

Approp. Amend (5894) & Dr. Pass 4/4 (p. 1540)

FILED APR 4 1990

SENATE FILE 2430
BY HUTCHINS AND HULTMAN

Passed Senate, Date 4/4/90 (p. 1542) Passed House, Date 4/5/90 (P. 2085)
Vote: Ayes 47 Nays 1 Vote: Ayes 93 Nays 1

Approved Step May 6, 1990
veto

A BILL FOR

- 1 An Act relating to higher education including the funding,
- 2 administration, and authority for dormitory bonding of
- 3 community colleges, coordination of higher education sectors,
- 4 and studies relating to educational opportunities.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

~~_____~~ SENATE FILE 2430 ~~_____~~

S-5894

- 1 Amend Senate File 2430 as follows:
- 2 1. Page 1, by inserting after line 27 the fol-
- 3 lowing:
- 4 "Sec. ____ . 1990 Iowa Acts, Senate File 2410,
- 5 section 49, subsection 5, is amended by adding the
- 6 following new paragraph:
- 7 NEW PARAGRAPH. c. Discontinue the program or
- 8 programs which have been identified as deficient."

By COMMITTEE ON APPROPRIATIONS
JOE WELSH, Chairperson

S-5894 FILED APRIL 4, 1990
ADOPTED (p. 1542)

SC 2430

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1 Section 1. 1990 Iowa Acts, Senate File 2410, section 10,
2 is amended by striking the section and inserting in lieu
3 thereof the following:

4 SEC. 10. NEW SECTION. 260B.1 HIGHER EDUCATION STRATEGIC
5 PLANNING COUNCIL ESTABLISHED.

6 The higher education strategic planning council is
7 established to develop strategic plans for the advancement of
8 higher education institutions in the state.

9 The higher education council is an independent public body
10 to be located in the offices of the college aid commission,
11 which consists of seven voting members, who are to be selected
12 in the following manner:

13 1. One voting member shall be a public member, who shall
14 also serve as chairperson of the council.

15 2. Two voting members shall be selected from a list of
16 nominees submitted by the state board of regents.

17 3. Two voting members shall be selected from a list of
18 nominees submitted by the association which represents the
19 largest number of independent colleges and universities.

20 4. Two voting members shall be selected from a list of
21 nominees submitted jointly by the association which represents
22 the largest number of community college trustees, the
23 association which represents the largest number of community
24 college presidents, and the state board of education.

25 All voting members shall be appointed by the governor,
26 subject to confirmation by the senate. Terms of office of
27 voting members are four years commencing on July 1.

28 Sec. 2. 1990 Iowa Acts, Senate File 2410, section 50,
29 subsection 1, is amended by striking the subsection and
30 inserting in lieu thereof the following:

31 1. The state board shall develop standards for the
32 accreditation of community college programs. Standards
33 developed shall be general in nature so as to apply to more
34 than one specific program of instruction. However, the state
35 board may develop additional, specific criteria where appro-

1 piate to the accreditation process.

2 Sec. 3. 1990 Iowa Acts, Senate File 2410, section 58,
3 subsection 4, is amended by striking the subsection.

4 Sec. 4. 1990 Iowa Acts, Senate File 2410, section 75, is
5 amended to read as follows:

6 SEC. 75. NEW SECTION. 220.162 AUTHORITY TO ISSUE
7 COMMUNITY COLLEGE DORMITORY BONDS AND NOTES.

8 The authority shall assist a community college or the state
9 board for community colleges as provided in chapter 280A, and
10 the authority shall have all of the powers delegated to it in
11 a chapter 28E agreement by a community college board of
12 directors, the state board for community colleges, or a
13 private developer contracting with a community college to
14 develop a ~~self-liquidating~~ housing facility, such as a
15 dormitory, for the community college, with respect to the
16 issuance or securing of bonds or notes ~~and the carrying out of~~
17 ~~the purposes of chapter 280A~~ as provided in sections 280A.71
18 and 280A.72.

19 Sec. 5. 1990 Iowa Acts, Senate File 2410, section 76,
20 subsections 1, 2, and 3, are amended to read as follows:

21 1. As used in this section and section 280A.72, unless the
22 context otherwise requires, ~~"authority"~~ "authority":

23 a. "Authority" means the Iowa finance authority.

24 b. "Bonds" means revenue bonds which are payable solely as
25 provided in this section and section 280A.72.

26 2. The authority shall cooperate with the state board for
27 community colleges, individual community colleges, and private
28 developers, acting in conjunction with a community college to
29 build ~~self-liquidating~~ housing facilities in connection with
30 the community college, in the creation, administration, and
31 funding of a community college dormitory bond program to
32 finance ~~self-liquidating~~ housing facilities, such as
33 dormitories, in connection with a community college.

34 3. The authority may issue its bonds and notes for the
35 purpose of funding the nonrecurring cost of acquiring, ~~or~~

1 constructing, and equipping a community college related
2 facility, such as a dormitory.

3 Sec. 6. 1990 Iowa Acts, Senate File 2410, section 77,
4 subsection 1, is amended to read as follows:

5 1. The authority may provide in the resolution, trust
6 agreement, or other instrument authorizing the issuance of its
7 bonds or notes pursuant to section 280A.71 that the principal
8 of, premium, and interest on the bonds or notes are payable
9 from any of the following and may pledge the same to its bonds
10 and notes:

11 ~~a. The income and receipts or other moneys derived from~~
12 ~~the projects financed with the proceeds of the bonds or notes.~~

13 ~~b. The income and receipts or other money derived from~~
14 ~~designated projects whether or not the projects are financed~~
15 ~~in whole or in part with the proceeds of the bonds or notes.~~

16 a. From the net rents, profits, and income arising from
17 the project or property pledged or mortgaged.

18 b. From the net rents, profits, and income which has not
19 been pledged for other purposes arising from any similar
20 housing facility under the control and management of the
21 community college or state board for community colleges.

22 c. From the fees or charges established by the community
23 college or state board for community colleges for students
24 attending the institution for the use or availability of the
25 housing facility for which the obligation was incurred.

26 d. From the income derived from gifts and bequests made to
27 the institutions under the control of the community college or
28 state board for community colleges for such purposes.

29 e. The From the amounts on deposit in the name of a
30 community college or a private developer or operator of a
31 community college facility, including but not limited to
32 revenues from a purchase, rental, or lease agreement, loan
33 agreement, or dormitory charges.

34 f. The From the amounts payable to the authority, the
35 community college board of directors, the state board for

1 community colleges, or a private developer or operator,
2 pursuant to a loan agreement, lease agreement, or sale
3 agreement.

4 e g. Any From the other funds or accounts established by
5 the authority in connection with the program or the sale and
6 issuance of its bonds or notes.

7 No obligation created hereunder shall ever be or become a
8 charge against the state of Iowa but all such obligations,
9 including principal and interest, shall be payable solely as
10 provided in this section and section 280A.71.

11 Sec. 7. 1990 Iowa Acts, Senate File 2410, section 77,
12 subsection 6, is amended by striking the subsection.

13 Sec. 8. 1990 Iowa Acts, Senate File 2410, section 93, is
14 amended to read as follows:

15 SEC. 93. Section 286A.2, subsection 4, unnumbered
16 paragraph 2, Code Supplement 1989, is amended to read as
17 follows:

18 The total contact hours for an area school in a cost center
19 for a budget year for purposes of determining state general
20 aid under this chapter are the average of the total contact
21 hours offered by the area school in that cost center for the
22 base year and the two fiscal years preceding the base year.
23 However, commencing July 1, ~~1991~~ 1992, total contact hours in
24 a cost center for a budget year shall be the average of the
25 total contact hours offered by the area school in that cost
26 center for the base year and the fiscal year preceding the
27 base year.

28 Sec. 9. 1990 Iowa Acts, Senate File 2410, section 95, is
29 amended by striking the section and inserting in lieu thereof
30 the following:

31 SEC. 95. Section 286A.3, Code 1989, is amended by adding
32 the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
34 beginning July 1, 1991, and July 1, 1992, the percent
35 multiplier of the state average cost per contact hour shall be

1 increased by an additional one-half of one percent, and on
2 July 1 of each of the next four fiscal years, shall be
3 increased by an additional one percent until the state
4 foundation support level per contact hour for each
5 instructional cost center equals seventy percent of the state
6 average cost per contact hour.

