chapter 258 relating to vocational education.  
6 However, this subsection does not apply to nonpublic schools  
7 which do not offer vocational education programs.

8 The department of education shall permit school districts,  
9 in meeting the requirements of this section, to use vocational  
10 core courses in more than one vocational service area and to  
11 use multi-occupational courses to complete a sequence in more  
12 than one vocational service area.

13 Sec. 30. 1989 Iowa Acts, chapter 322, section 7, is  
14 amended to read as follows:

15 SEC. 7. Notwithstanding the funding restrictions,  
16 requirements relating to the development of a request for  
17 proposal, and certification by the department of management,  
18 ~~contained in~~ under section 18.136, ~~if 1989 Iowa Acts, House~~  
19 ~~File 774, is enacted by the general assembly,~~ of the moneys  
20 appropriated in section 18.137, ~~if 1989 Iowa Acts, House File~~  
21 ~~774, is enacted by the general assembly,~~ notwithstanding the  
22 certification requirement, \$600,000 may be used, if necessary,  
23 by the public broadcasting division of the department of  
24 cultural affairs, to match federal funds awarded prior to the  
25 enactment date of 1989 Iowa Acts, House File 774, for the  
26 implementation of an educational telecommunications system,  
27 and \$650,000 shall be allocated to merged area VII for use as  
28 state matching funds for federal funds applied for prior to  
29 June 5, 1989, for technology equipment. Moneys allocated to  
30 merged area VII shall be counted as part of the state match  
31 for the state communications network under section 18.136,  
32 subsection 3.

33 Sec. 31. Section 18.136, subsection 7, Code Supplement  
34 1989, is amended by adding the following new unnumbered  
35 paragraph:

1 NEW UNNUMBERED PARAGRAPH. The narrowcast system advisory  
2 committee shall review all requests for grants for educational  
3 telecommunications applications, if they are a part of the  
4 state communications network, to ensure that the educational  
5 telecommunications application is consistent with the  
6 telecommunications plan. If the narrowcast system advisory  
7 committee finds that a grant request is inconsistent with the  
8 telecommunications plan, the grant request shall not be  
9 allowed.

10 Sec. 32. Section 19A.9, subsection 1, unnumbered paragraph  
11 1, and subsection 2, Code 1989, are amended to read as  
12 follows:

13 For the preparation, maintenance, and revision of a  
14 position classification plan from a schedule by separate  
15 department for each position and type of employment not  
16 otherwise provided for by law in state government for all  
17 positions in the executive branch, excluding positions under  
18 the state board of regents and positions in the division of  
19 area schools in the department of education, based upon duties  
20 performed and responsibilities assumed, so that the same  
21 qualifications may reasonably be required for and the same  
22 schedule of pay may be equitably applied to all positions in  
23 the same class, in the same geographical area. After the  
24 classification has been approved by the commission, the  
25 director shall allocate the position of every employee in the  
26 executive branch, excluding employees of the state board of  
27 regents and employees of the division of area schools in the  
28 department of education, to one of the classes in the plan.  
29 Any employee or agency officials affected by the allocation of  
30 a position to a class shall, after filing with the director a  
31 written request for reconsideration in the manner and form the  
32 director prescribes, be given a reasonable opportunity to be  
33 heard by the director. An appeal may be made to the  
34 commission or to a qualified classification committee  
35 appointed by the commission. An allocation or reallocation of

1 a position by the director to a different classification shall  
2 not become effective if the allocation or reallocation may  
3 result in the expenditure of funds in excess of the total  
4 amount budgeted for the department of the appointing authority  
5 until approval has been obtained from the director of the  
6 department of management.

7 2. For pay plans within the purview of an appropriation  
8 made by the general assembly and not otherwise provided by law  
9 for all employees in the executive branch of state government,  
10 excluding employees of the state board of regents and  
11 employees of the division of area schools in the department of  
12 education, after consultation with the governor and appointing  
13 authorities with due regard to the terms of collective  
14 bargaining agreements negotiated under chapter 20 and after a  
15 public hearing held by the commission. Review of the pay plan  
16 for revisions shall be made in the same manner at the  
17 discretion of the director, but not less than annually. The  
18 annual review by the director shall be made available to the  
19 governor a sufficient time in advance of collective bargaining  
20 negotiations to permit its recommendations to be considered  
21 during the negotiations. Each employee in the executive  
22 branch, excluding employees of the state board of regents and  
23 employees of the division of area schools in the department of  
24 education, shall be paid at one of the rates set forth in the  
25 pay plan for the class of position in which employed and,  
26 unless otherwise designated by the commission, shall begin  
27 employment at the first step of the established range for the  
28 employee's class.

29 Sec. 33. Section 255.16, Code 1989, is amended to read as  
30 follows:

31 255.16 COUNTY QUOTAS.

32 Subject to subsequent qualifications in this section, there  
33 shall be treated at the university hospital during each fiscal  
34 year a number of committed indigent patients from each county  
35 which ~~shall bear~~ bears the same relation to the total number

1 of committed indigent patients admitted during the year as the  
2 population of ~~such~~ the county ~~shall-bear~~ bears to the total  
3 population of the state according to the last preceding  
4 official census. This standard shall apply to indigent  
5 patients, the expenses of whose commitment, transportation,  
6 care and treatment shall be borne by appropriated funds and  
7 shall not govern the admission of ~~either~~ obstetrical patients  
8 under chapter 255A, ~~or~~ obstetrical or orthopedic patients  
9 under this chapter in accordance with eligibility standards  
10 pursuant to section 255A.5. If the number of patients  
11 admitted from any county ~~shall-exceed~~ exceeds by more than ten  
12 percent the county quota as fixed and ascertained under the  
13 first sentence of this section, the charges and expenses of  
14 the care and treatment of such patients in excess of ten  
15 percent of the quota shall be paid from the funds of such  
16 county at actual cost; but if the number of excess patients  
17 from any county ~~shall~~ does not exceed ten percent, all costs,  
18 expenses, and charges incurred in their behalf shall be paid  
19 from the appropriation for the support of the hospital.  
20 Notwithstanding the quota established for a county under this  
21 section, the governor, upon a finding of necessity due to a  
22 regional or statewide economic emergency, may increase a  
23 county's quota of the number of committed indigent patients  
24 admitted to the university hospital.

25 Sec. 34. Section 256.7, Code Supplement 1989, is amended  
26 by adding the following new subsections:

27 NEW SUBSECTION. 17. Adopt rules for the preparation,  
28 maintenance, and revision of a position classification plan  
29 for each position and type of employment in the division of  
30 area schools, based upon duties performed and responsibilities  
31 assumed, so that the same qualifications may reasonably be  
32 required for and the same schedule of pay may be equitably  
33 applied to all positions in the same class, in the same  
34 geographical area. After the classification has been  
35 approved, the director shall allocate the position of every

1 employee in the area schools division to one of the classes in  
2 the plan. Any employee or agency officials affected by the  
3 allocation of a position to a class shall, after filing with  
4 the director of the department of education a written request  
5 for reconsideration in the manner and form the director  
6 prescribes, be given a reasonable opportunity to be heard by  
7 the director. An appeal may be made to the commission or to a  
8 qualified classification committee appointed by the  
9 commission. An allocation or reallocation of a position by  
10 the director to a different classification shall not become  
11 effective if the allocation or reallocation may result in the  
12 expenditure of funds in excess of the total amount budgeted  
13 for the department of the appointing authority until approval  
14 has been obtained from the director of the department of  
15 management.

16 NEW SUBSECTION. 18. Adopt rules for pay plans within the  
17 purview of an appropriation made by the general assembly and  
18 not otherwise provided by law for all employees in the area  
19 schools division after consultation with the governor and  
20 appointing authorities with due regard to the terms of  
21 collective bargaining agreements negotiated under chapter 20  
22 and after a public hearing held by the state board. Review of  
23 the pay plan for revisions shall be made in the same manner at  
24 the discretion of the director of the department of education,  
25 but not less than annually. The annual review by the director  
26 shall be made available to the governor a sufficient time in  
27 advance of collective bargaining negotiations to permit its  
28 recommendations to be considered during the negotiations.  
29 Each employee in the area schools division shall be paid at  
30 one of the rates set forth in the pay plan for the class of  
31 position in which employed and, unless otherwise designated by  
32 the state board, shall begin employment at the first step of  
33 the established range for the employee's class.

34 Sec. 35. Section 256.9, Code Supplement 1989, is amended  
35 by adding the following new subsection:

1     NEW SUBSECTION. 39. Review and consider defining the  
2 disorders of autism and attention deficit in the rules of  
3 special education; eliminating autism from the category of  
4 behaviorally disordered; establishing broad general categories  
5 in which other individuals who are members of special  
6 populations, such as autistic persons and the attention  
7 deficit disordered could be grouped; and developing a system  
8 for the identification of individuals with autism and with  
9 attention deficit disorders.

10     Sec. 36. Section 256.11, unnumbered paragraph 1, Code  
11 Supplement 1989, is amended to read as follows:

12     The state board shall adopt rules under chapter 17A and a  
13 procedure for accrediting all public and nonpublic schools in  
14 Iowa offering instruction at any or all levels from the  
15 prekindergarten level through grade twelve. The rules of the  
16 state board shall require that a multicultural, nonsexist  
17 approach is used by schools and school districts. The  
18 educational program shall be taught from a multicultural,  
19 nonsexist approach. Global perspectives shall be incorporated  
20 into all levels of the educational program.

21     Sec. 37. Section 256.11, subsection 9, paragraph b, and  
22 subsection 9A, Code Supplement 1989, are amended to read as  
23 follows:

24     b. Effective July 1, 1990, unless a waiver has been  
25 obtained under section 256.11A, each school or school district  
26 shall have a qualified school media specialist who shall meet  
27 the licensing standards prescribed by the board of educational  
28 examiners and shall be responsible for supervision of the  
29 media centers. Each school or school district shall establish  
30 a media center, in each attendance center, which shall be  
31 accessible to students throughout the school day. However, in  
32 determining the requirements for nonpublic schools, the  
33 department shall evaluate the schools on a school system basis  
34 rather than on an individual school sis.

35     9A. Each school or school district shall provide an

1 articulated sequential guidance program for grades  
2 kindergarten through twelve. Until July 1, 1991, a school or  
3 school district may obtain a waiver from meeting the  
4 requirements of this subsection pursuant to section 256.11A.  
5 The guidance counselor shall meet the licensing standards of  
6 the board of educational examiners. However, in determining  
7 the requirements for nonpublic schools, the department shall  
8 evaluate the schools on a school system basis rather than on  
9 an individual school basis.

10 Sec. 38. NEW SECTION. 256.35 REGIONAL AUTISM ASSISTANCE  
11 PROGRAM.

12 The department shall establish a regional autism assistance  
13 program, to be administered by the child health specialty  
14 clinic of the university of Iowa hospitals and clinics. The  
15 program shall be designed to coordinate educational, medical,  
16 and other human services for persons with autism, their  
17 parents, and providers of services to persons with autism.  
18 The function of the program shall include, but is not limited  
19 to, the coordination of diagnostic and assessment services,  
20 the maintaining of a research base, coordination of in-service  
21 training, providing technical assistance, and providing  
22 consultation.

23 Sec. 39. NEW SECTION. 256.43 AMBASSADOR TO EDUCATION.

24 The department of education shall establish within the  
25 department the position of ambassador to education to act as  
26 an education liaison to primary and secondary schools in this  
27 state. The ambassador to education position shall be filled  
28 by the educator selected as teacher of the year by the  
29 governor, but only if that person agrees to fill the  
30 ambassador to education position.

31 The ambassador to education's duties shall be established  
32 by the director of the department and shall be tailored to the  
33 relative skills and educational background of the person  
34 designated as ambassador. Duties of the ambassador may  
35 include, but are not limited to, providing seminars and



1 workshops in the subject matter area in which the ambassador  
2 possesses expertise, accompanying the director of the  
3 department of education in the exercise of the director's  
4 duties in the state, and speaking at public gatherings in the  
5 state.

6 The ambassador to education shall receive, in lieu of  
7 compensation from the district in which the ambassador is  
8 regularly employed, a salary which is equal to the amount of  
9 salary received by the person during the previous school year  
10 or thirty thousand dollars, whichever amount is greater. The  
11 ambassador shall also be compensated for actual expenses  
12 incurred as a result of the performance of duties under this  
13 section.

14 The district which employs the person selected as the  
15 ambassador to education shall grant the person a one-year  
16 sabbatical in order to allow the person to be the ambassador  
17 to education. The person selected as the ambassador to  
18 education shall be entitled to return to the person's same or  
19 a comparable position without loss of accrued benefits or  
20 seniority.

21 Sec. 40. Section 257.10, subsection 4, Code Supplement  
22 1989, is amended by adding the following new unnumbered  
23 paragraph:

24 NEW UNNUMBERED PARAGRAPH. Notwithstanding the special  
25 education support services district cost per pupil for the  
26 budget year beginning July 1, 1991, calculated under  
27 subsection 3, for area education agencies that have fewer than  
28 three and five-tenths public school pupils per square mile,  
29 the special education support services district cost per pupil  
30 for the budget year beginning July 1, 1991, is one hundred  
31 forty-seven dollars.

32 Sec. 41. Section 261.2, Code Supplement 1989, is amended  
33 by adding the following new subsection:

34 NEW SUBSECTION. 14. Adopt rules relating to the  
35 administration of a displaced workers financial aid program

1 under section 261.5.

2 Sec. 42. NEW SECTION. 261.5 DISPLACED WORKERS FINANCIAL  
3 AID PROGRAM.

4 A displaced workers financial aid program is established to  
5 provide aid for attendance of displaced workers at Iowa-based  
6 programs, colleges, or universities.

7 The commission shall establish an application process for  
8 the program. Displaced workers eligible for receipt of moneys  
9 under this section shall receive financial aid from the  
10 commission to be applied to educational expenses at the  
11 institution of higher education in which the displaced worker  
12 is enrolled.

13 Any displaced worker making application for financial aid  
14 under this section shall apply for and accept any student aid  
15 or job training program aid available to the displaced worker.

16 The college aid commission shall determine the level of  
17 assistance to which the displaced worker is entitled. In  
18 making the determination of the amount of the financial aid  
19 award to a displaced worker, the commission shall take into  
20 account any student aid or job training program aid available  
21 and other financial resources. For purposes of this section,  
22 "other financial resources" does not include income received  
23 by a displaced worker from a person who slaughtered live hogs,  
24 who ceased slaughtering operations between January 1, 1989,  
25 and December 31, 1990, if that person employed five hundred or  
26 more workers at any time during the six-month period  
27 immediately preceding the date on which the person ceased  
28 slaughtering operations.

29 The moneys paid for a displaced worker for an academic term  
30 shall not exceed the lesser of the tuition at the institution  
31 of higher education in which the individual is enrolled or the  
32 highest tuition at any area community college or area  
33 vocational school.

34 Institutions of higher education shall receive the  
35 financial aid moneys from the college aid commission for

1 eligible students.

2 For the purpose of this section, "displaced worker" means  
3 an unemployed individual who was formerly employed by a person  
4 who slaughtered live hogs if that person employed five hundred  
5 or more workers at any time during the six-month period  
6 immediately preceding the date on which the person ceased  
7 slaughtering operations and if the person ceased slaughtering  
8 operations between January 1, 1989, and December 31, 1990.

9 Sec. 43.

10 Notwithstanding the allocation of moneys under the  
11 community economic betterment account in section 99E.32, for  
12 the fiscal year commencing July 1, 1989, and ending June 30,  
13 1990, \$250,000 shall be allocated from unobligated moneys in  
14 the community economic betterment account to the department of  
15 economic development, to be used for services to displaced  
16 workers for the following programs and services:

17 1. Financial counseling for workers eligible to receive  
18 benefits under the Economic Dislocation and Workers Adjustment  
19 Assistance Act, Pub. L. No. 100-418, 102 Stat. 1107 to be  
20 conducted to the extent possible at either the location of the  
21 worker's former place of employment or the site of the  
22 worker's labor union headquarters.

23 2. Continued operation of the merged area X dislocated  
24 worker center.

25 3. Payment to the college aid commission for the displaced  
26 workers financial aid program under section 261.5.

27 Sec. 44. Section 261.9, subsection 5, Code Supplement  
28 1989, is amended by adding the following new paragraph:

29 NEW PARAGRAPH. f. Which adopts a policy that prohibits  
30 unlawful possession, use, or distribution of controlled sub-  
31 stances by students and employees on property owned or leased  
32 by the institution or in conjunction with activities sponsored  
33 by the institution. Each institution shall provide  
34 information about the policy to all students and employees.  
35 The policy shall include a clear statement of sanctions for

1 violation of the policy and information about available drug  
2 or alcohol counseling and rehabilitation programs. In  
3 carrying out this policy, an institution shall provide  
4 substance abuse prevention programs for students and  
5 employees.

6 Sec. 45. Section 261.12, subsection 1, paragraph b, Code  
7 Supplement 1989, is amended to read as follows:

8 b. For the fiscal year beginning July 1, 1989, and for  
9 each following fiscal year, two thousand five six hundred  
10 fifty dollars.

11 Sec. 46. Section 261.17, subsections 2 and 3, Code  
12 Supplement 1989, are amended to read as follows:

13 2. A qualified student may receive vocational-technical  
14 tuition grants for not more than four semesters, eight  
15 quarters or the equivalent of two full years of study.  
16 However, if a student resumes study after at least a two-year  
17 absence, the student may again be eligible for the specified  
18 amount of time, except that the student shall not receive  
19 assistance for courses for which credit was previously  
20 received.

21 3. The amount of a vocational-technical tuition grant  
22 shall not exceed the lesser of five six hundred dollars per  
23 year or the amount of the student's established financial  
24 need.

25 Sec. 47. Section 261.19, Code Supplement 1989, is amended  
26 to read as follows:

27 261.19 PAYMENT OF SUBVENTION.

28 A subvention program for the university of osteopathic  
29 medicine and health sciences is established. The subvention  
30 program shall provide funds to the university for Iowa  
31 resident students. The total amount of moneys appropriated to  
32 the college aid commission for the subvention program shall be  
33 paid to the university if the university certifies to the  
34 college aid commission not later than September 15 and January  
35 15 of each fiscal year that at least twenty percent of the

1 total students enrolled are Iowa residents. The certification  
2 shall contain the number, names, and addresses of all students  
3 enrolled, by class, and shall indicate which students are  
4 resident students.

5 The college aid commission shall determine a subvention  
6 amount per resident student by dividing the funds appropriated  
7 for this section by a number equal to the total of twenty  
8 twenty-two percent of the total students enrolled. If fewer  
9 than twenty twenty-two percent of the total number of students  
10 enrolled are Iowa residents, the college aid commission shall  
11 deduct from the funds appropriated an amount equal to the  
12 subvention amount per resident student multiplied by the  
13 number of students required to equal twenty twenty-two percent  
14 of the total students enrolled.

15 The commission shall compute the amount of moneys to be  
16 paid to the university and transmit the funds to the  
17 university of osteopathic medicine and health sciences within  
18 ten days following receipt of the certification.

19 Notwithstanding the percentage figure contained in the  
20 calculation of the subvention amount per resident student and  
21 any corresponding deductions, for each fiscal year during the  
22 period commencing with the fiscal year beginning July 1, 1990,  
23 and ending with the fiscal year ending June 30, 1993, the  
24 percentage of total students enrolled, for purposes of  
25 calculating the subvention amount and any corresponding  
26 deductions, shall be increased by five-tenths of a percent  
27 from twenty percent until the percentage figure reaches  
28 twenty-two percent.

29 For each fiscal year in which funds are appropriated, one-  
30 half of the amount appropriated shall not be released until  
31 financial audits of the university of osteopathic medicine and  
32 health, conducted by an independent third party by June 30 of  
33 the previous fiscal year, are delivered to the legislative  
34 fiscal bureau.

35 Sec. 48. NEW SECTION. 261.19A OSTEOPATH FORGIVABLE LOAN

1 PROGRAM.

2 There is established a forgivable loan program, to be  
3 administered by the college aid commission for students  
4 enrolled at the university of osteopathic medicine and health  
5 sciences. A student from the university of osteopathic  
6 medicine is eligible for loan forgiveness if the student:

7 1. Graduates from the university of osteopathic medicine  
8 and health sciences.

9 2. Has completed a residency program.

10 3. Practices in the state of Iowa.

11 4. Has received a loan from moneys appropriated to the  
12 college aid commission for this program.

13 An eligible student is eligible for loan forgiveness in the  
14 amount of three thousand five hundred dollars per year of  
15 practice in the state of Iowa for up to a maximum of four  
16 years. If a student fails to complete a year of practice in  
17 the state, as practice is defined by the college aid  
18 commission, the loan amount for that year shall not be  
19 forgiven. Forgivable loans to eligible students shall not  
20 become due, for repayment purposes, until after the student  
21 has completed the student's residency.

22 Sec. 49. PHASE-OUT OF GRANTS -- PHASE-IN OF FORGIVABLE  
23 LOANS.

24 Notwithstanding sections 261.18 and 261.19A, for the fiscal  
25 year commencing July 1, 1990, and ending June 30, 1991, loans  
26 eligible for forgiveness shall be given to Iowa residents who  
27 are enrolled as freshmen at the university of osteopathic  
28 medicine and health sciences of Des Moines and grant moneys  
29 shall be distributed to Iowa residents attending the  
30 university of osteopathic medicine and health sciences of Des  
31 Moines who are enrolled as sophomores, juniors, and seniors.

32 Sec. 50. Section 261.25, subsections 1, 2, and 3, Code  
33 Supplement 1989, are amended to read as follows:

34 1. There is appropriated from the general fund of the  
35 state to the commission for each fiscal year the sum of thirty

1 thirty-two million six nine hundred eighty-two twelve thousand  
2 five eight hundred five dollars for tuition grants.

3 2. There is appropriated from the general fund of the  
4 state to the commission for each fiscal year the sum of eight  
5 hundred one million twenty-three thousand eight hundred forty  
6 dollars for scholarships.

7 3. There is appropriated from the general fund of the  
8 state to the commission for each fiscal year the sum of seven  
9 hundred-fifty-thousand one million three hundred thirty  
10 thousand six hundred forty-seven dollars for vocational-  
11 technical tuition grants.

12 Sec. 51.

13 Of the \$32,912,800 appropriated for tuition grants, for the  
14 fiscal year beginning July 1, 1990, and ending June 30, 1991,  
15 \$400,000 shall be expended by the college aid commission for  
16 the Iowa minority academic grants for economic success program  
17 for grants to independent colleges and universities under  
18 sections 261.101 through 261.105.

19 Sec. 52. Section 261.44, Code Supplement 1989, is amended  
20 to read as follows:

21 261.44 GUARANTEED LOAN PAYMENT PROGRAM.

22 A guaranteed loan payment program is established to be  
23 administered by the commission. The purpose of the program is  
24 to assist individuals to enter professions in areas of  
25 employment critical to the welfare of the citizens of the  
26 state. The commission shall adopt rules pursuant to chapter  
27 17A to provide for the administration of the program. Moneys  
28 appropriated for the program shall be used to repay loans to  
29 students demonstrating the greatest financial need and shall  
30 not be prorated among all qualified applicants. ~~if-moneys~~  
31 ~~appropriated-are-insufficient-to-repay-loans-to-all-qualified~~  
32 ~~applicants,-priority-shall-be-given-to-repayment-of-debts~~  
33 ~~under-the-Iowa-guaranteed-student-loan-program.~~

34 Sec. 53. Section 261.85, unnumbered paragraph 1, Code  
35 Supplement 1989, is amended to read as follows:

1 There is appropriated from the general fund of the state to  
2 the commission for each fiscal year the sum of three million  
3 two hundred ten thousand dollars for the work-study program.

4 Sec. 54. Section 262.12, Code 1989, is amended to read as  
5 follows:

6 262.12 COMMITTEES AND ADMINISTRATIVE OFFICES UNDER BOARD.

7 The board of regents shall also have and exercise all the  
8 powers necessary and convenient for the effective  
9 administration of its office and of the institutions under its  
10 control, and to this end may create such committees, offices  
11 and agencies from its own members or others, and employ  
12 persons to staff the same, fix their compensation and tenure  
13 and delegate thereto, or to the administrative officers and  
14 faculty of the institutions under its control, such part of  
15 the authority and duties vested by statute in the board, and  
16 shall formulate and establish such rules, outline such  
17 policies and prescribe such procedures therefor, all as may be  
18 desired or determined by the board as recorded in their  
19 minutes. However, the powers, rules, policies, and procedures  
20 of the board of regents shall not include a power to or a  
21 provision for the funding of the board of regents' board  
22 office by reimbursements from the institutions under its  
23 control.

24 Sec. 55. NEW SECTION. 262.34A ATHLETIC COMPENSATION  
25 POLICY.

26 The state board of regents shall investigate, review, and  
27 adopt a policy permitting the compensation of collegiate  
28 athletes, who are enrolled in any of the universities and  
29 participating in a university-sponsored athletic program, by  
30 the university, alumni, or other interested person.

31 Compensation shall include, but not be limited to,  
32 scholarships, available financial awards or resources, motor  
33 vehicles, real or personal property, or anything of value.

34 The state board shall urge the national collegiate athletic  
35 association to adopt rules to permit the compensation of



1 collegiate athletes. The state board shall provide the policy  
2 to the presidents, athletic directors, and the departments of  
3 athletics of the three institutions of higher education under  
4 its control. The state board shall review, update, and  
5 reissue the policy annually. However, the state board shall  
6 delay implementation of the policy until the national  
7 collegiate athletic association adopts a similar policy  
8 permitting compensation of athletes.

9 Sec. 56. NEW SECTION. 262.54 COMPUTER SALES.

10 Sales, by an institution under the control of the board of  
11 regents, of computer equipment, computer software, and  
12 computer supplies to students and faculty at the institution  
13 are retail sales under chapter 422, division IV.

14 Sec. 57. Section 279.51, subsection 1, Code Supplement  
15 1989, is amended by adding the following new unnumbered  
16 paragraph:

17 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 256A.3,  
18 subsection 6, of the amount appropriated for the fiscal year  
19 beginning July 1, 1990, less the amount allocated under  
20 paragraph "a", three and thirty-three hundredths percent may  
21 be used for administrative costs.

22 Sec. 58. NEW SECTION. 280B.8 NEW JOBS TRAINING ACCOUNTS.

23 Each area school which establishes a project or projects  
24 and receives funds derived from or associated with the project  
25 or projects under this chapter shall also establish a separate  
26 account to act as a repository for any funds received. The  
27 area school shall report annually, by January 15, to the  
28 general assembly on funds received and disbursed during the  
29 preceding fiscal year in the form required by the department  
30 of education.

31 Sec. 59. Section 282.28, Code 1989, is amended to read as  
32 follows:

33 282.28 CHILDREN AT ELDORA AND TOLEDO.

34 Annually, the area education agency in which the state  
35 training school and the Iowa juvenile home are located and the

1 department of human services on behalf of the training school  
2 and juvenile home shall submit an annual joint application by  
3 January 1 for the next succeeding school year to the  
4 department of education describing the proposed special  
5 education instructional and support programs and service  
6 improvements for the training school and juvenile home. The  
7 department of education shall review and approve or modify the  
8 program and proposed budget by February 1 and shall notify the  
9 department of revenue and finance, the area education agency,  
10 and the department of human services of the approved budget  
11 amount. The moneys for the approved budget shall supplement  
12 and not supplant moneys equal to the moneys expended for  
13 education for the fiscal year beginning July 1, 1986 by the  
14 department of human services. The moneys for the approved  
15 budget shall be used to ensure that the training school and  
16 juvenile home comply with appropriate administrative rules  
17 relating to special education adopted by the department of  
18 education. The department of revenue and finance shall pay  
19 the approved budget amount for an area education agency in  
20 monthly installments beginning on September 15 and ending on  
21 June 15 of the next succeeding school year. The installments  
22 shall be as nearly equal as possible as determined by the  
23 department of management, taking into consideration the  
24 relative budget and cash position of the state's resources.  
25 The department of revenue and finance shall transfer the  
26 approved budget amount for an area education agency from the  
27 moneys appropriated under section 442.26 or section 257.16 and  
28 make the payment to the area education agency.

29 The area education agency shall submit ~~a claim~~ an  
30 accounting to the department of education by August 1  
31 following the school year for the actual costs of the special  
32 education programs and services provided at the training  
33 school and juvenile home. The department shall review and  
34 approve or modify the ~~claims~~ accounting by September 1 and  
35 shall notify the department of revenue and finance of the

1 approved claim accounting amount. The total amount of the  
2 approved claim shall be paid by the department of revenue and  
3 finance to the area education agency by October 1. The total  
4 amount The department of revenue and finance shall adjust the  
5 September payment to the area education agency for the next  
6 fiscal year by the difference between the amount of the  
7 proposed budget paid to the area education agency and the  
8 amount of the actual costs as reflected in the area education  
9 agency's accounting. Any amount paid by the department of  
10 revenue and finance shall be deducted monthly from the state  
11 foundation aid paid under section 442.26 or section 257.16  
12 ~~during the remainder of~~ that fiscal year to all school  
13 districts in the state. The portion of the total amount of  
14 the approved claim accounting amount that shall be deducted  
15 from the state aid of a school district shall be the same as  
16 the ratio that the budget enrollment for the budget year of  
17 the school district bears to the total budget enrollment in  
18 the state for that budget year. ~~The department of revenue and~~  
19 ~~finance shall transfer the total amount of the approved claim~~  
20 ~~from the moneys appropriated under section 442.26 for payment~~  
21 ~~to the area education agency.~~

22 Sec. 60. Section 282.31, subsection 1, Code 1989, is  
23 amended to read as follows:

24 1. a. A child who lives in a facility pursuant to section  
25 282.30, subsection 1, paragraph "a", and who is not enrolled  
26 in the educational program of the district of residence of the  
27 child, shall receive appropriate educational services. The  
28 area education agency shall submit a proposed program and  
29 budget to the department of education by January 1 for the  
30 next succeeding school year. The department of education  
31 shall review and approve or modify the program and proposed  
32 budget and shall notify the department of revenue and finance  
33 and the area education agency of its action by February 1.  
34 ~~The area education agency shall submit a claim to the~~  
35 ~~department of education by August 1 following the school year~~

1 ~~for the actual cost of the program.~~ The department of revenue  
2 and finance shall pay the approved budget amount for an area  
3 education agency in monthly installments beginning September  
4 15 and ending June 15 of the next succeeding school year. The  
5 installments shall be as nearly equal as possible as  
6 determined by the department of management, taking into  
7 consideration the relative budget and cash position of the  
8 state's resources. The department of revenue and finance  
9 shall transfer the approved budget amount for an area  
10 education agency from the moneys appropriated under section  
11 442.26 or section 257.16 and make the payment to the area  
12 education agency. The area education agency shall submit an  
13 accounting for the actual cost of the program to the  
14 department of education by August 1 of the following school  
15 year. The department shall review and approve or modify all  
16 expenditures incurred in compliance with the guidelines  
17 pursuant to section 256.7, subsection 12, and shall notify the  
18 department of revenue and finance of the approved claim  
19 accounting amount by September 1. The total amount of the  
20 approved claim accounting amount shall be compared with any  
21 amounts paid by the department of revenue and finance to the  
22 area education agency by October 1 and any differences added  
23 to or subtracted from the October payment made under this  
24 paragraph for the next school year. The total amount Any  
25 amount paid by the department of revenue and finance shall be  
26 deducted monthly from the state foundation aid paid under  
27 section 442.26 or section 257.16 during the remainder of that  
28 fiscal year to all school districts in the state. The portion  
29 of the total amount of the approved claims budget that shall  
30 be deducted from the state aid of a school district shall be  
31 the same as the ratio that the budget enrollment for the  
32 budget year of the school district bears to the total budget  
33 enrollment in the state for that budget year. The department  
34 of revenue and finance shall transfer the total amount of the  
35 approved claims from the moneys appropriated under section

1 442.26-for-payment-to-the-area-education-agencies-

2 b. A child who lives in a facility or home pursuant to  
3 section 282.19, and who does not require special education and  
4 who is not enrolled in the educational program of the district  
5 of residence of the child, shall be included in the basic  
6 enrollment of the school district in which the facility or  
7 home is located.

8 However, on June 30 of a school year, if the board of  
9 directors of a school district determines that the number of  
10 children under this paragraph who were counted in the basic  
11 enrollment of the school district on the third Friday of  
12 September of that school year is fewer than the sum of the  
13 number of months all children were enrolled in the school  
14 district under this paragraph during the school year divided  
15 by nine, the secretary of the school district may submit a  
16 claim to the department of education by August 1 following the  
17 school year for an amount equal to the district cost per pupil  
18 of the district for the previous school year multiplied by the  
19 difference between the number of children counted and the  
20 number of children calculated by the number of months of  
21 enrollment. The amount of the claim shall be paid by the  
22 department of revenue and finance to the school district by  
23 October 1 ~~in the same manner as the claims are paid under~~  
24 paragraph "a". The department of revenue and finance shall  
25 transfer the total amount of the approved claim of a school  
26 district from the moneys appropriated under section 442.26 or  
27 under section 257.16 and the amount paid shall be deducted  
28 monthly from the state foundation aid paid during the  
29 remainder of that fiscal year to all school districts in the  
30 state in the manner provided in paragraph "a".

31 Sec. 61.

32 For the budget year beginning July 1, 1990, notwithstanding  
33 section 286A.8, the department of management shall increase  
34 the moneys generated by the library action cost by \$250,000.

35 Sec. 62. Section 294A.25, Code Supplement 1989, is amended

1 by adding the following new subsection:

2 NEW SUBSECTION. 4A. Commencing with the fiscal year  
3 beginning July 1, 1990, the amount of sixty thousand dollars  
4 for the ambassador to education program under section 256.43.

5 Sec. 63. Section 301.30, unnumbered paragraph 4, Code  
6 Supplement 1989, is amended to read as follows:

7 Claims for reimbursement shall be made to the department of  
8 education by the public school district providing textbook  
9 services during a school year on a form prescribed by the  
10 department, and the claim shall state the services provided  
11 and the actual costs incurred. Claims shall be accompanied by  
12 an affidavit of an officer of the public school district  
13 affirming the accuracy of the claim. By February 1 and by  
14 July 15 of each year the department shall certify to the  
15 director of revenue and finance the amounts of approved claims  
16 to be paid, and the director of revenue and finance shall draw  
17 warrants payable to school districts which have established  
18 ~~claims. The public-school-district-in-which-the-pupil-resides~~  
19 ~~may-contract-with-the~~ public school district of attendance to  
20 ~~have-the-latter-school~~ shall furnish the services and shall  
21 receive reimbursement ~~for-the-payment-of-said-contract;~~  
22 ~~however,-said~~ from the state. However, the services must be  
23 comparable to the services of the district of residence  
24 attendance and cannot exceed the per pupil cost of the program  
25 of the district of residence attendance.

26 Sec. 64. Section 303.18, unnumbered paragraph 2, Code  
27 1989, is amended to read as follows:

28 The historical division shall repay a portion of the amount  
29 of the loan together with annual interest payments due on the  
30 balance of the loan over a ten-year period commencing with the  
31 fiscal year beginning July 1, 1987. Payments shall be made  
32 from gross receipts and other moneys available to the  
33 historical division. The historical division shall solicit  
34 voluntary contributions on behalf of the historical division,  
35 at the entrance and other locations throughout the state

1 historical building and collect entrance fees for the Montauk  
2 governor's mansion for purposes of raising funds for making  
3 payments under this section. Annual payments shall not be  
4 less than the amount of interest on the permanent school fund  
5 required to be transferred to the first in the nation in  
6 education foundation under section 302.1A or seventy-five  
7 percent of the gross receipts, whichever is greater. Payments  
8 of both principal and interest made by the state historical  
9 division under this section shall be paid quarterly and shall  
10 be considered interest earned on the permanent school fund to  
11 the extent necessary for payment of interest to the first in  
12 the nation in education foundation under section 302.1A.

13 Sec. 65. NEW SECTION. 303.89 CULTURAL GRANT PROGRAMS.

14 1. The department shall establish a grant program for  
15 cities and nonprofit, tax-exempt community organizations for  
16 the development of community programs that provide local jobs  
17 for Iowa residents and also promote Iowa's historic, ethnic,  
18 and cultural heritages through the development of festivals,  
19 music, drama, cultural programs, or tourist attractions. A  
20 city or nonprofit, tax-exempt community organization may  
21 submit an application to the department for review. The  
22 department shall establish criteria for the review and  
23 approval of grant applications. The amount of a grant shall  
24 not exceed fifty percent of the cost of the community program.  
25 Each application shall include information demonstrating that  
26 the city or nonprofit, tax-exempt community organization will  
27 provide matching funds of fifty percent of the cost of the  
28 program. The matching funds requirement may be met by  
29 substituting in-kind services, based on the value of the  
30 services, for actual dollars.

31 2. The department shall establish a grant program which  
32 provides general operating budget support to major,  
33 multidisciplined cultural organizations which demonstrate  
34 cultural and managerial excellence on a continuing basis to  
35 the citizens of Iowa. Applicant organizations must be

1 incorporated under chapter 504A, be exempt from federal  
2 taxation, and not be attached or affiliated with an  
3 educational institution. Eligible organizations shall be  
4 operated on a year-round basis and employ at least one full-  
5 time, paid professional staff member. The department shall  
6 establish criteria for review and approval of grant  
7 applications. Criteria established shall include, but are not  
8 limited to, a matching funds requirement. The matching funds  
9 requirement shall permit an applicant to meet the matching  
10 requirement by demonstrating that the applicant's budget  
11 contains funds, other than state and federal funds, in excess  
12 of the grant award.

13 3. Unobligated or unencumbered funds appropriated to the  
14 department for purposes of awarding and administering grants  
15 under this section and remaining on June 30, 1991, shall not  
16 revert to the general fund of the state under section 8.33,  
17 but shall remain available for expenditure by the department  
18 for the purposes specified in this section during the fiscal  
19 year commencing July 1, 1991.

20 Sec. 66. Section 442.4, subsection 8, Code 1989, is  
21 amended to read as follows:

22 8. Notwithstanding the procedure prescribed for the  
23 calculation of budget enrollment under subsections 3 and 5, if  
24 ~~during-the-first~~ for the budget year ~~following-the-effective~~  
25 ~~date-of-a-school-district-reorganization~~ commencing July 1,  
26 1990, a reorganized school district's budget enrollment is  
27 less than the combined total of the budget enrollments of the  
28 districts involved in the reorganization calculated as if the  
29 school districts had not reorganized for that budget year, the  
30 budget enrollment of the reorganized district shall be  
31 calculated under this subsection for that budget year. The  
32 budget enrollment is the total of the budget enrollments of  
33 the districts involved in the reorganization calculated as if  
34 those districts had not reorganized minus the number of pupils  
35 residing in territory not included in the reorganized school



1 district. For the purpose of this section, a reorganized  
2 school district is one in which the reorganization was  
3 approved in an election pursuant to sections 275.18 and 275.20  
4 and will take effect on or after July 1, 1988.