7 Sec. 10. 1990 Iowa Acts, Senate File 2410, section 97, is
8 amended by striking the section and inserting in lieu thereof
9 the following:

10 SEC. 97. Section 286A.5, Code 1989, is amended by adding
11 the following new unnumbered paragraph:

12 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
13 beginning July 1, 1991, and July 1, 1992, the percent
14 multiplier of the area school's general institutional function
15 cost shall be increased by an additional one-half of one
16 percent, and on July 1 of each of the next four fiscal years
17 shall be increased by an additional one percent until the
18 foundation support level for the general institutional
19 function reaches seventy percent of the area school's general
20 institutional support function cost.

21 Sec. 11. 1990 Iowa Acts, Senate File 2410, section 98, is
22 amended to read as follows:

23 SEC. 98. Section 286A.6, unnumbered paragraph 3, Code
24 1989, is amended to read as follows:

25 The foundation support level per contact hour eligible for
26 state general aid for the student services function cost for
27 an area school is the foundation support level per contact
28 hour for the base year plus a student services support
29 allowable growth amount. The allowable growth amount is
30 determined by the department of management by multiplying the
31 state percent of growth for the budget year by the state
32 average student services function cost per contact hour for
33 the base year. The total is then multiplied by the number of
34 eligible contact hours in the area school to determine the
35 foundation support for the student services function cost for

1 a budget year.

2 For the fiscal period year commencing July 1, 1991, and
3 ~~ending June 30, 1995,~~ twenty-five percent of noneligible
4 contact hours shall be added to the eligible contact hours
5 ~~each fiscal year,~~ for purposes of determining the foundation
6 support for the student services function cost, ~~until all~~
7 ~~contact hours are eligible for determining the foundation~~
8 ~~support level.~~ In succeeding fiscal years, all the number of
9 noneligible contact hours shall be eligible added to eligible
10 contact hours for purposes of determining the foundation
11 support level for the student services function cost shall be
12 the number of noneligible contact hours used to determine the
13 foundation support level for the fiscal year commencing July
14 1, 1991.

15 Sec. 12. 1990 Iowa Acts, Senate File 2410, section 99, is
16 amended by striking the section and inserting in lieu thereof
17 the following:

18 SEC. 99. Section 286A.6, Code 1989, is amended by adding
19 the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
21 beginning July 1, 1991, and July 1, 1992, the percent
22 multiplier of the state average student services function cost
23 per contact hour shall be increased by an additional one-half
24 of one percent, and on July 1 of each of the next four fiscal
25 years shall be increased by an additional one percent until
26 the foundation support level for the student services function
27 cost equals seventy percent of the state average student
28 services function cost per contact hour.

29 Sec. 13. 1990 Iowa Acts, Senate File 2410, section 100, is
30 amended by striking the section and inserting in lieu thereof
31 the following:

32 SEC. 100. Section 286A.7, subsection 1, Code 1989, is
33 amended by adding the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
35 beginning July 1, 1991, and July 1, 1992, the percent

1 increased by an additional one-half of one percent, and on
2 July 1 of each of the next four fiscal years, shall be
3 increased by an additional one percent until the state
4 foundation support level per contact hour for each
5 instructional cost center equals seventy percent of the state
6 average cost per contact hour.

7 Sec. 10. 1990 Iowa Acts, Senate File 2410, section 97, is
8 amended by striking the section and inserting in lieu thereof
9 the following:

10 SEC. 97. Section 285A.5, Code 1989, is amended by adding
11 the following new unnumbered paragraph:

12 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
13 beginning July 1, 1991, and July 1, 1992, the percent
14 multiplier of the area school's general institutional function
15 cost shall be increased by an additional one-half of one
16 percent, and on July 1 of each of the next four fiscal years
17 shall be increased by an additional one percent until the
18 foundation support level for the general institutional
19 function reaches seventy percent of the area school's general
20 institutional support function cost.

21 Sec. 11. 1990 Iowa Acts, Senate File 2410, section 98, is
22 amended to read as follows:

23 SEC. 98. Section 285A.6, unnumbered paragraph 3, Code
24 1989, is amended to read as follows:

25 The foundation support level per contact hour eligible for
26 state general aid for the student services function cost for
27 an area school is the foundation support level per contact
28 hour for the base year plus a student services support
29 allowable growth amount. The allowable growth amount is
30 determined by the department of management by multiplying the
31 state percent of growth for the budget year by the state
32 average student services function cost per contact hour for
33 the base year. The total is then multiplied by the number of
34 eligible contact hours in the area school to determine the
35 foundation support for the student services function cost for

1 unnumbered paragraph 3, is amended by striking the unnumbered
2 paragraph and inserting in lieu thereof the following:

3 For each of the fiscal years beginning July 1, 1991, and
4 July 1, 1992, the percent multiplier of the area school's
5 equipment purchase function cost shall be increased by an
6 additional one-half of one percent, and on July 1 of each of
7 the next four fiscal years, shall be increased by an
8 additional one percent until the foundation support level for
9 the equipment purchase function cost reaches seventy percent
10 of the area school's equipment purchase function cost.

11 Sec. 17. 1990 Iowa Acts, Senate File 2410, section 107,
12 unnumbered paragraph 1, is amended to read as follows:

13 The department of education shall provide for the
14 establishment of a community college excellence 2000 account
15 in the office of the treasurer of state for deposit of moneys
16 appropriated to the account for purposes of funding quality
17 instructional centers and program and administrative sharing
18 agreements under sections 280A.45 and 280A.46. There is
19 appropriated from the general fund of the state to the
20 department of education, for the fiscal year beginning July 1,
21 1991, ~~an amount equal to two and five-tenths percent of the~~
22 ~~total state general aid generated for all community colleges~~
23 ~~during the base year under chapter 286A~~ one million two
24 hundred thousand dollars. ~~In the next succeeding four fiscal~~
25 ~~years, the percent multiplier shall be increased in equal~~
26 ~~increments until the multiplier reaches ten percent. In~~
27 ~~succeeding fiscal years the percent multiplier used to~~
28 ~~determine the appropriation under this section shall be ten~~
29 ~~percent.~~ There is appropriated from the general fund of the
30 state to the department of education for the fiscal year
31 beginning July 1, 1992, an amount equal to two and five-tenths
32 percent of the total state general aid generated for all
33 community colleges during the budget year under chapter 286A
34 for deposit in the community college excellence 2000 account.
35 In the next succeeding two fiscal years, the percent

1 multiplier shall be increased in equal increments until the
2 multiplier reaches seven and one-half percent of the total
3 state general aid generated for all community colleges during
4 the budget year.

5 Sec. 18. 1990 Iowa Acts, Senate File 2410, section 107, is
6 amended by adding the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
8 assembly that the general assembly enact legislation by July
9 1, 1995, that will increase the maximum percent multiplier
10 established in this section from seven and five-tenths percent
11 to ten percent.

12 Sec. 19. 1990 Iowa Acts, Senate File 2410, section 112, is
13 amended to read as follows:

14 SEC. 112.

15 ~~If funds are appropriated for that purpose, the~~ The
16 department of personnel shall conduct a study of educational
17 opportunities for state employees. The study shall include,
18 but is not limited to, current utilization of educational
19 leave by state employees, programs and services available
20 currently to state employees, state employee needs for
21 increased education, and the development of a plan to
22 coordinate available resources and programs with employees in
23 need of educational services. The department shall submit its
24 findings, together with the plan for increasing educational
25 opportunities, in a report to the general assembly by December
26 1, 1990.

27 Sec. 20. 1990 Iowa Acts, Senate File 2410, section 113, is
28 amended to read as follows:

29 SEC. 113.

30 ~~If funds are appropriated for that purpose, the~~ The
31 department of education, in consultation with the state board
32 of regents, shall develop recommendations relating to the
33 programs offered under the postsecondary enrollment options
34 Act contained in chapter 261C. The recommendations shall
35 include any funding changes needed to enhance utilization of

1 the postsecondary enrollment options Act by students,
2 including changes in targeted dollar amounts.

3 The recommendations shall also include an examination of
4 the relationship between the offering of advanced placement
5 courses at the secondary school level and the options
6 available for delivery of postsecondary courses through the
7 postsecondary enrollment options Act. The department shall
8 submit its findings together with its recommendations in a
9 report to the general assembly by January 15, 1991.

10 Sec. 21. 1990 Iowa Acts, Senate File 2410, section 114, is
11 amended to read as follows:

12 SEC. 114.

13 ~~If funds are appropriated for that purpose, the~~ The state
14 board of regents shall conduct a study to determine whether
15 public service assistance is included as one of the criteria
16 for determining institutional compensation and whether faculty
17 members at institutions under its control who do provide
18 public service assistance on a state or national basis receive
19 remuneration for providing the assistance. The board shall
20 submit its findings, along with any recommendations, in a
21 report to the general assembly by December 1, 1990.

22 Sec. 22. 1990 Iowa Acts, Senate File 2410, section 115, is
23 amended to read as follows:

24 SEC. 115.

25 ~~If funds are appropriated for that purpose, the~~ The
26 department of education, in conjunction with the department of
27 economic development and the department of employment
28 services, shall conduct a study of the job and career
29 information programs available through the public education
30 system and state agencies. The study shall include assessment
31 and monitoring of the coordination between the programs
32 offered, the relationship between the programs and statewide
33 job training programs, the identification of areas in which
34 new programs need to be offered or existing programs
35 strengthened, and the development of recommendations for

1 creation of an information delivery system to provide
2 continuing updates of the relative workforce training and
3 personnel needs as compared to the numbers of students
4 enrolled in the various programs. The department of education
5 shall submit the findings, along with any recommendations, in
6 a report to the general assembly by December 1, 1991.

7 Sec. 23. 1990 Iowa Acts, Senate File 2410, section 116, is
8 amended to read as follows:

9 SEC. 116.

10 ~~If funds are appropriated for that purpose, the~~ The
11 department of education in cooperation with the boards of
12 trustees of each community college shall conduct a study of
13 the child care needs of students, faculty, and staff at each
14 of the community colleges. The department shall submit its
15 findings, along with any recommendations, in a report to the
16 general assembly by December 1, 1991.

17 Sec. 24. 1990 Iowa Acts, Senate File 2410, section 117, is
18 amended to read as follows:

19 SEC. 117.

20 ~~If funds are appropriated for that purpose, the~~ The
21 department of education shall conduct a study of offering
22 special programs at the community colleges versus initiating
23 tuition reciprocity or subvention agreements with similar
24 higher education institutions in surrounding states. The
25 department shall submit its findings in a report to the
26 general assembly by December 1, 1991.

27 Sec. 25. 1990 Iowa Acts, Senate File 2410, section 118, is
28 amended to read as follows:

29 SEC. 118.

30 ~~If funds are appropriated for that purpose, the~~ The higher
31 education strategic planning council shall explore the
32 creation of an Iowa "electronic university" and the marketing
33 of courses from Iowa to students in other states through the
34 use of telecommunications.

35 Sec. 26. 1990 Iowa Acts, Senate File 2410, section 119, is

1 amended to read as follows:

2 SEC. 119.

3 ~~if-funds-are-appropriated-for-that-purpose,-the~~ The board
4 of educational examiners in cooperation with the department of
5 education and community college trustees shall conduct a study
6 of the practitioner licensing standards for instructional
7 personnel teaching at the community colleges. The study shall
8 include evaluation of current standards in light of current
9 needs, a comparison of the standards with those of other
10 institutions of higher education in the state and comparable
11 institutions in other states, and evaluation of the
12 educational requirements for nursing educators under 655 Iowa
13 Administrative Code, Rule 2.3 (2)(d)(2), Rule 2.6
14 (1)(a)(1)(1.), and Rule 2.6 (2)(c), as the requirements relate
15 to community colleges. In addition, this study, done in
16 cooperation with the board of nursing, shall include an
17 assessment of the state's supply of nursing educators who
18 possess the educational qualifications identified in the
19 administrative rules. The board of nursing shall by rule
20 delay enforcement of the nursing educator administrative rules
21 being studied until completion of the study, submission of any
22 findings, and a review of the rules and the completed study by
23 the administrative rules review committee. The board of
24 educational examiners shall submit the findings, along with
25 any recommended changes in the standards, in a report to the
26 general assembly by July 1, 1991.

27 Sec. 27. 1990 Iowa Acts, Senate File 2410, section 123, is
28 amended to read as follows:

29 SEC. 123.

30 The initial voting members of the higher education
31 strategic planning council shall serve terms of office
32 beginning July 1, 1990, as follows: four members shall serve
33 four-year terms and three members shall serve two-year terms.
34 Members serving four-year terms shall include the public
35 member and one member from each of the three other categories

1 of voting members.

2 Sec. 28. Section 12.30, subsection 1, paragraph a, Code
3 1989, is amended to read as follows:

4 a. "Authority" means a department, or public or quasi-
5 public instrumentality of the state including, but not limited
6 to, the authority created under chapter 175, 175A, 220, 261A,
7 307B, or 442A, which has the power to issue obligations,
8 except that "authority" does not include the state board of
9 regents or the Iowa finance authority to the extent it acts
10 pursuant to chapter 280A.

11 Sec. 29. NEW SECTION. 286A.17 STUDY OF STATE FOUNDATION
12 SUPPORT LEVEL.

13 It is the intent of the general assembly that the general
14 assembly and the governor enact legislation to increase the
15 state foundation support level for the instructional cost
16 centers and the noninstructional function costs to the
17 seventy-five percent level by July 1, 2001.

18 Sec. 30.

19 The higher education strategic planning council shall
20 recommend a process for assessing quality of instruction and
21 for assessment of student learning. The council shall submit
22 recommendations in a report to the general assembly by
23 December 1, 1991.

24 Sec. 31.

25 It is the intent of the general assembly that the general
26 assembly shall review and evaluate the needs and funding
27 relating to the providing of remedial education at the
28 community colleges and to establish an appropriate remedial
29 cost center within the area school foundation formula by the
30 fiscal year which commences July 1, 1992.

31 Sec. 32. 1990 Iowa Acts, Senate File 2410, sections 90 and
32 91 are repealed.

33 EXPLANATION

34 This bill makes changes in Senate File 2410, as passed by
35 the general assembly. The provisions relating to the higher

1 education strategic planning council are changed to remove the
2 ex officio nonvoting members, to remove the member of the
3 state board for community colleges, to change the members of
4 the state board of regents and from the association of
5 independent colleges and universities to members selected by
6 those two groups, and to add two members from the association
7 for community college presidents and trustees. The standards
8 to be developed by the state board have been altered to remove
9 the specific classifications and to add more general language
10 relating to standards development. The bill also makes
11 technical changes relating to bonding language relating to the
12 Iowa finance authority. A study relating to quality in
13 education is established. Language conditioning studies upon
14 appropriation of funds is deleted in this bill. The bill also
15 makes several changes in the funding formula for community
16 colleges.

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SENATE FILE 2430
BY HUTCHINS AND HULTMAN

(AS AMENDED AND PASSED BY THE SENATE APRIL 4, 1990)
_____ - New Language by the Senate

4/5/90
Passed Senate, Date 4/6/90 (p. 1603) Passed House, Date 4/5/90 (p. 2085)
Vote: Ayes 47 Nays 1 Vote: Ayes 93 Nays 1
Approved May 6, 1990 Item Vetoed

A BILL FOR

1 An Act relating to higher education including the funding,
2 administration, and authority for dormitory bonding of
3 community colleges, coordination of higher education sectors,
4 and studies relating to educational opportunities.

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

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S.F. 2430

1 Section 1. 1990 Iowa Acts, Senate File 2410, section 10,
2 is amended by striking the section and inserting in lieu
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5 PLANNING COUNCIL ESTABLISHED.

6 The higher education strategic planning council is
7 established to develop strategic plans for the advancement of
8 higher education institutions in the state.

9 The higher education council is an independent public body
10 to be located in the offices of the college aid commission,
11 which consists of seven voting members, who are to be selected
12 in the following manner:

13 1. One voting member shall be a public member, who shall
14 also serve as chairperson of the council.

15 2. Two voting members shall be selected from a list of
16 nominees submitted by the state board of regents.

17 3. Two voting members shall be selected from a list of
18 nominees submitted by the association which represents the
19 largest number of independent colleges and universities.