5 Sec. 67.

6 Notwithstanding section 8.33, moneys appropriated under  
7 1988 Iowa Acts, chapter 1284, section 33, subsection 2, which  
8 are unencumbered or unexpended on June 30, 1990, shall not  
9 revert to the general fund of the state, but shall remain  
10 available for expenditure for the purposes designated under  
11 section 256.33, to continue a consultant position and salary  
12 support in connection with the special projects and programs,  
13 and for special projects and programs designed to strengthen  
14 clinical experiences, student teacher programs, and technology  
15 in teacher education.

16 Sec. 68. 1989 Iowa Acts, Chapter 135, sections 88, 89, and  
17 90 are repealed.

18 Sec. 69.

19 Sections 22, 25, 26, 28, 30, 31, 42, 43, 66, and 67 of this  
20 Act take effect immediately upon enactment.

21 Sec. 70.

22 All federal grants to and the federal receipts of agencies  
23 appropriated funds under this Act, not otherwise appropriated,  
24 are appropriated for the purposes set forth in the federal  
25 grants or receipts, unless otherwise provided by the general  
26 assembly.

27

#### EXPLANATION

28 This bill provides appropriations for the fiscal year  
29 beginning July 1, 1990, for departments and agencies  
30 responsible for educational and cultural programs of this  
31 state.

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## SENATE FILE 2423

S-5776

- 1 Amend Senate File 2423, as follows:  
2 1. Page 37, by inserting after line 33, the  
3 following:  
4 "NEW SUBSECTION. 19. Adopt rules which require  
5 each area school which establishes a new jobs training  
6 project or projects and receives funds derived from or  
7 associated with the project or projects to establish a  
8 separate account to act as a repository for any funds  
9 received and to report annually, by January 15, to the  
10 general assembly on funds received and disbursed  
11 during the preceding fiscal year in the form required  
12 by the department."  
13 2. Page 48, by striking lines 22 through 30.  
14 3. By renumbering, and changing internal  
15 references as necessary.

By JOHN KIBBIE

S-5776 FILED MARCH 29, 1990

*Adopted 3/30 (p. 1411)*

## SENATE FILE 2423

S-5781

- 1 Amend Senate File 2423, as follows:  
2 1. Page 29, by striking lines 27 through 33.  
3 2. By renumbering and changing internal  
4 references as necessary.

By JULIA GENTLEMAN  
JOY CORNING

S-5781 FILED MARCH 29, 1990

*Amended 3/30 (p. 1410)*

## SENATE FILE 2423

S-5775

- 1 Amend Senate File 2423 as follows:  
2 1. Page 19, by inserting after line 31, the  
3 following:  
4 "As a condition, limitation, and qualification of  
5 the moneys appropriated in this subparagraph, the  
6 state university of Iowa administration shall require  
7 the chief administrator of the state university of  
8 Iowa hospitals and clinics to cooperate with the state  
9 medical examiner in developing an accelerated  
10 forensics program at the state university of Iowa.  
11 As a condition, limitation, and qualification of  
12 moneys appropriated in this subparagraph, the state  
13 university of Iowa administration shall require the  
14 chief administrator of the state university of Iowa  
15 hospitals and clinics to permit the state medical  
16 examiner to use the state university of Iowa hospitals  
17 and clinics pathological facilities upon request."

By MARK HAGERLA

S-5775 FILED MARCH 29, 1990

*Amended 3/30 (p. 1404)*

## SENATE FILE 2423

S-5786

1 Amend Senate File 2423 as follows:  
2 1. Page 38, line 21, by striking the words  
3 "paragraph b,".  
4 2. page 38, by inserting after line 23, the  
5 following:  
6 "9. a. Effective July 1, 1989, through June 30,  
7 ~~1990~~ 1992, to facilitate the implementation and  
8 economical operation of the educational program  
9 defined in subsections 4 and 5, each school offering  
10 any of grades seven through twelve, except a school  
11 which offers grades one through eight as an elementary  
12 school, shall meet the media center requirements  
13 specified in section 256.11, subsection 9, paragraph  
14 "a", Code Supplement 1987."  
15 3. Page 39, line 2, by striking the figure "1991"  
16 and inserting the following: "~~1991~~ 1992".  
17 4. Page 39, by inserting after line 9, the  
18 following:  
19 "Sec. \_\_\_\_ . Section 256.11A, subsections 2, 3 and  
20 4, Code Supplement 1989, are amended to read as  
21 follows:  
22 2. Schools and school districts are not required  
23 to meet the requirement stated in the standards  
24 adopted by the state board under section 256.17, Code  
25 Supplement 1987, that prohibits an individual who is  
26 employed or contracted as superintendent from also  
27 serving as a principal in that school or school  
28 district ~~until July 1, 1990, except as otherwise~~  
29 ~~provided in this subsection. Not later than January~~  
30 ~~1, 1990, for the school year beginning July 1, 1990,~~  
31 ~~the board of directors of a school district or~~  
32 ~~authorities in charge of a nonpublic school, may file~~  
33 ~~a written request with the department of education~~  
34 ~~that the department waive the requirement for that~~  
35 ~~district or school. The procedures specified in~~  
36 ~~subsection 5 apply to the request.~~  
37 3. Schools and school districts unable to meet the  
38 standard adopted by the state board under section  
39 256.17, Code Supplement 1987, and contained in section  
40 256.11, subsection 9A, effective July 1, 1989,  
41 requiring that on July 1, 1989, each board operating a  
42 kindergarten through grade twelve program provide an  
43 articulated sequential elementary-secondary guidance  
44 program may, not later than January 1, 1989, for the  
45 school year beginning July 1, 1989, file a written  
46 request to the department of education that the  
47 department waive the requirement for that school or  
48 school district. The procedures specified in  
49 subsection 5 apply to the request. Not later than  
50 January 1, 1990, for the school year beginning July 1,

S-5786

Page 2

1 1990, the board or authorities may request a one-year  
2 extension of the waiver. Not later than January 1,  
3 1991, for the school year beginning July 1, 1991, the  
4 board or authorities may request an additional one-  
5 year extension of the waiver.

6 If a waiver is approved under subsection 5, the  
7 school or school district shall meet the requirements  
8 of section 256.11, subsection 9, paragraph "b", Code  
9 Supplement 1987, for the period for which the waiver  
10 is approved.

11 4. Schools and school districts are not required  
12 to meet the standard adopted by the state board of  
13 education under section 256.17, Code Supplement 1987,  
14 and contained in section 256.11, subsection 9,  
15 paragraph "b", effective July 1, 1990, that requires  
16 the board to establish and operate a media services  
17 program to support the total curriculum until July 1,  
18 1990, except as otherwise provided in this subsection.  
19 Not later than January 1, 1990, for the school year  
20 beginning July 1, 1990, the board of directors of a  
21 school district, or authorities in charge of a  
22 nonpublic school, may file a written request with the  
23 department of education that the department waive the  
24 requirement for that district or school. The  
25 procedures specified in subsection 5 apply to the  
26 request. Not later than January 1, 1991, for the  
27 school year beginning July 1, 1991, the board of  
28 directors of a school district, or authorities in  
29 charge of a nonpublic school, may file a request for a  
30 one-year extension of the waiver.

31 If a waiver is approved under subsection 5, the  
32 school district or school shall meet the requirements  
33 of section 256.11, subsection 9, paragraph "a", Code  
34 Supplement 1987, for the period for which the waiver  
35 is approved."

36 5. By numbering, renumbering, and changing  
37 internal references as necessary.

By JOHN P. KIBBIE  
LEONARD L. BOSWELL

S-5786 FILED MARCH 29, 1990

*Filed not germane 3/30 (p. 14)*

S-5790

1 Amend Senate File 2423 as follows:  
2 1. Page 48, by inserting after line 13, the  
3 following:  
4 "Sec. \_\_\_\_ Section 279.10, subsection 1, Code  
5 1989, is amended to read as follows:  
6 1. The school year shall begin on the first day of  
7 July and each regularly established elementary and  
8 secondary school shall begin no sooner than a day  
9 during the calendar week in which the first day of  
10 September falls but no later than the first Monday in  
11 December. However, if the first day of September  
12 falls on a Sunday, school may begin on a day during  
13 the calendar week which immediately precedes the first  
14 day of September. School shall continue for at least  
15 one hundred eighty days, except as provided in  
16 subsection 3, and may be maintained during the entire  
17 calendar year. A school corporation may begin  
18 employment of personnel for in-service training and  
19 development purposes before the date to begin  
20 elementary and secondary school."  
21 2. By numbering, renumbering, and changing  
22 internal references as necessary.

By WILMER RENSINK

S-5790 FILED MARCH 30, 1990

ADOPTED (p. 1411)

SENATE FILE 2423

S-5798

1 Amend Senate File 2423, as follows:  
2 1. Page 16, line 27, by inserting after the  
3 figure "1992," the following: "for expenditures  
4 incurred by school districts during the previous  
5 fiscal year".

By RICHARD VARN

S-5798 FILED MARCH 30, 1990

ADOPTED (p. 1409)

SENATE FILE 2423

S-5800

1 Amend Senate File 2423 as follows:  
2 1. Page 16, line 23, by striking the figure  
3 "91,007,985" and inserting the following:  
4 "92,007,985".  
By MAGGIE TINSMAN JACK RIFE  
MIKE CONNOLLY RAY TAYLOR  
ELAINE SZYMONIAK LARRY MURPHY  
JOY CORNING

S-5800 FILED MARCH 30, 1990

ADOPTED (p. 1412)

SENATE FILE 2423

S-5802

1 Amend Senate File 2423 as follows:  
2 1. Page 21, by striking lines 1 through 3.

By JULIA GENTLEMAN

S-5802 FILED MARCH 30, 1990

LOST (p. 1410)

SENATE FILE 2423  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 8449SC)

(AS AMENDED AND PASSED BY THE SENATE MARCH 30, 1990)

\_\_\_\_\_ - New Language by the Senate  
\* - Language Stricken by the Senate

Passed Senate, Date 4/6/90 (p.1606) Passed House, Date 4/3/90 (p.1853)  
Vote: Ayes 38 Nays 11 Vote: Ayes 61 Nays 33

Approved May 3, 1990 Item Vetoed  
Repassed House per 6156 4/6/90 (p.229)  
6-8-26

A BILL FOR

1 An Act relating to the funding of, operation of, and  
2 appropriation of moneys to agencies, institutions,  
3 commissions, departments, and boards responsible for  
4 educational and cultural programs of this state, providing  
5 effective dates, and providing retroactive applicability.

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

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S.F. 2423

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DIVISION I  
DEPARTMENT OF CULTURAL AFFAIRS

Section 1.

There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

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

.....	\$	468,735
.....	FTEs	10

2. ARTS DIVISION

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

.....	\$	1,239,125
.....	FTEs	13

Notwithstanding section 8.33, unobligated or unencumbered funds appropriated in this subsection, to be used as matching funds for federal grant moneys administered by the arts division and remaining on June 30, 1991, shall not revert to the general fund of the state, but shall remain available for expenditure by the arts division for those purposes for the fiscal year beginning July 1, 1991.

As a condition, limitation, and qualification of the appropriation in this subsection, not more than 10 percent of the difference between the moneys appropriated in this subsection and the moneys appropriated in 1989 Iowa Acts, chapter 319, section 1, subsection 2, shall be expended by the arts division for administrative costs.

3. HISTORICAL DIVISION

For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent  
2 positions:

3 ..... \$ 2,775,453  
4 ..... FTEs 76

5 4. LIBRARY DIVISION

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

9 ..... \$ 2,326,277  
10 ..... FTEs 41

11 As a condition, limitation, and qualification of the funds  
12 appropriated in this subsection, the department of cultural  
13 affairs shall adopt, by January 1, 1991, rules relating to the  
14 copying of library material and the defraying of copying  
15 expenses, including, but not limited to, the charging of  
16 reasonable fees for the copying of library material for  
17 nonresident persons.

18 5. PUBLIC BROADCASTING DIVISION

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

22 ..... \$ 6,947,451  
23 ..... FTEs 104

24 6. TERRACE HILL COMMISSION

25 For salaries, support, maintenance, miscellaneous purposes,  
26 for the operation of Terrace Hill and for not more than the  
27 following full-time equivalent positions:

28 ..... \$ 211,581  
29 ..... FTEs 5.25

30 7. REGIONAL LIBRARY SYSTEM

31 a. For state aid:

32 ..... \$ 1,530,655

33 b. For additional state aid:

34 ..... \$ 100,000

35 8. IOWA PEACE INSTITUTE



1 For allocation to the Iowa peace institute established in  
2 chapter 38:

3 ..... \$ 321,600

4 9. For planning and programming for the community cultural  
5 grants program established under section 303.89:

6 ..... \$ 885,000

7 10. For the Iowa town square project:

8 ..... \$ 150,000

9 Sec. 2.

10 Notwithstanding sections 302.1 and 302.1A, for the fiscal  
11 year beginning July 1, 1990, and ending June 30, 1991, the  
12 portion of the interest earned on the permanent school fund  
13 that is not transferred to the credit of the first in the  
14 nation in education foundation and not transferred to the  
15 credit of the national center for gifted and talented  
16 education shall be credited as a payment by the historical  
17 division of the department of cultural affairs of the  
18 principal and interest due on moneys loaned to the historical  
19 division under section 303.18.

20 DIVISION II

21 COLLEGE AID COMMISSION

22 Sec. 3.

23 There is appropriated from the general fund of the state to  
24 the college aid commission for the fiscal year beginning July  
25 1, 1990, and ending June 30, 1991, the following amounts, or  
26 so much thereof as may be necessary, to be used for the  
27 purposes designated:

28 1. GENERAL ADMINISTRATION

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

32 ..... \$ 326,271

33 ..... FTES 8.05

34 As a condition, limitation, and qualification of the  
35 appropriation in this subsection, the college aid commission

1 shall conduct a study of the cosmetology and chiropractic  
2 programs available to Iowans at both private and public  
3 postsecondary institutions. The study shall include the  
4 number of students attending the programs, the type of  
5 financial aid that is available to the students, a description  
6 of the accreditation standards which are required to be met by  
7 each program, a listing of those areas in which programs have  
8 failed to meet accreditation standards, the number of students  
9 placed within 1 year of graduation in professions for which  
10 they have been trained, and the number of students who have  
11 continued in the professions for which they have been trained  
12 5 years after graduation from a professional program.

13 2. STUDENT AID PROGRAMS

14 For payments to students for student aid programs:  
15 ..... \$ 2,520,100

16 As a condition, limitation, and qualification of the funds  
17 appropriated in this subsection, \$1,850,000 shall be expended  
18 for an Iowa grant program, with funds to be allocated to  
19 institutions in the following manner:

20 a. Total allocations to students attending regents'  
21 institutions shall be determined by multiplying 72.973 percent  
22 of \$1,850,000 by 37.6 percent.

23 b. Total allocations to students attending community  
24 colleges shall be determined by multiplying 72.973 percent of  
25 \$1,850,000 by 25.9 percent and by 2.43.

26 c. Total allocations to students attending private  
27 colleges and universities shall be determined by multiplying  
28 72.973 percent of \$1,850,000 by 36.5 percent.

29 As a condition, limitation, and qualification of the funds  
30 appropriated in this subsection for an Iowa grant program, the  
31 college aid commission shall adopt rules relating to student  
32 financial need and provide that the maximum grant amount shall  
33 be equal to the average tuition charged at the state board of  
34 regents' institutions or the tuition at the higher education  
35 institution which the student is attending, whichever is less.

1        3. NATIONAL GUARD LOAN REPAYMENT

2        For payments to students for the national guard loan  
3 payment program in section 261.49:

4 ..... \$        350,000

5        4. AID FOR DISPLACED WORKERS

6        For payments to institutions for attendance of displaced  
7 workers:

8 ..... \$        500,000

9        Notwithstanding the purposes for which moneys are  
10 appropriated in this subsection, any unobligated or  
11 unencumbered funds remaining on March 15, 1991, from the  
12 moneys appropriated in this subsection shall be used for the  
13 remainder of the fiscal year by the commission to supplement  
14 moneys appropriated for an Iowa grant program.

15        Sec. 4.

16        There is appropriated from the general fund of the state to  
17 the college aid commission for the fiscal year beginning July  
18 1, 1990, and ending June 30, 1991, the following amounts, or  
19 so much thereof as may be necessary, to be used for the  
20 purposes designated:

21        UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

22        1. For grants to sophomores, juniors, and seniors and for  
23 forgivable loans to freshmen, who are Iowa students attending  
24 the university of osteopathic medicine and health sciences,  
25 under the grant program pursuant to section 261.18 and the  
26 forgivable loan program pursuant to section 261.19A:

27 ..... \$        497,000

28        2. For the university of osteopathic medicine and health  
29 sciences for the admission and education of Iowa students in  
30 each of the 4 years of classes at the university of  
31 osteopathic medicine and health sciences pursuant to section  
32 261.19:

33 ..... \$        497,000

34        Sec. 5.

35        Notwithstanding section 261.85, from the moneys

1 appropriated to the college aid commission in section 261.85  
2 for the work-study program for the fiscal year commencing July  
3 1, 1990, and ending June 30, 1991, the college aid commission  
4 shall retain \$40,000 for allocation to pilot projects of the  
5 Iowa heritage corps created in section 261.81A.

6 Sec. 6.

7 There is appropriated from the loan reserve account to the  
8 college aid commission for the fiscal year beginning July 1,  
9 1990, and ending June 30, 1991, the following amount, or so  
10 much thereof as may be necessary, to be used for the purposes  
11 designated:

12 For operating costs of the Stafford loan program including  
13 salaries, support, maintenance, miscellaneous purposes, and  
14 for not more than the following full-time equivalent  
15 positions:

16 .....	\$	2,790,748
17 .....	FTEs	32.52

18 Sec. 7.

19 Funds appropriated in section 3 of this Act for the Iowa  
20 grant program and the graduate student financial assistance  
21 program shall be used to supplement, not supplant, funds  
22 appropriated for existing programs at the institutions  
23 receiving allocations under the sections.

24 DIVISION III  
25 DEPARTMENT OF EDUCATION

26 Sec. 8.

27 There is appropriated from the general fund of the state to  
28 the department of education for the fiscal year beginning July  
29 1, 1990, and ending June 30, 1991, the following amounts, or  
30 so much thereof as may be necessary, to be used for the  
31 purposes designated:

32 1. GENERAL ADMINISTRATION

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

1 ..... \$ 6,495,093  
2 ..... FTEs 135.75

3 As a condition, limitation, and qualification of the  
4 appropriation in this subsection, the department of education  
5 shall expend moneys to contract with institutions of higher  
6 education to provide a summer residence program for gifted and  
7 talented elementary and secondary school students and to  
8 support existing law-related education centers for training  
9 seminars and workshops in law-related education, summer  
10 institutes relating to law-related education and methodology  
11 and substance, and mock trial competitions for junior and  
12 senior high school students. The law-related education  
13 program shall include the legislative lawmaking process.  
14 Educational materials for the legislative lawmaking process  
15 segment of the program shall be developed by the law-related  
16 education centers in consultation with the legislative  
17 council.

18 As a condition, limitation, and qualification of the  
19 appropriation in this subsection, the department of education  
20 shall expend moneys to provide funds for the employment  
21 resources center administered by the fifth judicial district's  
22 department of correctional services to assist clients.

23 As a condition, limitation, and qualification of the  
24 appropriation in this subsection, the bureau of special  
25 education of the department of education shall study the  
26 impact of student weighting on the appropriateness of student  
27 placement in the least restrictive environment. Depending on  
28 the results of the study, alternatives to the assignment of  
29 student weightings that will encourage the placement of  
30 students in the least restrictive appropriate placement shall  
31 be developed accordingly. The bureau of special education  
32 shall report the findings of the study and any identified  
33 alternatives to the state special education advisory panel and  
34 the school budget review committee, and the department shall  
35 include the findings in a report to the legislative fiscal

1 bureau and the general assembly by December 1, 1990.

2 2. SPECIAL PROGRAMS AND PROJECTS

3 For special programs and projects:

4 ..... \$ 500,000

5 ..... FTEs 2

6 3. BOARD OF EDUCATIONAL EXAMINERS

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

10 ..... \$ 150,007

11 ..... FTEs 2

12 4. VOCATIONAL EDUCATION ADMINISTRATION

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

16 ..... \$ 931,636

17 ..... FTEs 39.6

18 5. PENAL INSTITUTION EDUCATION PROGRAM

19 For educational programs at state penal institutions:

20 ..... \$ 2,293,893

21 Funds appropriated by this subsection shall be used by the  
22 department of education, in coordination with the department  
23 of corrections, to provide expanded educational programs to  
24 inmates of the Iowa penal institutions and develop education  
25 program plans for the offenders and ex-offenders in the  
26 community-based corrections system. Educational programs  
27 shall emphasize assessment, cognition, literacy, and social  
28 skills, and shall provide continuity of instruction as the  
29 inmate progresses through the penal system. Educational  
30 technology learning systems which would support the continuity  
31 of instruction shall be used in combination with an  
32 information management system to track student progress. The  
33 information tracking system shall be available throughout the  
34 state. An individualized educational plan shall be developed  
35 for each inmate, which reflects the inmate's total needs and

1 which can be used to assist in the selection of programs and  
2 tracking of the inmate's progress. An information management  
3 system shall be implemented to transmit education information,  
4 including the inmate's plan, programs provided, and program  
5 outcomes to institutions under whose control the inmate is  
6 placed. Evaluation of the results shall be made annually to  
7 determine needed changes and to assess results. The  
8 department of education, in coordination with the department  
9 of corrections, shall investigate, evaluate, and analyze  
10 educational technology systems which reflect inmate needs  
11 before selection of any system or systems. A minimum of three  
12 percent of the funds appropriated in this subsection shall be  
13 used for individualized, personal development, life management  
14 programs established by the general assembly in 1990 Iowa  
15 Acts, Senate File 2212, section 23, under the department of  
16 corrections, and to provide the results of the establishment  
17 of the individualized, personal development, life management  
18 programs to the cochairpersons and ranking members of the  
19 joint education appropriations subcommittee and the  
20 legislative fiscal bureau.

21 6. YOUTH LEADERSHIP GRANT PROGRAM

22 For grants to youth leadership programs:

23 ..... \$ 25,000

24 Funds appropriated by this subsection shall be used to  
25 emphasize and support youth leadership skills for students  
26 participating in Iowa activities and students representing  
27 Iowa in regional and national activities.

28 7. SCHOOL FOOD SERVICE

29 For the purpose of providing assistance to students en-  
30 rolled in public school districts and nonpublic schools of the  
31 state for breakfasts, lunches and minimal equipment programs  
32 with the funds being used as state matching funds for federal  
33 programs, which shall be disbursed according to federal  
34 regulations and include salaries and support, for not more  
35 than the following full-time equivalent positions:

1 ..... \$ 3,175,215  
 2 ..... FTEs 14

3 As a condition, limitation, and qualification of the funds  
 4 appropriated in this subsection, of the \$3,175,215 available,  
 5 \$25,000 shall be used for the funding of a nutrition pilot  
 6 project, if a pilot project to establish model nutrition  
 7 guidelines for school lunch and breakfast programs is  
 8 established by the general assembly.

9 8. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

10 To provide funds for costs of providing textbooks to each  
 11 resident pupil who attends a nonpublic school as authorized by  
 12 section 301.1. The funding is limited to \$20 per pupil and  
 13 shall not exceed the comparable services offered to resident  
 14 public school pupils:

15 ..... \$ 643,053

16 9. VOCATIONAL REHABILITATION DIVISION

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

20 ..... \$ 3,998,358

21 ..... FTEs 319.50

22 b. For matching funds for programs to enable severely  
 23 physically or mentally disabled persons to function more  
 24 independently, including salaries and support, for not more  
 25 than the following full-time equivalent positions:

26 ..... \$ 19,367

27 ..... FTEs 1.50

28 10. CAREER INFORMATION SYSTEM OF IOWA

29 For the purpose of providing educational information to  
 30 students in public and nonpublic schools:

31 ..... \$ 84,000

32 ..... FTEs 5

33 As a condition, limitation, and qualification of the funds  
 34 appropriated in this subsection, the educational information  
 35 to students shall include, but is not limited to, information



1 relating to the likelihood of employment in Iowa in the  
 2 students' career choice areas.

3 11. MERGED AREA SCHOOLS

4 For general state financial aid to merged areas as defined  
 5 in section 280A.2, for vocational education programs in  
 6 accordance with chapters 258 and 280A, to purchase  
 7 instructional equipment for vocational and technical courses  
 8 of instruction in such schools, and for salary increases, the  
 9 amount of \$84,075,560 to be allocated as follows:

10	a.	Merged Area I.....	\$	3,832,454
11	b.	Merged Area II.....	\$	4,784,926
12	c.	Merged Area III.....	\$	4,550,994
13	d.	Merged Area IV.....	\$	2,257,869
14	e.	Merged Area V.....	\$	4,581,724
15	f.	Merged Area VI.....	\$	4,597,477
16	g.	Merged Area VII.....	\$	6,496,480
17	h.	Merged Area IX.....	\$	7,129,274
18	i.	Merged Area X.....	\$	11,155,203
19	j.	Merged Area XI.....	\$	11,995,636
20	k.	Merged Area XII.....	\$	5,023,137
21	l.	Merged Area XIII.....	\$	4,925,672
22	m.	Merged Area XIV.....	\$	2,205,846
23	n.	Merged Area XV.....	\$	6,712,408
24	o.	Merged Area XVI.....	\$	3,826,461

25 As a condition, limitation, and qualification of the moneys  
 26 appropriated in this subsection, each merged area school shall  
 27 adopt a policy that prohibits unlawful possession, use, or  
 28 distribution of controlled substances by students and  
 29 employees on property owned or leased by the merged area  
 30 school or in conjunction with activities sponsored by a merged  
 31 area school. Each merged area school shall provide  
 32 information about the policy to all students and employees.  
 33 The policy shall include a clear statement of sanctions for  
 34 violation of the policy and information about available drug  
 35 or alcohol counseling and rehabilitation programs. In

1 carrying out this policy, the merged area school shall provide  
2 substance abuse prevention programs for students and  
3 employees.

4 12. MERGED AREA SCHOOL PERSONAL PROPERTY TAX REPLACEMENT

5 For general financial aid to merged areas in lieu of  
6 personal property tax replacement payments under section  
7 427A.13, the amount of \$828,012 to be allocated as follows:

8	a. Merged Area I.....	\$	65,152
9	b. Merged Area II.....	\$	50,567
10	c. Merged Area III.....	\$	33,891
11	d. Merged Area IV.....	\$	23,204
12	e. Merged Area V.....	\$	60,042
13	f. Merged Area VI.....	\$	34,514
14	g. Merged Area VII.....	\$	57,884
15	h. Merged Area IX.....	\$	69,103
16	i. Merged Area X.....	\$	97,180
17	j. Merged Area XI.....	\$	142,463
18	k. Merged Area XII.....	\$	46,200
19	l. Merged Area XIII.....	\$	40,972
20	m. Merged Area XIV.....	\$	20,826
21	n. Merged Area XV.....	\$	55,026
22	o. Merged Area XVI.....	\$	30,988

23 13. FACULTY SALARIES

24 For additional faculty salary increases for full-time  
25 faculty at each merged area school:

26 ..... \$ 2,100,000

27 For the purpose of this subsection, full-time licensed  
28 faculty includes instructors who teach at an area school on a  
29 half-time basis or more.

30 Any amount of salary increase provided to each full-time  
31 licensed faculty member under this subsection and section 9,  
32 subsection 2, shall be provided for licensed faculty members  
33 who teach on less than a full-time basis, but the amount of  
34 the increase shall be reduced proportionally for a faculty  
35 member who teaches on less than a full-time basis.

1 14. PROFESSIONAL STAFF SALARIES

2 For additional salary increases for full-time salaried  
3 professional employees of the area schools other than  
4 administrators, faculty, and hourly support staff:  
5 ..... \$ 141,250

6 For the purpose of this subsection, professional staff  
7 includes employees of an area school such as academic  
8 advisors, media specialists, student services staff, financial  
9 aid advisors, data processing staff, program coordinators,  
10 counselors, and librarians not included as licensed faculty  
11 members, and other staff members who are funded under an  
12 existing area school foundation formula cost center.

13 15. PROFESSIONAL DEVELOPMENT

14 For professional development programs at each of the merged  
15 area schools for full-time, part-time, and administrative  
16 faculty or staff:  
17 ..... \$ 454,216

18 Sec. 9.

19 There is appropriated from the general fund of the state to  
20 the department of education for the fiscal year beginning July  
21 1, 1991, and ending June 30, 1992, the following amounts, or  
22 so much thereof as is necessary, to be used for the purposes  
23 designated:

24 1. For state financial aid to merged areas the amount of  
25 \$14,809,864, to be accrued as income and used for expenditures  
26 incurred by the area schools during the fiscal year beginning  
27 July 1, 1990, and ending June 30, 1991, to be allocated to  
28 each area school as follows:

29	a. Merged Area I.....	\$	686,672
30	b. Merged Area II.....	\$	857,410
31	c. Merged Area III.....	\$	815,515
32	d. Merged Area IV.....	\$	371,563
33	e. Merged Area V.....	\$	820,983
34	f. Merged Area VI.....	\$	823,834
35	g. Merged Area VII.....	\$	1,030,138

1	h.	Merged Area IX.....	\$	1,277,469
2	i.	Merged Area X.....	\$	1,910,464
3	j.	Merged Area XI.....	\$	2,149,413
4	k.	Merged Area XII.....	\$	900,074
5	l.	Merged Area XIII.....	\$	882,604
6	m.	Merged Area XIV.....	\$	395,256
7	n.	Merged Area XV.....	\$	1,202,805
8	o.	Merged Area XVI.....	\$	685,664

9     2.   FACULTY SALARIES

10    For additional faculty salary increases for full-time  
 11 faculty at each merged area school:  
 12 ..... \$       370,588

13    Payments under this subsection shall be accrued as income  
 14 and used for faculty salary increases for the fiscal year  
 15 beginning July 1, 1990, and ending June 30, 1991.

16    For the purpose of this subsection, full-time licensed  
 17 faculty includes instructors who teach at an area school on a  
 18 half-time basis or more.

19    3.   PROFESSIONAL STAFF SALARIES

20    For additional salary increases for full-time salaried  
 21 professional employees of the area schools other than  
 22 administrators, faculty, and hourly support staff:  
 23 ..... \$       24,926

24    Payments under this subsection shall be accrued as income  
 25 and used for professional staff salary increases for the  
 26 fiscal year beginning July 1, 1990, and ending June 30, 1991.

27    For the purpose of this subsection, professional staff  
 28 includes employees of an area school such as academic  
 29 advisors, media specialists, student services staff, financial  
 30 aid advisors, data processing staff, program coordinators,  
 31 counselors, and librarians not included as faculty members,  
 32 and other staff members who are funded under an existing area  
 33 school foundation formula cost center.

34    4.   PROFESSIONAL DEVELOPMENT

35    For professional development programs at each of the merged

1 area schools for full-time, part-time, and administrative  
2 faculty or staff:

3 ..... \$ 80,156

4 Payments under this subsection shall be accrued as income  
5 and used for professional development for the fiscal year  
6 beginning July 1, 1990, and ending June 30, 1991.

7 5. Funds appropriated by this section shall be allocated  
8 pursuant to this section and paid on or about August 15, 1991.

9 Sec. 10.

10 There is appropriated from the general fund of the state to  
11 the department of education for the fiscal year beginning July  
12 1, 1991, and ending June 30, 1992, the following amounts to be  
13 used for the purposes designated:

14 1. For general financial aid to merged areas in lieu of  
15 personal property tax replacement payments under section  
16 427A.13, the amount of \$354,840, to be accrued as income and  
17 used for expenditures incurred by the area schools during the  
18 fiscal year beginning July 1, 1990, and ending June 30, 1991,  
19 to be allocated to each area as follows:

20	a. Merged Area I.....	\$ 27,922
21	b. Merged Area II.....	\$ 21,671
22	c. Merged Area III.....	\$ 14,525
23	d. Merged Area IV.....	\$ 9,924
24	e. Merged Area V.....	\$ 25,732
25	f. Merged Area VI.....	\$ 14,792
26	g. Merged Area VII.....	\$ 24,807
27	h. Merged Area IX.....	\$ 29,615
28	i. Merged Area X.....	\$ 41,649
29	j. Merged Area XI.....	\$ 61,056
30	k. Merged Area XII.....	\$ 19,800
31	l. Merged Area XIII.....	\$ 17,559
32	m. Merged Area XIV.....	\$ 8,925
33	n. Merged Area XV.....	\$ 23,582
34	o. Merged Area XVI.....	\$ 13,281

35 2. Funds appropriated in subsection 1 shall be allocated

1 pursuant to this section and paid on or about August 15, 1991.

2 Sec. 11.

3 Moneys allocated to area schools under section 8,  
4 subsections 11 through 15, of this Act, for expenditures  
5 incurred during the fiscal year beginning July 1, 1990, and  
6 ending June 30, 1991, shall be paid by the department of  
7 revenue and finance in installments due on or about November  
8 15, February 15, and May 15 of that fiscal year. The payments  
9 received by area schools on or about August 15 under sections  
10 9 and 10 of this Act are accounts receivable for the previous  
11 fiscal year. The installments shall be as nearly equal as  
12 possible as determined by the department of management, taking  
13 into consideration the relative budget and cash position of  
14 the state resources.

15 Sec. 12.

16 Notwithstanding the appropriation provided in section  
17 294A.25, subsection 1, there is appropriated from the general  
18 fund of the state to the department of education for the  
19 fiscal year beginning July 1, 1990, and ending June 30, 1991,  
20 the following amount, or so much thereof as may be necessary,  
21 to be used for the purpose designated:

22 For the educational excellence program:

23 ..... \$ 92,007,985

24 Sec. 13.

25 There is appropriated from the general fund of the state to  
26 the department of education for the fiscal year beginning July  
27 1, 1991, and ending June 30, 1992, for expenditures incurred  
28 by school districts during the previous fiscal year the  
29 following amount, or so much thereof as is necessary, for  
30 vocational education aid to secondary schools:

31 ..... \$ 3,666,666

32 Funds appropriated by this subsection shall be used for aid  
33 to school districts for the development and the conducting of  
34 both continuing and new vocational programs, services and  
35 activities of vocational education through secondary schools,

1 and for aid to existing jointly administered secondary  
2 vocational education programs, in accordance with chapters 258  
3 and 280A, and to purchase instructional equipment for  
4 vocational and technical courses of instruction in such  
5 schools.

6 Sec. 14.

7 There is appropriated from the general fund of the state to  
8 the school budget review committee for the fiscal year  
9 beginning July 1, 1990, and ending June 30, 1991, the amount  
10 of \$150,000 or so much thereof as is necessary to make  
11 supplemental enrollment payments to school districts, for  
12 compensation for enrollment losses which are greater than five  
13 percent of the district's certified enrollment for the  
14 previous year due to enrollment of the district's resident  
15 children in another school district during the school year  
16 beginning July 1, 1990, under 1990 Iowa Acts, Senate File  
17 2306, section 2, if 1990 Iowa Acts, Senate File 2306, is  
18 enacted by the general assembly.

19 A supplemental enrollment payment for a child under this  
20 section is equal to the state aid transmitted to the receiving  
21 district for that child for that fiscal year.

22 A school district eligible for supplemental enrollment  
23 payments under this chapter shall make application to the  
24 school budget review committee not later than September 1,  
25 1990. If the moneys appropriated in this section are  
26 insufficient to make all payments, the school budget review  
27 committee shall prorate the payments to school districts.

28 DIVISION IV

29 STATE BOARD OF REGENTS

30 Sec. 15.

31 There is appropriated from the general fund of the state to  
32 the state board of regents for the fiscal year beginning July  
33 1, 1990, and ending June 30, 1991, the following amounts, or  
34 so much thereof as may be necessary, to be used for the  
35 purposes designated:

1 1. OFFICE OF STATE BOARD OF REGENTS

2 a. For salaries, support, maintenance, miscellaneous  
3 purposes, during the fiscal year beginning July 1, 1990, and  
4 ending June 30, 1991, and for not more than the following  
5 full-time equivalent positions:

6 ..... \$ 1,136,134

7 ..... FTEs 19.63

8 As a condition, limitation, and qualification of the moneys  
9 appropriated in this paragraph, the state board of regents  
10 shall adopt a policy that prohibits unlawful possession, use,  
11 or distribution of controlled substances by students and  
12 employees on property owned or leased by an institution or in  
13 conjunction with activities sponsored by an institution  
14 governed by the board. Each institution shall provide  
15 information about the policy to all students and employees.  
16 The policy shall include a clear statement of sanctions for  
17 violation of the policy and information about available drug  
18 or alcohol counseling and rehabilitation programs. In  
19 carrying out this policy, the institutions shall provide  
20 substance abuse prevention programs for students and  
21 employees.

22 As a condition, limitation, and qualification of the moneys  
23 appropriated in this paragraph, the state board of regents  
24 shall not use reimbursements from the institutions under the  
25 control of the state board of regents for funding the office  
26 of the state board of regents.

27 b. For allocation by the state board of regents to the  
28 state university of Iowa, the Iowa state university of science  
29 and technology, and the university of northern Iowa to  
30 reimburse the institutions for deficiencies in their operating  
31 funds resulting from the pledging of tuitions, student fees  
32 and charges, and institutional income to finance the cost of  
33 providing academic and administrative buildings and facilities  
34 and utility services at the institutions:

35 ..... \$ 17,338,340



1 c. For funds to be allocated to the siouxland interstate  
2 metropolitan planning council for the tristate graduate center  
3 under section 262.9, subsection 21:

4 ..... \$ 75,000

5 d. For funds to conduct a study for the development of a  
6 graduate center in Council Bluffs:

7 ..... \$ 40,000

8 e. For funds to be allocated to the quad-cities graduate  
9 studies center:

10 ..... \$ 145,000

11 2. STATE UNIVERSITY OF IOWA

12 a. General university, including lakeside laboratory:

13 (1) For salaries, support, maintenance, equipment,  
14 miscellaneous purposes, and for not more than the following  
15 full-time equivalent positions:

16 ..... \$164,663,389

17 ..... FTEs 4,413.65

18 As a condition, limitation, and qualification of moneys  
19 appropriated in this subparagraph, from moneys available to  
20 the state university of Iowa, \$550,000 shall be expended for  
21 teaching excellence awards to teaching faculty members and  
22 teaching assistants.