20 4. Two voting members shall be selected from a list of
21 nominees submitted jointly by the association which represents
22 the largest number of community college trustees, the
23 association which represents the largest number of community
24 college presidents, and the state board of education.

25 All voting members shall be appointed by the governor,
26 subject to confirmation by the senate. Terms of office of
27 voting members are four years commencing on July 1.

28 Sec. 2. 1990 Iowa Acts, Senate File 2410, section 49,
29 subsection 5, is amended by adding the following new
30 paragraph:

31 NEW PARAGRAPH. c. Discontinue the program or programs
32 which have been identified as deficient.

33 Sec. 3. 1990 Iowa Acts, Senate File 2410, section 50,
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2 accreditation of community college programs. Standards
3 developed shall be general in nature so as to apply to more
4 than one specific program of instruction. However, the state
5 board may develop additional, specific criteria where appro-
6 priate to the accreditation process.

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12 COMMUNITY COLLEGE DORMITORY BONDS AND NOTES.

13 The authority shall assist a community college or the state
14 board for community colleges as provided in chapter 280A, and
15 the authority shall have all of the powers delegated to it in
16 a chapter 28E agreement by a community college board of
17 directors, the state board for community colleges, or a
18 private developer contracting with a community college to
19 develop a ~~self-liquidating~~ housing facility, such as a
20 dormitory, for the community college, with respect to the
21 issuance or securing of bonds or notes ~~and the carrying out of~~
22 ~~the purposes of chapter 280A~~ as provided in sections 280A.71
23 and 280A.72.

24 Sec. 6. 1990 Iowa Acts, Senate File 2410, section 76,
25 subsections 1, 2, and 3, are amended to read as follows:

26 1. As used in this section and section 280A.72, unless the
27 context otherwise requires, "authority":

28 a. "Authority" means the Iowa finance authority.

29 b. "Bonds" means revenue bonds which are payable solely as
30 provided in this section and section 280A.72.

31 2. The authority shall cooperate with the state board for
32 community colleges, individual community colleges, and private
33 developers, acting in conjunction with a community college to
34 build ~~self-liquidating~~ housing facilities in connection with
35 the community college, in the creation, administration, and

1 funding of a community college dormitory bond program to
2 finance ~~self-liquidating~~ housing facilities, such as
3 dormitories, in connection with a community college.

4 3. The authority may issue its bonds and notes for the
5 purpose of funding the nonrecurring cost of acquiring, or
6 constructing, and equipping a community college related
7 facility, such as a dormitory.

8 Sec. 7. 1990 Iowa Acts, Senate File 2410, section 77,
9 subsection 1, is amended to read as follows:

10 1. The authority may provide in the resolution, trust
11 agreement, or other instrument authorizing the issuance of its
12 bonds or notes pursuant to section 280A.71 that the principal
13 of, premium, and interest on the bonds or notes are payable
14 from any of the following and may pledge the same to its bonds
15 and notes:

16 ~~a. The income and receipts or other moneys derived from~~
17 ~~the projects financed with the proceeds of the bonds or notes.~~

18 ~~b. The income and receipts or other money derived from~~
19 ~~designated projects whether or not the projects are financed~~
20 ~~in whole or in part with the proceeds of the bonds or notes.~~

21 a. From the net rents, profits, and income arising from
22 the project or property pledged or mortgaged.

23 b. From the net rents, profits, and income which has not
24 been pledged for other purposes arising from any similar
25 housing facility under the control and management of the
26 community college or state board for community colleges.

27 c. From the fees or charges established by the community
28 college or state board for community colleges for students
29 attending the institution for the use or availability of the
30 housing facility for which the obligation was incurred.

31 d. From the income derived from gifts and bequests made to
32 the institutions under the control of the community college or
33 state board for community colleges for such purposes.

34 e. The From the amounts on deposit in the name of a
35 community college or a private developer or operator of a

1 community college facility, including but not limited to
2 revenues from a purchase, rental, or lease agreement, loan
3 agreement, or dormitory charges.

4 d f. ~~The~~ From the amounts payable to the authority, the
5 community college board of directors, the state board for
6 community colleges, or a private developer or operator,
7 pursuant to a loan agreement, lease agreement, or sale
8 agreement.

9 e g. Any From the other funds or accounts established by
10 the authority in connection with the program or the sale and
11 issuance of its bonds or notes.

12 No obligation created hereunder shall ever be or become a
13 charge against the state of Iowa but all such obligations,
14 including principal and interest, shall be payable solely as
15 provided in this section and section 280A.71.

16 Sec. 8. 1990 Iowa Acts, Senate File 2410, section 77,
17 subsection 6, is amended by striking the subsection.

18 Sec. 9. 1990 Iowa Acts, Senate File 2410, section 93, is
19 amended to read as follows:

20 SEC. 93. Section 286A.2, subsection 4, unnumbered
21 paragraph 2, Code Supplement 1989, is amended to read as
22 follows:

23 The total contact hours for an area school in a cost center
24 for a budget year for purposes of determining state general
25 aid under this chapter are the average of the total contact
26 hours offered by the area school in that cost center for the
27 base year and the two fiscal years preceding the base year.
28 However, commencing July 1, ~~1991~~ 1992, total contact hours in
29 a cost center for a budget year shall be the average of the
30 total contact hours offered by the area school in that cost
31 center for the base year and the fiscal year preceding the
32 base year.

33 Sec. 10. 1990 Iowa Acts, Senate File 2410, section 95, is
34 amended by striking the section and inserting in lieu thereof
35 the following:

1 SEC. 95. Section 286A.3, Code 1989, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
4 beginning July 1, 1991, and July 1, 1992, the percent
5 multiplier of the state average cost per contact hour shall be
6 increased by an additional one-half of one percent, and on
7 July 1 of each of the next four fiscal years, shall be
8 increased by an additional one percent until the state
9 foundation support level per contact hour for each
10 instructional cost center equals seventy percent of the state
11 average cost per contact hour.

12 Sec. 11. 1990 Iowa Acts, Senate File 2410, section 97, is
13 amended by striking the section and inserting in lieu thereof
14 the following:

15 SEC. 97. Section 286A.5, Code 1989, is amended by adding
16 the following new unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
18 beginning July 1, 1991, and July 1, 1992, the percent
19 multiplier of the area school's general institutional function
20 cost shall be increased by an additional one-half of one
21 percent, and on July 1 of each of the next four fiscal years
22 shall be increased by an additional one percent until the
23 foundation support level for the general institutional
24 function reaches seventy percent of the area school's general
25 institutional support function cost.

26 Sec. 12. 1990 Iowa Acts, Senate File 2410, section 98, is
27 amended to read as follows:

28 SEC. 98. Section 286A.6, unnumbered paragraph 3, Code
29 1989, is amended to read as follows:

30 The foundation support level per contact hour eligible for
31 state general aid for the student services function cost for
32 an area school is the foundation support level per contact
33 hour for the base year plus a student services support
34 allowable growth amount. The allowable growth amount is
35 determined by the department of management by multiplying the

1 state percent of growth for the budget year by the state
2 average student services function cost per contact hour for
3 the base year. The total is then multiplied by the number of
4 eligible contact hours in the area school to determine the
5 foundation support for the student services function cost for
6 a budget year.

7 For the fiscal period year commencing July 1, 1991, and
8 ~~ending June 30, 1995~~, twenty-five percent of noneligible
9 contact hours shall be added to the eligible contact hours
10 ~~each fiscal year~~, for purposes of determining the foundation
11 support for the student services function cost, ~~until all~~
12 ~~contact hours are eligible for determining the foundation~~
13 ~~support level~~. In succeeding fiscal years, all the number of
14 noneligible contact hours shall be eligible added to eligible
15 contact hours for purposes of determining the foundation
16 support level for the student services function cost shall be
17 the number of noneligible contact hours used to determine the
18 foundation support level for the fiscal year commencing July
19 1, 1991.

20 Sec. 13. 1990 Iowa Acts, Senate File 2410, section 99, is
21 amended by striking the section and inserting in lieu thereof
22 the following:

23 SEC. 99. Section 286A.6, Code 1989, is amended by adding
24 the following new unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
26 beginning July 1, 1991, and July 1, 1992, the percent
27 multiplier of the state average student services function cost
28 per contact hour shall be increased by an additional one-half
29 of one percent, and on July 1 of each of the next four fiscal
30 years shall be increased by an additional one percent until
31 the foundation support level for the student services function
32 cost equals seventy percent of the state average student
33 services function cost per contact hour.

34 Sec. 14. 1990 Iowa Acts, Senate File 2410, section 100, is
35 amended by striking the section and inserting in lieu thereof

1 the following:

2 SEC. 100. Section 286A.7, subsection 1, Code 1989, is
3 amended by adding the following new unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
5 beginning July 1, 1991, and July 1, 1992, the percent
6 multiplier of the state average cost per square foot for the
7 physical plant maintenance cost shall be increased by an
8 additional one-half of one percent, and on July 1 of each of
9 the next four fiscal years shall be increased by an additional
10 one percent until the foundation support level per square foot
11 for the physical plant maintenance cost equals seventy percent
12 of the state average cost per square foot.

13 Sec. 15. 1990 Iowa Acts, Senate File 2410, section 102, is
14 amended by striking the section and inserting in lieu thereof
15 the following:

16 SEC. 102. Section 286A.7, subsection 2, Code 1989, is
17 amended by adding the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
19 beginning July 1, 1991, and July 1, 1992, the percent
20 multiplier of the state average cost per cubic foot for the
21 physical plant utility cost shall be increased by an addi-
22 tional one-half of one percent and on July 1 of each of the
23 next four fiscal years shall be increased by an additional one
24 percent until the foundation support level per cubic foot for
25 the physical plant utility cost equals seventy percent of the
26 state average cost per cubic foot.

27 Sec. 16. 1990 Iowa Acts, Senate File 2410, section 104, is
28 amended by striking the section and inserting in lieu thereof
29 the following:

30 SEC. 104. Section 286A.8, Code 1989, is amended by adding
31 the following new unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. For each of the fiscal years
33 beginning July 1, 1991, and July 1, 1992, the percent
34 multiplier of the area school's library function cost shall be
35 increased by an additional one-half of one percent and on July

1 1 of each of the next four fiscal years shall be increased by
2 an additional one percent until the foundation support level
3 for the library function cost equals seventy percent of the
4 area school's library function cost.

5 Sec. 17. 1990 Iowa Acts, Senate File 2410, section 105,
6 unnumbered paragraph 3, is amended by striking the unnumbered
7 paragraph and inserting in lieu thereof the following:

8 For each of the fiscal years beginning July 1, 1991, and
9 July 1, 1992, the percent multiplier of the area school's
10 equipment purchase function cost shall be increased by an
11 additional one-half of one percent, and on July 1 of each of
12 the next four fiscal years, shall be increased by an
13 additional one percent until the foundation support level for
14 the equipment purchase function cost reaches seventy percent
15 of the area school's equipment purchase function cost.

16 Sec. 18. 1990 Iowa Acts, Senate File 2410, section 107,
17 unnumbered paragraph 1, is amended to read as follows:

18 The department of education shall provide for the
19 establishment of a community college excellence 2000 account
20 in the office of the treasurer of state for deposit of moneys
21 appropriated to the account for purposes of funding quality
22 instructional centers and program and administrative sharing
23 agreements under sections 280A.45 and 280A.46. There is
24 appropriated from the general fund of the state to the
25 department of education, for the fiscal year beginning July 1,
26 1991, ~~an amount equal to two and five tenths percent of the~~
27 ~~total state general aid generated for all community colleges~~
28 ~~during the base year under chapter 286A~~ one million two
29 hundred thousand dollars. ~~In the next succeeding four fiscal~~
30 ~~years, the percent multiplier shall be increased in equal~~
31 ~~increments until the multiplier reaches ten percent. In~~
32 ~~succeeding fiscal years the percent multiplier used to~~
33 ~~determine the appropriation under this section shall be ten~~
34 ~~percent.~~ There is appropriated from the general fund of the
35 state to the department of education for the fiscal year

1 beginning July 1, 1992, an amount equal to two and five-tenths
2 percent of the total state general aid generated for all
3 community colleges during the budget year under chapter 286A
4 for deposit in the community college excellence 2000 account.
5 In the next succeeding two fiscal years, the percent
6 multiplier shall be increased in equal increments until the
7 multiplier reaches seven and one-half percent of the total
8 state general aid generated for all community colleges during
9 the budget year.

10 Sec. 19. 1990 Iowa Acts, Senate File 2410, section 107, is
11 amended by adding the following new unnumbered paragraph:

12 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
13 assembly that the general assembly enact legislation by July
14 1, 1995, that will increase the maximum percent multiplier
15 established in this section from seven and five-tenths percent
16 to ten percent.

17 Sec. 20. 1990 Iowa Acts, Senate File 2410, section 112, is
18 amended to read as follows:

19 SEC. 112.

20 ~~If funds are appropriated for that purpose, the~~ The
21 department of personnel shall conduct a study of educational
22 opportunities for state employees. The study shall include,
23 but is not limited to, current utilization of educational
24 leave by state employees, programs and services available
25 currently to state employees, state employee needs for
26 increased education, and the development of a plan to
27 coordinate available resources and programs with employees in
28 need of educational services. The department shall submit its
29 findings, together with the plan for increasing educational
30 opportunities, in a report to the general assembly by December
31 1, 1990.

32 Sec. 21. 1990 Iowa Acts, Senate File 2410, section 113, is
33 amended to read as follows:

34 SEC. 113.

35 ~~If funds are appropriated for that purpose, the~~ The

1 department of education, in consultation with the state board
2 of regents, shall develop recommendations relating to the
3 programs offered under the postsecondary enrollment options
4 Act contained in chapter 261C. The recommendations shall
5 include any funding changes needed to enhance utilization of
6 the postsecondary enrollment options Act by students,
7 including changes in targeted dollar amounts.

8 The recommendations shall also include an examination of
9 the relationship between the offering of advanced placement
10 courses at the secondary school level and the options
11 available for delivery of postsecondary courses through the
12 postsecondary enrollment options Act. The department shall
13 submit its findings together with its recommendations in a
14 report to the general assembly by January 15, 1991.

15 Sec. 22. 1990 Iowa Acts, Senate File 2410, section 114, is
16 amended to read as follows:

17 SEC. 114.

18 ~~If funds are appropriated for that purpose, the~~ The state
19 board of regents shall conduct a study to determine whether
20 public service assistance is included as one of the criteria
21 for determining institutional compensation and whether faculty
22 members at institutions under its control who do provide
23 public service assistance on a state or national basis receive
24 remuneration for providing the assistance. The board shall
25 submit its findings, along with any recommendations, in a
26 report to the general assembly by December 1, 1990.

27 Sec. 23. 1990 Iowa Acts, Senate File 2410, section 115, is
28 amended to read as follows:

29 SEC. 115.

30 ~~If funds are appropriated for that purpose, the~~ The
31 department of education, in conjunction with the department of
32 economic development and the department of employment
33 services, shall conduct a study of the job and career
34 information programs available through the public education
35 system and state agencies. The study shall include assessment

1 and monitoring of the coordination between the programs
2 offered, the relationship between the programs and statewide
3 job training programs, the identification of areas in which
4 new programs need to be offered or existing programs
5 strengthened, and the development of recommendations for
6 creation of an information delivery system to provide
7 continuing updates of the relative workforce training and
8 personnel needs as compared to the numbers of students
9 enrolled in the various programs. The department of education
10 shall submit the findings, along with any recommendations, in
11 a report to the general assembly by December 1, 1991.

12 Sec. 24. 1990 Iowa Acts, Senate File 2410, section 116, is
13 amended to read as follows:

14 SEC. 116.

15 ~~If funds are appropriated for that purpose, the~~ The
16 department of education in cooperation with the boards of
17 trustees of each community college shall conduct a study of
18 the child care needs of students, faculty, and staff at each
19 of the community colleges. The department shall submit its
20 findings, along with any recommendations, in a report to the
21 general assembly by December 1, 1991.

22 Sec. 25. 1990 Iowa Acts, Senate File 2410, section 117, is
23 amended to read as follows:

24 SEC. 117.

25 ~~If funds are appropriated for that purpose, the~~ The
26 department of education shall conduct a study of offering
27 special programs at the community colleges versus initiating
28 tuition reciprocity or subvention agreements with similar
29 higher education institutions in surrounding states. The
30 department shall submit its findings in a report to the
31 general assembly by December 1, 1991.