23 Of the \$550,000 available for teaching excellence awards,  
24 \$50,000 shall be awarded to faculty members and teaching  
25 assistants who have been recognized for exceptional teaching.

26 An exceptional teaching recognition award is for a one-year  
27 period and is in addition to the faculty member or teaching  
28 assistant's salary. Not later than December 15, 1990, the  
29 state board of regents shall report the names of recipients of  
30 teaching excellence awards, and the amounts of the awards  
31 granted, to the joint education appropriations subcommittee  
32 and to the legislative fiscal bureau.

33 (2) Agricultural health and safety programs:

34 ..... \$ 355,000

35 ..... FTEs 7

1 b. Minority and women educators enhancement program:  
2 From the moneys appropriated in paragraph "a", subparagraph  
3 (1), \$80,000 shall be used for implementing the minority and  
4 women educators enhancement program.

5 Notwithstanding section 8.33, as a condition, limitation,  
6 and qualification of the allocation in this paragraph,  
7 unobligated and unencumbered funds remaining on June 30, 1991,  
8 from the allocation for use under this paragraph, shall not  
9 revert to the general fund of the state, but shall remain  
10 available for expenditure during the fiscal year beginning  
11 July 1, 1991, for the same purpose or for other minority  
12 recruitment programs.

13 c. College-bound voucher program:  
14 From the moneys appropriated in paragraph "a", subparagraph  
15 (1), \$100,000 shall be used for implementing the college-bound  
16 voucher program.

17 d. Iowa minority academic grants for economic success  
18 program:  
19 From the moneys appropriated in paragraph "a", subparagraph  
20 (1), \$480,000 shall be used for the Iowa minority academic  
21 grants for economic success program.

22 e. For salary annualization:  
23 ..... \$ 323,000

24 f. For inflation costs:  
25 ..... \$ 1,319,000

26 g. For utility and debt service:  
27 ..... \$ 423,000

28 h. For enhancing undergraduate education:  
29 ..... \$ 1,889,000

30 i. For enhancing medical education:  
31 ..... \$ 446,000  
32 ..... FTEs 10

33 In addition to the funds appropriated in this paragraph,  
34 from the moneys appropriated in paragraph "a", subparagraph  
35 (1), \$554,000 shall also be used for enhancing medical

1 education.

2 j. For the statewide tumor registry:

3 .....	\$	190,500
4 .....	FTEs	5.05

5 k. University hospitals:

6 (1) For salaries, support, maintenance, equipment,  
7 miscellaneous purposes, and for not more than the following  
8 full-time equivalent positions for medical and surgical  
9 treatment of indigent patients as provided in chapter 255:

10 .....	\$	28,021,398
11 .....	FTEs	5,251.76

12 (2) For allocation by the dean of the college of medicine,  
13 with approval of the advisory board, to qualified  
14 participants, to carry out chapter 148D for the family  
15 practice program, including salaries and support, and for not  
16 more than the following full-time equivalent positions:

17 .....	\$	1,738,142
18 .....	FTEs	174.19

19 (3) For specialized child health care services, including  
20 childhood cancer diagnostic and treatment network programs;  
21 rural comprehensive care for hemophilia patients; and Iowa  
22 high-risk infant follow-up program, including salaries and  
23 support, and for not more than the following full-time  
24 equivalent positions:

25 .....	\$	399,945
26 .....	FTEs	12.55

27 l. As a condition, limitation, and qualification of the  
28 appropriation made in paragraph "k", subparagraph (1), the  
29 county quotas for indigent patients for the fiscal year  
30 commencing July 1, 1990, shall not be lower than the county  
31 quotas for the fiscal year commencing July 1, 1989. Before a  
32 patient is eligible for the indigent patient program, the  
33 county general relief director shall first ascertain from the  
34 local office of human services if the applicant would qualify  
35 for medical assistance or the medically needy program without

1 the spend-down provision under chapter 249A. If the applicant  
2 qualifies, then the patient shall be certified for medical  
3 assistance and shall not be counted under chapter 255.

4 Transportation shall be provided at no charge to a patient who  
5 is certified for medical assistance under chapter 249A.

6 m. As a condition, limitation, and qualification of the  
7 appropriation made in paragraph "k", subparagraph (1), funds  
8 appropriated in that subparagraph shall not be allocated to  
9 the university hospitals until the superintendent has filed  
10 with the department of revenue and finance and the legislative  
11 fiscal bureau a quarterly report containing the account  
12 required in section 255.24. The report shall include the  
13 information required in section 255.24 for patients by the  
14 type of service provided.

15 n. As a condition, limitation, and qualification of the  
16 appropriation made in paragraph "k", subparagraph (1), funds  
17 appropriated in that subparagraph shall not be used to perform  
18 abortions except medically necessary abortions, and shall not  
19 be used to operate the early termination of pregnancy clinic  
20 except for the performance of medically necessary abortions.  
21 For the purpose of this paragraph, an abortion is the  
22 purposeful interruption of pregnancy with the intention other  
23 than to produce a live-born infant or to remove a dead fetus,  
24 and a medically necessary abortion is one performed under one  
25 of the following conditions:

26 (1) The attending physician certifies that continuing the  
27 pregnancy would endanger the life of the pregnant woman.

28 (2) The attending physician certifies that the fetus is  
29 physically deformed, mentally deficient, or afflicted with a  
30 congenital illness.

31 (3) The pregnancy is the result of a rape which is  
32 reported within 45 days of the incident to a law enforcement  
33 agency or public or private health agency which may include a  
34 family physician.

35 (4) The pregnancy is the result of incest which is

1 reported within 150 days of the incident to a law enforcement  
2 agency or public or private health agency which may include a  
3 family physician.

4 (5) The abortion is a spontaneous abortion, commonly known  
5 as a miscarriage, wherein not all of the products of  
6 conception are expelled.

7 o. Psychiatric hospital:

8 For salaries, support, maintenance, equipment,  
9 miscellaneous purposes, and for not more than the following  
10 full-time equivalent positions and for the care, treatment,  
11 and maintenance of committed and voluntary public patients:

12 .....	\$	6,635,852
13 .....	FTEs	286.76

14 p. State hygienic laboratory:

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

18 .....	\$	2,877,214
19 .....	FTEs	117.26

20 q. Hospital-school:

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

24 .....	\$	5,179,650
25 .....	FTEs	184.22

26 r. Oakdale campus:

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

30 .....	\$	2,833,505
31 .....	FTEs	73.60

32 s. Center for simulation and design:

33 For planning and development of funding sources related to  
34 the creation of the university of Iowa driving simulation  
35 center:

1 ..... \$ 200,000

2 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

3 a. General university:

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

7 ..... \$133,589,728

8 ..... FTEs 3,740.48

9 As a condition, limitation, and qualification of moneys  
10 appropriated in this paragraph, from moneys available to Iowa  
11 state university, \$550,000 shall be expended for teaching  
12 excellence awards to teaching faculty members and teaching  
13 assistants.

14 Of the \$550,000 available for teaching excellence awards,  
15 \$50,000 shall be awarded to faculty members and teaching  
16 assistants who have been recognized for exceptional teaching.  
17 An exceptional teaching recognition award is for a one-year  
18 period and is in addition to the faculty member or teaching  
19 assistant's salary. Not later than December 1, 1990, the  
20 state board of regents shall report the names of recipients of  
21 teaching excellence awards, and the amounts of the awards  
22 granted, to the joint education appropriations subcommittee  
23 and to the legislative fiscal bureau.

24 b. Minority and women educators enhancement program:

25 From the moneys appropriated in paragraph "a", \$80,000  
26 shall be used for implementing the minority and women  
27 educators enhancement program.

28 Notwithstanding section 8.33, as a condition, limitation,  
29 and qualification of the allocation in this paragraph,  
30 unobligated and unencumbered funds remaining on June 30, 1991,  
31 from the allocation for use under this paragraph, shall not  
32 revert to the general fund of the state, but shall remain  
33 available for expenditure during the fiscal year beginning  
34 July 1, 1991, for the same purpose as for other minority  
35 recruitment programs.

1 c. College-bound voucher program:

2 From the moneys appropriated in paragraph "a", \$100,000  
3 shall be used for implementing the college-bound voucher  
4 program.

5 d. Iowa minority academic grants for economic success  
6 program:

7 From the moneys appropriated in paragraph "a", \$480,000  
8 shall be used for the Iowa minority academic grants for  
9 economic success program.

10 e. Agricultural experiment station:

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

14 ..... \$ 17,200,167  
15 ..... FTEs 473

16 f. Comprehensive agricultural research:

17 For conducting the comprehensive agricultural research  
18 program:

19 ..... \$ 4,000,000

20 g. Leopold center:

21 For agricultural research grants awarded under section  
22 266.39B:

23 ..... \$ 600,000

24 h. Cooperative extension service in agriculture and home  
25 economics:

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

29 ..... \$ 15,878,812  
30 ..... FTEs 480

31 i. Fire service education, including salaries and support,  
32 and for not more than the following full-time equivalent  
33 positions:

34 ..... \$ 417,000  
35 ..... FTEs 11

- 1 j. For salary annualization:
- 2 ..... \$ 261,000
- 3 k. For inflation costs:
- 4 ..... \$ 993,000
- 5 l. For utility and debt service costs:
- 6 ..... \$ 724,000
- 7 m. For enhancing undergraduate education:
- 8 ..... \$ 1,317,000
- 9 n. For opening new buildings:
- 10 ..... \$ 63,000

11 4. UNIVERSITY OF NORTHERN IOWA

- 12 a. For salaries, support, maintenance, miscellaneous
- 13 purposes, and for not more than the following full-time
- 14 equivalent positions:
- 15 ..... \$ 53,563,012
- 16 ..... FTEs 1,385.83

17 As a condition, limitation, and qualification of moneys  
18 appropriated in this paragraph, from moneys available to the  
19 university of northern Iowa, \$275,000 shall be expended for  
20 teaching excellence awards to teaching faculty members and  
21 teaching assistants.

22 Teaching excellence awards shall be granted to faculty  
23 members and teaching assistants for excellence in the quality  
24 of classroom instruction. An award shall be built into the  
25 faculty member's or teaching assistant's base salary. Moneys  
26 appropriated for teaching excellence awards shall not result  
27 in a negative impact upon a collective bargaining agreement  
28 between an employee organization and the university. Not  
29 later than December 1, 1990, the state board of regents shall  
30 report the names of recipients of teaching excellence awards,  
31 and the amounts of the awards granted, to the joint education  
32 appropriations subcommittee and to the legislative fiscal  
33 bureau.

34 As a condition, limitation, and qualification of the  
35 appropriation in this subsection, \$50,000 shall be expended



1 for the Iowa academy of science and no more than 20 percent of  
2 the funds shall be used for administrative purposes or for  
3 publication of the Iowa academy of science journal. The  
4 remainder of the \$50,000 shall be expended for grants for  
5 research projects and studies awarded by the Iowa academy of  
6 science.

7 As a condition, limitation, and qualification of the  
8 appropriation for the Iowa academy of science in this  
9 subsection, the Iowa academy of science shall permit all grant  
10 recipients to publish the results of the recipients' research  
11 projects and studies in the Iowa academy of science journal at  
12 no cost to the grant recipient.

13 b. Minority and women educators enhancement program:  
14 From the moneys appropriated in paragraph "a", \$40,000  
15 shall be used for implementing the minority and women  
16 educators enhancement program.

17 Notwithstanding section 8.33, as a condition, limitation,  
18 and qualification of the allocation in this paragraph,  
19 unobligated and unencumbered funds remaining on June 30, 1991,  
20 from the allocation for use under this paragraph, shall not  
21 revert to the general fund of the state, but shall remain  
22 available for expenditure during the fiscal year beginning  
23 July 1, 1991, for the same purpose or for other minority  
24 recruitment programs.

25 c. College-bound voucher program:  
26 From the moneys appropriated in paragraph "a", \$80,000  
27 shall be used for implementing the college-bound voucher  
28 program.

29 d. Iowa minority academic grants for economic success  
30 program:  
31 From the moneys appropriated in paragraph "a", \$240,000  
32 shall be used for the Iowa minority academic grants for  
33 economic success program.

34 e. For salary annualization:  
35 ..... \$ 130,000

1	f. For inflation costs:		
2	.....	\$	359,000
3	g. For utility and debt service costs:		
4	.....	\$	54,000
5	h. For opening new buildings:		
6	.....	\$	216,000
7	i. For enhancing undergraduate education:		
8	.....	\$	1,130,000
9	j. For leadership for teacher education:		
10	.....	\$	475,000
11	.....	FTEs	7

12 5. STATE SCHOOL FOR THE DEAF

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

16	.....	\$	5,770,768
17	.....	FTEs	133.24

18 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

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

22	.....	\$	3,197,141
23	.....	FTEs	92.45

24 Sec. 16.

25 Moneys appropriated in section 15, subsection 2, paragraph  
26 "a", subparagraph (1); section 15, subsection 3, paragraph  
27 "a"; and section 15, subsection 4, paragraph "a", of this Act  
28 and designated for the minority and women educators  
29 enhancement program under paragraph "b" of those subsections  
30 shall be used solely for the purposes for which they have been  
31 designated and not for general university purposes.

32 Sec. 17.

33 Moneys appropriated in section 15, subsection 2, paragraph  
34 "a", subparagraph (1); section 15, subsection 3, paragraph  
35 "a"; and section 15, subsection 4, paragraph "a", of this Act

1 and designated for the Iowa minority academic grants for  
2 economic success program under paragraph "d" of those  
3 subsections shall be used solely for the purposes for which  
4 they have been designated and not for general university  
5 purposes.

6 Sec. 18.

7 Funds appropriated under section 15, subsection 2,  
8 paragraphs "e" through "i"; section 15, subsection 3,  
9 paragraphs "j" through "n"; and section 15, subsection 4,  
10 paragraphs "e" through "i", of this Act shall be used to  
11 supplement, not supplant, existing funds for the purposes  
12 designated.

13 Sec. 19.

14 Funds appropriated under section 15, subsections 2, 3, 4,  
15 5, and 6, of this Act shall be used exclusively for the uses  
16 and purposes designated in those subsections by the  
17 institutions designated in those subsections.

18 Sec. 20.

19 As a condition, limitation, and qualification of the  
20 appropriations made to the state board of regents and regents'  
21 institutions under this Act, for the fiscal years beginning  
22 July 1, 1990, and July 1, 1991, the state board of regents  
23 shall use notes, bonds, or other evidences of indebtedness  
24 issued under section 262.48 to finance projects that will  
25 result in energy cost savings in an amount that will cause the  
26 state board to recover the cost of the projects within an  
27 average of 6 years.

28 Sec. 21.

29 There is appropriated from the general fund of the state to  
30 the department of elder affairs for the fiscal year beginning  
31 July 1, 1990, and ending June 30, 1991, the following amount,  
32 or so much thereof as may be necessary, to conduct the  
33 elderlaw education program under section 249D.54:

34 ..... \$ 75,000

35 Sec. 22.

1 Notwithstanding sections 8.33 and 18.137, unencumbered and  
2 unobligated funds remaining from any appropriation made to the  
3 state communications network fund shall not revert to the  
4 general fund of the state but shall remain in the state  
5 communications network fund and are available for expenditure.

6 Sec. 23.

7 Notwithstanding section 267.5, for the fiscal year  
8 beginning July 1, 1990, and ending June 30, 1991, there is  
9 appropriated to and the college of veterinary medicine at Iowa  
10 state university of science and technology shall use \$25,000  
11 from the livestock disease research fund, established pursuant  
12 to section 267.8, for research into the causes of and  
13 available treatment for an unknown reproductive and neonatal  
14 disease, generally known as "mysterious pig disease",  
15 currently afflicting swine in this state.

16 Sec. 24.

17 The department of education shall conduct a study of and  
18 develop recommendations for an administrators' excellence  
19 program. The department's recommendations shall include  
20 components which address issues relating to recruitment, skill  
21 enhancement, and retention of administrators. In developing  
22 recommendations, the department shall consult with education  
23 associations or organizations which have developed  
24 recommendations relating to an administrators' excellence  
25 program. The department shall submit its recommendations in a  
26 report to the general assembly by January 1, 1991.

27 Sec. 25.

28 Notwithstanding section 8.33, funds appropriated in 1989  
29 Iowa Acts, chapter 319, section 19, subsection 1, paragraph  
30 "b", remaining unencumbered or unobligated on June 30, 1990,  
31 shall not revert to the general fund of the state but shall be  
32 available for expenditure for the purposes listed in section  
33 15, subsection 1, paragraph "b", of this Act during the fiscal  
34 year beginning July 1, 1990, and ending June 30, 1991.

35 Sec. 26.

1 Notwithstanding section 282.10, boards of school districts  
2 with existing whole grade sharing agreements which wish to  
3 include sixth grade as one of the grades in which the pupils  
4 of the districts may attend school in other districts under  
5 the agreement, but which have failed to meet the February 1,  
6 1990, deadline for the signing of agreements for sharing  
7 during the 1990-1991 school year, shall be permitted to amend  
8 the existing whole grade sharing agreements to include the  
9 sixth grade, provided that the school districts meet all of  
10 the other requirements contained in chapter 282 relating to  
11 the signing of whole grade agreements and the addition of the  
12 sixth grade to the current agreement is signed by the board,  
13 under chapter 282, by July 1, 1990.

14 Sec. 27.

15 Notwithstanding the amounts of the budgets approved under  
16 section 273.3, subsection 12, in addition to the moneys  
17 available to area education agencies under section 442.7, sub-  
18 section 7, paragraphs "g" and "h", for special education  
19 support services, there is appropriated from the general fund  
20 of the state to the department of education for the fiscal  
21 year beginning July 1, 1990, the amount of \$225,000, or as  
22 much thereof as may be necessary, to be paid to area education  
23 agencies that have fewer than 3.5 public school pupils per  
24 square mile, to be expended for special education support  
25 services of the applicable area education agencies during the  
26 fiscal year beginning July 1, 1990.

27 Sec. 28. 1989 Iowa Acts, chapter 135, section 130, is  
28 amended to read as follows:

29 SEC. 130. The department of education is directed to  
30 conduct a survey of school districts to determine the  
31 academic, cocurricular, and extracurricular fees charged to  
32 students as a requirement for enrollment in the schools, or  
33 participation in an activity, of the school district. Both  
34 districtwide and building fees shall be included in the  
35 survey. The survey shall include the procedures used by the

1 district for payment of fees for low-income pupils. The  
2 survey shall provide information listing the total of fees  
3 collected and of fees waived. The department of education  
4 shall report the results of the survey to the chairpersons and  
5 members of the house and senate committees on education by  
6 ~~January~~ July 1, 1990.

7 Sec. 29. 1989 Iowa Acts, chapter 278, sections 1 and 2,  
8 are amended to read as follows:

9 SECTION 1. Section 256.11, subsection 4, Code 1989, is  
10 amended to read as follows:

11 4. The following shall be taught in grades seven and  
12 eight: English-language arts; social studies; mathematics;  
13 science; health; human growth and development, family,  
14 consumer, career, and technology education; physical  
15 education; music; and visual art. The health curriculum shall  
16 include the characteristics of sexually transmitted diseases  
17 and acquired immune deficiency syndrome. The state board as  
18 part of accreditation standards shall adopt curriculum  
19 definitions for implementing the program in grades seven and  
20 eight. However, family, consumer, career, and technology  
21 education are not required to be taught in nonpublic schools  
22 which do not offer vocational education programs.

23 SEC. 2. Section 256.11, subsection 5, paragraph h, Code  
24 1989, is amended by striking the paragraph and inserting in  
25 lieu thereof the following:

26 h. A minimum of three sequential units in at least four of  
27 the following six vocational service areas: agriculture,  
28 business or office occupations, health occupations, consumer  
29 and family sciences or home economics occupations, industrial  
30 technology or trade and industrial education, and marketing  
31 education. Instruction shall be competency-based, articulated  
32 with postsecondary programs of study, and include field,  
33 laboratory, or on-the-job training. Each sequential unit  
34 shall include instruction in a minimum set of competencies  
35 established by the department of education that relate to the

1 following: new and emerging technologies; job-seeking, job-  
2 adaptability, and other employment, self-employment and  
3 entrepreneurial skills that reflect current industry standards  
4 and labor-market needs; and reinforcement of basic academic  
5 skills. The instructional programs shall also comply with the  
6 provisions of chapter 258 relating to vocational education.  
7 However, this subsection does not apply to nonpublic schools  
8 which do not offer vocational education programs.

9 The department of education shall permit school districts,  
10 in meeting the requirements of this section, to use vocational  
11 core courses in more than one vocational service area and to  
12 use multi-occupational courses to complete a sequence in more  
13 than one vocational service area.

14 Sec. 30. 1989 Iowa Acts, chapter 322, section 7, is  
15 amended to read as follows:

16 SEC. 7. Notwithstanding the funding restrictions,  
17 requirements relating to the development of a request for  
18 proposal, and certification by the department of management,  
19 ~~contained in under~~ section 18.136, ~~if 1989 Iowa Acts, House~~  
20 ~~File 774, is enacted by the general assembly,~~ of the moneys  
21 appropriated in section 18.137, ~~if 1989 Iowa Acts, House File~~  
22 ~~774, is enacted by the general assembly,~~ notwithstanding the  
23 certification requirement, \$600,000 may be used, if necessary,  
24 by the public broadcasting division of the department of  
25 cultural affairs, to match federal funds awarded prior to the  
26 enactment date of 1989 Iowa Acts, House File 774, for the  
27 implementation of an educational telecommunications system,  
28 and \$650,000 shall be allocated to merged area VII for use as  
29 state matching funds for federal funds applied for prior to  
30 June 5, 1989, for technology equipment. Moneys allocated to  
31 merged area VII shall be counted as part of the state match  
32 for the state communications network under section 18.136,  
33 subsection 3.

34 Sec. 31. Section 18.136, subsection 7, Code Supplement  
35 1989, is amended by adding the following new unnumbered

1 paragraph:

2 NEW UNNUMBERED PARAGRAPH. The narrowcast system advisory  
3 committee shall review all requests for grants for educational  
4 telecommunications applications, if they are a part of the  
5 state communications network, to ensure that the educational  
6 telecommunications application is consistent with the  
7 telecommunications plan. If the narrowcast system advisory  
8 committee finds that a grant request is inconsistent with the  
9 telecommunications plan, the grant request shall not be  
10 allowed.

11 Sec. 32. Section 19A.9, subsection 1, unnumbered paragraph  
12 1, and subsection 2, Code 1989, are amended to read as  
13 follows:

14 For the preparation, maintenance, and revision of a  
15 position classification plan from a schedule by separate  
16 department for each position and type of employment not  
17 otherwise provided for by law in state government for all  
18 positions in the executive branch, excluding positions under  
19 the state board of regents and positions in the division of  
20 area schools in the department of education, based upon duties  
21 performed and responsibilities assumed, so that the same  
22 qualifications may reasonably be required for and the same  
23 schedule of pay may be equitably applied to all positions in  
24 the same class, in the same geographical area. After the  
25 classification has been approved by the commission, the  
26 director shall allocate the position of every employee in the  
27 executive branch, excluding employees of the state board of  
28 regents and employees of the division of area schools in the  
29 department of education, to one of the classes in the plan.  
30 Any employee or agency officials affected by the allocation of  
31 a position to a class shall, after filing with the director a  
32 written request for reconsideration in the manner and form the  
33 director prescribes, be given a reasonable opportunity to be  
34 heard by the director. An appeal may be made to the  
35 commission or to a qualified classification committee



1 appointed by the commission. An allocation or reallocation of  
2 a position by the director to a different classification shall  
3 not become effective if the allocation or reallocation may  
4 result in the expenditure of funds in excess of the total  
5 amount budgeted for the department of the appointing authority  
6 until approval has been obtained from the director of the  
7 department of management.

8 2. For pay plans within the purview of an appropriation  
9 made by the general assembly and not otherwise provided by law  
10 for all employees in the executive branch of state government,  
11 excluding employees of the state board of regents and  
12 employees of the division of area schools in the department of  
13 education, after consultation with the governor and appointing  
14 authorities with due regard to the terms of collective  
15 bargaining agreements negotiated under chapter 20 and after a  
16 public hearing held by the commission. Review of the pay plan  
17 for revisions shall be made in the same manner at the  
18 discretion of the director, but not less than annually. The  
19 annual review by the director shall be made available to the  
20 governor a sufficient time in advance of collective bargaining  
21 negotiations to permit its recommendations to be considered  
22 during the negotiations. Each employee in the executive  
23 branch, excluding employees of the state board of regents and  
24 employees of the division of area schools in the department of  
25 education, shall be paid at one of the rates set forth in the  
26 pay plan for the class of position in which employed and,  
27 unless otherwise designated by the commission, shall begin  
28 employment at the first step of the established range for the  
29 employee's class.

30 Sec. 33. Section 255.16, Code 1989, is amended to read as  
31 follows:

32 255.16 COUNTY QUOTAS.

33 Subject to subsequent qualifications in this section, there  
34 shall be treated at the university hospital during each fiscal  
35 year a number of committed indigent patients from each county

1 which ~~shall~~-bear bears the same relation to the total number  
2 of committed indigent patients admitted during the year as the  
3 population of such the county shall-bear bears to the total  
4 population of the state according to the last preceding  
5 official census. This standard shall apply to indigent  
6 patients, the expenses of whose commitment, transportation,  
7 care and treatment shall be borne by appropriated funds and  
8 shall not govern the admission of ~~either~~ obstetrical patients  
9 under chapter 255A, or obstetrical or orthopedic patients  
10 under this chapter in accordance with eligibility standards  
11 pursuant to section 255A.5. If the number of patients  
12 admitted from any county ~~shall-exceed~~ exceeds by more than ten  
13 percent the county quota as fixed and ascertained under the  
14 first sentence of this section, the charges and expenses of  
15 the care and treatment of such patients in excess of ten  
16 percent of the quota shall be paid from the funds of such  
17 county at actual cost; but if the number of excess patients  
18 from any county ~~shall~~ does not exceed ten percent, all costs,  
19 expenses, and charges incurred in their behalf shall be paid  
20 from the appropriation for the support of the hospital.  
21 Notwithstanding the quota established for a county under this  
22 section, the governor, upon a finding of necessity due to a  
23 regional or statewide economic emergency, may increase a  
24 county's quota of the number of committed indigent patients  
25 admitted to the university hospital.

26 Sec. 34. Section 256.7, Code Supplement 1989, is amended  
27 by adding the following new subsections:

28 NEW SUBSECTION. 17. Adopt rules for the preparation,  
29 maintenance, and revision of a position classification plan  
30 for each position and type of employment in the division of  
31 area schools, based upon duties performed and responsibilities  
32 assumed, so that the same qualifications may reasonably be  
33 required for and the same schedule of pay may be equitably  
34 applied to all positions in the same class, in the same  
35 geographical area. After the classification has been

1 approved, the director shall allocate the position of every  
2 employee in the area schools division to one of the classes in  
3 the plan. Any employee or agency officials affected by the  
4 allocation of a position to a class shall, after filing with  
5 the director of the department of education a written request  
6 for reconsideration in the manner and form the director  
7 prescribes, be given a reasonable opportunity to be heard by  
8 the director. An appeal may be made to the commission or to a  
9 qualified classification committee appointed by the  
10 commission. An allocation or reallocation of a position by  
11 the director to a different classification shall not become  
12 effective if the allocation or reallocation may result in the  
13 expenditure of funds in excess of the total amount budgeted  
14 for the department of the appointing authority until approval  
15 has been obtained from the director of the department of  
16 management.

17 NEW SUBSECTION. 18. Adopt rules for pay plans within the  
18 purview of an appropriation made by the general assembly and  
19 not otherwise provided by law for all employees in the area  
20 schools division after consultation with the governor and  
21 appointing authorities with due regard to the terms of  
22 collective bargaining agreements negotiated under chapter 20  
23 and after a public hearing held by the state board. Review of  
24 the pay plan for revisions shall be made in the same manner at  
25 the discretion of the director of the department of education,  
26 but not less than annually. The annual review by the director  
27 shall be made available to the governor a sufficient time in  
28 advance of collective bargaining negotiations to permit its  
29 recommendations to be considered during the negotiations.  
30 Each employee in the area schools division shall be paid at  
31 one of the rates set forth in the pay plan for the class of  
32 position in which employed and, unless otherwise designated by  
33 the state board, shall begin employment at the first step of  
34 the established range for the employee's class.

35 NEW SUBSECTION. 19. Adopt rules which require each area

1 school which establishes a new jobs training project or  
2 projects and receives funds derived from or associated with  
3 the project or projects to establish a separate account to act  
4 as a repository for any funds received and to report annually,  
5 by January 15, to the general assembly on funds received and  
6 disbursed during the preceding fiscal year in the form  
7 required by the department.

8 Sec. 35. Section 256.9, Code Supplement 1989, is amended  
9 by adding the following new subsection:

10 NEW SUBSECTION. 39. Review and consider defining the  
11 disorders of autism and attention deficit in the rules of  
12 special education; eliminating autism from the category of  
13 behaviorally disordered; establishing broad general categories  
14 in which other individuals who are members of special  
15 populations, such as autistic persons and the attention  
16 deficit disordered could be grouped; and developing a system  
17 for the identification of individuals with autism and with  
18 attention deficit disorders.

19 Sec. 36. Section 256.11, unnumbered paragraph 1, Code  
20 Supplement 1989, is amended to read as follows:

21 The state board shall adopt rules under chapter 17A and a  
22 procedure for accrediting all public and nonpublic schools in  
23 Iowa offering instruction at any or all levels from the  
24 prekindergarten level through grade twelve. The rules of the  
25 state board shall require that a multicultural, nonsexist  
26 approach is used by schools and school districts. The  
27 educational program shall be taught from a multicultural,  
28 nonsexist approach. Global perspectives shall be incorporated  
29 into all levels of the educational program.

30 Sec. 37. Section 256.11, subsection 9, paragraph b, and  
31 subsection 9A, Code Supplement 1989, are amended to read as  
32 follows:

33 b. Effective July 1, 1990, unless a waiver has been  
34 obtained under section 256.11A, each school or school district  
35 shall have a qualified school media specialist who shall meet

1 the licensing standards prescribed by the board of educational  
2 examiners and shall be responsible for supervision of the  
3 media centers. Each school or school district shall establish  
4 a media center, in each attendance center, which shall be  
5 accessible to students throughout the school day. However, in  
6 determining the requirements for nonpublic schools, the  
7 department shall evaluate the schools on a school system basis  
8 rather than on an individual school basis.

9 9A. Each school or school district shall provide an  
10 articulated sequential guidance program for grades  
11 kindergarten through twelve. Until July 1, 1991, a school or  
12 school district may obtain a waiver from meeting the  
13 requirements of this subsection pursuant to section 256.11A.  
14 The guidance counselor shall meet the licensing standards of  
15 the board of educational examiners. However, in determining  
16 the requirements for nonpublic schools, the department shall  
17 evaluate the schools on a school system basis rather than on  
18 an individual school basis.

19 Sec. 38. NEW SECTION. 256.35 REGIONAL AUTISM ASSISTANCE  
20 PROGRAM.

21 The department shall establish a regional autism assistance  
22 program, to be administered by the child health specialty  
23 clinic of the university of Iowa hospitals and clinics. The  
24 program shall be designed to coordinate educational, medical,  
25 and other human services for persons with autism, their  
26 parents, and providers of services to persons with autism.  
27 The function of the program shall include, but is not limited  
28 to, the coordination of diagnostic and assessment services,  
29 the maintaining of a research base, coordination of in-service  
30 training, providing technical assistance, and providing  
31 consultation.

32 Sec. 39. NEW SECTION. 256.43 AMBASSADOR TO EDUCATION.

33 The department of education shall establish within the  
34 department the position of ambassador to education to act as  
35 an education liaison to primary and secondary schools in this

1 state. The ambassador to education position shall be filled  
2 by the educator selected as teacher of the year by the  
3 governor, but only if that person agrees to fill the  
4 ambassador to education position.

5 The ambassador to education's duties shall be established  
6 by the director of the department and shall be tailored to the  
7 relative skills and educational background of the person  
8 designated as ambassador. Duties of the ambassador may  
9 include, but are not limited to, providing seminars and  
10 workshops in the subject matter area in which the ambassador  
11 possesses expertise, accompanying the director of the  
12 department of education in the exercise of the director's  
13 duties in the state, and speaking at public gatherings in the  
14 state.

15 The ambassador to education shall receive, in lieu of  
16 compensation from the district in which the ambassador is  
17 regularly employed, a salary which is equal to the amount of  
18 salary received by the person during the previous school year  
19 or thirty thousand dollars, whichever amount is greater. The  
20 ambassador shall also be compensated for actual expenses  
21 incurred as a result of the performance of duties under this  
22 section.

23 The district which employs the person selected as the  
24 ambassador to education shall grant the person a one-year  
25 sabbatical in order to allow the person to be the ambassador  
26 to education. The person selected as the ambassador to  
27 education shall be entitled to return to the person's same or  
28 a comparable position without loss of accrued benefits or  
29 seniority.

30 Sec. 40. Section 257.10, subsection 4, Code Supplement  
31 1989, is amended by adding the following new unnumbered  
32 paragraph:

33 NEW UNNUMBERED PARAGRAPH. Notwithstanding the special  
34 education support services district cost per pupil for the  
35 budget year beginning July 1, 1991, calculated under

1 subsection 3, for area education agencies that have fewer than  
2 three and five-tenths public school pupils per square mile,  
3 the special education support services district cost per pupil  
4 for the budget year beginning July 1, 1991, is one hundred  
5 forty-seven dollars.

6 Sec. 41. Section 261.2, Code Supplement 1989, is amended  
7 by adding the following new subsection:

8 NEW SUBSECTION. 14. Adopt rules relating to the  
9 administration of a displaced workers financial aid program  
10 under section 261.5.

11 Sec. 42. NEW SECTION. 261.5 DISPLACED WORKERS FINANCIAL  
12 AID PROGRAM.

13 A displaced workers financial aid program is established to  
14 provide aid for attendance of displaced workers at Iowa-based  
15 programs, colleges, or universities.

16 The commission shall establish an application process for  
17 the program. Displaced workers eligible for receipt of moneys  
18 under this section shall receive financial aid from the  
19 commission to be applied to educational expenses at the  
20 institution of higher education in which the displaced worker  
21 is enrolled.

22 Any displaced worker making application for financial aid  
23 under this section shall apply for and accept any student aid  
24 or job training program aid available to the displaced worker.

25 The college aid commission shall determine the level of  
26 assistance to which the displaced worker is entitled. In  
27 making the determination of the amount of the financial aid  
28 award to a displaced worker, the commission shall take into  
29 account any student aid or job training program aid available  
30 and other financial resources. For purposes of this section,  
31 "other financial resources" does not include income received  
32 by a displaced worker from a person who slaughtered live hogs,  
33 who ceased slaughtering operations between January 1, 1989,  
34 and December 31, 1990, if that person employed five hundred or  
35 more workers at any time during the six-month period

1 immediately preceding the date on which the person ceased  
2 slaughtering operations.

3 The moneys paid for a displaced worker for an academic term  
4 shall not exceed the lesser of the tuition at the institution  
5 of higher education in which the individual is enrolled or the  
6 highest tuition at any area community college or area  
7 vocational school.

8 Institutions of higher education shall receive the  
9 financial aid moneys from the college aid commission for  
10 eligible students.

11 For the purpose of this section, "displaced worker" means  
12 an unemployed individual who was formerly employed by a person  
13 who slaughtered live hogs if that person employed five hundred  
14 or more workers at any time during the six-month period  
15 immediately preceding the date on which the person ceased  
16 slaughtering operations and if the person ceased slaughtering  
17 operations between January 1, 1989, and December 31, 1990.

18 Sec. 43.

19 Notwithstanding the allocation of moneys under the  
20 community economic betterment account in section 99E.32, for  
21 the fiscal year commencing July 1, 1989, and ending June 30,  
22 1990, \$250,000 shall be allocated from unobligated moneys in  
23 the community economic betterment account to the department of  
24 economic development, to be used for services to displaced  
25 workers for the following programs and services:

26 1. Financial counseling for workers eligible to receive  
27 benefits under the Economic Dislocation and Workers Adjustment  
28 Assistance Act, Pub. L. No. 100-418, 102 Stat. 1107 to be  
29 conducted to the extent possible at either the location of the  
30 worker's former place of employment or the site of the  
31 worker's labor union headquarters.

32 2. Continued operation of the merged area X dislocated  
33 worker center.

34 3. Payment to the college aid commission for the displaced  
35 workers financial aid program under section 261.5.



1 Sec. 44. Section 261.9, subsection 5, Code Supplement  
2 1989, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. f. Which adopts a policy that prohibits  
4 unlawful possession, use, or distribution of controlled sub-  
5 stances by students and employees on property owned or leased  
6 by the institution or in conjunction with activities sponsored  
7 by the institution. Each institution shall provide  
8 information about the policy to all students and employees.  
9 The policy shall include a clear statement of sanctions for  
10 violation of the policy and information about available drug  
11 or alcohol counseling and rehabilitation programs. In  
12 carrying out this policy, an institution shall provide  
13 substance abuse prevention programs for students and  
14 employees.

15 Sec. 45. Section 261.12, subsection 1, paragraph b, Code  
16 Supplement 1989, is amended to read as follows:

17 b. For the fiscal year beginning July 1, 1989, and for  
18 each following fiscal year, two thousand five six hundred  
19 fifty dollars.

20 Sec. 46. Section 261.17, subsections 2 and 3, Code  
21 Supplement 1989, are amended to read as follows:

22 2. A qualified student may receive vocational-technical  
23 tuition grants for not more than four semesters, eight  
24 quarters or the equivalent of two full years of study.  
25 However, if a student resumes study after at least a two-year  
26 absence, the student may again be eligible for the specified  
27 amount of time, except that the student shall not receive  
28 assistance for courses for which credit was previously  
29 received.

30 3. The amount of a vocational-technical tuition grant  
31 shall not exceed the lesser of five six hundred dollars per  
32 year or the amount of the student's established financial  
33 need.