32 Sec. 26. 1990 Iowa Acts, Senate File 2410, section 118, is
33 amended to read as follows:

34 SEC. 118.

35 ~~If funds are appropriated for that purpose, the~~ The higher

1 education strategic planning council shall explore the
2 creation of an Iowa "electronic university" and the marketing
3 of courses from Iowa to students in other states through the
4 use of telecommunications.

5 Sec. 27. 1990 Iowa Acts, Senate File 2410, section 119, is
6 amended to read as follows:

7 SEC. 119.

8 ~~if-funds-are-appropriated-for-that-purpose,--the~~ The board
9 of educational examiners in cooperation with the department of
10 education and community college trustees shall conduct a study
11 of the practitioner licensing standards for instructional
12 personnel teaching at the community colleges. The study shall
13 include evaluation of current standards in light of current
14 needs, a comparison of the standards with those of other
15 institutions of higher education in the state and comparable
16 institutions in other states, and evaluation of the
17 educational requirements for nursing educators under 655 Iowa
18 Administrative Code, Rule 2.3 (2)(d)(2), Rule 2.6
19 (1)(a)(1)(1.), and Rule 2.6 (2)(c), as the requirements relate
20 to community colleges. In addition, this study, done in
21 cooperation with the board of nursing, shall include an
22 assessment of the state's supply of nursing educators who
23 possess the educational qualifications identified in the
24 administrative rules. The board of nursing shall by rule
25 delay enforcement of the nursing educator administrative rules
26 being studied until completion of the study, submission of any
27 findings, and a review of the rules and the completed study by
28 the administrative rules review committee. The board of
29 educational examiners shall submit the findings, along with
30 any recommended changes in the standards, in a report to the
31 general assembly by July 1, 1991.

32 Sec. 28. 1990 Iowa Acts, Senate File 2410, section 123, is
33 amended to read as follows:

34 SEC. 123.

35 The initial voting members of the higher education

1 strategic planning council shall serve terms of office
2 beginning July 1, 1990, as follows: four members shall serve
3 four-year terms and three members shall serve two-year terms.
4 Members serving four-year terms shall include the public
5 member and one member from each of the three other categories
6 of voting members.

7 Sec. 29. Section 12.30, subsection 1, paragraph a, Code
8 1989, is amended to read as follows:

9 a. "Authority" means a department, or public or quasi-
10 public instrumentality of the state including, but not limited
11 to, the authority created under chapter 175, 175A, 220, 261A,
12 307B, or 442A, which has the power to issue obligations,
13 except that "authority" does not include the state board of
14 regents or the Iowa finance authority to the extent it acts
15 pursuant to chapter 280A.

16 Sec. 30. NEW SECTION. 286A.17 STUDY OF STATE FOUNDATION
17 SUPPORT LEVEL.

18 It is the intent of the general assembly that the general
19 assembly and the governor enact legislation to increase the
20 state foundation support level for the instructional cost
21 centers and the noninstructional function costs to the
22 seventy-five percent level by July 1, 2001.

23 Sec. 31.

24 The higher education strategic planning council shall
25 recommend a process for assessing quality of instruction and
26 for assessment of student learning. The council shall submit
27 recommendations in a report to the general assembly by
28 December 1, 1991.

29 Sec. 32.

30 It is the intent of the general assembly that the general
31 assembly shall review and evaluate the needs and funding
32 relating to the providing of remedial education at the
33 community colleges and to establish an appropriate remedial
34 cost center within the area school foundation formula by the
35 fiscal year which commences July 1, 1992.

1 Sec. 33. 1990 Iowa Acts, Senate File 2410, sections 90 and
2 91 are repealed.

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SENATE FILE 2430

H-6143

- 1 Amend Senate File 2430 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 29, by striking the words "the
- 4 use or availability of" and inserting the following:
- 5 "students living in".
- 6 2. Page 9, line 31, by striking the figure "1990"
- 7 and inserting the following: "1991".

By COMMITTEE ON APPROPRIATIONS
JOCHUM of Dubuque, Chairperson

H-6143 FILED APRIL 5, 1990
ADOPTED *as amended by 6147 (p. 2084)*

SENATE FILE 2430

H-6147

- 1 Amend the amendment, H-6143, to Senate File 2430,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 5 and
- 5 inserting the following:
- 6 "____. Page 3, by striking line 29 and inserting
- 7 the following: "attending the institution who are
- 8 living in the."

By HATCH of Polk
CARPENTER of Polk

H-6147 FILED APRIL 5, 1990
ADOPTED *(p. 2084)*

HOUSE AMENDMENT TO
SENATE FILE 2430

S-5944

1 Amend Senate File 2430 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 3, by striking line 29 and inserting the
4 following: "attending the institution who are living
5 in the".

6 2. Page 9, line 31, by striking the figure "1990"
7 and inserting the following: "1991".

RECEIVED FROM THE HOUSE

S-5944 FILED APRIL 6, 1990
CONCURRED (S. 1005)



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

May 6, 1990

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary,

I hereby transmit Senate File 2430, an act relating to higher education including the funding, administration, and authority for dormitory bonding of community colleges, coordination of higher education sectors, and studies relating to educational opportunities.

Senate File 2430 amends Senate File 2410, which I have previously approved. Primarily, Senate File 2430 revises the provisions of Senate File 2410 which increase funding for community colleges and which authorize the issuance of community college dormitory bonds. These changes reflect the fiscal constraints of the state while maintaining the commitment to provide quality post-secondary educational opportunities for Iowans.

Senate File 2430 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Sections 20, 21, 22, 23, 24, 25, and 27, in their entirety. These sections would remove provisions which I have previously approved in 1990 Iowa Acts, Senate File 2410. Those provisions in Senate File 2410 would make a variety of studies by the Department of Personnel, the Department of Education, the Board of Regents and the Board of Educational Examiners conditional upon the appropriation of funds. I have asked state agencies to curtail expenditures for hiring personnel and for travel and equipment due to the fiscal constraints of the state. Given these circumstances, I am unable to approve these sections.

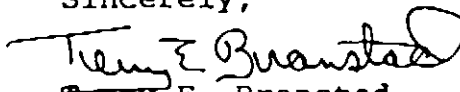
The Honorable Elaine Baxter
May 6, 1990
Page 2

I am unable to approve the item designated as Section 26, in its entirety. This section would amend 1990 Iowa Acts, Senate File 2410, Section 118. Because I did not approve that section of Senate File 2410, it would be incongruous to approve this section.

I am unable to approve the item designated as Section 31, in its entirety. This provision would require the Higher Education Strategic Planning Council to recommend a process for assessing the quality of instruction and student learning. It is inappropriate for the General Assembly to single out this issue for study by the Strategic Planning Council. The Council should be responsible for determining the issues to be included in a strategic plan for higher education in Iowa. However, I concur that the assessment of instruction and student learning is an important concern, and I would encourage each sector of higher education to examine this issue.

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 2430 are hereby approved as of this date.

Sincerely,


Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

Item VETO
Portions
highlighted in PINK

Senate File 2430, p. 2

SENATE FILE 2430

AN ACT

RELATING TO HIGHER EDUCATION INCLUDING THE FUNDING, ADMINISTRATION, AND AUTHORITY FOR DORMITORY BONDING OF COMMUNITY COLLEGES, COORDINATION OF HIGHER EDUCATION SECTORS, AND STUDIES RELATING TO EDUCATIONAL OPPORTUNITIES.

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

Section 1. 1990 Iowa Acts, Senate File 2410, section 10, is amended by striking the section and inserting in lieu thereof the following:

SEC. 10. NEW SECTION. 260B.1 HIGHER EDUCATION STRATEGIC PLANNING COUNCIL ESTABLISHED.

The higher education strategic planning council is established to develop strategic plans for the advancement of higher education institutions in the state.

The higher education council is an independent public body to be located in the offices of the college aid commission, which consists of seven voting members, who are to be selected in the following manner:

1. One voting member shall be a public member, who shall also serve as chairperson of the council.
2. Two voting members shall be selected from a list of nominees submitted by the state board of regents.
3. Two voting members shall be selected from a list of nominees submitted by the association which represents the largest number of independent colleges and universities.

4. Two voting members shall be selected from a list of nominees submitted jointly by the association which represents the largest number of community college trustees, the association which represents the largest number of community college presidents, and the state board of education.

All voting members shall be appointed by the governor, subject to confirmation by the senate. Terms of office of voting members are four years commencing on July 1.

Sec. 2. 1990 Iowa Acts, Senate File 2410, section 49, subsection 5, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Discontinue the program or programs which have been identified as deficient.

Sec. 3. 1990 Iowa Acts, Senate File 2410, section 50, subsection 1, is amended by striking the subsection and inserting in lieu thereof the following:

1. The state board shall develop standards for the accreditation of community college programs. Standards developed shall be general in nature so as to apply to more than one specific program of instruction. However, the state board may develop additional, specific criteria where appropriate to the accreditation process.

Sec. 4. 1990 Iowa Acts, Senate File 2410, section 58, subsection 4, is amended by striking the subsection.

Sec. 5. 1990 Iowa Acts, Senate File 2410, section 75, is amended to read as follows:

SEC. 75. NEW SECTION. 220.162 AUTHORITY TO ISSUE COMMUNITY COLLEGE DORMITORY BONDS AND NOTES.

The authority shall assist a community college or the state board for community colleges as provided in chapter 280A, and the authority shall have all of the powers delegated to it in a chapter 28E agreement by a community college board of directors, the state board for community colleges, or a private developer contracting with a community college to develop a self-liquidating housing facility, such as a dormitory, for the community college, with respect to the

SF 2430

issuance or securing of bonds or notes and the carrying out of the purposes of chapter 280A as provided in sections 280A.71 and 280A.72.

Sec. 6. 1990 Iowa Acts, Senate File 2410, section 76, subsections 1, 2, and 3, are amended to read as follows:

1. As used in this section and section 280A.72, unless the context otherwise requires, "authority":

a. "Authority" means the Iowa finance authority.

b. "Bonds" means revenue bonds which are payable solely as provided in this section and section 280A.72.

2. The authority shall cooperate with the state board for community colleges, individual community colleges, and private developers, acting in conjunction with a community college to build self-liquidating housing facilities in connection with the community college, in the creation, administration, and funding of a community college dormitory bond program to finance self-liquidating housing facilities, such as dormitories, in connection with a community college.

3. The authority may issue its bonds and notes for the purpose of funding the nonrecurring cost of acquiring, or constructing, and equipping a community college related facility, such as a dormitory.

Sec. 7. 1990 Iowa Acts, Senate File 2410, section 77, subsection 1, is amended to read as follows:

1. The authority may provide in the resolution, trust agreement, or other instrument authorizing the issuance of its bonds or notes pursuant to section 280A.71 that the principal of, premium, and interest on the bonds or notes are payable from any of the following and may pledge the same to its bonds and notes:

a. ~~The income and receipts or other moneys derived from the projects financed with the proceeds of the bonds or notes;~~

b. ~~The income and receipts or other money derived from designated projects whether or not the projects are financed in whole or in part with the proceeds of the bonds or notes;~~

a. From the net rents, profits, and income arising from the project or property pledged or mortgaged.

b. From the net rents, profits, and income which has not been pledged for other purposes arising from any similar housing facility under the control and management of the community college or state board for community colleges.

c. From the fees or charges established by the community college or state board for community colleges for students attending the institution who are living in the housing facility for which the obligation was incurred.

d. From the income derived from gifts and bequests made to the institutions under the control of the community college or state board for community colleges for such purposes.

e. From the amounts on deposit in the name of a community college or a private developer or operator of a community college facility, including but not limited to revenues from a purchase, rental, or lease agreement, loan agreement, or dormitory charges.

f. From the amounts payable to the authority, the community college board of directors, the state board for community colleges, or a private developer or operator, pursuant to a loan agreement, lease agreement, or sale agreement.

g. Any other funds or accounts established by the authority in connection with the program or the sale and issuance of its bonds or notes.

No obligation created hereunder shall ever be or become a charge against the state of Iowa but all such obligations, including principal and interest, shall be payable solely as provided in this section and section 280A.71.

Sec. 8. 1990 Iowa Acts, Senate File 2410, section 77, subsection 6, is amended by striking the subsection.

Sec. 9. 1990 Iowa Acts, Senate File 2410, section 93, is amended to read as follows:

SEC. 93. Section 286A.2, subsection 4, unnumbered paragraph 2, Code Supplement 1989, is amended to read as follows:

The total contact hours for an area school in a cost center for a budget year for purposes of determining state general aid under this chapter are the average of the total contact hours offered by the area school in that cost center for the base year and the two fiscal years preceding the base year. However, commencing July 1, 1991, total contact hours in a cost center for a budget year shall be the average of the total contact hours offered by the area school in that cost center for the base year and the fiscal year preceding the base year.

Sec. 10. 1990 Iowa Acts, Senate File 2410, section 95, is amended by striking the section and inserting in lieu thereof the following:

SEC. 95. Section 286A.3, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the state average cost per contact hour shall be increased by an additional one-half of one percent, and on July 1 of each of the next four fiscal years, shall be increased by an additional one percent until the state foundation support level per contact hour for each instructional cost center equals seventy percent of the state average cost per contact hour.

Sec. 11. 1990 Iowa Acts, Senate File 2410, section 97, is amended by striking the section and inserting in lieu thereof the following:

SEC. 97. Section 286A.5, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the area school's general institutional function cost shall be increased by an additional one-half of one percent, and on July 1 of each of the next four fiscal years shall be increased by an additional one percent until the foundation support level for the general institutional

function reaches seventy percent of the area school's general institutional support function cost.

Sec. 12. 1990 Iowa Acts, Senate File 2410, section 98, is amended to read as follows:

SEC. 98. Section 286A.6, unnumbered paragraph 3, Code 1989, is amended to read as follows:

The foundation support level per contact hour eligible for state general aid for the student services function cost for an area school is the foundation support level per contact hour for the base year plus a student services support allowable growth amount. The allowable growth amount is determined by the department of management by multiplying the state percent of growth for the budget year by the state average student services function cost per contact hour for the base year. The total is then multiplied by the number of eligible contact hours in the area school to determine the foundation support for the student services function cost for a budget year.

For the fiscal period year commencing July 1, 1991, and ending June 30, 1995, twenty-five percent of noneligible contact hours shall be added to the eligible contact hours each fiscal year, for purposes of determining the foundation support for the student services function cost; ~~until all contact hours are eligible for determining the foundation support level.~~ In succeeding fiscal years, all the number of noneligible contact hours shall be eligible added to eligible contact hours for purposes of determining the foundation support level for the student services function cost shall be the number of noneligible contact hours used to determine the foundation support level for the fiscal year commencing July 1, 1991.

Sec. 13. 1990 Iowa Acts, Senate File 2410, section 99, is amended by striking the section and inserting in lieu thereof the following:

SEC. 99. Section 286A.6, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the state average student services function cost per contact hour shall be increased by an additional one-half of one percent, and on July 1 of each of the next four fiscal years shall be increased by an additional one percent until the foundation support level for the student services function cost equals seventy percent of the state average student services function cost per contact hour.

Sec. 14. 1990 Iowa Acts, Senate File 2410, section 100, is amended by striking the section and inserting in lieu thereof the following:

SEC. 100. Section 286A.7, subsection 1, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the state average cost per square foot for the physical plant maintenance cost shall be increased by an additional one-half of one percent, and on July 1 of each of the next four fiscal years shall be increased by an additional one percent until the foundation support level per square foot for the physical plant maintenance cost equals seventy percent of the state average cost per square foot.

Sec. 15. 1990 Iowa Acts, Senate File 2410, section 102, is amended by striking the section and inserting in lieu thereof the following:

SEC. 102. Section 286A.7, subsection 2, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the state average cost per cubic foot for the physical plant utility cost shall be increased by an additional one-half of one percent and on July 1 of each of the next four fiscal years shall be increased by an additional one percent until the foundation support level per cubic foot for the physical plant utility cost equals seventy percent of the state average cost per cubic foot.

Sec. 16. 1990 Iowa Acts, Senate File 2410, section 104, is amended by striking the section and inserting in lieu thereof the following:

SEC. 104. Section 286A.8, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the area school's library function cost shall be increased by an additional one-half of one percent and on July 1 of each of the next four fiscal years shall be increased by an additional one percent until the foundation support level for the library function cost equals seventy percent of the area school's library function cost.