34 Sec. 47. Section 261.19, Code Supplement 1989, is amended  
35 to read as follows:

## 1 261.19 PAYMENT OF SUBVENTION.

2 A subvention program for the university of osteopathic  
3 medicine and health sciences is established. The subvention  
4 program shall provide funds to the university for Iowa  
5 resident students. The total amount of moneys appropriated to  
6 the college aid commission for the subvention program shall be  
7 paid to the university if the university certifies to the  
8 college aid commission not later than September 15 and January  
9 15 of each fiscal year that at least twenty percent of the  
10 total students enrolled are Iowa residents. The certification  
11 shall contain the number, names, and addresses of all students  
12 enrolled, by class, and shall indicate which students are  
13 resident students.

14 The college aid commission shall determine a subvention  
15 amount per resident student by dividing the funds appropriated  
16 for this section by a number equal to the total of twenty  
17 twenty-two percent of the total students enrolled. If fewer  
18 than twenty twenty-two percent of the total number of students  
19 enrolled are Iowa residents, the college aid commission shall  
20 deduct from the funds appropriated an amount equal to the  
21 subvention amount per resident student multiplied by the  
22 number of students required to equal twenty twenty-two percent  
23 of the total students enrolled.

24 The commission shall compute the amount of moneys to be  
25 paid to the university and transmit the funds to the  
26 university of osteopathic medicine and health sciences within  
27 ten days following receipt of the certification.

28 Notwithstanding the percentage figure contained in the  
29 calculation of the subvention amount per resident student and  
30 any corresponding deductions, for each fiscal year during the  
31 period commencing with the fiscal year beginning July 1, 1990,  
32 and ending with the fiscal year ending June 30, 1993, the  
33 percentage of total students enrolled, for purposes of  
34 calculating the subvention amount and any corresponding  
35 deductions, shall be increased by five-tenths of a percent

1 from twenty percent until the percentage figure reaches  
2 twenty-two percent.

3 For each fiscal year in which funds are appropriated, one-  
4 half of the amount appropriated shall not be released until  
5 financial audits of the university of osteopathic medicine and  
6 health, conducted by an independent third party by June 30 of  
7 the previous fiscal year, are delivered to the legislative  
8 fiscal bureau.

9 Sec. 48. NEW SECTION. 261.19A OSTEOPATH FORGIVABLE LOAN  
10 PROGRAM.

11 There is established a forgivable loan program, to be  
12 administered by the college aid commission for students  
13 enrolled at the university of osteopathic medicine and health  
14 sciences. A student from the university of osteopathic  
15 medicine is eligible for loan forgiveness if the student:

- 16 1. Graduates from the university of osteopathic medicine  
17 and health sciences.
- 18 2. Has completed a residency program.
- 19 3. Practices in the state of Iowa.
- 20 4. Has received a loan from moneys appropriated to the  
21 college aid commission for this program.

22 An eligible student is eligible for loan forgiveness in the  
23 amount of three thousand five hundred dollars per year of  
24 practice in the state of Iowa for up to a maximum of four  
25 years. If a student fails to complete a year of practice in  
26 the state, as practice is defined by the college aid  
27 commission, the loan amount for that year shall not be  
28 forgiven. Forgivable loans to eligible students shall not  
29 become due, for repayment purposes, until after the student  
30 has completed the student's residency.

31 Sec. 49. PHASE-OUT OF GRANTS -- PHASE-IN OF FORGIVABLE  
32 LOANS.

33 Notwithstanding sections 261.18 and 261.19A, for the fiscal  
34 year commencing July 1, 1990, and ending June 30, 1991, loans  
35 eligible for forgiveness shall be given to Iowa residents who

1 are enrolled as freshmen at the university of osteopathic  
2 medicine and health sciences of Des Moines and grant moneys  
3 shall be distributed to Iowa residents attending the  
4 university of osteopathic medicine and health sciences of Des  
5 Moines who are enrolled as sophomores, juniors, and seniors.

6 Sec. 50. Section 261.25, subsections 1, 2, and 3, Code  
7 Supplement 1989, are amended to read as follows:

8 1. There is appropriated from the general fund of the  
9 state to the commission for each fiscal year the sum of thirty  
10 thirty-two million ~~six~~ nine hundred ~~eighty-two~~ twelve thousand  
11 five eight hundred ~~five~~ dollars for tuition grants.

12 2. There is appropriated from the general fund of the  
13 state to the commission for each fiscal year the sum of eight  
14 hundred one million twenty-three thousand eight hundred forty  
15 dollars for scholarships.

16 3. There is appropriated from the general fund of the  
17 state to the commission for each fiscal year the sum of seven  
18 hundred-fifty-thousand one million three hundred thirty  
19 thousand six hundred forty-seven dollars for vocational-  
20 technical tuition grants.

21 Sec. 51.

22 Of the \$32,912,800 appropriated for tuition grants, for the  
23 fiscal year beginning July 1, 1990, and ending June 30, 1991,  
24 \$400,000 shall be expended by the college aid commission for  
25 the Iowa minority academic grants for economic success program  
26 for grants to independent colleges and universities under  
27 sections 261.101 through 261.105.

28 Sec. 52. Section 261.44, Code Supplement 1989, is amended  
29 to read as follows:

30 261.44 GUARANTEED LOAN PAYMENT PROGRAM.

31 A guaranteed loan payment program is established to be  
32 administered by the commission. The purpose of the program is  
33 to assist individuals to enter professions in areas of  
34 employment critical to the welfare of the citizens of the  
35 state. The commission shall adopt rules pursuant to chapter

1 17A to provide for the administration of the program. Moneys  
2 appropriated for the program shall be used to repay loans to  
3 students demonstrating the greatest financial need and shall  
4 not be prorated among all qualified applicants. ~~If moneys~~  
5 ~~appropriated are insufficient to repay loans to all qualified~~  
6 ~~applicants, priority shall be given to repayment of debts~~  
7 ~~under the Iowa guaranteed student loan program.~~

8 Sec. 53. Section 261.85, unnumbered paragraph 1, Code  
9 Supplement 1989, is amended to read as follows:

10 There is appropriated from the general fund of the state to  
11 the commission for each fiscal year the sum of three million  
12 two hundred ten thousand dollars for the work-study program.

13 Sec. 54. Section 262.12, Code 1989, is amended to read as  
14 follows:

15 262.12 COMMITTEES AND ADMINISTRATIVE OFFICES UNDER BOARD.

16 The board of regents shall also have and exercise all the  
17 powers necessary and convenient for the effective  
18 administration of its office and of the institutions under its  
19 control, and to this end may create such committees, offices  
20 and agencies from its own members or others, and employ  
21 persons to staff the same, fix their compensation and tenure  
22 and delegate thereto, or to the administrative officers and  
23 faculty of the institutions under its control, such part of  
24 the authority and duties vested by statute in the board, and  
25 shall formulate and establish such rules, outline such  
26 policies and prescribe such procedures therefor, all as may be  
27 desired or determined by the board as recorded in their  
28 minutes. However, the powers, rules, policies, and procedures  
29 of the board of regents shall not include a power to or a  
30 provision for the funding of the board of regents' board  
31 office by reimbursements from the institutions under its  
32 control.

33 Sec. 55. NEW SECTION. 262.34A ATHLETIC COMPENSATION  
34 POLICY.

35 The state board of regents shall investigate, review, and

1 adopt a policy permitting the compensation of collegiate  
2 athletes, who are enrolled in any of the universities and  
3 participating in a university-sponsored athletic program, by  
4 the university, alumni, or other interested person.  
5 Compensation shall include, but not be limited to,  
6 scholarships, available financial awards or resources, motor  
7 vehicles, real or personal property, or anything of value.  
8 The state board shall urge the national collegiate athletic  
9 association to adopt rules to permit the compensation of  
10 collegiate athletes. The state board shall provide the policy  
11 to the presidents, athletic directors, and the departments of  
12 athletics of the three institutions of higher education under  
13 its control. The state board shall review, update, and  
14 reissue the policy annually. However, the state board shall  
15 delay implementation of the policy until the national  
16 collegiate athletic association adopts a similar policy  
17 permitting compensation of athletes.

18 Sec. 56. NEW SECTION. 262.54 COMPUTER SALES.

19 Sales, by an institution under the control of the board of  
20 regents, of computer equipment, computer software, and  
21 computer supplies to students and faculty at the institution  
22 are retail sales under chapter 422, division IV.

23 Sec. 57. Section 279.10, subsection 1, Code 1989, is  
24 amended to read as follows:

25 1. The school year shall begin on the first day of July  
26 and each regularly established elementary and secondary school  
27 shall begin no sooner than a day during the calendar week in  
28 which the first day of September falls but no later than the  
29 first Monday in December. However, if the first day of  
30 September falls on a Sunday, school may begin on a day during  
31 the calendar week which immediately precedes the first day of  
32 September. School shall continue for at least one hundred  
33 eighty days, except as provided in subsection 3, and may be  
34 maintained during the entire calendar year. A school  
35 corporation may begin employment of personnel for in-service

1 training and development purposes before the date to begin  
2 elementary and secondary school.

3 Sec. 58. Section 279.51, subsection 1, Code Supplement  
4 1989, is amended by adding the following new unnumbered  
5 paragraph:

6 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 256A.3,  
7 subsection 6, of the amount appropriated for the fiscal year  
8 beginning July 1, 1990, less the amount allocated under  
9 paragraph "a", three and thirty-three hundredths percent may  
10 be used for administrative costs.

\* 11 Sec. 59. Section 282.28, Code 1989, is amended to read as  
12 follows:

13 282.28 CHILDREN AT ELDORA AND TOLEDO.

14 Annually, the area education agency in which the state  
15 training school and the Iowa juvenile home are located and the  
16 department of human services on behalf of the training school  
17 and juvenile home shall submit an annual joint application by  
18 January 1 for the next succeeding school year to the  
19 department of education describing the proposed special  
20 education instructional and support programs and service  
21 improvements for the training school and juvenile home. The  
22 department of education shall review and approve or modify the  
23 program and proposed budget by February 1 and shall notify the  
24 department of revenue and finance, the area education agency,  
25 and the department of human services of the approved budget  
26 amount. The moneys for the approved budget shall supplement  
27 and not supplant moneys equal to the moneys expended for  
28 education for the fiscal year beginning July 1, 1986 by the  
29 department of human services. The moneys for the approved  
30 budget shall be used to ensure that the training school and  
31 juvenile home comply with appropriate administrative rules  
32 relating to special education adopted by the department of  
33 education. The department of revenue and finance shall pay  
34 the approved budget amount for an area education agency in  
35 monthly installments beginning on September 15 and ending on

1 June 15 of the next succeeding school year. The installments  
2 shall be as nearly equal as possible as determined by the  
3 department of management, taking into consideration the  
4 relative budget and cash position of the state's resources.  
5 The department of revenue and finance shall transfer the  
6 approved budget amount for an area education agency from the  
7 moneys appropriated under section 442.26 or section 257.16 and  
8 make the payment to the area education agency.

9     The area education agency shall submit a claim an  
10 accounting to the department of education by August 1  
11 following the school year for the actual costs of the special  
12 education programs and services provided at the training  
13 school and juvenile home. The department shall review and  
14 approve or modify the claims accounting by September 1 and  
15 shall notify the department of revenue and finance of the  
16 approved claim accounting amount. ~~The total amount of the~~  
17 ~~approved claim shall be paid by the department of revenue and~~  
18 ~~finance to the area education agency by October 1. The total~~  
19 amount The department of revenue and finance shall adjust the  
20 September payment to the area education agency for the next  
21 fiscal year by the difference between the amount of the  
22 proposed budget paid to the area education agency and the  
23 amount of the actual costs as reflected in the area education  
24 agency's accounting. Any amount paid by the department of  
25 revenue and finance shall be deducted monthly from the state  
26 foundation aid paid under section 442.26 or section 257.16  
27 during ~~the remainder of~~ that fiscal year to all school  
28 districts in the state. The portion of the total amount of  
29 the approved claim accounting amount that shall be deducted  
30 from the state aid of a school district shall be the same as  
31 the ratio that the budget enrollment for the budget year of  
32 the school district bears to the total budget enrollment in  
33 the state for that budget year. ~~The department of revenue and~~  
34 ~~finance shall transfer the total amount of the approved claim~~  
35 ~~from the moneys appropriated under section 442.26 for payment~~



1 to-the-area-education-agency:

2 Sec. 60. Section 282.31, subsection 1, Code 1989, is  
3 amended to read as follows:

4 1. a. A child who lives in a facility pursuant to section  
5 282.30, subsection 1, paragraph "a", and who is not enrolled  
6 in the educational program of the district of residence of the  
7 child, shall receive appropriate educational services. The  
8 area education agency shall submit a proposed program and  
9 budget to the department of education by January 1 for the  
10 next succeeding school year. The department of education  
11 shall review and approve or modify the program and proposed  
12 budget and shall notify the department of revenue and finance  
13 and the area education agency of its action by February 1.  
14 ~~The area education agency shall submit a claim to the~~  
15 ~~department of education by August 1 following the school year~~  
16 ~~for the actual cost of the program.~~ The department of revenue  
17 and finance shall pay the approved budget amount for an area  
18 education agency in monthly installments beginning September  
19 15 and ending June 15 of the next succeeding school year. The  
20 installments shall be as nearly equal as possible as  
21 determined by the department of management, taking into  
22 consideration the relative budget and cash position of the  
23 state's resources. The department of revenue and finance  
24 shall transfer the approved budget amount for an area  
25 education agency from the moneys appropriated under section  
26 442.26 or section 257.16 and make the payment to the area  
27 education agency. The area education agency shall submit an  
28 accounting for the actual cost of the program to the  
29 department of education by August 1 of the following school  
30 year. The department shall review and approve or modify all  
31 expenditures incurred in compliance with the guidelines  
32 pursuant to section 256.7, subsection 12, and shall notify the  
33 department of revenue and finance of the approved claim  
34 accounting amount by September 1. ~~The total amount of the~~  
35 approved claim accounting amount shall be compared with any

1 amounts paid by the department of revenue and finance to the  
2 area education agency ~~by October 1~~ and any differences added  
3 to or subtracted from the October payment made under this  
4 paragraph for the next school year. ~~The total amount~~ Any  
5 amount paid by the department of revenue and finance shall be  
6 deducted monthly from the state foundation aid paid under  
7 section 442.26 or section 257.16 during the remainder of that  
8 fiscal year to all school districts in the state. The portion  
9 of the total amount of the approved ~~claims~~ budget that shall  
10 be deducted from the state aid of a school district shall be  
11 the same as the ratio that the budget enrollment for the  
12 budget year of the school district bears to the total budget  
13 enrollment in the state for that budget year. ~~The department~~  
14 ~~of revenue and finance shall transfer the total amount of the~~  
15 ~~approved claims from the moneys appropriated under section~~  
16 ~~442.26 for payment to the area education agencies.~~

17 b. A child who lives in a facility or home pursuant to  
18 section 282.19, and who does not require special education and  
19 who is not enrolled in the educational program of the district  
20 of residence of the child, shall be included in the basic  
21 enrollment of the school district in which the facility or  
22 home is located.

23 However, on June 30 of a school year, if the board of  
24 directors of a school district determines that the number of  
25 children under this paragraph who were counted in the basic  
26 enrollment of the school district on the third Friday of  
27 September of that school year is fewer than the sum of the  
28 number of months all children were enrolled in the school  
29 district under this paragraph during the school year divided  
30 by nine, the secretary of the school district may submit a  
31 claim to the department of education by August 1 following the  
32 school year for an amount equal to the district cost per pupil  
33 of the district for the previous school year multiplied by the  
34 difference between the number of children counted and the  
35 number of children calculated by the number of months of

1 enrollment. The amount of the claim shall be paid by the  
2 department of revenue and finance to the school district by  
3 October 1 ~~in-the-same-manner-as-the-claims-are-paid-under~~  
4 paragraph-"a". The department of revenue and finance shall  
5 transfer the total amount of the approved claim of a school  
6 district from the moneys appropriated under section 442.26 or  
7 under section 257.16 and the amount paid shall be deducted  
8 monthly from the state foundation aid paid during the  
9 remainder of that fiscal year to all school districts in the  
10 state in the manner provided in paragraph "a".

11 Sec. 61.

12 For the budget year beginning July 1, 1990, notwithstanding  
13 section 286A.8, the department of management shall increase  
14 the moneys generated by the library function cost by \$250,000.

15 Sec. 62. Section 294A.25, Code Supplement 1989, is amended  
16 by adding the following new subsection:

17 NEW SUBSECTION. 4A. Commencing with the fiscal year  
18 beginning July 1, 1990, the amount of sixty thousand dollars  
19 for the ambassador to education program under section 256.43.

20 Sec. 63. Section 301.30, unnumbered paragraph 4, Code  
21 Supplement 1989, is amended to read as follows:

22 Claims for reimbursement shall be made to the department of  
23 education by the public school district providing textbook  
24 services during a school year on a form prescribed by the  
25 department, and the claim shall state the services provided  
26 and the actual costs incurred. Claims shall be accompanied by  
27 an affidavit of an officer of the public school district  
28 affirming the accuracy of the claim. By February 1 and by  
29 July 15 of each year the department shall certify to the  
30 director of revenue and finance the amounts of approved claims  
31 to be paid, and the director of revenue and finance shall draw  
32 warrants payable to school districts which have established  
33 claims. ~~The public-school-district-in-which-the-pupil-resides~~  
34 ~~may-contract-with-the~~ public school district of attendance to  
35 ~~have-the-latter-school~~ shall furnish the services and shall

1 receive reimbursement ~~for the payment of said contract;~~  
2 ~~however, said~~ from the state. However, the services must be  
3 comparable to the services of the district of residence  
4 attendance and cannot exceed the per pupil cost of the program  
5 of the district of residence attendance.

6 Sec. 64. Section 303.18, unnumbered paragraph 2, Code  
7 1989, is amended to read as follows:

8 The historical division shall repay a portion of the amount  
9 of the loan together with annual interest payments due on the  
10 balance of the loan over a ten-year period commencing with the  
11 fiscal year beginning July 1, 1987. Payments shall be made  
12 from gross receipts and other moneys available to the  
13 historical division. The historical division shall solicit  
14 voluntary contributions on behalf of the historical division,  
15 at the entrance and other locations throughout the state  
16 historical building and collect entrance fees for the Montauk  
17 governor's mansion for purposes of raising funds for making  
18 payments under this section. Annual payments shall not be  
19 less than the amount of interest on the permanent school fund  
20 required to be transferred to the first in the nation in  
21 education foundation under section 302.1A or seventy-five  
22 percent of the gross receipts, whichever is greater. Payments  
23 of both principal and interest made by the state historical  
24 division under this section shall be paid quarterly and shall  
25 be considered interest earned on the permanent school fund to  
26 the extent necessary for payment of interest to the first in  
27 the nation in education foundation under section 302.1A.

28 Sec. 65. NEW SECTION. 303.89 CULTURAL GRANT PROGRAMS.

29 1. The department shall establish a grant program for  
30 cities and nonprofit, tax-exempt community organizations for  
31 the development of community programs that provide local jobs  
32 for Iowa residents and also promote Iowa's historic, ethnic,  
33 and cultural heritages through the development of festivals,  
34 music, drama, cultural programs, or tourist attractions. A  
35 city or nonprofit, tax-exempt community organization may

1 submit an application to the department for review. The  
2 department shall establish criteria for the review and  
3 approval of grant applications. The amount of a grant shall  
4 not exceed fifty percent of the cost of the community program.  
5 Each application shall include information demonstrating that  
6 the city or nonprofit, tax-exempt community organization will  
7 provide matching funds of fifty percent of the cost of the  
8 program. The matching funds requirement may be met by  
9 substituting in-kind services, based on the value of the  
10 services, for actual dollars.

11 2. The department shall establish a grant program which  
12 provides general operating budget support to major,  
13 multidisciplined cultural organizations which demonstrate  
14 cultural and managerial excellence on a continuing basis to  
15 the citizens of Iowa. Applicant organizations must be  
16 incorporated under chapter 504A, be exempt from federal  
17 taxation, and not be attached or affiliated with an  
18 educational institution. Eligible organizations shall be  
19 operated on a year-round basis and employ at least one full-  
20 time, paid professional staff member. The department shall  
21 establish criteria for review and approval of grant  
22 applications. Criteria established shall include, but are not  
23 limited to, a matching funds requirement. The matching funds  
24 requirement shall permit an applicant to meet the matching  
25 requirement by demonstrating that the applicant's budget  
26 contains funds, other than state and federal funds, in excess  
27 of the grant award.

28 3. Unobligated or unencumbered funds appropriated to the  
29 department for purposes of awarding and administering grants  
30 under this section and remaining on June 30, 1991, shall not  
31 revert to the general fund of the state under section 8.33,  
32 but shall remain available for expenditure by the department  
33 for the purposes specified in this section during the fiscal  
34 year commencing July 1, 1991.

35 Sec. 66. Section 442.4, subsection 8, Code 1989, is

1 amended to read as follows:

2 8. Notwithstanding the procedure prescribed for the  
3 calculation of budget enrollment under subsections 3 and 5, if  
4 ~~during-the-first~~ for the budget year ~~following-the-effective~~  
5 ~~date-of-a-school-district-reorganization~~ commencing July 1,  
6 1990, a reorganized school district's budget enrollment is  
7 less than the combined total of the budget enrollments of the  
8 districts involved in the reorganization calculated as if the  
9 school districts had not reorganized for that budget year, the  
10 budget enrollment of the reorganized district shall be  
11 calculated under this subsection for that budget year. The  
12 budget enrollment is the total of the budget enrollments of  
13 the districts involved in the reorganization calculated as if  
14 those districts had not reorganized minus the number of pupils  
15 residing in territory not included in the reorganized school  
16 district. For the purpose of this section, a reorganized  
17 school district is one in which the reorganization was  
18 approved in an election pursuant to sections 275.18 and 275.20  
19 and will take effect on or after July 1, 1988.

20 Sec. 67.

21 Notwithstanding section 8.33, moneys appropriated under  
22 1988 Iowa Acts, chapter 1284, section 33, subsection 2, which  
23 are unencumbered or unexpended on June 30, 1990, shall not  
24 revert to the general fund of the state, but shall remain  
25 available for expenditure for the purposes designated under  
26 section 256.33, to continue a consultant position and salary  
27 support in connection with the special projects and programs,  
28 and for special projects and programs designed to strengthen  
29 clinical experiences, student teacher programs, and technology  
30 in teacher education.

31 Sec. 68. 1989 Iowa Acts, Chapter 135, sections 88, 89, and  
32 90 are repealed.

33 Sec. 69.

34 Sections 22, 25, 26, 28, 30, 31, , 43, 66, and 67 of this  
35 Act take effect immediately upon enactment.

1      Sec. 70.

2      All federal grants to and the federal receipts of agencies  
3 appropriated funds under this Act, not otherwise appropriated,  
4 are appropriated for the purposes set forth in the federal  
5 grants or receipts, unless otherwise provided by the general  
6 assembly.

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## SENATE FILE 2423

H-6061

Amend the amendment, H-6031, to Senate File 2423,  
as amended, passed, and reprinted by the Senate, as  
follows:

1. Page 1, line 5, by striking the word "QUICKENED".
2. Page 1, line 8, by striking the word "quickenened".
3. Page 1, by striking lines 25 through 27.

By SPEAR of Lee

H-6061 FILED APRIL 3, 1990

ADOPTED (p. 1844)

## SENATE FILE 2423

H-6068

Amend Senate File 2423, as amended, passed, and re-  
printed by the Senate, as follows:

1. By striking page 34, line 11, through page 35, line 29.
2. Page 36, line 27, by striking the word "subsections" and inserting the following:  
"subsection".
3. By striking page 36, line 28, through page 37, line 34.
4. By renumbering and changing internal references as necessary.

By HATCH of Polk

H-6068 FILED APRIL 3, 1990

ADOPTED (p. 1848)



SENATE FILE 2423

H-6050

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 30, by inserting after line 34 the  
4 following:

5 "Sec. \_\_\_\_.

6 Notwithstanding the procedure provided for the  
7 calculation of the state percent of growth under  
8 section 257.8, the state percent of growth for the  
9 budget year commencing July 1, 1991, shall not exceed  
10 four and seventy-five hundredths percent."

11 2. By numbering and renumbering sections as  
12 necessary.

By PLASIER of Sioux

H-6050 FILED APRIL 3, 1990

LOST (p. 1846)

## SENATE FILE 2423

H-6038

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 38, line 30, by striking the words  
4 "paragraph b,".

5 2. Page 38, by inserting after line 32, the  
6 following:

7 "9. a. Effective July 1, 1989, through June 30,  
8 ~~1990~~ 1992, to facilitate the implementation and  
9 economical operation of the educational program  
10 defined in subsections 4 and 5, each school offering  
11 any of grades seven through twelve, except a school  
12 which offers grades one through eight as an elementary  
13 school, shall meet the media center requirements  
14 specified in section 256.11, subsection 9, paragraph  
15 "a", Code Supplement 1987."

16 3. Page 39, line 11, by striking the figure  
17 "1991" and inserting the following: "~~1991~~ 1992".

18 4. Page 39, by inserting after line 18, the  
19 following:

20 "Sec. \_\_\_\_ . Section 256.11A, subsections 3 and 4,  
21 Code Supplement 1989, are amended to read as follows:

22 3. Schools and school districts unable to meet the  
23 standard adopted by the state board under section  
24 256.17, Code Supplement 1987, and contained in section  
25 256.11, subsection 9A, effective July 1, 1989,  
26 requiring that on July 1, 1989, each board operating a  
27 kindergarten through grade twelve program provide an  
28 articulated sequential elementary-secondary guidance  
29 program may, not later than January 1, 1989, for the  
30 school year beginning July 1, 1989, file a written  
31 request to the department of education that the  
32 department waive the requirement for that school or  
33 school district. The procedures specified in  
34 subsection 5 apply to the request. Not later than  
35 January 1, 1990, for the school year beginning July 1,  
36 1990, the board or authorities may request a one-year  
37 extension of the waiver. Not later than January 1,  
38 1991, for the school year beginning July 1, 1991, the  
39 board or authorities may request an additional one-  
40 year extension of the waiver.

41 If a waiver is approved under subsection 5, the  
42 school or school district shall meet the requirements  
43 of section 256.11, subsection 9, paragraph "b", Code  
44 Supplement 1987, for the period for which the waiver  
45 is approved.

46 4. Schools and school districts are not required  
47 to meet the standard adopted by the state board of  
48 education under section 256.17, Code Supplement 1987,  
49 and contained in section 256.11, subsection 9,  
50 paragraph "b", effective July 1, 1990, that requires

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1 the board to establish and operate a media services  
2 program to support the total curriculum until July 1,  
3 1990, except as otherwise provided in this subsection.  
4 Not later than January 1, 1990, for the school year  
5 beginning July 1, 1990, the board of directors of a  
6 school district, or authorities in charge of a  
7 nonpublic school, may file a written request with the  
8 department of education that the department waive the  
9 requirement for that district or school. The  
10 procedures specified in subsection 5 apply to the  
11 request. Not later than January 1, 1991, for the  
12 school year beginning July 1, 1991, the board of  
13 directors of a school district, or authorities in  
14 charge of a nonpublic school, may file a request for a  
15 one-year extension of the waiver.

16 If a waiver is approved under subsection 5, the  
17 school district or school shall meet the requirements  
18 of section 256.11, subsection 9, paragraph "a", Code  
19 Supplement 1987, for the period for which the waiver  
20 is approved."

21 5. By numbering, renumbering, and changing  
22 internal references as necessary.

By IVERSON of Wright

H-6038 FILED APRIL 2, 1990

*Adopted 4/3 (p. 1850)*

## SENATE FILE 2423

H-6037

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 39, by inserting after line 18, the  
4 following:

5 "Sec. \_\_\_\_ . Section 256.11A, subsection 2, Code  
6 Supplement 1989, is amended to read as follows:

7 2. Schools and school districts are not required  
8 to meet the requirement stated in the standards  
9 adopted by the state board under section 256.17, Code  
10 Supplement 1987, that prohibits an individual who is  
11 employed or contracted as superintendent from also  
12 serving as a principal in that school or school  
13 district until July 17, 1990, except as otherwise  
14 provided in this subsection. Not later than January  
15 17, 1990, for the school year beginning July 17, 1990,  
16 the board of directors of a school district or  
17 authorities in charge of a nonpublic school, may file  
18 a written request with the department of education  
19 that the department waive the requirement for that  
20 district or school. The procedures specified in  
21 subsection 5 apply to the request."

22 2. By numbering, renumbering, and changing  
23 internal references as necessary.

By IVERSON of Wright

H-6037 FILED APRIL 2, 1990

*Lois 4/3 (p. 1350)*

## SENATE FILE 2423

H-6031

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 29, by inserting after line 27, the  
4 following:

5 "Sec. \_\_\_\_ . QUICKENED FETUS -- ABORTION PROHIBITED  
6 AT CERTAIN HOSPITALS -- EXCEPTIONS.

7 Except as otherwise provided in chapter 707, an  
8 abortion of a quickened fetus shall not be performed  
9 at any public hospital under the control of the state  
10 board of regents except where the attending physician  
11 certifies that one of the following conditions exists:

12 1. The fetus has not attained a gestational age  
13 greater than twenty weeks.

14 2. Continuing the pregnancy will endanger the life  
15 or the physical, mental, or emotional health of the  
16 pregnant person.

17 3. The fetus is physically deformed, mentally  
18 deficient, or afflicted with a congenital illness.

19 In making any of the determinations under this  
20 section, the physician shall exercise that degree of  
21 care, skill, and proficiency commonly exercised by the  
22 ordinarily skillful, careful, and prudent physician  
23 engaged in similar practice under the same or similar  
24 conditions.

25 For purposes of this section, "quickened fetus" is  
26 a fetus which is alive and which has developed so that  
27 it moves within the pregnant person's womb."

28 2. By numbering, renumbering, and changing  
29 internal references as necessary.

By SPEAR of Lee

H-6031 FILED APRIL 2, 1990

*House 4/3 (p. 1845)*

## SENATE FILE 2423

H-6034

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 49, line 33, by striking the word "The"  
4 and inserting the following: "Beginning with the  
5 fiscal year commencing July 1, 1990, and ending June  
6 30, 1991, and in succeeding years, the".

7 2. Page 51, line 16, by striking the word "The"  
8 and inserting the following: "Beginning with the  
9 fiscal year commencing July 1, 1990, and ending June  
10 30, 1991, and in succeeding years, the".

By SWARTZ of Marshall

H-6034 FILED APRIL 2, 1990

*Adopted 4/3 (p. 1851)*

SENATE FILE 2423

H-6066

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 13, by striking the figure  
4 "468,735" and inserting the following: "398,735".

5 2. Page 3, line 3, by striking the figure  
6 "321,600" and inserting the following: "286,600".

7 3. Page 4, line 15, by striking the figure  
8 "2,520,100" and inserting the following: "2,570,100".

9 4. Page 4, by striking lines 29 through 35.

10 5. Page 5, line 4, by striking the figure  
11 "350,000" and inserting the following: "250,000".

12 6. Page 8, by inserting after line 17, the  
13 following:

14 "\_\_\_\_. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

15 To assist a vocational agriculture youth  
16 organization sponsored by the schools to support the  
17 foundation established by that vocational agriculture  
18 youth organization:

19 ..... \$ 50,000".

20 7. Page 10, line 1, by striking the figure  
21 "3,175,215" and inserting the following: "3,200,215".

22 8. Page 10, line 12, by striking the figure "20"  
23 and inserting the following: "10".

24 9. Page 10, line 15, by striking the figure  
25 "643,053" and inserting the following: "368,413".

26 10. Page 29, by striking lines 28 through 34, and  
27 inserting the following:

28 "Sec. \_\_\_\_.

29 There is appropriated from the general fund of the  
30 state to the Iowa department of public health for the  
31 fiscal year beginning July 1, 1990, and ending June  
32 30, 1991, the following amount, or so much thereof as  
33 may be necessary, to be used for purposes of  
34 administering a graduate nursing grant program at  
35 accredited private colleges or universities:

36 ..... \$ 225,000

37 As a condition, limitation, and qualification of  
38 the funds appropriated in this paragraph, the moneys  
39 appropriated shall be used specifically for instructor  
40 salaries, equipment, student services, or rural  
41 recruitment. At least 80 percent of the students  
42 enrolled in the program shall be Iowa residents. All  
43 program participants shall be licensed to practice  
44 nursing in Iowa. The Iowa department of public health  
45 shall be responsible for the oversight and  
46 administration of the program.

47 As a condition, limitation, and qualification of  
48 the funds appropriated in this section the Iowa  
49 department of public health shall adopt rules for  
50 administration of the graduate nursing grant program."

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1 11. Page 30, by inserting after line 15 the  
2 following:  
3 "Sec. \_\_\_\_.  
4 Notwithstanding the allocation of phase III moneys  
5 under sections 294A.14 and 294A.25, for the fiscal  
6 year beginning July 1, 1990, prior to the allocation  
7 to school districts and area education agencies,  
8 \$250,000 of the moneys allocated for phase III shall  
9 be retained by the department of education to contract  
10 with the regional educational laboratory for this  
11 state to establish and monitor an independent  
12 evaluation of the operation of phase III of the  
13 educational excellence program. The regional  
14 educational laboratory shall determine the scope of  
15 the evaluation, including a methodology for the  
16 evaluation; the evaluation techniques; the sampling  
17 size for numbers of different plans to evaluate; the  
18 sampling size for numbers of interviews to be  
19 conducted with teachers, school administrators, school  
20 board members, members of the general public, and  
21 others; and the process for oversight of the  
22 evaluation. The laboratory, in consultation with the  
23 department, shall select a consortium consisting of  
24 Iowa teachers participating in phase III programs and  
25 a public or private institution of higher education  
26 offering a graduate program of teacher education to  
27 work with the laboratory in the conduct of the  
28 evaluation. The results of the evaluation shall be  
29 reported to the department of education and to the  
30 general assembly by January 1, 1992.

31 The evaluation shall be conducted using the  
32 following timetable:

33 1. By July 15, 1990, an advisory committee shall  
34 be selected by the department of education.

35 2. By August 31, 1990, the determination of the  
36 evaluation methodology and oversight process must be  
37 completed and members of the consortium selected.

38 3. By September 30, 1990, the advisory committee  
39 shall review the evaluation methodology, the  
40 laboratory shall finalize the evaluation methodology,  
41 and the laboratory shall begin training the teacher  
42 members of the consortium and consulting with the  
43 faculty of the institution of higher education.

44 4. By December 15, 1990, the first phase of the  
45 evaluation design must be implemented.

46 5. By January 15, 1991, the advisory committee  
47 shall review progress and the next phase of the  
48 evaluation design.

49 6. By May 31, 1991, the advisory committee shall  
50 review a progress report of the evaluation.

1 7. By September 30, 1991, the laboratory, with the  
2 assistance of the consortium, shall write the  
3 evaluation report.

4 8. By October 31, 1991, the advisory committee  
5 shall review the evaluation report and may suggest  
6 revisions.

7 9. By December 15, 1991, the evaluation report  
8 must be completed and prepared for distribution.

9 Moneys allocated in this section may be paid to the  
10 regional educational laboratory and to the consortium.  
11 Boards of directors of school districts and area  
12 education agencies shall allow their teachers to be  
13 members of a consortium and shall be reimbursed under  
14 the terms of the contract for the cost of salaries and  
15 benefits of each participating teacher."

16 12. Page 30, by inserting after line 26, the  
17 following:

18 "Sec. \_\_\_\_ . MODIFICATION OF RULES.

19 By October 1, 1990, the state board of education  
20 shall adopt rules which modify existing rules,  
21 relating to extended year special education, to  
22 specify that the determination of the need for  
23 extended year special education for each pupil be made  
24 by the multidisciplinary team based on empirical and  
25 quantitative data collected by the multidisciplinary  
26 team. Rules adopted shall also contain criteria which  
27 include, but are not limited to, criteria which  
28 require that extended special education be provided if  
29 a special education pupil fails to maintain an  
30 acquired critical skill, as a result of an  
31 interruption of special education instruction or  
32 support services in a critical skill area, to the  
33 extent that a period of reteaching of four or more  
34 weeks will be required."

35 13. Page 38, by striking lines 19 through 29.

36 14. Page 47, by inserting after line 12, the  
37 following:

38 "Sec. \_\_\_\_ . NEW SECTION. 261.92 DEFINITIONS.

39 When used in this division, unless the context  
40 otherwise requires:

41 1. "Accredited higher education institution" means  
42 a public institution of higher learning located in  
43 Iowa which is accredited by the north central  
44 association of colleges and secondary schools  
45 accrediting agency based on their requirements as of  
46 April 1, 1969, or an institution of higher learning  
47 located in Iowa which is operated privately and not  
48 controlled or administered by any state agency or any  
49 subdivision of the state, and which meets the  
50 following requirements:



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1 a. Is accredited by the north central association  
2 of colleges and secondary schools accrediting agency  
3 based on their requirements as of April 1, 1969, and,  
4 b. Promotes equal opportunity and affirmative  
5 action efforts in the recruitment, appointment,  
6 assignment, and advancement of personnel at the  
7 institution. In carrying out this responsibility the  
8 institution shall do all of the following:  
9 (1) Designate a position as the affirmative action  
10 coordinator.  
11 (2) Adopt affirmative action standards.  
12 (3) Gather data necessary to maintain an ongoing  
13 assessment of affirmative action efforts.  
14 (4) Monitor accomplishments with respect to  
15 affirmative action remedies identified in affirmative  
16 action plans.  
17 (5) Conduct studies of preemployment and  
18 postemployment processes in order to evaluate  
19 employment practices and develop improved methods of  
20 dealing with all employment issues related to equal  
21 employment opportunity and affirmative action.  
22 (6) Establish an equal employment committee to  
23 assist in addressing affirmative action needs,  
24 including recruitment.  
25 (7) Address equal opportunity and affirmative  
26 action training needs by doing all of the following:  
27 (a) Providing appropriate training for managers  
28 and supervisors.  
29 (b) Insuring that training is available for all  
30 staff members whose duties relate to personnel  
31 administration.  
32 (c) Investigating means for training in the area  
33 of career development.  
34 (8) Require development of equal employment  
35 opportunity reports, including the initiation of the  
36 processes necessary for the completion of the annual  
37 EEO-6 reports required by the federal equal employment  
38 opportunity commission.  
39 (9) Address equal opportunity and affirmative  
40 action policies with respect to employee benefits and  
41 leaves of absence.  
42 (10) File annual reports with the college aid  
43 commission of activities under this paragraph.  
44 2. "Commission" means the college student aid  
45 commission.  
46 3. "Financial need" means the difference between  
47 the student's financial resources available, including  
48 those available from the student's parents as  
49 determined by a completed parents' confidential  
50 statement, and the student's anticipated expenses

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1 while attending the accredited higher education  
2 institution. Financial need shall be redetermined at  
3 least annually.

4 4. "Full-time resident student" means an  
5 individual resident of Iowa who is enrolled at an  
6 accredited higher education institution in a course of  
7 study including at least twelve semester hours or the  
8 trimester equivalent of twelve semester hours or the  
9 quarter equivalent of twelve semester hours. "Course  
10 of study" does not include correspondence courses.

11 5. "Grant" means an award by the state of Iowa to  
12 a qualified resident student under the Iowa grant  
13 program.

14 6. "Part-time resident student" means an  
15 individual resident of Iowa who is enrolled at an  
16 accredited higher education institution in a course of  
17 study including at least three semester hours or the  
18 trimester or the four quarter equivalent of three  
19 semester hours. "Course of study" does not include  
20 correspondence courses.

21 7. "Qualified student" means a resident student  
22 who has established financial need and who is making  
23 satisfactory progress toward graduation.

24 Sec. \_\_\_\_ . NEW SECTION. 261.93 PROGRAM  
25 ESTABLISHED -- WHO QUALIFIED.

26 An Iowa grant program is established.

27 A grant may be awarded to a resident of Iowa who is  
28 admitted and in attendance as a full-time or part-time  
29 resident student at an accredited higher education  
30 institution and who establishes financial need.

31 Sec. \_\_\_\_ . NEW SECTION. 261.94 EXTENT OF GRANT.

32 A qualified full-time resident student may receive  
33 grants for not more than eight semesters of  
34 undergraduate study or the trimester or quarter  
35 equivalent. A qualified part-time resident student  
36 may receive grants for not more than sixteen semesters  
37 of undergraduate study or the trimester or quarter  
38 equivalent.

39 Sec. \_\_\_\_ . NEW SECTION. 261.95 AMOUNT OF GRANT.

40 1. The amount of a grant to a qualified full-time  
41 student for an academic year shall be the lesser of  
42 the student's financial need for that period or up to  
43 one thousand dollars.

44 2. The amount of a grant to a qualified part-time  
45 student enrolled in a course of study shall be equal  
46 to the average amount of a grant to a full-time  
47 student times a number which represents twenty-four  
48 semester hours, or the trimester or quarter  
49 equivalent, divided by the number of hours in which  
50 the part-time student is actually enrolled.

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1 3. A grant may be made annually for both the fall  
2 and spring semesters or the trimester equivalent.  
3 Payments under the grant shall be allocated equally  
4 among the semesters or trimesters and shall be paid at  
5 the beginning of each semester or trimester, upon  
6 certification by the accredited higher education  
7 institution that the student is admitted and in  
8 attendance. If the student discontinues attendance  
9 before the end of the semester or trimester after  
10 receiving payment under the grant, the entire amount  
11 of any refund due that student, up to the amount of  
12 any payments made under the annual grant, shall be  
13 paid by the accredited higher education institution to  
14 the state.

15 4. If a student receives financial aid under any  
16 other program, the full amount of the other financial  
17 aid shall be considered part of the student's  
18 financial resources available in determining the  
19 amount of the student's financial need for that  
20 period. In no case may the state's total financial  
21 contribution to the student's education, including  
22 financial aid under any other state program, exceed  
23 the tuition and mandatory fees at the institution  
24 which the student attends.

25 Sec. \_\_\_\_ . NEW SECTION. 261.96 ADMINISTRATION BY  
26 COMMISSION -- RULES.

27 The commission shall administer this program and  
28 shall:

29 1. Provide application forms and parents'  
30 confidential statement forms.

31 2. Adopt rules and regulations for determining  
32 financial need, defining tuition and mandatory fees,  
33 defining residence for the purposes of the Iowa grant  
34 program, determining grant award amounts on the basis  
35 of student need, processing and approving applications  
36 for grants, and determining priority of grants. The  
37 commission may provide for proration of funds if the  
38 available funds are insufficient to pay all approved  
39 grants. The proration shall take primary account of  
40 the financial need of the applicant. In determining  
41 who is a resident of Iowa, the commission's rules  
42 shall be at least as restrictive as those of the board  
43 of regents.

44 3. Approve and award grants.

45 4. Make an annual report to the governor and  
46 general assembly, and evaluate the Iowa grant program  
47 for the period. The commission may require the  
48 accredited higher education institution to promptly  
49 furnish any information which the commission may  
50 request in connection with the Iowa grant program.

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1 Sec. \_\_\_\_ . NEW SECTION. 261.97 APPLICATION FOR  
2 GRANTS.

3 Each applicant, in accordance with the rules of the  
4 commission, shall:

- 5 1. Complete and file an application for a grant.
- 6 2. Be responsible for the submission of the  
7 parents' confidential statement for processing, the  
8 processed information to be returned both to the  
9 commission and to the accredited higher education  
10 institution in which the applicant is enrolling.
- 11 3. Report promptly to the commission any  
12 information requested.
- 13 4. File a new application and parents'  
14 confidential statement annually on the basis of which  
15 the applicant's eligibility for a renewed grant will  
16 be evaluated and determined.

17 Sec. \_\_\_\_ . NEW SECTION. 261.98 ACCESS TO  
18 EDUCATION PILOT PROJECT.

19 An access to education pilot project is established  
20 for the fiscal year beginning July 1, 1990, and ending  
21 June 30, 1991, for purposes of providing grants to  
22 resident students who attend community colleges in  
23 this state. Students whose financial resources are up  
24 to twenty percent over the eligibility level for a  
25 PELL grant are eligible to receive grants under this  
26 program. Students meeting the eligibility level may  
27 receive a grant of up to two hundred fifty dollars.

28 The pilot project shall be administered by the  
29 college student aid commission. The commission shall  
30 allocate, from the amount allocated for community  
31 colleges under the Iowa grant program, five hundred  
32 thousand dollars for purposes of awarding grants under  
33 this pilot project. Community colleges which have  
34 students receiving grants under the pilot project  
35 shall provide the commission with information as to  
36 the income levels and age of grant recipients and the  
37 length of time since grant recipients have enrolled in  
38 an educational program. The commission shall tabulate  
39 and submit the information in a report to the general  
40 assembly by January 1, 1991.

41 The commission shall adopt rules for the  
42 administration of this program."

43 15. Page 49, by inserting after line 2, the  
44 following:

45 "Sec. \_\_\_\_ . Section 279.51, subsection 1, paragraph  
46 d, Code Supplement 1989, is amended to read as  
47 follows:

48 d. For the fiscal year beginning July 1, 1990,  
49 three million dollars, and for each fiscal year  
50 thereafter, four million dollars of the funds

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1 appropriated shall be allocated as grants to school  
2 districts that have elementary schools that  
3 demonstrate the greatest need for programs for at-risk  
4 students with preference given to innovative programs  
5 for the early elementary school years. Of the amount  
6 allocated under this paragraph for each fiscal year,  
7 seventy-five thousand dollars shall be allocated to  
8 school districts which have an actual student  
9 population of ten thousand or less and have an actual  
10 non-English speaking student population which  
11 represents greater than five percent of the total  
12 actual student population for grants to elementary  
13 schools in those districts."

14 16. Page 53, by inserting after line 19 the  
15 following:

16 "Sec. \_\_\_\_ . Section 298.20, Code 1989, is amended  
17 to read as follows:

18 298.20 FUNDING OR REFUNDING BONDS.

19 For the purpose of providing for the payment of any  
20 indebtedness of any school corporation represented by  
21 judgments or bonds, the board of directors of such  
22 school corporation, at any time or times, may provide  
23 by resolution for the issuance of bonds of such school  
24 corporation, to be known as funding or refunding  
25 bonds. The proceeds derived from the ~~negotiation~~  
26 public or private sale of such funding or refunding  
27 bonds shall be applied in payment of such  
28 indebtedness; or said the funding bonds or refunding  
29 bonds may be issued in exchange for the evidences of  
30 such indebtedness, par for par."

31 17. By striking page 53, line 20, through page  
32 54, line 5.

33 18. By numbering, renumbering, and changing  
34 internal references as necessary.

By COMMITTEE ON APPROPRIATIONS  
JOCHUM of Dubuque, Chairperson

H-6066 FILED APRIL 3, 1990  
ADOPTED *as amended by 6086 4/3 (p. 184)*

SENATE FILE 2423

H-6082

- 1 Amend Senate File 2423, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 47, line 33, through page 48,
- 4 line 17.
- 5 2. By renumbering as necessary.

By CORBETT of Linn  
HAMMOND of Story

H-6082 FILED APRIL 3, 1990  
ADOPTED (p. 1851)

SENATE FILE 2423

H-6086

- 1 Amend the amendment, H-6066, to Senate File 2423,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 6, by striking the figure
- 5 "286,600" and inserting the following: "250,000".

By LAGESCHULTE of Bremer

H-6086 FILED APRIL 3, 1990  
ADOPTED (p. 1840)

## SENATE FILE 2423

H-6088

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 47, by inserting after line 7, the  
4 following:

5 "Sec. \_\_\_\_\_. Section 261.50, Code Supplement 1989,  
6 is amended by adding the following new unnumbered  
7 paragraph:

8 NEW UNNUMBERED PARAGRAPH. For purposes of this  
9 section, an "eligible community" means a community  
10 which agrees to provide an eligible physician with a  
11 first year income guarantee, malpractice insurance  
12 coverage for four years, family health insurance,  
13 reimbursement for moving expenses, two weeks of  
14 vacation for each of the first four years, and one  
15 week of continuing medical education per year for four  
16 years."

17 2. By numbering, renumbering and changing  
18 internal references as necessary.

By NEUHAUSER of Johnson

H-6088 FILED APRIL 3, 1990

ADOPTED (p. 1851)

## SENATE FILE 2423

6081

1 Amend Senate File 2423 as amended, passed, and  
2 reprinted by the Senate, follows:

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

5 "Sec. \_\_\_\_ . NEW SECTION. 8.46 DEBT INSTRUMENTS  
6 INCLUSION IN BUDGET FOR APPROVAL OF THE GENERAL  
7 ASSEMBLY.

8 1. Notwithstanding any general authorization to  
9 issue bonds or incur debt to the contrary, a  
10 department or agency of the state, including the state  
11 board of regents or a regents' institution, which  
12 submits a budget proposal pursuant to this chapter,  
13 shall not borrow money or otherwise commit the state  
14 to expenditures beyond the fiscal year of the budget,  
15 without first submitting the specific proposed  
16 obligation to the general assembly for approval as  
17 part of the budget for the fiscal year in which the  
18 obligation would be incurred.

19 2. Debt instruments which shall not be utilized by  
20 a department or agency without prior approval of the  
21 specific issue by the general assembly pursuant to  
22 subsection 1 include, but are not limited to, the  
23 following:

24 a. Revenue bonds.

25 b. Academic or regents' bonds.

26 c. Master lease-purchase or long-term lease.

27 d. Tax anticipation notes.

28 e. Any debt instrument or contract which commits  
29 the full faith and credit of the state to pay an  
30 obligation beyond the fiscal year of the budget.

31 3. A department or agency, including the state  
32 board of regents or a regents' institution, shall  
33 submit as part of the annual budget proposal a debt  
34 report, and the department of management shall prepare  
35 an annual state public debt report as part of the  
36 governor's proposed budget. A debt report shall  
37 include at minimum the following information for a  
38 department or agency, or for the state, the aggregate  
39 of individual departmental and agency debt reports:

40 a. Total debt currently outstanding. For purposes  
41 of this subsection "debt" includes any form of  
42 obligation restricted by subsections 1 and 2.

43 b. Total debt currently outstanding by form of the  
44 obligation.

45 c. Total debt service charges, and debt service  
46 charges as a percentage of the proposed budget.

47 d. Proposed new debt obligations for the fiscal  
48 year by specific issue, and form, including a  
49 description of the purpose for which debt is proposed  
50 to be incurred.



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Page 2

- 1 e. Source of moneys for repaying each existing
- 2 obligation, and for payment of any proposed new debt.
- 3 The department of management may by rule establish
- 4 standard form and contents for debt reports."
- 5 2. By renumbering as necessary.

By MAULSBY of Calhoun

H-6081 FILED APRIL 3, 1990

ADOPTED, RECONSIDERED AND LOST (p. 1853)

HOUSE FILE 2423

H-6076

- 1 Amend Senate File 2423, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 55, line 35, through page 56,
- 4 line 19.
- 5 2. By renumbering as necessary.

By HALVORSON of Clayton  
HARBOR of Mills  
ROYER of Page

H-6076 FILED APRIL 3, 1990

LOST (p. 1852)

SENATE FILE 2423

H-6069

- 1 Amend Senate File 2423, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 10, by striking lines 6 and 7, and
- 4 inserting the following: "project, if a requirement
- 5 to develop guidelines for school lunch and breakfast
- 6 programs and to plan a nutrition pilot project is".
- 7 2. Page 24, line 4, by inserting after the word
- 8 "maintenance," the following: "equipment,".
- 9 3. Page 26, line 12, by inserting after the word
- 10 "maintenance," the following: "equipment,".

By HATCH of Polk

H-6069 FILED APRIL 3, 1990

ADOPTED (p. 1841)

SENATE FILE 2423

H-6074

- 1 Amend Senate File 2423, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 20, line 33, through page 21,
- 4 line 1.
- 5 2. Page 29, by striking lines 6 through 17, and
- 6 inserting the following:
- 7 "Sec. \_\_\_\_\_.
- 8 Reallocations of sums received under section 15,
- 9 subsections 2, 3, 4, 5, and 6, including sums received
- 10 for salaries, shall be reported on a quarterly basis
- 11 to the co-chairpersons and ranking members of both the
- 12 legislative fiscal committee and the education
- 13 appropriations joint subcommittee."
- 14 3. By numbering, renumbering and changing
- 15 internal references as necessary.

By HATCH of Polk

H-6074 FILED APRIL 3, 1990

ADOPTED (p. 1843)

SENATE FILE 2423

H-6078

1 Amend Senate File 2423 as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 11, line 9, by striking the figure  
4 "84,075,560" and inserting the following:  
5 "86,316,796".

6 2. Page 11, by striking lines 10 through 24, and  
7 inserting the following:

8	"a. Merged Area I.....	\$ 3,936,168
9	b. Merged Area II.....	\$ 4,909,784
10	c. Merged Area III.....	\$ 4,646,625
11	d. Merged Area IV.....	\$ 2,301,829
12	e. Merged Area V.....	\$ 4,714,422
13	f. Merged Area VI.....	\$ 4,731,678
14	g. Merged Area VII.....	\$ 6,656,574
15	h. Merged Area IX.....	\$ 7,339,996
16	i. Merged Area X.....	\$ 11,444,016
17	j. Merged Area XI.....	\$ 12,349,593
18	k. Merged Area XII.....	\$ 5,144,554
19	l. Merged Area XIII.....	\$ 5,081,695
20	m. Merged Area XIV.....	\$ 2,252,941
21	n. Merged Area XV.....	\$ 6,866,253
22	o. Merged Area XVI.....	\$ 3,940,668

23 As a condition, limitation, and qualification of  
24 the moneys appropriated in this subsection, the merged  
25 area schools shall expend at least \$2,100,000 for  
26 additional salary increases for full-time  
27 nonadministrative licensed faculty members and at  
28 least \$141,235 for additional salary increases for  
29 full-time salaried professional employees other than  
30 administrators, faculty, and hourly support staff at  
31 each merged area school. For purposes of this  
32 subsection, full-time licensed faculty includes  
33 instructors who teach at an area school on a half-time  
34 basis or more. Distribution of the moneys for salary  
35 increases shall be negotiated pursuant to chapter 20,  
36 if the licensed nonadministrative faculty members of  
37 the merged area school are organized for collective  
38 bargaining purposes. For purposes of this subsection,  
39 professional staff includes employees of an area  
40 school such as academic advisors, media specialists,  
41 student services staff, financial aid advisors, data  
42 processing staff, program coordinators, counselors,  
43 librarians who are not licensed faculty members, and  
44 other staff members who are funded pursuant to an  
45 existing area school foundation formula cost center  
46 under chapter 286A."

47 3. By striking page 12, line 23, through page 13,  
48 line 12.

49 4. Page 13, line 25, by striking the figure  
50 "14,809,864" and inserting the following:

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Page 2

1 "15,205,373".

2 5. By striking page 13, line 29, through page 14,  
3 line 33, and inserting the following:

4	"a. Merged Area I.....	\$	704,974
5	b. Merged Area II.....	\$	879,444
6	c. Merged Area III.....	\$	832,391
7	d. Merged Area IV.....	\$	379,320
8	e. Merged Area V.....	\$	844,401
9	f. Merged Area VI.....	\$	847,516
10	g. Merged Area VII.....	\$	1,058,390
11	h. Merged Area IX.....	\$	1,314,655
12	i. Merged Area X.....	\$	1,961,430
13	j. Merged Area XI.....	\$	2,211,876
14	k. Merged Area XII.....	\$	921,500
15	l. Merged Area XIII.....	\$	910,137
16	m. Merged Area XIV.....	\$	403,567
17	n. Merged Area XV.....	\$	1,229,954
18	o. Merged Area XVI.....	\$	705,818

19 As a condition, limitation, and qualification of  
20 the moneys appropriated in this subsection, the merged  
21 area schools shall expend at least \$370,588 for  
22 additional salary increases for full-time  
23 nonadministrative licensed faculty members and at  
24 least \$24,922 for additional salary increases for  
25 full-time salaried professional employees other than  
26 administrators, faculty, and hourly support staff at  
27 each merged area school. For purposes of this  
28 subsection, full-time licensed faculty includes  
29 instructors who teach at an area school on a half-time  
30 basis or more. Distribution of the moneys for salary  
31 increases shall be negotiated pursuant to chapter 20,  
32 if the licensed nonadministrative faculty members of  
33 the merged area school are organized for collective  
34 bargaining purposes. For purposes of this subsection,  
35 professional staff includes employees of an area  
36 school such as academic advisors, media specialists,  
37 student services staff, financial aid advisors, data  
38 processing staff, program coordinators, counselors,  
39 librarians who are not licensed faculty members, and  
40 other staff members who are funded pursuant to an  
41 existing area school foundation formula cost center  
42 under chapter 286A. Payments for salary increases  
43 under this subsection shall be accrued as income and  
44 used for salary increases for the fiscal year  
45 beginning July 1, 1990, and ending June 30, 1991."

46 6. By renumbering as necessary.

By HATCH of Polk

H-6078 FILED APRIL 3, 1990

ADOPTED (p. 1843)

HOUSE AMENDMENT TO  
SENATE FILE 2423

S-5881

1 Amend Senate File 2423, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 13, by striking the figure  
4 "468,735" and inserting the following: "398,735".

5 2. Page 3, line 3, by striking the figure  
6 "321,600" and inserting the following: "250,000".

7 3. Page 4, line 15, by striking the figure  
8 "2,520,100" and inserting the following: "2,570,100".

9 4. Page 4, by striking lines 29 through 35.

10 5. Page 5, line 4, by striking the figure  
11 "350,000" and inserting the following: "250,000".

12 6. Page 8, by inserting after line 17, the  
13 following:

14 " . VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

15 To assist a vocational agriculture youth  
16 organization sponsored by the schools to support the  
17 foundation established by that vocational agriculture  
18 youth organization:

19 ..... \$ 50,000".

20 7. Page 10, line 1, by striking the figure  
21 "3,175,215" and inserting the following: "3,200,215".

22 8. Page 10, by striking lines 6 and 7, and  
23 inserting the following: "project, if a requirement  
24 to develop guidelines for school lunch and breakfast  
25 programs and to plan a nutrition pilot project is".

26 9. Page 10, line 12, by striking the figure "20"  
27 and inserting the following: "10".

28 10. Page 10, line 15, by striking the figure  
29 "643,053" and inserting the following: "368,413".

30 11. Page 11, line 9, by striking the figure  
31 "84,075,560" and inserting the following:

32 "86,316,796".

33 12. Page 11, by striking lines 10 through 24, and  
34 inserting the following:

35 "a. Merged Area I..... \$ 3,936,168

36 b. Merged Area II..... \$ 4,909,784

37 c. Merged Area III..... \$ 4,646,625

38 d. Merged Area IV..... \$ 2,301,829

39 e. Merged Area V..... \$ 4,714,422

40 f. Merged Area VI..... \$ 4,731,678

41 g. Merged Area VII..... \$ 6,656,574

42 h. Merged Area IX..... \$ 7,339,996

43 i. Merged Area X..... \$ 11,444,016

44 j. Merged Area XI..... \$ 12,349,593

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50 As a condition, limitation, and qualification of

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Page 2

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2 area schools shall expend at least \$2,100,000 for  
3 additional salary increases for full-time  
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5 least \$141,235 for additional salary increases for  
6 full-time salaried professional employees other than  
7 administrators, faculty, and hourly support staff at  
8 each merged area school. For purposes of this  
9 subsection, full-time licensed faculty includes  
10 instructors who teach at an area school on a half-time  
11 basis or more. Distribution of the moneys for salary  
12 increases shall be negotiated pursuant to chapter 20,  
13 if the licensed nonadministrative faculty members of  
14 the merged area school are organized for collective  
15 bargaining purposes. For purposes of this subsection,  
16 professional staff includes employees of an area  
17 school such as academic advisors, media specialists,  
18 student services staff, financial aid advisors, data  
19 processing staff, program coordinators, counselors,  
20 librarians who are not licensed faculty members, and  
21 other staff members who are funded pursuant to an  
22 existing area school foundation formula cost center  
23 under chapter 286A."

24 13. By striking page 12, line 23, through page  
25 13, line 12.

26 14. Page 13, line 25, by striking the figure  
27 "14,809,864" and inserting the following:  
28 "15,205,373".

29 15. By striking page 13, line 29, through page  
30 14, line 33, and inserting the following:

31	"a. Merged Area I.....	\$	704,974
32	b. Merged Area II.....	\$	879,444
33	c. Merged Area III.....	\$	832,391
34	d. Merged Area IV.....	\$	379,320
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46 As a condition, limitation, and qualification of  
47 the moneys appropriated in this subsection, the merged  
48 area schools shall expend at least \$370,588 for  
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50 nonadministrative licensed faculty members and at

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Page 3

1 least \$24,922 for additional salary increases for  
 2 full-time salaried professional employees other than  
 3 administrators, faculty, and hourly support staff at  
 4 each merged area school. For purposes of this  
 5 subsection, full-time licensed faculty includes  
 6 instructors who teach at an area school on a half-time  
 7 basis or more. Distribution of the moneys for salary  
 8 increases shall be negotiated pursuant to chapter 20,  
 9 if the licensed nonadministrative faculty members of  
 10 the merged area school are organized for collective  
 11 bargaining purposes. For purposes of this subsection,  
 12 professional staff includes employees of an area  
 13 school such as academic advisors, media specialists,  
 14 student services staff, financial aid advisors, data  
 15 processing staff, program coordinators, counselors,  
 16 librarians who are not licensed faculty members, and  
 17 other staff members who are funded pursuant to an  
 18 existing area school foundation formula cost center  
 19 under chapter 286A. Payments for salary increases  
 20 under this subsection shall be accrued as income and  
 21 used for salary increases for the fiscal year  
 22 beginning July 1, 1990, and ending June 30, 1991."

23 16. By striking page 20, line 33, through page  
 24 21, line 1.

25 17. Page 24, line 4, by inserting after the word  
 26 "maintenance," the following: "equipment,".

27 18. Page 26, line 12, by inserting after the word  
 28 "maintenance," the following: "equipment,".

29 19. Page 29, by striking lines 6 through 17, and  
 30 inserting the following:

31 "Sec. \_\_\_\_.

32 Reallocations of sums received under section 15,  
 33 subsections 2, 3, 4, 5, and 6, including sums received  
 34 for salaries, shall be reported on a quarterly basis  
 35 to the co-chairpersons and ranking members of both the  
 36 legislative fiscal committee and the education  
 37 appropriations joint subcommittee."

38 20. Page 29, by striking lines 28 through 34, and  
 39 inserting the following:

40 "Sec. \_\_\_\_.

41 There is appropriated from the general fund of the  
 42 state to the Iowa department of public health for the  
 43 fiscal year beginning July 1, 1990, and ending June  
 44 30, 1991, the following amount, or so much thereof as  
 45 may be necessary, to be used for purposes of  
 46 administering a graduate nursing grant program at  
 47 accredited private colleges or universities:

48 ..... \$ 225,000

49 As a condition, limitation, and qualification of  
 50 the funds appropriated in this paragraph, the moneys

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1 appropriated shall be used specifically for instructor  
2 salaries, equipment, student services, or rural  
3 recruitment. At least 80 percent of the students  
4 enrolled in the program shall be Iowa residents. All  
5 program participants shall be licensed to practice  
6 nursing in Iowa. The Iowa department of public health  
7 shall be responsible for the oversight and  
8 administration of the program.

9 As a condition, limitation, and qualification of  
10 the funds appropriated in this section the Iowa  
11 department of public health shall adopt rules for  
12 administration of the graduate nursing grant program."

13 21. Page 30, by inserting after line 15 the  
14 following:

15 "Sec. \_\_\_\_.

16 Notwithstanding the allocation of phase III moneys  
17 under sections 294A.14 and 294A.25, for the fiscal  
18 year beginning July 1, 1990, prior to the allocation  
19 to school districts and area education agencies,  
20 \$250,000 of the moneys allocated for phase III shall  
21 be retained by the department of education to contract  
22 with the regional educational laboratory for this  
23 state to establish and monitor an independent  
24 evaluation of the operation of phase III of the  
25 educational excellence program. The regional  
26 educational laboratory shall determine the scope of  
27 the evaluation, including a methodology for the  
28 evaluation; the evaluation techniques; the sampling  
29 size for numbers of different plans to evaluate; the  
30 sampling size for numbers of interviews to be  
31 conducted with teachers, school administrators, school  
32 board members, members of the general public, and  
33 others; and the process for oversight of the  
34 evaluation. The laboratory, in consultation with the  
35 department, shall select a consortium consisting of  
36 Iowa teachers participating in phase III programs and  
37 a public or private institution of higher education  
38 offering a graduate program of teacher education to  
39 work with the laboratory in the conduct of the  
40 evaluation. The results of the evaluation shall be  
41 reported to the department of education and to the  
42 general assembly by January 1, 1992.

43 The evaluation shall be conducted using the  
44 following timetable:

45 1. By July 15, 1990, an advisory committee shall  
46 be selected by the department of education.

47 2. By August 31, 1990, the determination of the  
48 evaluation methodology and oversight process must be  
49 completed and members of the consortium selected.

50 3. By September 30, 1990, the advisory committee

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Page 5

1 shall review the evaluation methodology, the  
2 laboratory shall finalize the evaluation methodology,  
3 and the laboratory shall begin training the teacher  
4 members of the consortium and consulting with the  
5 faculty of the institution of higher education.

6 4. By December 15, 1990, the first phase of the  
7 evaluation design must be implemented.

8 5. By January 15, 1991, the advisory committee  
9 shall review progress and the next phase of the  
10 evaluation design.

11 6. By May 31, 1991, the advisory committee shall  
12 review a progress report of the evaluation.

13 7. By September 30, 1991, the laboratory, with the  
14 assistance of the consortium, shall write the  
15 evaluation report.

16 8. By October 31, 1991, the advisory committee  
17 shall review the evaluation report and may suggest  
18 revisions.

19 9. By December 15, 1991, the evaluation report  
20 must be completed and prepared for distribution.

21 Moneys allocated in this section may be paid to the  
22 regional educational laboratory and to the consortium.  
23 Boards of directors of school districts and area  
24 education agencies shall allow their teachers to be  
25 members of a consortium and shall be reimbursed under  
26 the terms of the contract for the cost of salaries and  
27 benefits of each participating teacher."

28 22. Page 30, by inserting after line 26, the  
29 following:

30 "Sec. \_\_\_\_ . MODIFICATION OF RULES.

31 By October 1, 1990, the state board of education  
32 shall adopt rules which modify existing rules,  
33 relating to extended year special education, to  
34 specify that the determination of the need for  
35 extended year special education for each pupil be made  
36 by the multidisciplinary team based on empirical and  
37 quantitative data collected by the multidisciplinary  
38 team. Rules adopted shall also contain criteria which  
39 include, but are not limited to, criteria which  
40 require that extended special education be provided if  
41 a special education pupil fails to maintain an  
42 acquired critical skill, as a result of an  
43 interruption of special education instruction or  
44 support services in a critical skill area, to the  
45 extent that a period of reteaching of four or more  
46 weeks will be required."

47 23. By striking page 34, line 11, through page  
48 35, line 29.

49 24. Page 36, line 27, by striking the word  
50 "subsections" and inserting the following:



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Page 6

- 1 "subsection".
- 2 25. By striking page 36, line 28, through page  
3 37, line 34.
- 4 26. Page 38, by striking lines 19 through 29.
- 5 27. Page 38, line 30, by striking the words  
6 "paragraph b,".
- 7 28. Page 38, by inserting after line 32, the  
8 following:
- 9 "9. a. Effective July 1, 1989, through June 30,  
10 ~~1990~~ 1992, to facilitate the implementation and  
11 economical operation of the educational program  
12 defined in subsections 4 and 5, each school offering  
13 any of grades seven through twelve, except a school  
14 which offers grades one through eight as an elementary  
15 school, shall meet the media center requirements  
16 specified in section 256.11, subsection 9, paragraph  
17 "a", Code Supplement 1987."
- 18 29. Page 39, line 11, by striking the figure  
19 "1991" and inserting the following: "~~1991~~ 1992".
- 20 30. Page 39, by inserting after line 18, the  
21 following:
- 22 "Sec. \_\_\_\_ . Section 256.11A, subsections 3 and 4,  
23 Code Supplement 1989, are amended to read as follows:
- 24 3. Schools and school districts unable to meet the  
25 standard adopted by the state board under section  
26 256.17, Code Supplement 1987, and contained in section  
27 256.11, subsection 9A, effective July 1, 1989,  
28 requiring that on July 1, 1989, each board operating a  
29 kindergarten through grade twelve program provide an  
30 articulated sequential elementary-secondary guidance  
31 program may, not later than January 1, 1989, for the  
32 school year beginning July 1, 1989, file a written  
33 request to the department of education that the  
34 department waive the requirement for that school or  
35 school district. The procedures specified in  
36 subsection 5 apply to the request. Not later than  
37 January 1, 1990, for the school year beginning July 1,  
38 1990, the board or authorities may request a one-year  
39 extension of the waiver. Not later than January 1,  
40 1991, for the school year beginning July 1, 1991, the  
41 board or authorities may request an additional one-  
42 year extension of the waiver.
- 43 If a waiver is approved under subsection 5, the  
44 school or school district shall meet the requirements  
45 of section 256.11, subsection 9, paragraph "b", Code  
46 Supplement 1987, for the period for which the waiver  
47 is approved.
- 48 4. Schools and school districts are not required  
49 to meet the standard adopted by the state board of  
50 education under section 256.17, Code Supplement 1987,

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1 and contained in section 256.11, subsection 9,  
2 paragraph "b", effective July 1, 1990, that requires  
3 the board to establish and operate a media services  
4 program to support the total curriculum until July 1,  
5 1990, except as otherwise provided in this subsection.  
6 Not later than January 1, 1990, for the school year  
7 beginning July 1, 1990, the board of directors of a  
8 school district, or authorities in charge of a  
9 nonpublic school, may file a written request with the  
10 department of education that the department waive the  
11 requirement for that district or school. The  
12 procedures specified in subsection 5 apply to the  
13 request. Not later than January 1, 1991, for the  
14 school year beginning July 1, 1991, the board of  
15 directors of a school district, or authorities in  
16 charge of a nonpublic school, may file a request for a  
17 one-year extension of the waiver.

18 If a waiver is approved under subsection 5, the  
19 school district or school shall meet the requirements  
20 of section 256.11, subsection 9, paragraph "a", Code  
21 Supplement 1987, for the period for which the waiver  
22 is approved."

23 31. Page 47, by inserting after line 7, the  
24 following:

25 "Sec. \_\_\_\_ . Section 261.50, Code Supplement 1989,  
26 is amended by adding the following new unnumbered  
27 paragraph:

28 NEW UNNUMBERED PARAGRAPH. For purposes of this  
29 section, an "eligible community" means a community  
30 which agrees to provide an eligible physician with a  
31 first year income guarantee, malpractice insurance  
32 coverage for four years, family health insurance,  
33 reimbursement for moving expenses, two weeks of  
34 vacation for each of the first four years, and one  
35 week of continuing medical education per year for four  
36 years."

37 32. Page 47, by inserting after line 12, the  
38 following:

39 "Sec. \_\_\_\_ . NEW SECTION. 261.92 DEFINITIONS.

40 When used in this division, unless the context  
41 otherwise requires:

42 1. "Accredited higher education institution" means  
43 a public institution of higher learning located in  
44 Iowa which is accredited by the north central  
45 association of colleges and secondary schools  
46 accrediting agency based on their requirements as of  
47 April 1, 1969, or an institution of higher learning  
48 located in Iowa which is operated privately and not  
49 controlled or administered by any state agency or any  
50 subdivision of the state, and which meets the

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1 following requirements:

- 2 a. Is accredited by the north central association  
3 of colleges and secondary schools accrediting agency  
4 based on their requirements as of April 1, 1969, and,  
5 b. Promotes equal opportunity and affirmative  
6 action efforts in the recruitment, appointment,  
7 assignment, and advancement of personnel at the  
8 institution. In carrying out this responsibility the  
9 institution shall do all of the following:
- 10 (1) Designate a position as the affirmative action  
11 coordinator.
- 12 (2) Adopt affirmative action standards.
- 13 (3) Gather data necessary to maintain an ongoing  
14 assessment of affirmative action efforts.
- 15 (4) Monitor accomplishments with respect to  
16 affirmative action remedies identified in affirmative  
17 action plans.
- 18 (5) Conduct studies of preemployment and  
19 postemployment processes in order to evaluate  
20 employment practices and develop improved methods of  
21 dealing with all employment issues related to equal  
22 employment opportunity and affirmative action.
- 23 (6) Establish an equal employment committee to  
24 assist in addressing affirmative action needs,  
25 including recruitment.
- 26 (7) Address equal opportunity and affirmative  
27 action training needs by doing all of the following:
- 28 (a) Providing appropriate training for managers  
29 and supervisors.
- 30 (b) Insuring that training is available for all  
31 staff members whose duties relate to personnel  
32 administration.
- 33 (c) Investigating means for training in the area  
34 of career development.
- 35 (8) Require development of equal employment  
36 opportunity reports, including the initiation of the  
37 processes necessary for the completion of the annual  
38 EEO-6 reports required by the federal equal employment  
39 opportunity commission.
- 40 (9) Address equal opportunity and affirmative  
41 action policies with respect to employee benefits and  
42 leaves of absence.
- 43 (10) File annual reports with the college aid  
44 commission of activities under this paragraph.
- 45 2. "Commission" means the college student aid  
46 commission.
- 47 3. "Financial need" means the difference between  
48 the student's financial resources available, including  
49 those available from the student's parents as  
50 determined by a completed parents' confidential

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1 statement, and the student's anticipated expenses  
2 while attending the accredited higher education  
3 institution. Financial need shall be redetermined at  
4 least annually.

5 4. "Full-time resident student" means an  
6 individual resident of Iowa who is enrolled at an  
7 accredited higher education institution in a course of  
8 study including at least twelve semester hours or the  
9 trimester equivalent of twelve semester hours or the  
10 quarter equivalent of twelve semester hours. "Course  
11 of study" does not include correspondence courses.

12 5. "Grant" means an award by the state of Iowa to  
13 a qualified resident student under the Iowa grant  
14 program.

15 6. "Part-time resident student" means an  
16 individual resident of Iowa who is enrolled at an  
17 accredited higher education institution in a course of  
18 study including at least three semester hours or the  
19 trimester or the four quarter equivalent of three  
20 semester hours. "Course of study" does not include  
21 correspondence courses.

22 7. "Qualified student" means a resident student  
23 who has established financial need and who is making  
24 satisfactory progress toward graduation.

25 Sec. \_\_\_\_ . NEW SECTION. 261.93 PROGRAM  
26 ESTABLISHED -- WHO QUALIFIED.

27 An Iowa grant program is established.

28 A grant may be awarded to a resident of Iowa who is  
29 admitted and in attendance as a full-time or part-time  
30 resident student at an accredited higher education  
31 institution and who establishes financial need.

32 Sec. \_\_\_\_ . NEW SECTION. 261.94 EXTENT OF GRANT.

33 A qualified full-time resident student may receive  
34 grants for not more than eight semesters of  
35 undergraduate study or the trimester or quarter  
36 equivalent. A qualified part-time resident student  
37 may receive grants for not more than sixteen semesters  
38 of undergraduate study or the trimester or quarter  
39 equivalent.

40 Sec. \_\_\_\_ . NEW SECTION. 261.95 AMOUNT OF GRANT.

41 1. The amount of a grant to a qualified full-time  
42 student for an academic year shall be the lesser of  
43 the student's financial need for that period or up to  
44 one thousand dollars.

45 2. The amount of a grant to a qualified part-time  
46 student enrolled in a course of study shall be equal  
47 to the average amount of a grant to a full-time  
48 student times a number which represents twenty-four  
49 semester hours, or the trimester or quarter  
50 equivalent, divided by the number of hours in which

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1 the part-time student is actually enrolled.

2 3. A grant may be made annually for both the fall  
3 and spring semesters or the trimester equivalent.  
4 Payments under the grant shall be allocated equally  
5 among the semesters or trimesters and shall be paid at  
6 the beginning of each semester or trimester, upon  
7 certification by the accredited higher education  
8 institution that the student is admitted and in  
9 attendance. If the student discontinues attendance  
10 before the end of the semester or trimester after  
11 receiving payment under the grant, the entire amount  
12 of any refund due that student, up to the amount of  
13 any payments made under the annual grant, shall be  
14 paid by the accredited higher education institution to  
15 the state.

16 4. If a student receives financial aid under any  
17 other program, the full amount of the other financial  
18 aid shall be considered part of the student's  
19 financial resources available in determining the  
20 amount of the student's financial need for that  
21 period. In no case may the state's total financial  
22 contribution to the student's education, including  
23 financial aid under any other state program, exceed  
24 the tuition and mandatory fees at the institution  
25 which the student attends.

26 Sec. \_\_\_\_ . NEW SECTION. 261.96 ADMINISTRATION BY  
27 COMMISSION -- RULES.

28 The commission shall administer this program and  
29 shall:

30 1. Provide application forms and parents'  
31 confidential statement forms.

32 2. Adopt rules and regulations for determining  
33 financial need, defining tuition and mandatory fees,  
34 defining residence for the purposes of the Iowa grant  
35 program, determining grant award amounts on the basis  
36 of student need, processing and approving applications  
37 for grants, and determining priority of grants. The  
38 commission may provide for proration of funds if the  
39 available funds are insufficient to pay all approved  
40 grants. The proration shall take primary account of  
41 the financial need of the applicant. In determining  
42 who is a resident of Iowa, the commission's rules  
43 shall be at least as restrictive as those of the board  
44 of regents.

45 3. Approve and award grants.

46 4. Make an annual report to the governor and  
47 general assembly, and evaluate the Iowa grant program  
48 for the period. The commission may require the  
49 accredited higher education institution to promptly  
50 furnish any information which the commission may

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1 request in connection with the Iowa grant program.

2 Sec. \_\_\_\_ . NEW SECTION. 261.97 APPLICATION FOR

3 GRANTS.

4 Each applicant, in accordance with the rules of the  
5 commission, shall:

6 1. Complete and file an application for a grant.

7 2. Be responsible for the submission of the  
8 parents' confidential statement for processing, the  
9 processed information to be returned both to the  
10 commission and to the accredited higher education  
11 institution in which the applicant is enrolling.

12 3. Report promptly to the commission any  
13 information requested.

14 4. File a new application and parents'  
15 confidential statement annually on the basis of which  
16 the applicant's eligibility for a renewed grant will  
17 be evaluated and determined.

18 Sec. \_\_\_\_ . NEW SECTION. 261.98 ACCESS TO  
19 EDUCATION PILOT PROJECT.

20 An access to education pilot project is established  
21 for the fiscal year beginning July 1, 1990, and ending  
22 June 30, 1991, for purposes of providing grants to  
23 resident students who attend community colleges in  
24 this state. Students whose financial resources are up  
25 to twenty percent over the eligibility level for a  
26 PELL grant are eligible to receive grants under this  
27 program. Students meeting the eligibility level may  
28 receive a grant of up to two hundred fifty dollars.

29 The pilot project shall be administered by the  
30 college student aid commission. The commission shall  
31 allocate, from the amount allocated for community  
32 colleges under the Iowa grant program, five hundred  
33 thousand dollars for purposes of awarding grants under  
34 this pilot project. Community colleges which have  
35 students receiving grants under the pilot project  
36 shall provide the commission with information as to  
37 the income levels and age of grant recipients and the  
38 length of time since grant recipients have enrolled in  
39 an educational program. The commission shall tabulate  
40 and submit the information in a report to the general  
41 assembly by January 1, 1991.

42 The commission shall adopt rules for the  
43 administration of this program."

44 33. By striking page 47, line 33, through page  
45 48, line 17.

46 34. Page 49, by inserting after line 2, the  
47 following:

48 "Sec. \_\_\_\_ . Section 279.51, subsection 1, paragraph  
49 d, Code Supplement 1989, is amended to read as  
50 follows:

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1 d. For the fiscal year beginning July 1, 1990,  
2 three million dollars, and for each fiscal year  
3 thereafter, four million dollars of the funds  
4 appropriated shall be allocated as grants to school  
5 districts that have elementary schools that  
6 demonstrate the greatest need for programs for at-risk  
7 students with preference given to innovative programs  
8 for the early elementary school years. Of the amount  
9 allocated under this paragraph for each fiscal year,  
10 seventy-five thousand dollars shall be allocated to  
11 school districts which have an actual student  
12 population of ten thousand or less and have an actual  
13 non-English speaking student population which  
14 represents greater than five percent of the total  
15 actual student population for grants to elementary  
16 schools in those districts."

17 35. Page 49, line 33, by striking the word "The"  
18 and inserting the following: "Beginning with the  
19 fiscal year commencing July 1, 1990, and ending June  
20 30, 1991, and in succeeding years, the".

21 36. Page 51, line 16, by striking the word "The"  
22 and inserting the following: "Beginning with the  
23 fiscal year commencing July 1, 1990, and ending June  
24 30, 1991, and in succeeding years, the".

25 37. Page 53, by inserting after line 19 the  
26 following:

27 "Sec. \_\_\_\_ . Section 298.20, Code 1989, is amended  
28 to read as follows:

29 298.20 FUNDING OR REFUNDING BONDS.

30 For the purpose of providing for the payment of any  
31 indebtedness of any school corporation represented by  
32 judgments or bonds, the board of directors of such  
33 school corporation, at any time or times, may provide  
34 by resolution for the issuance of bonds of such school  
35 corporation, to be known as funding or refunding  
36 bonds. The proceeds derived from the ~~negotiation~~  
37 public or private sale of such funding or refunding  
38 bonds shall be applied in payment of such  
39 indebtedness; or said the funding bonds or refunding  
40 bonds may be issued in exchange for the evidences of  
41 such indebtedness, par for par."

42 38. By striking page 53, line 20, through page  
43 54, line 5.

44 39. By renumbering, relettering, or redesignating  
45 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5881 FILED APRIL 4, 1990

*Senate Amended (5939) + Concurred 4/6 (p. 1606)*

SENATE FILE 2423

S-5934

1 Amend the House amendment, S-5881, to Senate File  
2 2423, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by striking lines 3 and 4.

5 2. Page 1, line 6, by striking the figure  
6 "250,000" and inserting the following: "286,600".

7 3. Page 1, by inserting after line 19, the  
8 following:

9 "\_\_\_\_\_. Page 9, by striking lines 11 and 12, and  
10 inserting the following: "before selection of any  
11 system or systems. Funds appropriated in this  
12 subsection may be"."

13 4. Page 1, by striking lines 22 through 29, and  
14 inserting the following:

15 "\_\_\_\_\_. Page 10, by striking lines 4 through 6, and  
16 inserting the following: "appropriated in this  
17 subsection, of the \$3,200,215 available, \$25,000 shall  
18 be used to develop guidelines for school lunch and  
19 breakfast programs and to plan a nutrition pilot  
20 project, if a pilot project to establish model  
21 nutrition".

22 5. Page 3, by inserting after line 22 the  
23 following:

24 "\_\_\_\_\_. Page 17, by striking lines 6 through 27."

25 6. Page 3, by inserting after line 28, the  
26 following:

27 "\_\_\_\_\_. Page 28, by inserting after line 17, the  
28 following:

29 "As a condition, limitation, and qualification of  
30 the funds appropriated in this subsection, in cases  
31 where a resident student of the school for the deaf or  
32 the Braille and sight-saving school is physically or  
33 sexually abused or assaulted and is physically removed  
34 from the school by a court order pursuant to a finding  
35 by the court that the child has been sexually or  
36 physically abused or assaulted, payment for placement  
37 of the student in another facility for the deaf or  
38 blind, either in state or out of state, shall be made  
39 by the school from which the student is removed out of  
40 funds allocated for the operation of the school.

41 Before a student is placed at another facility, the  
42 school from which the student is removed shall be  
43 consulted, and the placement shall reflect, as nearly  
44 as possible, comparable education, accessibility, and  
45 cost. Students placed at another facility under this  
46 paragraph shall not be returned to the school for the  
47 deaf or the Braille and sight-saving school until the  
48 court rules that the student will not be adversely  
49 affected if returned to the school. If the student is  
50 counted by the Iowa school for the deaf or the Braille



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1 and sight-saving school, for the purpose of generating  
2 school foundation aid for the student, those funds  
3 generated by the student shall be forwarded to the  
4 facility in which the student is placed and the school  
5 for the deaf or the Braille and sight-saving school  
6 shall pay the difference between the funds generated  
7 by the student and the cost of tuition, room, and  
8 board at the other facility."

9 7. Page 3, by striking lines 38 and 39, and  
10 inserting the following:

11 "\_\_\_\_\_. Page 29, by inserting after line 34, the  
12 following:"

13 8. Page 4, line 20, by striking the figure  
14 "250,000" and inserting the following: "125,000".

15 9. Page 5, by striking lines 28 through 48, and  
16 inserting the following:

17 "Sec.\_\_\_\_. SUPPLEMENTAL ENROLLMENT PAYMENTS.

18 1. There is appropriated from the general fund of  
19 the state to the school budget review committee for  
20 the fiscal year beginning July 1, 1990, and ending  
21 June 30, 1991, the amount of \$150,000, or so much  
22 thereof as is necessary to make supplemental  
23 enrollment payments to school districts, for  
24 compensation for enrollment losses which are greater  
25 than 5 percent of the district's certified enrollment  
26 for the previous year due to enrollment of the  
27 district's resident children in another school  
28 district during the school year beginning July 1,  
29 1990, under 1990 Iowa Acts, Senate File 2306, section  
30 2, if Senate File 2306 is enacted by the general  
31 assembly.

32 A supplemental enrollment payment for a child under  
33 this section is equal to the state aid transmitted to  
34 the receiving district for that child for that fiscal  
35 year.

36 A school district eligible for supplemental  
37 enrollment payments under this section shall make  
38 application for payment to the school budget review  
39 committee not later than September 1, 1990. If the  
40 moneys appropriated in this section are insufficient  
41 to make all supplemental payments, the school budget  
42 review committee shall prorate the payments to school  
43 districts.

44 2. If moneys appropriated exceed the amount  
45 required to make supplemental enrollment payments to  
46 school districts under subsection 1, school districts  
47 receiving supplemental enrollment payments under  
48 subsection 1, and school districts which have  
49 experienced losses of less than 5 percent of the  
50 district's certified enrollment for the previous year

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- 1 \_\_\_\_\_. Page 35, by striking lines 23 through 25,  
2 and inserting the following: "branch, excluding  
3 employees of the state board of regents, shall be paid  
4 at one of the rates set forth in the".  
5 10. Page 6, by striking line 4.  
6 11. Page 9, line 12, by inserting after the word  
7 "to" the following: "an accredited higher education  
8 institution for".  
9 12. Page 9, line 31, by inserting after the word  
10 "need." the following: "Grants awarded shall be  
11 distributed to the appropriate accredited higher  
12 education institution for payment of educational  
13 expenses, including tuition, room, board, and  
14 mandatory fees, with any balance to be distributed to  
15 the student for whom the grant is awarded."  
16 13. Page 10, line 17, by inserting after the word  
17 "program" the following: "except a federal, state, or  
18 institutional work-study program".  
19 14. Page 10, line 21, by striking the word  
20 "state's".  
21 15. Page 10, line 22, by striking the words  
22 "contribution to" and inserting the following: "aid  
23 for".  
24 16. Page 10, line 24, by striking the words  
25 "tuition and mandatory fees" and inserting the  
26 following: "student's financial need".  
27 17. Page 10, by striking lines 37 through 41, and  
28 inserting the following: "for grants, and determining  
29 priority of grants. If resources are insufficient to  
30 award grants to all eligible applicants, the  
31 commission shall give priority to students who have  
32 the greatest demonstrated financial need. In  
33 determining".  
34 18. Page 11, by striking lines 18 through 20, and  
35 inserting the following:  
36 "Sec. \_\_\_\_\_. NEW SECTION. 261.98 ACCESS TO  
37 EDUCATION PROGRAM.  
38 An access to education program is established".  
39 19. Page 11, line 29, by striking the words  
40 "pilot project" and inserting the following:  
41 "program".  
42 20. Page 11, line 34, by striking the words  
43 "pilot project" and inserting the following:  
44 "program".  
45 21. Page 11, line 35, by striking the words  
46 "pilot project" and inserting the following:  
47 "program".  
48 22. Page 12, by inserting after line 24, the  
49 following:  
50 "\_\_\_\_\_. Page 53, by striking lines 15 through 19."

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23. Page 12, by striking lines 42 and 43.  
24. By numbering, renumbering, and changing  
3 internal references as necessary.

By RICHARD VARN

S-5934 FILED APRIL 5, 1990

Adopted 4/6 (p. 1686)

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1 but have experienced enrollment loss due to enrollment  
2 of the district's resident children in another school  
3 district during the school year beginning July 1,  
4 1990, under Senate File 2306, section 2, shall be  
5 eligible to receive supplemental enrollment payments  
6 under this section, if the district applies for the  
7 payments to the school budget review committee by  
8 October 15, 1990. If necessary, the school budget  
9 review committee shall prorate the payments to school  
10 districts under this subsection.

11 Sec. \_\_\_\_.

12 Notwithstanding 1990 Iowa Acts, Senate File 2306,  
13 if Senate File 2306 is enacted by the general  
14 assembly, parents filing requests for open enrollment  
15 under the good cause exception provisions of that Act  
16 shall file the request for open enrollment by June 30,  
17 1990.

18 Sec. \_\_\_\_ DEPARTMENTAL STUDY.

19 The department of education shall conduct a study  
20 relating to the costs associated with extended year  
21 special education based on reteaching periods for  
22 acquired critical skills of varying lengths. The  
23 department, in conducting the study, shall solicit  
24 testimony from experts and review national studies and  
25 data relating to extended year special education. The  
26 department shall submit its findings, along with any  
27 recommendations, in a report to the general assembly  
28 by December 1, 1990."

29 \_\_\_\_ Page 34, by striking lines 19 and 20, and  
30 inserting the following: "the state board of regents,  
31 based upon duties".

32 \_\_\_\_ Page 34, line 24, by inserting after the  
33 word "area." the following: "However, in establishing  
34 classifications and allocating positions to  
35 classifications, with respect to positions within the  
36 division of area schools in the department of  
37 education, the department shall ensure that  
38 classifications are designed to attract persons with  
39 superior qualifications in the field of higher  
40 education to that division."

41 \_\_\_\_ Page 35, by striking lines 11 through 13,  
42 and inserting the following: "excluding employees of  
43 the state board of regents, after consultation with  
44 the governor and appointing".

45 \_\_\_\_ Page 35, line 16, by inserting after the  
46 word "commission." the following: "Pay plans for  
47 positions in the division of area schools, department  
48 of education, shall be designed to attract persons  
49 with superior qualifications in the field of higher  
50 education to that division."

## SENATE FILE 2423

S-5939

1 Amend the House amendment, S-5881, to Senate File  
2 2423, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by striking lines 3 and 4.

5 2. Page 1, line 6, by striking the figure  
6 "250,000" and inserting the following: "286,600".

7 3. Page 1, by inserting after line 19, the  
8 following:

9 "\_\_\_\_\_. Page 9, by striking lines 11 and 12, and  
10 inserting the following: "before selection of any  
11 system or systems. Funds appropriated in this  
12 subsection may be"."

13 4. Page 1, by striking lines 22 through 29, and  
14 inserting the following:

15 "\_\_\_\_\_. Page 10, by striking lines 4 through 6, and  
16 inserting the following: "appropriated in this  
17 subsection, of the \$3,200,215 available, \$25,000 shall  
18 be used to develop guidelines for school lunch and  
19 breakfast programs and to plan a nutrition pilot  
20 project, if a pilot project to establish model  
21 nutrition".

22 5. Page 3, by inserting after line 22 the  
23 following:

24 "\_\_\_\_\_. Page 17, by striking lines 6 through 27."

25 6. Page 3, by inserting after line 28, the  
26 following:

27 "\_\_\_\_\_. Page 28, by inserting after line 17, the  
28 following:

29 "As a condition, limitation, and qualification of  
30 the funds appropriated in this subsection, in cases  
31 where a resident student of the school for the deaf or  
32 the Braille and sight-saving school is physically or  
33 sexually abused or assaulted and is physically removed  
34 from the school by a court order pursuant to a finding  
35 by the court that the child has been sexually or  
36 physically abused or assaulted, payment for placement  
37 of the student in another facility for the deaf or  
38 blind, either in state or out of state, shall be made  
39 by the school from which the student is removed out of  
40 funds allocated for the operation of the school.

41 Before a student is placed at another facility, the  
42 school from which the student is removed shall be  
43 consulted, and the placement shall reflect, as nearly  
44 as possible, comparable education, accessibility, and  
45 cost. Students placed at another facility under this  
46 paragraph shall not be returned to the school for the  
47 deaf or the Braille and sight-saving school until the  
48 court rules that the student will not be adversely  
49 affected if returned to the school. If the student is  
50 counted by the Iowa school for the deaf or the Braille

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1 and sight-saving school, for the purpose of generating  
2 school foundation aid for the student, those funds  
3 generated by the student shall be forwarded to the  
4 facility in which the student is placed and the school  
5 for the deaf or the Braille and sight-saving school  
6 shall pay the difference between the funds generated  
7 by the student and the cost of tuition, room, and  
8 board at the other facility."

9 7. Page 3, by striking lines 38 and 39, and  
10 inserting the following:

11 " . Page 29, by inserting after line 34, the  
12 following:"

13 8. Page 4, line 20, by striking the figure  
14 "250,000" and inserting the following: "125,000".

15 9. Page 5, by striking lines 28 through 48, and  
16 inserting the following:

17 "Sec. . SUPPLEMENTAL ENROLLMENT PAYMENTS.

18 1. There is appropriated from the general fund of  
19 the state to the school budget review committee for  
20 the fiscal year beginning July 1, 1990, and ending  
21 June 30, 1991, the amount of \$150,000, or so much  
22 thereof as is necessary to make supplemental  
23 enrollment payments to school districts, for  
24 compensation for enrollment losses which are greater  
25 than 5 percent of the district's certified enrollment  
26 for the previous year due to enrollment of the  
27 district's resident children in another school  
28 district during the school year beginning July 1,  
29 1990, under 1990 Iowa Acts, Senate File 2306, section  
30 2, if Senate File 2306 is enacted by the general  
31 assembly.

32 A supplemental enrollment payment for a child under  
33 this section is equal to the state aid transmitted to  
34 the receiving district for that child for that fiscal  
35 year.

36 A school district eligible for supplemental  
37 enrollment payments under this section shall make  
38 application for payment to the school budget review  
39 committee not later than September 1, 1990. If the  
40 moneys appropriated in this section are insufficient  
41 to make all supplemental payments, the school budget  
42 review committee shall prorate the payments to school  
43 districts.

44 2. If moneys appropriated exceed the amount  
45 required to make supplemental enrollment payments to  
46 school districts under subsection 1, school districts  
47 receiving supplemental enrollment payments under  
48 subsection 1, and school districts which have  
49 experienced losses of less than 5 percent of the  
50 district's certified enrollment for the previous year

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1 but have experienced enrollment loss due to enrollment  
2 of the district's resident children in another school  
3 district during the school year beginning July 1,  
4 1990, under Senate File 2306, section 2, shall be  
5 eligible to receive supplemental enrollment payments  
6 under this section, if the district applies for the  
7 payments to the school budget review committee by  
8 October 15, 1990. If necessary, the school budget  
9 review committee shall prorate the payments to school  
10 districts under this subsection.

11 Sec.100.

12 Notwithstanding 1990 Iowa Acts, Senate File 2306,  
13 if Senate File 2306 is enacted by the general  
14 assembly, parents filing requests for open enrollment  
15 under the good cause exception provisions of that Act  
16 shall file the request for open enrollment by June 30,  
17 1990.

18 Sec. \_\_\_\_ . DEPARTMENTAL STUDY.

19 The department of education shall conduct a study  
20 relating to the costs associated with extended year  
21 special education based on reteaching periods for  
22 acquired critical skills of varying lengths. The  
23 department, in conducting the study, shall solicit  
24 testimony from experts and review national studies and  
25 data relating to extended year special education. The  
26 department shall submit its findings, along with any  
27 recommendations, in a report to the general assembly  
28 by December 1, 1990."

29 \_\_\_\_ . Page 34, by striking lines 19 and 20, and  
30 inserting the following: "the state board of regents,  
31 based upon duties".

32 \_\_\_\_ . Page 34, line 24, by inserting after the  
33 word "area." the following: "However, in establishing  
34 classifications and allocating positions to  
35 classifications, with respect to positions within the  
36 division of area schools in the department of  
37 education, the department shall ensure that  
38 classifications are designed to attract persons with  
39 superior qualifications in the field of higher  
40 education to that division."

41 \_\_\_\_ . Page 35, by striking lines 11 through 13,  
42 and inserting the following: "excluding employees of  
43 the state board of regents, after consultation with  
44 the governor and appointing".

45 \_\_\_\_ . Page 35, line 16, by inserting after the  
46 word "commission." the following: "Pay plans for  
47 positions in the division of area schools, department  
48 of education, shall be designed to attract persons  
49 with superior qualifications in the field of higher  
50 education to that division."

1 \_\_\_\_\_. Page 35, by striking lines 23 through 25,  
2 and inserting the following: "branch, excluding  
3 employees of the state board of regents, shall be paid  
4 at one of the rates set forth in the".

5 10. Page 6, by striking line 4.

6 11. Page 9, line 12, by inserting after the word  
7 "to" the following: "an accredited higher education  
8 institution for".

9 12. Page 9, line 31, by inserting after the word  
10 "need." the following: "Grants awarded shall be  
11 distributed to the appropriate accredited higher  
12 education institution for payment of educational  
13 expenses, including tuition, room, board, and  
14 mandatory fees, with any balance to be distributed to  
15 the student for whom the grant is awarded."

16 13. Page 10, line 17, by inserting after the word  
17 "program" the following: "except a federal, state, or  
18 institutional work-study program".

19 14. Page 10, line 21, by striking the word  
20 "state's".

21 15. Page 10, line 22, by striking the words  
22 "contribution to" and inserting the following: "aid  
23 for".

24 16. Page 10, line 24, by striking the words  
25 "tuition and mandatory fees" and inserting the  
26 following: "student's financial need".

27 17. Page 10, by striking lines 37 through 41, and  
28 inserting the following: "for grants, and determining  
29 priority of grants. If resources are insufficient to  
30 award grants to all eligible applicants, the  
31 commission shall give priority to students who have  
32 the greatest demonstrated financial need. In  
33 determining".

34 18. Page 11, by striking lines 18 through 20, and  
35 inserting the following:

36 "Sec. \_\_\_\_\_. NEW SECTION. 261.98 ACCESS TO  
37 EDUCATION PROGRAM.

38 An access to education program is established".

39 19. Page 11, line 29, by striking the words  
40 "pilot project" and inserting the following:  
41 "program".

42 20. Page 11, line 34, by striking the words  
43 "pilot project" and inserting the following:  
44 "program".

45 21. Page 11, line 35, by striking the words  
46 "pilot project" and inserting the following:  
47 "program".

48 22. Page 12, by inserting after line 24, the  
49 following:

50 "\_\_\_\_\_. Page 53, by striking lines 11 through 14."

1 23. Page 12, by striking lines 42 and 43.

2 24. Page 12, by inserting before line 44 the  
3 following:

4 \_\_\_\_\_. Page 56, line 34, by striking the word and  
5 figure "and 67" and inserting the following: "67, and  
6 100".

7 25. By numbering, renumbering, and changing  
8 internal references as necessary.

By RICHARD VARN

## SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2423

H-6156

1 Amend the House amendment, S-5881, to Senate File  
2 2423, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by striking lines 3 and 4.

5 2. Page 1, line 6, by striking the figure  
6 "250,000" and inserting the following: "286,600".

7 3. Page 1, by inserting after line 19, the  
8 following:

9 "\_\_\_\_\_. Page 9, by striking lines 11 and 12, and  
10 inserting the following: "before selection of any  
11 system or systems. Funds appropriated in this  
12 subsection may be"."

13 4. Page 1, by striking lines 22 through 29, and  
14 inserting the following:

15 "\_\_\_\_\_. Page 10, by striking lines 4 through 6, and  
16 inserting the following: "appropriated in this  
17 subsection, of the \$3,200,215 available, \$25,000 shall  
18 be used to develop guidelines for school lunch and  
19 breakfast programs and to plan a nutrition pilot  
20 project, if a pilot project to establish model  
21 nutrition".

22 5. Page 3, by inserting after line 22 the  
23 following:

24 "\_\_\_\_\_. Page 17, by striking lines 6 through 27."

25 6. Page 3, by inserting after line 28, the  
26 following:

27 "\_\_\_\_\_. Page 28, by inserting after line 17, the  
28 following:

29 "As a condition, limitation, and qualification of  
30 the funds appropriated in this subsection, in cases  
31 where a resident student of the school for the deaf or  
32 the Braille and sight-saving school is physically or  
33 sexually abused or assaulted and is physically removed  
34 from the school by a court order pursuant to a finding  
35 by the court that the child has been sexually or  
36 physically abused or assaulted, payment for placement  
37 of the student in another facility for the deaf or  
38 blind, either in state or out of state, shall be made  
39 by the school from which the student is removed out of  
40 funds allocated for the operation of the school.

41 Before a student is placed at another facility, the  
42 school from which the student is removed shall be  
43 consulted, and the placement shall reflect, as nearly  
44 as possible, comparable education, accessibility, and  
45 cost. Students placed at another facility under this  
46 paragraph shall not be returned to the school for the  
47 deaf or the Braille and sight-saving school until the  
48 court rules that the student will not be adversely  
49 affected if returned to the school. If the student is  
50 counted by the Iowa school for the deaf or the Braille



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Page 2

1 and sight-saving school, for the purpose of generating  
2 school foundation aid for the student, those funds  
3 generated by the student shall be forwarded to the  
4 facility in which the student is placed and the school  
5 for the deaf or the Braille and sight-saving school  
6 shall pay the difference between the funds generated  
7 by the student and the cost of tuition, room, and  
8 board at the other facility."

9 7. Page 3, by striking lines 38 and 39, and  
10 inserting the following:

11 "\_\_\_\_. Page 29, by inserting after line 34, the  
12 following:"

13 8. Page 4, line 20, by striking the figure  
14 "250,000" and inserting the following: "125,000".

15 9. Page 5, by striking lines 28 through 48, and  
16 inserting the following:

17 "Sec. \_\_\_\_ . SUPPLEMENTAL ENROLLMENT PAYMENTS.

18 1. There is appropriated from the general fund of  
19 the state to the school budget review committee for  
20 the fiscal year beginning July 1, 1990, and ending  
21 June 30, 1991, the amount of \$150,000, or so much  
22 thereof as is necessary to make supplemental  
23 enrollment payments to school districts, for  
24 compensation for enrollment losses which are greater  
25 than 5 percent of the district's certified enrollment  
26 for the previous year due to enrollment of the  
27 district's resident children in another school  
28 district during the school year beginning July 1,  
29 1990, under 1990 Iowa Acts, Senate File 2306, section  
30 2, if Senate File 2306 is enacted by the general  
31 assembly.

32 A supplemental enrollment payment for a child under  
33 this section is equal to the state aid transmitted to  
34 the receiving district for that child for that fiscal  
35 year.

36 A school district eligible for supplemental  
37 enrollment payments under this section shall make  
38 application for payment to the school budget review  
39 committee not later than September 1, 1990. If the  
40 moneys appropriated in this section are insufficient  
41 to make all supplemental payments, the school budget  
42 review committee shall prorate the payments to school  
43 districts.

44 2. If moneys appropriated exceed the amount  
45 required to make supplemental enrollment payments to  
46 school districts under subsection 1, school districts  
47 receiving supplemental enrollment payments under  
48 subsection 1, and school districts which have  
49 experienced losses of less than 5 percent of the  
50 district's certified enrollment for the previous year

1 but have experienced enrollment loss due to enrollment  
2 of the district's resident children in another school  
3 district during the school year beginning July 1,  
4 1990, under Senate File 2306, section 2, shall be  
5 eligible to receive supplemental enrollment payments  
6 under this section, if the district applies for the  
7 payments to the school budget review committee by  
8 October 15, 1990. If necessary, the school budget  
9 review committee shall prorate the payments to school  
10 districts under this subsection.

11 Sec.100.

12 Notwithstanding 1990 Iowa Acts, Senate File 2306,  
13 if Senate File 2306 is enacted by the general  
14 assembly, parents filing requests for open enrollment  
15 under the good cause exception provisions of that Act  
16 shall file the request for open enrollment by June 30,  
17 1990.

18 Sec. \_\_\_\_ . DEPARTMENTAL STUDY.

19 The department of education shall conduct a study  
20 relating to the costs associated with extended year  
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22 acquired critical skills of varying lengths. The  
23 department, in conducting the study, shall solicit  
24 testimony from experts and review national studies and  
25 data relating to extended year special education. The  
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H-6156

Page 4

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Page 5

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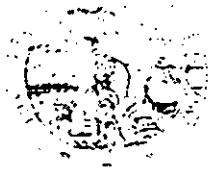
7 25. By numbering, renumbering, and changing

8 internal references as necessary.

RECEIVED FROM THE SENATE

H-6156 FILED APRIL 6, 1990

CONCURRED (p. 2219)



OFFICE OF THE GOVERNOR

STATE CAPITOL

DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD  
GOVERNOR

May 8, 1990

The Honorable Elaine Baxter  
Secretary of State  
State Capitol Building  
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2423, an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state, providing effective dates, and providing retroactive applicability.

Senate File 2423 continues Iowa's commitment to providing access to quality education programs. Overall expenditures for education will increase by \$140 million in the 1990-91 fiscal year. This includes a \$94 million increase in funding for elementary and secondary schools through the school foundation formula, and a \$13 million increase in formula funding for community colleges. This is in addition to future enhancements to community college funding that were made in Senate File 2410, which I have previously approved.

One of the highlights of Senate File 2423 is a substantial increase in funds for tuition assistance at Iowa's institutions of higher education. This includes a \$1.85 million appropriation for a new need-based Iowa Grant program, a \$1.1 million expansion of the Iowa Minority Academic Grants program, a \$1.8 million increase for tuition grants for students attending independent colleges, a \$580,000 increase for vocational-technical grants, and an appropriation of \$500,000 for tuition replacement for certain displaced workers.

Other provisions of Senate File 2423 are a \$2.3 million increase in funding for agricultural research, \$1.9 million in additional funds to improve undergraduate education programs at the state universities, \$2.1 million for the improvement of

The Honorable Elaine Baxter  
May 8, 1990  
Page 2

faculty salaries at community colleges, \$1 million in additional funds to provide education programs at correctional institutions, and \$225,000 for graduate nursing programs at private colleges in Iowa.

Senate File 2423 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portion of Section 1, subsection 2. This provision would authorize the Arts Division of the Department of Cultural Affairs to retain funds that had been allocated to the Division to be used as matching funds for federal grant monies. The Department has advised me that the project associated with these funds has been completed and that the authorization to retain the funds is no longer needed.

I am unable to approve the designated portion of Section 1, subsection 7. This item would provide an additional \$100,000 to the Department of Cultural Affairs for support of the Regional Library System. By taking this action, the regional libraries will receive the amount which I recommended to the General Assembly. Given the financial constraints of the state, the additional funding cannot be provided. Overall, I have approved nearly \$1 million in additional funds for the Department of Cultural Affairs.

I am unable to approve the item designated as Section 8, subsection 2, in its entirety. This item would provide \$900,000 for special projects to be administered by the Iowa Department of Education. This appropriation exceeds my recommendations by \$450,000. While the projects that would have been funded by this appropriation may be worthwhile, I am unable to approve this item due to the financial constraints of the state. I have been assured that the Iowa-Japan Cultural Alliance can be funded from other sources.

I am unable to approve the designated portion of Section 8, subsection 6. This provision would require that an individualized education program be developed for each inmate. Because the amount of funds provided by this appropriation is not sufficient to provide an educational program for all inmates in the correctional system, it would be inappropriate to approve this requirement.

I am unable to approve the designated portions of Section 8, subsection 12. This item would provide \$141,235 for salary increases for professional employees at the community colleges other than administrators, faculty, and hourly support staff.

The Honorable Elaine Baxter  
May 8, 1990  
Page 3

The appropriation provided for salary increases and professional development exceeds my revised recommendations by over \$1 million. Additionally, the amount of this appropriation would provide relatively small salary increases for individual professional staff members at the community colleges. Because additional funds have been provided through the community college funding formula, and given the financial constraints of the state, I am unable to approve this provision.

I am unable to approve the item designated as Section 8, subsection 14, in its entirety. This item would provide \$454,216 for professional development programs at the merged area schools. While I recommended the establishment of professional development programs at the community colleges, I cannot approve this item given the amount by which the General Assembly exceeded my budget recommendations. I will review this issue in preparation for the 1991 legislative session and will recommend the appropriation of funds for this purpose if sufficient funds are available. I have authorized the establishment of this program in Senate File 2410.

I am unable to approve the designated portion of Section 9, subsection 1, and the item designated as Section 9, subsection 2, in its entirety. These items would have provided \$395,510 for salary increases for faculty and professional staff at the community colleges, and \$80,156 for professional development programs in the 1991-92 fiscal year. Given the projected financial condition of the state in fiscal year 1992, and my concerns about the practice of deferring appropriations into future years, I am unable to approve these items.

I am unable to approve the designated portion of Section 14, subsection 1, and the item designated as Section 66, in its entirety. These provisions would prohibit the State Board of Regents from using reimbursements from the institutions to assist in the funding of the board office. The board should continue to be authorized to seek appropriate reimbursements from the universities. A similar provision in 1990 Acts, Senate File 2410 was disapproved earlier this year.

I am unable to approve the items designated as Section 14, subsection 2, lettered paragraph s, and Section 14, subsection 4, lettered paragraph j, in their entirety. These items would appropriate \$200,000 to the State University of Iowa for the center for simulation and design and \$475,000 to the University of Northern Iowa for the leadership for teacher education program. Given the financial constraints of the state, I am unable to approve these items.

I am unable to approve the designated portion of Section 14, subsection 5. This provision would require the Iowa School for the Deaf or the Iowa Blind and Sight Saving School to pay for the transfer of a student who has been sexually or physically abused at those institutions to another facility. Physical or sexual abuse of students attending those institutions cannot be tolerated. However, decisions about the placement of a student in other institutions, and about the payment of costs associated with the transfer of a student, are appropriately left to the judicial system, and should not be specified by statute.

I am unable to approve the item designated as Section 18, in its entirety. This provision would require the State Board of Regents to issue bonds to finance energy-saving projects at the institutions which are governed by the Board. The Board has undertaken the initiative to implement energy-saving measures at the institutions under their control, and this requirement is not necessary.

I am unable to approve the designated portion of Section 23. This provision would establish a specific timetable for the Department of Education to conduct an evaluation of the use of Phase III moneys under the Educational Excellence program. I support the proposal to conduct an evaluation of the Phase III program, and the Department of Education will complete the study prior to the January 1, 1992 deadline.

I am unable to approve the item designated as Section 24, in its entirety. This provision would appropriate \$150,000 to the School Budget Review Committee to assist school districts which are affected by the open enrollment law, as amended by 1990 Acts, Senate File 2306, which I have previously approved. It would be prudent to wait until the financial impact on Iowa schools is known before special financial assistance is appropriated to schools affected by the open enrollment law.

I am unable to approve the items designated as Sections 26, 27, and 38, in their entirety. I am concerned about the cost associated with the studies which have been required of the Department of Education. Because the Department of Education and other state agencies are being asked to restrict hiring and limit expenditures for travel and equipment, it would be inappropriate to require the Department of Education to undertake these additional activities.

I am unable to approve the item designated as Section 35, in its entirety. This provision would establish a separate classification system for the division of area schools within



The Honorable Elaine Baxter  
May 8, 1990  
Page 5

the Department of Education. Any change in classifications should be reviewed by the Department of Education in cooperation with the Department of Personnel. While I am interested in classifying employees in a manner which will attract qualified individuals into state government, it is inappropriate to reclassify groups of employees through statute.

I am unable to approve the item designated as Section 47, in its entirety. This provision would provide financial counseling services to dislocated workers, allocate funds to the dislocated worker center in Merged Area X, and provide funds for the displaced workers financial aid program, which I have approved under Section 3 of this Act. Funding for this program would be provided by a transfer of \$250,000 from the Community Economic Betterment Account. These funds should be retained in the Community Economic Betterment Account, to create a climate for new jobs in Iowa. Furthermore, assistance to displaced workers is currently available from the U.S. Department of Labor under the Economic Dislocation and Workers Adjustment Assistance Act and from other student aid and training programs.

I am unable to approve the item designated as Section 79, in its entirety. This provision would prevent the reversion of \$290,000 previously appropriated to and unused by the Department of Education. Given the financial constraints of the state, I am unable to approve this provision.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2423 are hereby approved as of this date.

Sincerely,



Terry E. Branstad  
Governor

TEB/ps

cc: Chief Clerk of the House  
Secretary of the Senate

Item VETO portions highlighted in PINK

SENATE FILE 2423

AN ACT

RELATING TO THE FUNDING OF, OPERATION OF, AND APPROPRIATION OF MONEYS TO AGENCIES, INSTITUTIONS, COMMISSIONS, DEPARTMENTS, AND BOARDS RESPONSIBLE FOR EDUCATIONAL AND CULTURAL PROGRAMS OF THIS STATE, PROVIDING EFFECTIVE DATES, AND PROVIDING RETROACTIVE APPLICABILITY.

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

DIVISION I  
DEPARTMENT OF CULTURAL AFFAIRS

Section 1.

There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

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

..... \$ 468,735  
..... FTEs 10

2. ARTS DIVISION

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

..... \$ 1,239,125  
..... FTEs 13

Notwithstanding section 8.33, unobligated or unencumbered funds appropriated in this subsection, to be used as matching funds for federal grant moneys administered by the arts division and remaining on June 30, 1991, shall not revert to

the general fund of the state, but shall remain available for expenditure by the arts division for those purposes for the fiscal year beginning July 1, 1991.

As a condition, limitation, and qualification of the appropriation in this subsection, not more than 10 percent of the difference between the moneys appropriated in this subsection and the moneys appropriated in 1989 Iowa Acts, chapter 319, section 1, subsection 2, shall be expended by the arts division for administrative costs.

3. HISTORICAL DIVISION

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

..... \$ 2,775,453  
..... PTEs 76

4. LIBRARY DIVISION

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

..... \$ 2,326,277  
..... FTEs 41

As a condition, limitation, and qualification of the funds appropriated in this subsection, the department of cultural affairs shall adopt, by January 1, 1991, rules relating to the copying of library material and the defraying of copying expenses, including, but not limited to, the charging of reasonable fees for the copying of library material for nonresident persons.

5. PUBLIC BROADCASTING DIVISION

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

..... \$ 6,947,451  
..... FTEs 104

6. TERRACE HILL COMMISSION

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

.....	\$	211,581
.....	FTEs	5.25
<b>7. REGIONAL LIBRARY SYSTEM</b>		
a. For state aid:		
.....	\$	1,530,655
b. For additional state aid:		
.....	\$	100,000
<b>8. IOWA PEACE INSTITUTE</b>		
For allocation to the Iowa peace institute established in chapter 38:		
.....	\$	286,600
9. For planning and programming for the community cultural grants program established under section 303.09:		
.....	\$	885,000
10. For the Iowa town square project:		
.....	\$	150,000

Sec. 2.

Notwithstanding sections 302.1 and 302.1A, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the portion of the interest earned on the permanent school fund that is not transferred to the credit of the first in the nation in education foundation and not transferred to the credit of the national center for gifted and talented education shall be credited as a payment by the historical division of the department of cultural affairs of the principal and interest due on moneys loaned to the historical division under section 303.18.

**DIVISION II  
COLLEGE AID COMMISSION**

Sec. 3.

There is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July

1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

.....	\$	326,271
.....	FTEs	8.05

As a condition, limitation, and qualification of the appropriation in this subsection, the college aid commission shall conduct a study of the cosmetology and chiropractic programs available to Iowans at both private and public postsecondary institutions. The study shall include the number of students attending the programs, the type of financial aid that is available to the students, a description of the accreditation standards which are required to be met by each program, a listing of those areas in which programs have failed to meet accreditation standards, the number of students placed within 1 year of graduation in professions for which they have been trained, and the number of students who have continued in the professions for which they have been trained 5 years after graduation from a professional program.

2. STUDENT AID PROGRAMS

For payments to students for student aid programs:

.....	\$	2,570,100
-------	----	-----------

As a condition, limitation, and qualification of the funds appropriated in this subsection, \$1,850,000 shall be expended for an Iowa grant program, with funds to be allocated to institutions in the following manner:

a. Total allocations to students attending regents' institutions shall be determined by multiplying 72.973 percent of \$1,850,000 by 37.6 percent.

b. Total allocations to students attending community colleges shall be determined by multiplying 72.973 percent of \$1,850,000 by 25.9 percent and by 2.43.

c. Total allocations to students attending private colleges and universities shall be determined by multiplying 72.973 percent of \$1,850,000 by 36.5 percent.

3. NATIONAL GUARD LOAN REPAYMENT

For payments to students for the national guard loan payment program in section 261.49:

..... \$ 250,000

4. AID FOR DISPLACED WORKERS

For payments to institutions for attendance of displaced workers:

..... \$ 500,000

Notwithstanding the purposes for which moneys are appropriated in this subsection, any unobligated or unencumbered funds remaining on March 15, 1991, from the moneys appropriated in this subsection shall be used for the remainder of the fiscal year by the commission to supplement moneys appropriated for an Iowa grant program.

Sec. 4.

There is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

1. For grants to sophomores, juniors, and seniors and for forgivable loans to freshmen, who are Iowa students attending the university of osteopathic medicine and health sciences, under the grant program pursuant to section 261.18 and the forgivable loan program pursuant to section 261.19A:

..... \$ 497,000

2. For the university of osteopathic medicine and health sciences for the admission and education of Iowa students in each of the 4 years of classes at the university of osteopathic medicine and health sciences pursuant to section 261.19:

..... \$ 497,000

Sec. 5.

Notwithstanding section 261.85, from the moneys appropriated to the college aid commission in section 261.85 for the work-study program for the fiscal year commencing July 1, 1990, and ending June 30, 1991, the college aid commission shall retain \$40,000 for allocation to pilot program of the Iowa heritage corps created in section 261.81A.

Sec. 6.

There is appropriated from the loan reserve account to the college aid commission for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

For operating costs of the Stafford loan program including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,790,748

..... FTEs 32.52

Sec. 7.

Funds appropriated in section 3 of this Act for the Iowa grant program and the graduate student financial assistance program shall be used to supplement, not supplant, funds appropriated for existing programs at the institutions receiving allocations under the sections.

DIVISION III

DEPARTMENT OF EDUCATION

Sec. 8.

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

..... \$ 6,495,093  
 ..... FTEs 135.75

As a condition, limitation, and qualification of the appropriation in this subsection, the department of education shall expend moneys to contract with institutions of higher education to provide a summer residence program for gifted and talented elementary and secondary school students and to support existing law-related education centers for training seminars and workshops in law-related education, summer institutes relating to law-related education and methodology and substance, and mock trial competitions for junior and senior high school students. The law-related education program shall include the legislative lawmaking process. Educational materials for the legislative lawmaking process segment of the program shall be developed by the law-related education centers in consultation with the legislative council.

As a condition, limitation, and qualification of the appropriation in this subsection, the department of education shall expend moneys to provide funds for the employment resources center administered by the fifth judicial district's department of correctional services to assist clients.

As a condition, limitation, and qualification of the appropriation in this subsection, the bureau of special education of the department of education shall study the impact of student weighting on the appropriateness of student placement in the least restrictive environment. Depending on the results of the study, alternatives to the assignment of student weightings that will encourage the placement of students in the least restrictive appropriate placement shall be developed accordingly. The bureau of special education shall report the findings of the study and any identified

alternatives to the state special education advisory panel and the school budget review committee, and the department shall include the findings in a report to the legislative fiscal bureau and the general assembly by December 1, 1990.

**2. SPECIAL PROGRAMS AND PROJECTS**

For special programs and projects:

..... \$ 500,000  
 ..... FTEs 2

**3. BOARD OF EDUCATIONAL EXAMINERS**

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

..... \$ 150,007  
 ..... FTEs 2

**4. VOCATIONAL EDUCATION ADMINISTRATION**

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

..... \$ 931,636  
 ..... FTEs 39.6

**5. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION**

To assist a vocational agriculture youth organization sponsored by the schools to support the foundation established by that vocational agriculture youth organization:

..... \$ 50,000

**6. PENAL INSTITUTION EDUCATION PROGRAM**

For educational programs at state penal institutions:

..... \$ 2,293,893

Funds appropriated by this subsection shall be used by the department of education, in coordination with the department of corrections, to provide expanded educational programs to inmates of the Iowa penal institutions and develop education program plans for the offenders and ex-offenders in the community-based corrections system. Educational programs shall emphasize assessment, cognition, literacy, and social

skills, and shall provide continuity of instruction as the inmate progresses through the penal system. Educational technology learning systems which would support the continuity of instruction shall be used in combination with an information management system to track student progress. The information tracking system shall be available throughout the state. An individualized educational plan shall be developed for each inmate, which reflects the inmate's total needs and which can be used to assist in the selection of programs and tracking of the inmate's progress. An information management system shall be implemented to transmit education information, including the inmate's plan, programs provided, and program outcomes to institutions under whose control the inmate is placed. Evaluation of the results shall be made annually to determine needed changes and to assess results. The department of education, in coordination with the department of corrections, shall investigate, evaluate, and analyze educational technology systems which reflect inmate needs before selection of any system or systems. Funds appropriated in this subsection may be used for individualized, personal development, life management programs established by the general assembly in 1990 Iowa Acts, Senate File 2212, section 23, under the department of corrections, and to provide the results of the establishment of the individualized, personal development, life management programs to the cochairpersons and ranking members of the joint education appropriations subcommittee and the legislative fiscal bureau.

7. YOUTH LEADERSHIP GRANT PROGRAM

For grants to youth leadership programs:

..... \$ 25,000

Funds appropriated by this subsection shall be used to emphasize and support youth leadership skills for students participating in Iowa activities and students representing Iowa in regional and national activities.

8. SCHOOL FOOD SERVICE

For the purpose of providing assistance to students enrolled in public school districts and nonpublic schools of the state for breakfasts, lunches and minimal equipment programs with the funds being used as state matching funds for federal programs, which shall be disbursed according to federal regulations and include salaries and support, for not more than the following full-time equivalent positions:

..... \$ 3,200,215  
 ..... FTEs 14

As a condition, limitation, and qualification of the funds appropriated in this subsection, of the \$3,200,215 available, \$25,000 shall be used to develop guidelines for school lunch and breakfast programs and to plan a nutrition pilot project, if a pilot project to establish model nutrition guidelines for school lunch and breakfast programs is established by the general assembly.

9. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1. The funding is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils:

..... \$ 643,053

10. VOCATIONAL REHABILITATION DIVISION

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

..... \$ 3,998,358  
 ..... FTEs 319.50

b. For matching funds for programs to enable severely physically or mentally disabled persons to function more independently, including salaries and support, for not more than the following full-time equivalent positions:

..... \$ 19,367  
 ..... FTEs 1.50

11. CAREER INFORMATION SYSTEM OF IOWA

For the purpose of providing educational information to students in public and nonpublic schools:

..... \$ 84,000  
 ..... FTEs 5

As a condition, limitation, and qualification of the funds appropriated in this subsection, the educational information to students shall include, but is not limited to, information relating to the likelihood of employment in Iowa in the students' career choice areas.

**12. MERGED AREA SCHOOLS**

For general state financial aid to merged areas as defined in section 280A.2, for vocational education programs in accordance with chapters 258 and 280A, to purchase instructional equipment for vocational and technical courses of instruction in such schools, and for salary increases, the amount of \$86,316,796 to be allocated as follows:

- a. Merged Area I..... \$ 3,936,168
- b. Merged Area II..... \$ 4,909,784
- c. Merged Area III..... \$ 4,646,625
- d. Merged Area IV..... \$ 2,301,829
- e. Merged Area V..... \$ 4,714,422
- f. Merged Area VI..... \$ 4,731,678
- g. Merged Area VII..... \$ 6,656,574
- h. Merged Area IX..... \$ 7,339,996
- i. Merged Area X..... \$ 11,444,016
- j. Merged Area XI..... \$ 12,349,593
- k. Merged Area XII..... \$ 5,144,554
- l. Merged Area XIII..... \$ 5,081,695
- m. Merged Area XIV..... \$ 2,252,941
- n. Merged Area XV..... \$ 6,866,253
- o. Merged Area XVI..... \$ 3,940,668

As a condition, limitation, and qualification of the moneys appropriated in this subsection, the merged area schools shall expend at least \$2,100,000 for additional salary increases for full-time nonadministrative licensed faculty members and at

least \$141,235 for additional salary increases for full-time salaried professional employees other than administrators, faculty, and hourly support staff at each merged area school. For purposes of this subsection, full-time licensed faculty includes instructors who teach at an area school on a half-time basis or more. Distribution of the moneys for salary increases shall be negotiated pursuant to chapter 20, if the licensed nonadministrative faculty members of the merged area school are organized for collective bargaining purposes. For purposes of this subsection, professional staff includes employees of an area school such as academic advisors, media specialists, student services staff, financial aid advisors, data processing staff, program coordinators, counselors, librarians who are not licensed faculty members, and other staff members who are funded pursuant to an existing area school foundation formula cost center under chapter 286A.

As a condition, limitation, and qualification of the moneys appropriated in this subsection, each merged area school shall adopt a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the merged area school or in conjunction with activities sponsored by a merged area school. Each merged area school shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, the merged area school shall provide substance abuse prevention programs for students and employees.

**13. MERGED AREA SCHOOL PERSONAL PROPERTY TAX REPLACEMENT**

For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13, the amount of \$828,012 to be allocated as follows:

- a. Merged Area I..... \$ 65,152

b. Merged Area II.....	\$	50,567
c. Merged Area III.....	\$	33,891
d. Merged Area IV.....	\$	23,204
e. Merged Area V.....	\$	60,042
f. Merged Area VI.....	\$	34,514
g. Merged Area VII.....	\$	57,884
h. Merged Area IX.....	\$	69,103
i. Merged Area X.....	\$	97,180
j. Merged Area XI.....	\$	142,463
k. Merged Area XII.....	\$	46,200
l. Merged Area XIII.....	\$	40,972
m. Merged Area XIV.....	\$	20,826
n. Merged Area XV.....	\$	55,026
o. Merged Area XVI.....	\$	30,988

14. PROFESSIONAL DEVELOPMENT

For professional development programs at each of the merged area schools for full-time, part-time, and administrative faculty or staff:

..... \$ 454,216

Sec. 9.

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For state financial aid to merged areas the amount of \$15,205,371, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1990, and ending June 30, 1991, to be allocated to each area school as follows:

a. Merged Area I.....	\$	704,974
b. Merged Area II.....	\$	879,444
c. Merged Area III.....	\$	832,391
d. Merged Area IV.....	\$	379,320
e. Merged Area V.....	\$	844,401

f. Merged Area VI.....	\$	847,516
g. Merged Area VII.....	\$	1,058,390
h. Merged Area IX.....	\$	1,314,655
i. Merged Area X.....	\$	1,961,430
j. Merged Area XI.....	\$	2,211,876
k. Merged Area XII.....	\$	921,500
l. Merged Area XIII.....	\$	910,137
m. Merged Area XIV.....	\$	403,567
n. Merged Area XV.....	\$	1,229,954
o. Merged Area XVI.....	\$	705,818

As a condition, limitation, and qualification of the moneys appropriated in this subsection, the merged area schools shall expend at least \$370,588 for additional salary increases for full-time nonadministrative licensed faculty members and at least \$24,922 for additional salary increases for full-time salaried professional employees other than administrators, faculty, and hourly support staff at each merged area school. For purposes of this subsection, full-time licensed faculty includes instructors who teach at an area school on a half-time basis or more. Distribution of the moneys for salary increases shall be negotiated pursuant to chapter 20, if the licensed nonadministrative faculty members of the merged area school are organized for collective bargaining purposes. For purposes of this subsection, professional staff includes employees of an area school such as academic advisors, media specialists, student services staff, financial aid advisors, data processing staff, program coordinators, counselors, librarians who are not licensed faculty members, and other staff members who are funded pursuant to an existing area school foundation formula cost center under chapter 286A. Payments for salary increases under this subsection shall be accrued as income and used for salary increases for the fiscal year beginning July 1, 1990, and ending June 30, 1991.

2. PROFESSIONAL DEVELOPMENT



For professional development programs at each of the merged area schools for full-time, part-time, and administrative faculty or staff:

..... \$ 80,156

Payments under this subsection shall be accrued as income and used for professional development for the fiscal year beginning July 1, 1990, and ending June 30, 1991.

3. Funds appropriated by this section shall be allocated pursuant to this section and paid on or about August 15, 1991. Sec. 10.

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts to be used for the purposes designated:

1. For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13, the amount of \$354,840, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1990, and ending June 30, 1991, to be allocated to each area as follows:

a. Merged Area I.....	\$	27,922
b. Merged Area II.....	\$	21,671
c. Merged Area III.....	\$	14,525
d. Merged Area IV.....	\$	9,924
e. Merged Area V.....	\$	25,732
f. Merged Area VI.....	\$	14,792
g. Merged Area VII.....	\$	24,807
h. Merged Area IX.....	\$	29,615
i. Merged Area X.....	\$	41,649
j. Merged Area XI.....	\$	61,056
k. Merged Area XII.....	\$	19,800
l. Merged Area XIII.....	\$	17,559
m. Merged Area XIV.....	\$	8,925
n. Merged Area XV.....	\$	23,582
o. Merged Area XVI.....	\$	13,281

2. Funds appropriated in subsection 1 shall be allocated pursuant to this section and paid on or about August 15, 1991.

Sec. 11.

Moneys allocated to area schools under section 8, subsections 12 through 14, of this Act, for expenditures incurred during the fiscal year beginning July 1, 1990, and ending June 30, 1991, shall be paid by the department of revenue and finance in installments due on or about November 15, February 15, and May 15 of that fiscal year. The payments received by area schools on or about August 15 under sections 9 and 10 of this Act are accounts receivable for the previous fiscal year. The installments shall be as nearly equal as possible as determined by the department of management, taking into consideration the relative budget and cash position of the state resources.

Sec. 12.

Notwithstanding the appropriation provided in section 294A.25, subsection 1, there is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

For the educational excellence program:

..... \$ 92,007,985

Sec. 13.

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, for expenditures incurred by school districts during the previous fiscal year the following amount, or so much thereof as is necessary, for vocational education aid to secondary schools:

..... \$ 3,666,666

Funds appropriated by this subsection shall be used for aid to school districts for the development and the conducting of both continuing and new vocational programs, services and

activities of vocational education through secondary schools, and for aid to existing jointly administered secondary vocational education programs, in accordance with chapters 258 and 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools.

DIVISION IV  
STATE BOARD OF REGENTS

Sec. 14.

There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, during the fiscal year beginning July 1, 1990, and ending June 30, 1991, and for not more than the following full-time equivalent positions:

..... \$ 1,136,134  
..... PTEs 19.63

As a condition, limitation, and qualification of the moneys appropriated in this paragraph, the state board of regents shall adopt a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by an institution or in conjunction with activities sponsored by an institution governed by the board. Each institution shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, the institutions shall provide substance abuse prevention programs for students and employees.

As a condition, limitation, and qualification of the moneys appropriated in this paragraph, the state board of regents shall not use reimbursements from the institutions under the control of the state board of regents for funding the office of the state board of regents.

b. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of northern Iowa to reimburse the institutions for deficiencies in their operating funds resulting from the pledging of tuitions, student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions:

..... \$ 17,338,340

c. For funds to be allocated to the slowland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

..... \$ 75,000

d. For funds to conduct a study for the development of a graduate center in Council Bluffs:

..... \$ 40,000

e. For funds to be allocated to the quad-cities graduate studies center:

..... \$ 145,000

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory:

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

..... \$164,663,389

..... PTEs 4,413.65

As a condition, limitation, and qualification of moneys appropriated in this subparagraph, from moneys available to the state university of Iowa, \$550,000 shall be expended for teaching excellence awards to teaching faculty members and teaching assistants.

Of the \$550,000 available for teaching excellence awards, \$50,000 shall be awarded to faculty members and teaching assistants who have been recognized for exceptional teaching. An exceptional teaching recognition award is for a one-year period and is in addition to the faculty member or teaching assistant's salary. Not later than December 15, 1990, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

(2) Agricultural health and safety programs:

..... \$ 355,000  
 ..... FTEs 7

b. Minority and women educators enhancement program:

From the moneys appropriated in paragraph "a", subparagraph (1), \$80,000 shall be used for implementing the minority and women educators enhancement program.

Notwithstanding section 8.33, as a condition, limitation, and qualification of the allocation in this paragraph, unobligated and unencumbered funds remaining on June 30, 1991, from the allocation for use under this paragraph, shall not revert to the general fund of the state, but shall remain available for expenditure during the fiscal year beginning July 1, 1991, for the same purpose or for other minority recruitment programs.

c. College-bound voucher program:

From the moneys appropriated in paragraph "a", subparagraph (1), \$100,000 shall be used for implementing the college-bound voucher program.

d. Iowa minority academic grants for economic success program:

From the moneys appropriated in paragraph "a", subparagraph (1), \$480,000 shall be used for the Iowa minority academic grants for economic success program.

e. For salary annualization:

.....	\$	323,000
f. For inflation costs:		
.....	\$	1,319,000
g. For utility and debt service:		
.....	\$	423,000
h. For enhancing undergraduate education:		
.....	\$	1,889,000
i. For enhancing medical education:		
.....	\$	446,000
.....	FTEs	10
j. For the statewide tumor registry:		
.....	\$	190,500
.....	FTEs	5.05
k. University hospitals:		
(1) For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions for medical and surgical treatment of indigent patients as provided in chapter 255:		
.....	\$	28,021,398
.....	FTEs	5,251.76
(2) For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:		
.....	\$	1,738,142
.....	FTEs	174.19
(3) For specialized child health care services, including childhood cancer diagnostic and treatment network programs; rural comprehensive care for hemophilia patients; and Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:		
.....	\$	399,945
.....	FTEs	12.55

l. As a condition, limitation, and qualification of the appropriation made in paragraph "k", subparagraph (1), the county quotas for indigent patients for the fiscal year commencing July 1, 1990, shall not be lower than the county quotas for the fiscal year commencing July 1, 1989. Before a patient is eligible for the indigent patient program, the county general relief director shall first ascertain from the local office of human services if the applicant would qualify for medical assistance or the medically needy program without the spend-down provision under chapter 249A. If the applicant qualifies, then the patient shall be certified for medical assistance and shall not be counted under chapter 255. Transportation shall be provided at no charge to a patient who is certified for medical assistance under chapter 249A.

m. As a condition, limitation, and qualification of the appropriation made in paragraph "k", subparagraph (1), funds appropriated in that subparagraph shall not be allocated to the university hospitals until the superintendent has filed with the department of revenue and finance and the legislative fiscal bureau a quarterly report containing the account required in section 255.24. The report shall include the information required in section 255.24 for patients by the type of service provided.

n. As a condition, limitation, and qualification of the appropriation made in paragraph "k", subparagraph (1), funds appropriated in that subparagraph shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

(1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

(2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

(3) The pregnancy is the result of a rape which is reported within 45 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(4) The pregnancy is the result of incest which is reported within 150 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

o. Psychiatric hospital:

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions and for the care, treatment, and maintenance of committed and voluntary public patients:  
..... \$ 6,635,852  
..... FTEs 286.76

p. State hygienic laboratory:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 2,877,214  
..... FTEs 117.26

q. Hospital-school:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 5,179,650  
..... FTEs 184.22

r. Oakdale campus:

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

..... \$ 2,833,505  
..... FTEs 73.60

s. Center for simulation and design:

For planning and development of funding sources related to the creation of the university of Iowa driving simulation center:

..... \$ 200,000

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university:

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

..... \$133,589,728  
..... FTEs 3,740.48

As a condition, limitation, and qualification of moneys appropriated in this paragraph, from moneys available to Iowa state university, \$550,000 shall be expended for teaching excellence awards to teaching faculty members and teaching assistants.

Of the \$550,000 available for teaching excellence awards, \$50,000 shall be awarded to faculty members and teaching assistants who have been recognized for exceptional teaching. An exceptional teaching recognition award is for a one-year period and is in addition to the faculty member or teaching assistant's salary. Not later than December 1, 1990, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

b. Minority and women educators enhancement program:

From the moneys appropriated in paragraph "a", \$80,000 shall be used for implementing the minority and women educators enhancement program.

Notwithstanding section 8.33, as a condition, limitation, and qualification of the allocation in this paragraph, unobligated and unencumbered funds remaining on June 30, 1991, from the allocation for use under this paragraph, shall not revert to the general fund of the state, but shall remain available for expenditure during the fiscal year beginning July 1, 1991, for the same purpose or for other minority recruitment programs.

c. College-bound voucher program:

From the moneys appropriated in paragraph "a", \$100,000 shall be used for implementing the college-bound voucher program.

d. Iowa minority academic grants for economic success program:

From the moneys appropriated in paragraph "a", \$480,000 shall be used for the Iowa minority academic grants for economic success program.

e. Agricultural experiment station:

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

..... \$ 17,200,167  
..... FTEs 473

f. Comprehensive agricultural research:

For conducting the comprehensive agricultural research program:

..... \$ 4,000,000

g. Leopold center:

For agricultural research grants awarded under section 266.39B:

..... \$ 600,000

h. Cooperative extension service in agriculture and home economics:

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

..... \$ 15,878,812  
 ..... FTEs 480

l. Fire service education, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 417,000  
 ..... FTEs 11

j. For salary annualization:

..... \$ 261,000

k. For inflation costs:

..... \$ 993,000

l. For utility and debt service costs:

..... \$ 724,000

m. For enhancing undergraduate education:

..... \$ 1,317,000

n. For opening new buildings:

..... \$ 63,000

4. UNIVERSITY OF NORTHERN IOWA

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

..... \$ 53,563,012  
 ..... FTEs 1,385.83

As a condition, limitation, and qualification of moneys appropriated in this paragraph, from moneys available to the university of northern Iowa, \$275,000 shall be expended for teaching excellence awards to teaching faculty members and teaching assistants.

Teaching excellence awards shall be granted to faculty members and teaching assistants for excellence in the quality of classroom instruction. An award shall be built into the faculty member's or teaching assistant's base salary. Moneys appropriated for teaching excellence awards shall not result in a negative impact upon a collective bargaining agreement between an employee organization and the university. Not

later than December 1, 1990, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

As a condition, limitation, and qualification of the appropriation in this subsection, \$50,000 shall be expended for the Iowa academy of science and no more than 20 percent of the funds shall be used for administrative purposes or for publication of the Iowa academy of science journal. The remainder of the \$50,000 shall be expended for grants for research projects and studies awarded by the Iowa academy of science.

As a condition, limitation, and qualification of the appropriation for the Iowa academy of science in this subsection, the Iowa academy of science shall permit all grant recipients to publish the results of the recipients' research projects and studies in the Iowa academy of science journal at no cost to the grant recipient.

b. Minority and women educators enhancement program:

From the moneys appropriated in paragraph "a", \$40,000 shall be used for implementing the minority and women educators enhancement program.

Notwithstanding section 8.33, as a condition, limitation, and qualification of the allocation in this paragraph, unobligated and unencumbered funds remaining on June 30, 1991, from the allocation for use under this paragraph, shall not revert to the general fund of the state, but shall remain available for expenditure during the fiscal year beginning July 1, 1991, for the same purpose or for other minority recruitment programs.

c. College-bound voucher program:

From the moneys appropriated in paragraph "a", \$80,000 shall be used for implementing the college-bound voucher program.

d. Iowa minority academic grants for economic success program:

From the appropriated in paragraph "a", \$240,000 shall be used for the Iowa minority academic grants for economic success program.

- e. For salary annualization: ..... \$ 130,000
- f. For inflation costs: ..... \$ 359,000
- g. For utility and debt service costs: ..... \$ 54,000
- h. For opening new buildings: ..... \$ 216,000
- i. For enhancing undergraduate education: ..... \$ 1,130,000
- j. For leadership for teacher education: ..... \$ 475,000

..... PTEs 7

5. STATE SCHOOL FOR THE DEAF

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

..... \$ 5,770,768  
..... PTEs 133.24

As a condition, limitation, and qualification of the funds appropriated in this subsection, in cases where a resident student of the school for the deaf or the Braille and sight-saving school is physically or sexually abused or assaulted and is physically removed from the school by a court order pursuant to a finding by the court that the child has been sexually or physically abused or assaulted, payment for placement of the student in another facility for the deaf or blind, either in state or out of state, shall be made by the school from which the student is removed out of funds allocated for the operation of the school.

Before a student is placed at another facility, the school from which the student is removed shall be consulted, and the placement shall reflect, as nearly as possible, comparable education, accessibility, and cost. Students placed at another facility under this paragraph shall not be returned to the school for the deaf or the Braille and sight-saving school until the court rules that the student will not be adversely affected if returned to the school. If the student is counted by the Iowa school for the deaf or the Braille and sight-saving school, for the purpose of generating school foundation aid for the student, those funds generated by the student shall be forwarded to the facility in which the student is placed and the school for the deaf or the Braille and sight-saving school shall pay the difference between the funds generated by the student and the cost of tuition, room, and board at the other facility.

6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

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

..... \$ 3,197,141  
..... PTEs 92.45

Sec. 15.

Moneys appropriated in section 14, subsection 2, paragraph "a", subparagraph (1); section 14, subsection 3, paragraph "a"; and section 14, subsection 4, paragraph "a", of this Act and designated for the minority and women educators enhancement program under paragraph "b" of those subsections shall be used solely for the purposes for which they have been designated and not for general university purposes.

Sec. 16.

Moneys appropriated in section 14, subsection 2, paragraph "a", subparagraph (1); section 14, subsection 3, paragraph "a"; and section 14, subsection 4, paragraph "a", of this Act and designated for the Iowa minority academic grants for

economic success program under paragraph "d" of those subsections shall be used solely for the purposes for which they have been designated and not for general university purposes.

Sec. 17.

Reallocations of sums received under section 14, subsections 2, 3, 4, 5, and 6, including sums received for salaries, shall be reported on a quarterly basis to the co-chairpersons and ranking members of both the legislative fiscal committee and the education appropriations joint subcommittee.

Sec. 18.

As a condition, limitation, and qualification of the appropriations made to the state board of regents and regents' institutions under this Act, for the fiscal years beginning July 1, 1990, and July 1, 1991, the state board of regents shall use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of 6 years.

Sec. 19.

There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as may be necessary, to conduct the elderlaw education program under section 249D.54:

..... \$ 75,000

Sec. 20.

There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as may be necessary, to be used for purposes of administering a graduate nursing grant program at accredited private colleges or universities:

..... \$ 225,000

As a condition, limitation, and qualification of the funds appropriated in this paragraph, the moneys appropriated shall be used specifically for instructor salaries, equipment, student services, or rural recruitment. At least 80 percent of the students enrolled in the program shall be Iowa residents. All program participants shall be licensed to practice nursing in Iowa. The Iowa department of public health shall be responsible for the oversight and administration of the program.

As a condition, limitation, and qualification of the funds appropriated in this section the Iowa department of public health shall adopt rules for administration of the graduate nursing grant program.

Sec. 21.

Notwithstanding sections 0.33 and 18.137, unencumbered and unobligated funds remaining from any appropriation made to the state communications network fund shall not revert to the general fund of the state but shall remain in the state communications network fund and are available for expenditure.

Sec. 22.

Notwithstanding section 267.5, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, there is appropriated to and the college of veterinary medicine at Iowa state university of science and technology shall use \$25,000 from the livestock disease research fund, established pursuant to section 267.8, for research into the causes of and available treatment for an unknown reproductive and neonatal disease, generally known as "mysterious pig disease", currently afflicting swine in this state.

Sec. 23.

Notwithstanding the allocation of phase III moneys under sections 294A.14 and 294A.25, for the fiscal year beginning July 1, 1990, prior to the allocation to school districts and area education agencies, \$125,000 of the moneys allocated for



phase III shall be retained by the department of education to contract with the regional educational laboratory for this state to establish and monitor an independent evaluation of the operation of phase III of the educational excellence program. The regional educational laboratory shall determine the scope of the evaluation, including a methodology for the evaluation; the evaluation techniques; the sampling size for numbers of different plans to evaluate; the sampling size for numbers of interviews to be conducted with teachers, school administrators, school board members, members of the general public, and others; and the process for oversight of the evaluation. The laboratory, in consultation with the department, shall select a consortium consisting of Iowa teachers participating in phase III programs and a public or private institution of higher education offering a graduate program of teacher education to work with the laboratory in the conduct of the evaluation. The results of the evaluation shall be reported to the department of education and to the general assembly by January 1, 1992.

The evaluation shall be conducted using the following timetable:

1. By July 15, 1990, an advisory committee shall be selected by the department of education.
2. By August 31, 1990, the determination of the evaluation methodology and oversight process must be completed and members of the consortium selected.
3. By September 30, 1990, the advisory committee shall review the evaluation methodology, the laboratory shall finalize the evaluation methodology, and the laboratory shall begin training the teacher members of the consortium and consulting with the faculty of the institution of higher education.
4. By December 15, 1990, the first phase of the evaluation design must be implemented.

5. By January 15, 1991, the advisory committee shall review progress and the next phase of the evaluation design.
6. By May 31, 1991, the advisory committee shall review a progress report of the evaluation.
7. By September 30, 1991, the laboratory, with the assistance of the consortium, shall write the evaluation report.
8. By October 31, 1991, the advisory committee shall review the evaluation report and may suggest revisions.
9. By December 15, 1991, the evaluation report must be completed and prepared for distribution.

Moneys allocated in this section may be paid to the regional educational laboratory and to the consortium. Boards of directors of school districts and area education agencies shall allow their teachers to be members of a consortium and shall be reimbursed under the terms of the contract for the cost of salaries and benefits of each participating teacher.

#### Sec. 24. SUPPLEMENTAL ENROLLMENT PAYMENTS.

1. There is appropriated from the general fund of the state to the school budget review committee for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the amount of \$150,000, or so much thereof as is necessary to make supplemental enrollment payments to school districts, for compensation for enrollment losses which are greater than 5 percent of the district's certified enrollment for the previous year due to enrollment of the district's resident children in another school district during the school year beginning July 1, 1990, under 1990 Iowa Acts, Senate File 2306, section 2, if Senate File 2306 is enacted by the general assembly.

A supplemental enrollment payment for a child under this section is equal to the state aid transmitted to the receiving district for that child for that fiscal year.

A school district eligible for supplemental enrollment payments under this section shall make application for payment

to the school budget review committee not later than September 1, 1990. If the moneys appropriated in this section are insufficient to make all supplemental payments, the school budget review committee shall prorate the payments to school districts.

2. If moneys appropriated exceed the amount required to make supplemental enrollment payments to school districts under subsection 1, school districts receiving supplemental enrollment payments under subsection 1, and school districts which have experienced losses of less than 5 percent of the district's certified enrollment for the previous year but have experienced enrollment loss due to enrollment of the district's resident children in another school district during the school year beginning July 1, 1990, under Senate File 2306, section 2, shall be eligible to receive supplemental enrollment payments under this section, if the district applies for the payments to the school budget review committee by October 15, 1990. If necessary, the school budget review committee shall prorate the payments to school districts under this subsection.

Sec. 25.

Notwithstanding 1990 Iowa Acts, Senate File 2306, if Senate File 2306 is enacted by the general assembly, parents filing requests for open enrollment under the good cause exception provisions of that Act shall file the request for open enrollment by June 30, 1990.

Sec. 26. DEPARTMENTAL STUDY.

The department of education shall conduct a study relating to the costs associated with extended year special education based on reteaching periods for acquired critical skills of varying lengths. The department, in conducting the study, shall solicit testimony from experts and review national studies and data relating to extended year special education. The department shall submit its findings, along with any recommendations, in a report to the general assembly by December 1, 1990.

Sec. 27.

The department of education shall conduct a study of and develop recommendations for an administrators' excellence program. The department's recommendations shall include components which address issues relating to recruitment, skill enhancement, and retention of administrators. In developing recommendations, the department shall consult with education associations or organizations which have developed recommendations relating to an administrators' excellence program. The department shall submit its recommendations in a report to the general assembly by January 1, 1991.

Sec. 28.

Notwithstanding section 8.33, funds appropriated in 1989 Iowa Acts, chapter 319, section 19, subsection 1, paragraph "b", remaining unencumbered or unobligated on June 30, 1990, shall not revert to the general fund of the state but shall be available for expenditure for the purposes listed in section 14, subsection 1, paragraph "b", of this Act during the fiscal year beginning July 1, 1990, and ending June 30, 1991.

Sec. 29.

Notwithstanding section 282.10, boards of school districts with existing whole grade sharing agreements which wish to include sixth grade as one of the grades in which the pupils of the districts may attend school in other districts under the agreement, but which have failed to meet the February 1, 1990, deadline for the signing of agreements for sharing during the 1990-1991 school year, shall be permitted to amend the existing whole grade sharing agreements to include the sixth grade, provided that the school districts meet all of the other requirements contained in chapter 282 relating to the signing of whole grade agreements and the addition of the sixth grade to the current agreement is signed by the board, under chapter 282, by July 1, 1990.

Sec. 30.

Notwithstanding the amounts of the budgets approved under section 273.3, subsection 12, in addition to the moneys available to area education agencies under section 442.7, subsection 7, paragraphs "g" and "h", for special education support services, there is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1990, the amount of \$225,000, or as much thereof as may be necessary, to be paid to area education agencies that have fewer than 3.5 public school pupils per square mile, to be expended for special education support services of the applicable area education agencies during the fiscal year beginning July 1, 1990.

Sec. 31. 1989 Iowa Acts, chapter 135, section 130, is amended to read as follows:

SEC. 130. The department of education is directed to conduct a survey of school districts to determine the academic, cocurricular, and extracurricular fees charged to students as a requirement for enrollment in the schools, or participation in an activity, of the school district. Both districtwide and building fees shall be included in the survey. The survey shall include the procedures used by the district for payment of fees for low-income pupils. The survey shall provide information listing the total of fees collected and of fees waived. The department of education shall report the results of the survey to the chairpersons and members of the house and senate committees on education by January-15 July 1, 1990.

Sec. 32. 1989 Iowa Acts, chapter 278, sections 1 and 2, are amended to read as follows:

SECTION 1. Section 256.11, subsection 4, Code 1989, is amended to read as follows:

4. The following shall be taught in grades seven and eight: English-language arts; social studies; mathematics; science; health; human growth and development, family, consumer, career, and technology education; physical

education; music; and visual art. The health curriculum shall include the characteristics of sexually transmitted diseases and acquired immune deficiency syndrome. The state board as part of accreditation standards shall adopt curriculum definitions for implementing the program in grades seven and eight. However, family, consumer, career, and technology education are not required to be taught in nonpublic schools which do not offer vocational education programs.

SEC. 2. Section 256.11, subsection 5, paragraph h, Code 1989, is amended by striking the paragraph and inserting in lieu thereof the following:

h. A minimum of three sequential units in at least four of the following six vocational service areas: agriculture, business or office occupations, health occupations, consumer and family sciences or home economics occupations, industrial technology or trade and industrial education, and marketing education. Instruction shall be competency-based, articulated with postsecondary programs of study, and include field, laboratory, or on-the-job training. Each sequential unit shall include instruction in a minimum set of competencies established by the department of education that relate to the following: new and emerging technologies; job-seeking, job-adaptability, and other employment, self-employment and entrepreneurial skills that reflect current industry standards and labor-market needs; and reinforcement of basic academic skills. The instructional programs shall also comply with the provisions of chapter 258 relating to vocational education. However, this subsection does not apply to nonpublic schools which do not offer vocational education programs.

The department of education shall permit school districts, in meeting the requirements of this section, to use vocational core courses in more than one vocational service area and to use multi-occupational courses to complete a sequence in more than one vocational service area.

Sec. 33. 1989 Iowa Acts, chapter 322, section 7, is amended to read as follows:

SEC. 7. Notwithstanding the funding restrictions, requirements relating to the development of a request for proposal, and certification by the department of management, contained in under section 18.136, ~~if-1989-Iowa-Acts, House File 774, is enacted by the general assembly,~~ of the moneys appropriated in section 18.137, ~~if-1989-Iowa-Acts, House File 774, is enacted by the general assembly,~~ notwithstanding the certification requirement, \$600,000 may be used, if necessary, by the public broadcasting division of the department of cultural affairs, to match federal funds awarded prior to the enactment date of 1989 Iowa Acts, House File 774, for the implementation of an educational telecommunications system, and \$650,000 shall be allocated to merged area VII for use as state matching funds for federal funds applied for prior to June 5, 1989, for technology equipment. Moneys allocated to merged area VII shall be counted as part of the state match for the state communications network under section 18.136, subsection 3.

Sec. 34. Section 18.136, subsection 7, Code Supplement 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The narrowcast system advisory committee shall review all requests for grants for educational telecommunications applications, if they are a part of the state communications network, to ensure that the educational telecommunications application is consistent with the telecommunications plan. If the narrowcast system advisory committee finds that a grant request is inconsistent with the telecommunications plan, the grant request shall not be allowed.

Sec. 35. Section 19A.9, subsection 1, unnumbered paragraph 1, and subsection 2, Code 1989, are amended to read as follows:

For the preparation, maintenance, and revision of a position classification plan from a schedule by separate department for each position and type of employment not otherwise provided for by law in state government for all positions in the executive branch, excluding positions under the state board of regents, based upon duties performed and responsibilities assumed, so that the same qualifications may reasonably be required for and the same schedule of pay may be equitably applied to all positions in the same class, in the same geographical area. However, in establishing classifications and allocating positions to classifications, with respect to positions within the division of area schools in the department of education, the department shall ensure that classifications are designed to attract persons with superior qualifications in the field of higher education to that division. After the classification has been approved by the commission, the director shall allocate the position of every employee in the executive branch, excluding employees of the state board of regents and employees of the division of area schools in the department of education, to one of the classes in the plan. Any employee or agency officials affected by the allocation of a position to a class shall, after filing with the director a written request for reconsideration in the manner and form the director prescribes, be given a reasonable opportunity to be heard by the director. An appeal may be made to the commission or to a qualified classification committee appointed by the commission. An allocation or reallocation of a position by the director to a different classification shall not become effective if the allocation or reallocation may result in the expenditure of funds in excess of the total amount budgeted for the department of the appointing authority until approval has been obtained from the director of the department of management.

2. For pay plans within the purview of an appropriation made by the general assembly and not otherwise provided by law for all employees in the executive branch of state government, excluding employees of the state board of regents, after consultation with the governor and appointing authorities with due regard to the terms of collective bargaining agreements negotiated under chapter 20 and after a public hearing held by the commission. Pay plans for positions in the division of area schools, department of education, shall be designed to attract persons with superior qualifications in the field of higher education to that division. Review of the pay plan for revisions shall be made in the same manner at the discretion of the director, but not less than annually. The annual review by the director shall be made available to the governor a sufficient time in advance of collective bargaining negotiations to permit its recommendations to be considered during the negotiations. Each employee in the executive branch, excluding employees of the state board of regents, shall be paid at one of the rates set forth in the pay plan for the class of position in which employed and, unless otherwise designated by the commission, shall begin employment at the first step of the established range for the employee's class.

Sec. 36. Section 255.16, Code 1989, is amended to read as follows:

255.16 COUNTY QUOTAS.

Subject to subsequent qualifications in this section, there shall be treated at the university hospital during each fiscal year a number of committed indigent patients from each county which shall bear bears the same relation to the total number of committed indigent patients admitted during the year as the population of such the county shall bear bears to the total population of the state according to the last preceding official census. This standard shall apply to indigent patients, the expenses of whose commitment, transportation,

care and treatment shall be borne by appropriated funds and shall not govern the admission of either obstetrical patients under chapter 255A, or obstetrical or orthopedic patients under this chapter in accordance with eligibility standards pursuant to section 255A.5. If the number of patients admitted from any county shall ~~exceed~~ exceeds by more than ten percent the county quota as fixed and ascertained under the first sentence of this section, the charges and expenses of the care and treatment of such patients in excess of ten percent of the quota shall be paid from the funds of such county at actual cost; but if the number of excess patients from any county shall does not exceed ten percent, all costs, expenses, and charges incurred in their behalf shall be paid from the appropriation for the support of the hospital. Notwithstanding the quota established for a county under this section, the governor, upon a finding of necessity due to a regional or statewide economic emergency, may increase a county's quota of the number of committed indigent patients admitted to the university hospital.

Sec. 37. Section 256.7, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 19. Adopt rules which require each area school which establishes a new jobs training project or projects and receives funds derived from or associated with the project or projects to establish a separate account to act as a repository for any funds received and to report annually, by January 15, to the general assembly on funds received and disbursed during the preceding fiscal year in the form required by the department.

Sec. 38. Section 256.9, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 39. Review and consider defining the disorders of autism and attention deficit in the rules of special education; eliminating autism from the category of behaviorally disordered; establishing broad general categories

in which other individuals who are members of special populations, such as autistic persons and the attention deficit disorder could be grouped; and developing a system for the identification of individuals with autism and with attention deficit disorders.

Sec. 39. Section 256.11, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

The state board shall adopt rules under chapter 17A and a procedure for accrediting all public and nonpublic schools in Iowa offering instruction at any or all levels from the prekindergarten level through grade twelve. The rules of the state board shall require that a multicultural, nonsexist approach is used by schools and school districts. The educational program shall be taught from a multicultural, nonsexist approach. Global perspectives shall be incorporated into all levels of the educational program.

Sec. 40. Section 256.11, subsection 9, and subsection 9A, Code Supplement 1989, are amended to read as follows:

9. a. Effective July 1, 1989, through June 30, ~~1990~~ 1992, to facilitate the implementation and economical operation of the educational program defined in subsections 4 and 5, each school offering any of grades seven through twelve, except a school which offers grades one through eight as an elementary school, shall meet the media center requirements specified in section 256.11, subsection 9, paragraph "a", Code Supplement 1987.

b. Effective July 1, 1990, unless a waiver has been obtained under section 256.11A, each school or school district shall have a qualified school media specialist who shall meet the licensing standards prescribed by the board of educational examiners and shall be responsible for supervision of the media centers. Each school or school district shall establish a media center, in each attendance center, which shall be accessible to students throughout the school day. However, in determining the requirements for nonpublic schools, the

department shall evaluate the schools on a school system basis rather than on an individual school basis.

9A. Each school or school district shall provide an articulated sequential guidance program for grades kindergarten through twelve. Until July 1, ~~1991~~ 1992, a school or school district may obtain a waiver from meeting the requirements of this subsection pursuant to section 256.11A. The guidance counselor shall meet the licensing standards of the board of educational examiners. However, in determining the requirements for nonpublic schools, the department shall evaluate the schools on a school system basis rather than on an individual school basis.

Sec. 41. Section 256.11A, subsections 3 and 4, Code Supplement 1989, are amended to read as follows:

3. Schools and school districts unable to meet the standard adopted by the state board under section 256.17, Code Supplement 1987, and contained in section 256.11, subsection 9A, effective July 1, 1989, requiring that on July 1, 1989, each board operating a kindergarten through grade twelve program provide an articulated sequential elementary-secondary guidance program may, not later than January 1, 1989, for the school year beginning July 1, 1989, file a written request to the department of education that the department waive the requirement for that school or school district. The procedures specified in subsection 5 apply to the request. Not later than January 1, 1990, for the school year beginning July 1, 1990, the board or authorities may request a one-year extension of the waiver. Not later than January 1, 1991, for the school year beginning July 1, 1991, the board or authorities may request an additional one-year extension of the waiver.

If a waiver is approved under subsection 5, the school or school district shall meet the requirements of section 256.11, subsection 9, paragraph "b", Code Supplement 1987, for the period for which the waiver is approved.

4. Schools and school districts are not required to meet the standard adopted by the state board of education under section 256.17, Code Supplement 1987, and contained in section 256.11, subsection 9, paragraph "b", effective July 1, 1990, that requires the board to establish and operate a media services program to support the total curriculum until July 1, 1990, except as otherwise provided in this subsection. Not later than January 1, 1990, for the school year beginning July 1, 1990, the board of directors of a school district, or authorities in charge of a nonpublic school, may file a written request with the department of education that the department waive the requirement for that district or school. The procedures specified in subsection 5 apply to the request. Not later than January 1, 1991, for the school year beginning July 1, 1991, the board of directors of a school district, or authorities in charge of a nonpublic school, may file a request for a one-year extension of the waiver.

If a waiver is approved under subsection 5, the school district or school shall meet the requirements of section 256.11, subsection 9, paragraph "a", Code Supplement 1987, for the period for which the waiver is approved.

Sec. 42. NEW SECTION. 256.35 REGIONAL AUTISM ASSISTANCE PROGRAM.

The department shall establish a regional autism assistance program, to be administered by the child health specialty clinic of the university of Iowa hospitals and clinics. The program shall be designed to coordinate educational, medical, and other human services for persons with autism, their parents, and providers of services to persons with autism. The function of the program shall include, but is not limited to, the coordination of diagnostic and assessment services, the maintaining of a research base, coordination of in-service training, providing technical assistance, and providing consultation.

Sec. 43. NEW SECTION. 256.43 AMBASSADOR TO EDUCATION.

The department of education shall establish within the department the position of ambassador to education to act as an education liaison to primary and secondary schools in this state. The ambassador to education position shall be filled by the educator selected as teacher of the year by the governor, but only if that person agrees to fill the ambassador to education position.

The ambassador to education's duties shall be established by the director of the department and shall be tailored to the relative skills and educational background of the person designated as ambassador. Duties of the ambassador may include, but are not limited to, providing seminars and workshops in the subject matter area in which the ambassador possesses expertise, accompanying the director of the department of education in the exercise of the director's duties in the state, and speaking at public gatherings in the state.

The ambassador to education shall receive, in lieu of compensation from the district in which the ambassador is regularly employed, a salary which is equal to the amount of salary received by the person during the previous school year or thirty thousand dollars, whichever amount is greater. The ambassador shall also be compensated for actual expenses incurred as a result of the performance of duties under this section.

The district which employs the person selected as the ambassador to education shall grant the person a one-year sabbatical in order to allow the person to be the ambassador to education. The person selected as the ambassador to education shall be entitled to return to the person's same or a comparable position without loss of accrued benefits or seniority.

Sec. 44. Section 257.10, subsection 4, Code Supplement 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the special education support services district cost per pupil for the budget year beginning July 1, 1991, calculated under subsection 3, for area education agencies that have fewer than three and five-tenths public school pupils per square mile, the special education support services district cost per pupil for the budget year beginning July 1, 1991, is one hundred forty-seven dollars.

Sec. 45. Section 261.2, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 14. Adopt rules relating to the administration of a displaced workers financial aid program under section 261.5.

Sec. 46. NEW SECTION. 261.5 DISPLACED WORKERS FINANCIAL AID PROGRAM.

A displaced workers financial aid program is established to provide aid for attendance of displaced workers at Iowa-based programs, colleges, or universities.

The commission shall establish an application process for the program. Displaced workers eligible for receipt of moneys under this section shall receive financial aid from the commission to be applied to educational expenses at the institution of higher education in which the displaced worker is enrolled.

Any displaced worker making application for financial aid under this section shall apply for and accept any student aid or job training program aid available to the displaced worker.

The college aid commission shall determine the level of assistance to which the displaced worker is entitled. In making the determination of the amount of the financial aid award to a displaced worker, the commission shall take into account any student aid or job training program aid available and other financial resources. For purposes of this section, "other financial resources" does not include income received by a displaced worker from a person who slaughtered live hogs,

who ceased slaughtering operations between January 1, 1989, and December 31, 1990, if that person employed five hundred or more workers at any time during the six-month period immediately preceding the date on which the person ceased slaughtering operations.

The moneys paid for a displaced worker for an academic term shall not exceed the lesser of the tuition at the institution of higher education in which the individual is enrolled or the highest tuition at any area community college or area vocational school.

Institutions of higher education shall receive the financial aid moneys from the college aid commission for eligible students.

For the purpose of this section, "displaced worker" means an unemployed individual who was formerly employed by a person who slaughtered live hogs if that person employed five hundred or more workers at any time during the six-month period immediately preceding the date on which the person ceased slaughtering operations and if the person ceased slaughtering operations between January 1, 1989, and December 31, 1990.

Sec. 47.

Notwithstanding the allocation of moneys under the community economic betterment account in section 99E.32, for the fiscal year commencing July 1, 1989, and ending June 30, 1990, \$250,000 shall be allocated from unobligated moneys in the community economic betterment account to the department of economic development, to be used for services to displaced workers for the following programs and services:

1. Financial counseling for workers eligible to receive benefits under the Economic Dislocation and Workers Adjustment Assistance Act, Pub. L. No. 100-418, 102 Stat. 1107 to be conducted to the extent possible at either the location of the worker's former place of employment or the site of the worker's labor union headquarters.



2. Continued operation of the merged area X dislocated worker center.

3. Payment to the college aid commission for the displaced workers financial aid program under section 261.5.

Sec. 48. Section 261.9, subsection 5, Code Supplement 1989, is amended by adding the following new paragraph:

**NEW PARAGRAPH. E.** Which adopts a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the institution or in conjunction with activities sponsored by the institution. Each institution shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, an institution shall provide substance abuse prevention programs for students and employees.

Sec. 49. Section 261.12, subsection 1, paragraph b, Code Supplement 1989, is amended to read as follows:

b. For the fiscal year beginning July 1, 1989, and for each following fiscal year, two thousand five six hundred fifty dollars.

Sec. 50. Section 261.17, subsections 2 and 3, Code Supplement 1989, are amended to read as follows:

2. A qualified student may receive vocational-technical tuition grants for not more than four semesters, eight quarters or the equivalent of two full years of study. However, if a student resumes study after at least a two-year absence, the student may again be eligible for the specified amount of time, except that the student shall not receive assistance for courses for which credit was previously received.

3. The amount of a vocational-technical tuition grant shall not exceed the lesser of five six hundred dollars per

year or the amount of the student's established financial need.

Sec. 51. Section 261.19, Code Supplement 1989, is amended to read as follows:

**261.19 PAYMENT OF SUBVENTION.**

A subvention program for the university of osteopathic medicine and health sciences is established. The subvention program shall provide funds to the university for Iowa resident students. The total amount of moneys appropriated to the college aid commission for the subvention program shall be paid to the university if the university certifies to the college aid commission not later than September 15 and January 15 of each fiscal year that at least twenty percent of the total students enrolled are Iowa residents. The certification shall contain the number, names, and addresses of all students enrolled, by class, and shall indicate which students are resident students.

The college aid commission shall determine a subvention amount per resident student by dividing the funds appropriated for this section by a number equal to the total of twenty-two percent of the total students enrolled. If fewer than twenty-two percent of the total number of students enrolled are Iowa residents, the college aid commission shall deduct from the funds appropriated an amount equal to the subvention amount per resident student multiplied by the number of students required to equal twenty-two percent of the total students enrolled.

The commission shall compute the amount of moneys to be paid to the university and transmit the funds to the university of osteopathic medicine and health sciences within ten days following receipt of the certification.

Notwithstanding the percentage figure contained in the calculation of the subvention amount per resident student and any corresponding deductions, for each fiscal year during the period commencing with the fiscal year beginning July 1, 1990,

and ending with the fiscal year ending June 30, 1993, the percentage of total students enrolled, for purposes of calculating the subvention amount and any corresponding deductions, shall be increased by five-tenths of a percent from twenty percent until the percentage figure reaches twenty-two percent.

For each fiscal year in which funds are appropriated, one-half of the amount appropriated shall not be released until financial audits of the university of osteopathic medicine and health, conducted by an independent third party by June 30 of the previous fiscal year, are delivered to the legislative fiscal bureau.

Sec. 52. NEW SECTION. 261.19A OSTEOPATH FORGIVABLE LOAN PROGRAM.

There is established a forgivable loan program, to be administered by the college aid commission for students enrolled at the university of osteopathic medicine and health sciences. A student from the university of osteopathic medicine is eligible for loan forgiveness if the student:

1. Graduates from the university of osteopathic medicine and health sciences.
2. Has completed a residency program.
3. Practices in the state of Iowa.
4. Has received a loan from moneys appropriated to the college aid commission for this program.

An eligible student is eligible for loan forgiveness in the amount of three thousand five hundred dollars per year of practice in the state of Iowa for up to a maximum of four years. If a student fails to complete a year of practice in the state, as practice is defined by the college aid commission, the loan amount for that year shall not be forgiven. Forgivable loans to eligible students shall not become due, for repayment purposes, until after the student has completed the student's residency.

Sec. 53. PHASE-OUT OF GRANTS -- PHASE-IN OF FORGIVABLE LOANS.

Notwithstanding sections 261.18 and 261.19A, for the fiscal year commencing July 1, 1990, and ending June 30, 1991, loans eligible for forgiveness shall be given to Iowa residents who are enrolled as freshmen at the university of osteopathic medicine and health sciences of Des Moines and grant moneys shall be distributed to Iowa residents attending the university of osteopathic medicine and health sciences of Des Moines who are enrolled as sophomores, juniors, and seniors.

Sec. 54. Section 261.25, subsections 1, 2, and 3, Code Supplement 1989, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of thirty thirty-two million six nine hundred eighty-two twelve thousand five eight hundred five dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of eight hundred one million twenty-three thousand eight hundred forty dollars for scholarships.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of seven hundred-fifty-thousand one million three hundred thirty thousand six hundred forty-seven dollars for vocational-technical tuition grants.

Sec. 55.

Of the \$32,912,800 appropriated for tuition grants, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, \$400,000 shall be expended by the college aid commission for the Iowa minority academic grants for economic success program for grants to independent colleges and universities under sections 261.101 through 261.105.

Sec. 56. Section 261.44, Code Supplement 1989, is amended to read as follows:

261.44 GUARANTEED LOAN PAYMENT PROGRAM.

A guaranteed loan payment program is established to be administered by the commission. The purpose of the program is to assist individuals to enter professions in areas of employment critical to the welfare of the citizens of the state. The commission shall adopt rules pursuant to chapter 17A to provide for the administration of the program. Moneys appropriated for the program shall be used to repay loans to students demonstrating the greatest financial need and shall not be prorated among all qualified applicants. ~~If moneys appropriated are insufficient to repay loans to all qualified applicants, priority shall be given to repayment of debts under the Iowa guaranteed student loan program.~~

Sec. 57. Section 261.50, Code Supplement 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section, an "eligible community" means a community which agrees to provide an eligible physician with a first year income guarantee, malpractice insurance coverage for four years, family health insurance, reimbursement for moving expenses, two weeks of vacation for each of the first four years, and one week of continuing medical education per year for four years.

Sec. 58. Section 261.85, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

There is appropriated from the general fund of the state to the commission for each fiscal year the sum of three million two hundred ten thousand dollars for the work-study program.

Sec. 59. NEW SECTION. 261.92 DEFINITIONS.

When used in this division, unless the context otherwise requires:

1. "Accredited higher education institution" means a public institution of higher learning located in Iowa which is accredited by the north central association of colleges and secondary schools accrediting agency based on their requirements as of April 1, 1969, or an institution of higher learning located in Iowa which is operated privately and not

controlled or administered by any state agency or any subdivision of the state, and which meets the following requirements:

a. Is accredited by the north central association of colleges and secondary schools accrediting agency based on their requirements as of April 1, 1969, and,

b. Promotes equal opportunity and affirmative action efforts in the recruitment, appointment, assignment, and advancement of personnel at the institution. In carrying out this responsibility the institution shall do all of the following:

(1) Designate a position as the affirmative action coordinator.

(2) Adopt affirmative action standards.

(3) Gather data necessary to maintain an ongoing assessment of affirmative action efforts.

(4) Monitor accomplishments with respect to affirmative action remedies identified in affirmative action plans.

(5) Conduct studies of preemployment and postemployment processes in order to evaluate employment practices and develop improved methods of dealing with all employment issues related to equal employment opportunity and affirmative action.

(6) Establish an equal employment committee to assist in addressing affirmative action needs, including recruitment.

(7) Address equal opportunity and affirmative action training needs by doing all of the following:

(a) Providing appropriate training for managers and supervisors.

(b) Insuring that training is available for all staff members whose duties relate to personnel administration.

(c) Investigating means for training in the area of career development.

(8) Require development of equal employment opportunity reports, including the initiation of the processes necessary

for the completion of the annual EEO-6 reports required by the federal equal employment opportunity commission.

(9) Address equal opportunity and affirmative action policies with respect to employee benefits and leaves of absence.

(10) File annual reports with the college aid commission of activities under this paragraph.

2. "Commission" means the college student aid commission.

3. "Financial need" means the difference between the student's financial resources available, including those available from the student's parents as determined by a completed parents' confidential statement, and the student's anticipated expenses while attending the accredited higher education institution. Financial need shall be redetermined at least annually.

4. "Full-time resident student" means an individual resident of Iowa who is enrolled at an accredited higher education institution in a course of study including at least twelve semester hours or the trimester equivalent of twelve semester hours or the quarter equivalent of twelve semester hours. "Course of study" does not include correspondence courses.

5. "Grant" means an award by the state of Iowa to an accredited higher education institution for a qualified resident student under the Iowa grant program.

6. "Part-time resident student" means an individual resident of Iowa who is enrolled at an accredited higher education institution in a course of study including at least three semester hours or the trimester or the four quarter equivalent of three semester hours. "Course of study" does not include correspondence courses.

7. "Qualified student" means a resident student who has established financial need and who is making satisfactory progress toward graduation.

Sec. 60. NEW SECTION. 261.93 PROGRAM ESTABLISHED -- WHO QUALIFIED.

An Iowa grant program is established.

A grant may be awarded to a resident of Iowa who is admitted and in attendance as a full-time or part-time resident student at an accredited higher education institution and who establishes financial need. Grants awarded shall be distributed to the appropriate accredited higher education institution for payment of educational expenses, including tuition, room, board, and mandatory fees, with any balance to be distributed to the student for whom the grant is awarded.

Sec. 61. NEW SECTION. 261.94 EXTENT OF GRANT.

A qualified full-time resident student may receive grants for not more than eight semesters of undergraduate study or the trimester or quarter equivalent. A qualified part-time resident student may receive grants for not more than sixteen semesters of undergraduate study or the trimester or quarter equivalent.

Sec. 62. NEW SECTION. 261.95 AMOUNT OF GRANT.

1. The amount of a grant to a qualified full-time student for an academic year shall be the lesser of the student's financial need for that period or up to one thousand dollars.

2. The amount of a grant to a qualified part-time student enrolled in a course of study shall be equal to the average amount of a grant to a full-time student times a number which represents twenty-four semester hours, or the trimester or quarter equivalent, divided by the number of hours in which the part-time student is actually enrolled.

3. A grant may be made annually for both the fall and spring semesters or the trimester equivalent. Payments under the grant shall be allocated equally among the semesters or trimesters and shall be paid at the beginning of each semester or trimester, upon certification by the accredited higher education institution that the student is admitted and in attendance. If the student discontinues attendance before the

end of the semester or trimester after receiving payment under the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the accredited higher education institution to the state.

4. If a student receives financial aid under any other program except a federal, state, or institutional work-study program, the full amount of the other financial aid shall be considered part of the student's financial resources available in determining the amount of the student's financial need for that period. In no case may the total financial aid for the student's education, including financial aid under any other state program, exceed the student's financial need at the institution which the student attends.

Sec. 63. NEW SECTION. 261.96 ADMINISTRATION BY COMMISSION -- RULES.

The commission shall administer this program and shall:

1. Provide application forms and parents' confidential statement forms.
2. Adopt rules and regulations for determining financial need, defining tuition and mandatory fees, defining residence for the purposes of the Iowa grant program, determining grant award amounts on the basis of student need, processing and approving applications for grants, and determining priority of grants. If resources are insufficient to award grants to all eligible applicants, the commission shall give priority to students who have the greatest demonstrated financial need. In determining who is a resident of Iowa, the commission's rules shall be at least as restrictive as those of the board of regents.
3. Approve and award grants.
4. Make an annual report to the governor and general assembly, and evaluate the Iowa grant program for the period. The commission may require the accredited higher education institution to promptly furnish any information which the

commission may request in connection with the Iowa grant program.

Sec. 64. NEW SECTION. 261.97 APPLICATION FOR GRANTS.

Each applicant, in accordance with the rules of the commission, shall:

1. Complete and file an application for a grant.
2. Be responsible for the submission of the parents' confidential statement for processing, the processed information to be returned both to the commission and to the accredited higher education institution in which the applicant is enrolling.
3. Report promptly to the commission any information requested.
4. File a new application and parents' confidential statement annually on the basis of which the applicant's eligibility for a renewed grant will be evaluated and determined.

Sec. 65. NEW SECTION. 261.98 ACCESS TO EDUCATION PROGRAM.

An access to education program is established for the fiscal year beginning July 1, 1990, and ending June 30, 1991, for purposes of providing grants to resident students who attend community colleges in this state. Students whose financial resources are up to twenty percent over the eligibility level for a PELL grant are eligible to receive grants under this program. Students meeting the eligibility level may receive a grant of up to two hundred fifty dollars.

The program shall be administered by the college student aid commission. The commission shall allocate, from the amount allocated for community colleges under the Iowa grant program, five hundred thousand dollars for purposes of awarding grants under this program. Community colleges which have students receiving grants under the program shall provide the commission with information as to the income levels and age of grant recipients and the length of time since grant

recipients have enrolled in an educational program. The commission shall tabulate and submit the information in a report to the general assembly by January 1, 1991.

The commission shall adopt rules for the administration of this program.

Sec. 66. Section 262.12, Code 1989, is amended to read as follows:

262.12 COMMITTEES AND ADMINISTRATIVE OFFICES UNDER BOARD.

The board of regents shall also have and exercise all the powers necessary and convenient for the effective administration of its office and of the institutions under its control, and to this end may create such committees, offices and agencies from its own members or others, and employ persons to staff the same, fix their compensation and tenure and delegate thereto, or to the administrative officers and faculty of the institutions under its control, such part of the authority and duties vested by statute in the board, and shall formulate and establish such rules, outline such policies and prescribe such procedures therefor, all as may be desired or determined by the board as recorded in their minutes. However, the powers, rules, policies, and procedures of the board of regents shall not include a power to or a provision for the funding of the board of regents' board office by reimbursements from the institutions under its control.

Sec. 67. NEW SECTION. 262.54 COMPUTER SALES.

Sales, by an institution under the control of the board of regents, of computer equipment, computer software, and computer supplies to students and faculty at the institution are retail sales under chapter 422, division IV.

Sec. 68. Section 279.10, subsection 1, Code 1989, is amended to read as follows:

1. The school year shall begin on the first day of July and each regularly established elementary and secondary school shall begin no sooner than a day during the calendar week in

which the first day of September falls but no later than the first Monday in December. However, if the first day of September falls on a Sunday, school may begin on a day during the calendar week which immediately precedes the first day of September. School shall continue for at least one hundred eighty days, except as provided in subsection 3, and may be maintained during the entire calendar year. A school corporation may begin employment of personnel for in-service training and development purposes before the date to begin elementary and secondary school.

Sec. 69. Section 279.51, subsection 1, paragraph d, Code Supplement 1989, is amended to read as follows:

d. For the fiscal year beginning July 1, 1990, three million dollars, and for each fiscal year thereafter, four million dollars of the funds appropriated shall be allocated as grants to school districts that have elementary schools that demonstrate the greatest need for programs for at-risk students with preference given to innovative programs for the early elementary school years. Of the amount allocated under this paragraph for each fiscal year, seventy-five thousand dollars shall be allocated to school districts which have an actual student population of ten thousand or less and have an actual non-English speaking student population which represents greater than five percent of the total actual student population for grants to elementary schools in those districts.

Sec. 70. Section 279.51, subsection 1, Code Supplement 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 256A.3, subsection 6, of the amount appropriated for the fiscal year beginning July 1, 1990, less the amount allocated under paragraph "a", three and thirty-three hundredths percent may be used for administrative costs.

Sec. 71. Section 282.28, Code 1989, is amended to read as follows:

282.28 CHILDREN AT ELDORA AND TOLEDO.

Annually, the area education agency in which the state training school and the Iowa juvenile home are located and the department of human services on behalf of the training school and juvenile home shall submit an annual joint application by January 1 for the next succeeding school year to the department of education describing the proposed special education instructional and support programs and service improvements for the training school and juvenile home. The department of education shall review and approve or modify the program and proposed budget by February 1 and shall notify the department of revenue and finance, the area education agency, and the department of human services of the approved budget amount. The moneys for the approved budget shall supplement and not supplant moneys equal to the moneys expended for education for the fiscal year beginning July 1, 1986 by the department of human services. The moneys for the approved budget shall be used to ensure that the training school and juvenile home comply with appropriate administrative rules relating to special education adopted by the department of education. Beginning with the fiscal year commencing July 1, 1990, and ending June 30, 1991, and in succeeding years, the department of revenue and finance shall pay the approved budget amount for an area education agency in monthly installments beginning on September 15 and ending on June 15 of the next succeeding school year. The installments shall be as nearly equal as possible as determined by the department of management, taking into consideration the relative budget and cash position of the state's resources. The department of revenue and finance shall transfer the approved budget amount for an area education agency from the moneys appropriated under section 442.26 or section 257.16 and make the payment to the area education agency.

The area education agency shall submit ~~a claim~~ an accounting to the department of education by August 1 following the school year for the actual costs of the special education programs and services provided at the training school and juvenile home. The department shall review and approve or modify the ~~claim~~ accounting by September 1 and shall notify the department of revenue and finance of the approved claim accounting amount. ~~The total amount of the approved claim shall be paid by the department of revenue and finance to the area education agency by October 1. The total amount~~ The department of revenue and finance shall adjust the September payment to the area education agency for the next fiscal year by the difference between the amount of the proposed budget paid to the area education agency and the amount of the actual costs as reflected in the area education agency's accounting. Any amount paid by the department of revenue and finance shall be deducted monthly from the state foundation aid paid under section 442.26 or section 257.16 during ~~the remainder of that fiscal year~~ to all school districts in the state. The portion of the total amount of the approved claim accounting amount that shall be deducted from the state aid of a school district shall be the same as the ratio that the budget enrollment for the budget year of the school district bears to the total budget enrollment in the state for that budget year. ~~The department of revenue and finance shall transfer the total amount of the approved claim from the moneys appropriated under section 442.26 for payment to the area education agency.~~

Sec. 72. Section 282.31, subsection 1, Code 1989, is amended to read as follows:

1. a. A child who lives in a facility pursuant to section 282.30, subsection 1, paragraph "a", and who is not enrolled in the educational program of the district of residence of the child, shall receive appropriate educational services. The area education agency shall submit a proposed program and

budget to the department of education by January 1 for the next succeeding school year. The department of education shall review and approve or modify the program and proposed budget and shall notify the department of revenue and finance and the area education agency of its action by February 1. ~~The area education agency shall submit a claim to the department of education by August 1 following the school year for the actual cost of the program.~~ Beginning with the fiscal year commencing July 1, 1990, and ending June 30, 1991, and in succeeding years, the department of revenue and finance shall pay the approved budget amount for an area education agency in monthly installments beginning September 15 and ending June 15 of the next succeeding school year. The installments shall be as nearly equal as possible as determined by the department of management, taking into consideration the relative budget and cash position of the state's resources. The department of revenue and finance shall transfer the approved budget amount for an area education agency from the moneys appropriated under section 442.26 or section 257.16 and make the payment to the area education agency. The area education agency shall submit an accounting for the actual cost of the program to the department of education by August 1 of the following school year. The department shall review and approve or modify all expenditures incurred in compliance with the guidelines pursuant to section 256.7, subsection 12, and shall notify the department of revenue and finance of the approved claim accounting amount by September 1. ~~The total amount of the approved claim accounting amount shall be compared with any amounts paid by the department of revenue and finance to the area education agency by October 1 and any differences added to or subtracted from the October payment made under this paragraph for the next school year.~~ Any amount paid by the department of revenue and finance shall be deducted monthly from the state foundation aid paid under section 442.26 or section 257.16 during the remainder of that

fiscal year to all school districts in the state. The portion of the total amount of the approved claims budget that shall be deducted from the state aid of a school district shall be the same as the ratio that the budget enrollment for the budget year of the school district bears to the total budget enrollment in the state for that budget year. ~~The department of revenue and finance shall transfer the total amount of the approved claims from the moneys appropriated under section 442.26 for payment to the area education agencies.~~

b. A child who lives in a facility or home pursuant to section 282.19, and who does not require special education and who is not enrolled in the educational program of the district of residence of the child, shall be included in the basic enrollment of the school district in which the facility or home is located.

However, on June 30 of a school year, if the board of directors of a school district determines that the number of children under this paragraph who were counted in the basic enrollment of the school district on the third Friday of September of that school year is fewer than the sum of the number of months all children were enrolled in the school district under this paragraph during the school year divided by nine, the secretary of the school district may submit a claim to the department of education by August 1 following the school year for an amount equal to the district cost per pupil of the district for the previous school year multiplied by the difference between the number of children counted and the number of children calculated by the number of months of enrollment. The amount of the claim shall be paid by the department of revenue and finance to the school district by October 1 ~~in the same manner as the claims are paid under paragraph "a".~~ The department of revenue and finance shall transfer the total amount of the approved claim of a school district from the moneys appropriated under section 442.26 or under section 257.16 and the amount paid shall be deducted



monthly from the state foundation aid paid during the remainder of that fiscal year to all school districts in the state in the manner provided in paragraph "a".

Sec. 73. Section 294A.25, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. Commencing with the fiscal year beginning July 1, 1990, the amount of sixty thousand dollars for the ambassador to education program under section 256.43.

Sec. 74. Section 298.20, Code 1989, is amended to read as follows:

298.20 FUNDING OR REFUNDING BONDS.

For the purpose of providing for the payment of any indebtedness of any school corporation represented by judgments or bonds, the board of directors of such school corporation, at any time or times, may provide by resolution for the issuance of bonds of such school corporation, to be known as funding or refunding bonds. The proceeds derived from the negotiation public or private sale of such funding or refunding bonds shall be applied in payment of such indebtedness; or said the funding bonds or refunding bonds may be issued in exchange for the evidences of such indebtedness, par for par.

Sec. 75. Section 301.30, unnumbered paragraph 4, Code Supplement 1989, is amended to read as follows:

Claims for reimbursement shall be made to the department of education by the public school district providing textbook services during a school year on a form prescribed by the department, and the claim shall state the services provided and the actual costs incurred. Claims shall be accompanied by an affidavit of an officer of the public school district affirming the accuracy of the claim. By February 1 and by July 15 of each year the department shall certify to the director of revenue and finance the amounts of approved claims to be paid, and the director of revenue and finance shall draw warrants payable to school districts which have established

~~claims. The public-school-district-in-which-the-pupil-resides may contract with the public school district of attendance to have the latter school shall furnish the services and shall receive reimbursement for the payment of said contract; however, said from the state. However, the services must be comparable to the services of the district of residence attendance and cannot exceed the per pupil cost of the program of the district of residence attendance.~~

Sec. 76. Section 303.18, unnumbered paragraph 2, Code 1989, is amended to read as follows:

The historical division shall repay a portion of the amount of the loan together with annual interest payments due on the balance of the loan over a ten-year period commencing with the fiscal year beginning July 1, 1987. Payments shall be made from gross receipts and other moneys available to the historical division. The historical division shall solicit voluntary contributions on behalf of the historical division, at the entrance and other locations throughout the state historical building and collect entrance fees for the Montauk governor's mansion for purposes of raising funds for making payments under this section. Annual payments shall not be less than the amount of interest on the permanent school fund required to be transferred to the first in the nation in education foundation under section 302.1A or seventy-five percent of the gross receipts, whichever is greater. Payments of both principal and interest made by the state historical division under this section shall be paid quarterly and shall be considered interest earned on the permanent school fund to the extent necessary for payment of interest to the first in the nation in education foundation under section 302.1A.

Sec. 77. NEW SECTION. 303.89 CULTURAL GRANT PROGRAMS.

1. The department shall establish a grant program for cities and nonprofit, tax-exempt community organizations for the development of community programs that provide local jobs for Iowa residents and also promote Iowa's historic, ethnic,

and cultural heritages through the development of festivals, music, drama, cultural programs, or tourist attractions. A city or nonprofit, tax-exempt community organization may submit an application to the department for review. The department shall establish criteria for the review and approval of grant applications. The amount of a grant shall not exceed fifty percent of the cost of the community program. Each application shall include information demonstrating that the city or nonprofit, tax-exempt community organization will provide matching funds of fifty percent of the cost of the program. The matching funds requirement may be met by substituting in-kind services, based on the value of the services, for actual dollars.

2. The department shall establish a grant program which provides general operating budget support to major, multidisciplinary cultural organizations which demonstrate cultural and managerial excellence on a continuing basis to the citizens of Iowa. Applicant organizations must be incorporated under chapter 504A, be exempt from federal taxation, and not be attached or affiliated with an educational institution. Eligible organizations shall be operated on a year-round basis and employ at least one full-time, paid professional staff member. The department shall establish criteria for review and approval of grant applications. Criteria established shall include, but are not limited to, a matching funds requirement. The matching funds requirement shall permit an applicant to meet the matching requirement by demonstrating that the applicant's budget contains funds, other than state and federal funds, in excess of the grant award.

3. Unobligated or unencumbered funds appropriated to the department for purposes of awarding and administering grants under this section and remaining on June 30, 1991, shall not revert to the general fund of the state under section 8.33, but shall remain available for expenditure by the department

for the purposes specified in this section during the fiscal year commencing July 1, 1991.

Sec. 78. Section 442.4, subsection 8, Code 1989, is amended to read as follows:

8. Notwithstanding the procedure prescribed for the calculation of budget enrollment under subsections 3 and 5, if ~~during-the-first~~ for the budget year ~~following-the-effective~~ date-of-a-school-district-reorganization commencing July 1, 1990, a reorganized school district's budget enrollment is less than the combined total of the budget enrollments of the districts involved in the reorganization calculated as if the school districts had not reorganized for that budget year, the budget enrollment of the reorganized district shall be calculated under this subsection for that budget year. The budget enrollment is the total of the budget enrollments of the districts involved in the reorganization calculated as if those districts had not reorganized minus the number of pupils residing in territory not included in the reorganized school district. For the purpose of this section, a reorganized school district is one in which the reorganization was approved in an election pursuant to sections 275.18 and 275.20 and will take effect on or after July 1, 1988.

Sec. 79.

Notwithstanding section 8.33, moneys appropriated under 1988 Iowa Acts, chapter 1284, section 33, subsection 2, which are unencumbered or unexpended on June 30, 1990, shall not revert to the general fund of the state, but shall remain available for expenditure for the purposes designated under section 256.33, to continue a consultant position and salary support in connection with the special projects and programs, and for special projects and programs designed to strengthen clinical experiences, student teacher programs, and technology in teacher education.

Sec. 80. 1989 Iowa Acts, Chapter 135, sections 88, 89, and 90 are repealed.

Sec. 81.

Sections 21, 25, 28, 29, 31, 33, 34, 46, 47, 78, and 79 of this Act take effect immediately upon enactment.

Sec. 82.

All federal grants to and the federal receipts of agencies appropriated funds under this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts, unless otherwise provided by the general assembly.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2423, Seventy-third General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

*Item Veto*  
Approved May 8, 1990

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TERRY E. BRANSTAD  
Governor