Sec. 17. 1990 Iowa Acts, Senate File 2410, section 105, unnumbered paragraph 3, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

For each of the fiscal years beginning July 1, 1991, and July 1, 1992, the percent multiplier of the area school's equipment purchase function cost shall be increased by an additional one-half of one percent, and on July 1 of each of the next four fiscal years, shall be increased by an additional one percent until the foundation support level for the equipment purchase function cost reaches seventy percent of the area school's equipment purchase function cost.

Sec. 18. 1990 Iowa Acts, Senate File 2410, section 107, unnumbered paragraph 1, is amended to read as follows:

The department of education shall provide for the establishment of a community college excellence 2000 account in the office of the treasurer of state for deposit of moneys appropriated to the account for purposes of funding quality instructional centers and program and administrative sharing agreements under sections 280A.45 and 280A.46. There is appropriated from the general fund of the state to the department of education, for the fiscal year beginning July 1, 1991, an amount equal to two and five-tenths percent of the total state general aid generated for all community colleges

~~during the base year under chapter 286A one million two hundred thousand dollars. In the next succeeding four fiscal years, the percent multiplier shall be increased in equal increments until the multiplier reaches ten percent; in succeeding fiscal years the percent multiplier used to determine the appropriation under this section shall be ten percent. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, an amount equal to two and five-tenths percent of the total state general aid generated for all community colleges during the budget year under chapter 286A for deposit in the community college excellence 2000 account. In the next succeeding two fiscal years, the percent multiplier shall be increased in equal increments until the multiplier reaches seven and one-half percent of the total state general aid generated for all community colleges during the budget year.~~

Sec. 19. 1990 Iowa Acts, Senate File 2410, section 107, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. It is the intent of the general assembly that the general assembly enact legislation by July 1, 1995, that will increase the maximum percent multiplier established in this section from seven and five-tenths percent to ten percent.

Sec. 20. 1990 Iowa Acts, Senate File 2410, section 112, is amended to read as follows:

SEC. 112.

~~if funds are appropriated for that purpose, the~~ The department of personnel shall conduct a study of educational opportunities for state employees. The study shall include, but is not limited to, current utilization of educational leave by state employees, programs and services available currently to state employees, state employee needs for increased education, and the development of a plan to coordinate available resources and programs with employees in need of educational services. The department shall submit its

findings, together with the plan for increasing educational opportunities, in a report to the general assembly by December 1, 1991.

Sec. 21. 1990 Iowa Acts, Senate File 2410, section 113, is amended to read as follows:

SEC. 113.

~~if funds are appropriated for that purpose, the~~ The department of education, in consultation with the state board of regents, shall develop recommendations relating to the programs offered under the postsecondary enrollment options Act contained in chapter 261C. The recommendations shall include any funding changes needed to enhance utilization of the postsecondary enrollment options Act by students, including changes in targeted dollar amounts.

The recommendations shall also include an examination of the relationship between the offering of advanced placement courses at the secondary school level and the options available for delivery of postsecondary courses through the postsecondary enrollment options Act. The department shall submit its findings together with its recommendations in a report to the general assembly by January 15, 1991.

Sec. 22. 1990 Iowa Acts, Senate File 2410, section 114, is amended to read as follows:

SEC. 114.

~~if funds are appropriated for that purpose, the~~ The state board of regents shall conduct a study to determine whether public service assistance is included as one of the criteria for determining institutional compensation and whether faculty members at institutions under its control who do provide public service assistance on a state or national basis receive remuneration for providing the assistance. The board shall submit its findings, along with any recommendations, in a report to the general assembly by December 1, 1990.

Sec. 23. 1990 Iowa Acts, Senate File 2410, section 115, is amended to read as follows:

SEC. 115.

~~If funds are appropriated for that purpose, the~~ The department of education, in conjunction with the department of economic development and the department of employment services, shall conduct a study of the job and career information programs available through the public education system and state agencies. The study shall include assessment and monitoring of the coordination between the programs offered, the relationship between the programs and statewide job training programs, the identification of areas in which new programs need to be offered or existing programs strengthened, and the development of recommendations for creation of an information delivery system to provide continuing updates of the relative workforce training and personnel needs as compared to the numbers of students enrolled in the various programs. The department of education shall submit the findings, along with any recommendations, in a report to the general assembly by December 1, 1991.

Sec. 24. 1990 Iowa Acts, Senate File 2410, section 116, is amended to read as follows:

SEC. 116.

~~If funds are appropriated for that purpose, the~~ The department of education in cooperation with the boards of trustees of each community college shall conduct a study of the child care needs of students, faculty, and staff at each of the community colleges. The department shall submit its findings, along with any recommendations, in a report to the general assembly by December 1, 1991.

Sec. 25. 1990 Iowa Acts, Senate File 2410, section 117, is amended to read as follows:

SEC. 117.

~~If funds are appropriated for that purpose, the~~ The department of education shall conduct a study of offering special programs at the community colleges versus initiating tuition reciprocity or subvention agreements with similar higher education institutions in surrounding states. The department shall submit its findings in a report to the general assembly by December 1, 1991.

Sec. 26. 1990 Iowa Acts, Senate File 2410, section 118, is amended to read as follows:

SEC. 118.

~~If funds are appropriated for that purpose, the~~ The higher education strategic planning council shall explore the creation of an Iowa "electronic university" and the marketing of courses from Iowa to students in other states through the use of telecommunications.

Sec. 27. 1990 Iowa Acts, Senate File 2410, section 119, is amended to read as follows:

SEC. 119.

~~If funds are appropriated for that purpose, the~~ The board of educational examiners in cooperation with the department of education and community college trustees shall conduct a study of the practitioner licensing standards for instructional personnel teaching at the community colleges. The study shall include evaluation of current standards in light of current needs, a comparison of the standards with those of other institutions of higher education in the state and comparable institutions in other states, and evaluation of the educational requirements for nursing educators under 655 Iowa Administrative Code, Rule 2.3 (2)(d)(2), Rule 2.6 (1)(a)(1)(1.), and Rule 2.6 (2)(c), as the requirements relate to community colleges. In addition, this study, done in cooperation with the board of nursing, shall include an assessment of the state's supply of nursing educators who possess the educational qualifications identified in the administrative rules. The board of nursing shall by rule delay enforcement of the nursing educator administrative rules being studied until completion of the study, submission of any findings, and a review of the rules and the completed study by the administrative rules review committee. The board of educational examiners shall submit the findings, along with any recommended changes in the standards, in a report to the general assembly by July 1, 1991.

Sec. 28. 1990 Iowa Acts, Senate File 2410, section 123, is amended to read as follows:

SEC. 123.

The initial voting members of the higher education strategic planning council shall serve terms of office beginning July 1, 1990, as follows: four members shall serve four-year terms and three members shall serve two-year terms. Members serving four-year terms shall include the public member and one member from each of the three other categories of voting members.

Sec. 29. Section 12.30, subsection 1, paragraph a, Code 1989, is amended to read as follows:

a. "Authority" means a department, or public or quasi-public instrumentality of the state including, but not limited to, the authority created under chapter 175, 175A, 220, 261A, 307B, or 442A, which has the power to issue obligations, except that "authority" does not include the state board of regents or the Iowa finance authority to the extent it acts pursuant to chapter 280A.

Sec. 30. NEW SECTION. 286A.17 STUDY OF STATE FOUNDATION SUPPORT LEVEL.

It is the intent of the general assembly that the general assembly and the governor enact legislation to increase the state foundation support level for the instructional cost centers and the noninstructional function costs to the seventy-five percent level by July 1, 2001.

Sec. 31.

The higher education strategic planning council shall recommend a process for assessing quality of instruction and for assessment of student learning. The council shall submit recommendations in a report to the general assembly by December 1, 1991.

Sec. 32.

It is the intent of the general assembly that the general assembly shall review and evaluate the needs and funding relating to the providing of remedial education at the

community colleges and to establish an appropriate remedial cost center within the area school foundation formula by the fiscal year which commences July 1, 1992.

Sec. 33. 1990 Iowa Acts, Senate File 2410, sections 90 and 91 are repealed.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2430, Seventy-third General Assembly.

Item veto
May 6

Approved _____, 1990

JOHN P. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor