

(P. 246) 2/15/94 House - Education
(P. 891) 3/24/94 Amend/Do Pass H/S 5675

FILED FEB 2 1994

SENATE FILE **2087**
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2048)

Passed Senate, Date ^(P. 270) 2/14/94 Passed House, Date ^(P. 1099) 4-8-94
Vote: Ayes 41 Nays 0 Vote: Ayes 99 Nays 0

Approved April 19, 1994
~~Passed 4-8-94~~
~~Vote 47-0~~
^(P. 1099) A BILL FOR

1 An Act relating to employment under school district whole grade
2 sharing agreements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2087

1 Section 1. Section 280.15, subsection 1, Code 1993, is
2 amended to read as follows:

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

15 ~~Sharing agreements shall provide that any person who is not an~~
16 ~~employee at the time an agreement is signed shall not be~~
17 ~~employed in any professional position, under the terms of the~~
18 ~~agreement, for which a current employee of any of the~~
19 ~~districts involved in the agreement holds an appropriate~~
20 ~~license, unless the professional position is an administrator~~
21 ~~position or the professional position is first offered to the~~
22 ~~current employee.~~ If a district that has entered into a whole
23 grade sharing agreement determines that a need exists to hire
24 additional employees because of the whole grade sharing
25 agreement, the district shall determine the nature and number
26 of the necessary new positions. The district terminating
27 employees as a result of a whole grade sharing agreement shall
28 notify any other district, which is a party to the agreement,
29 of the names and addresses of those terminated. Individuals
30 who were employed by a district that entered into a whole
31 grade sharing agreement and who were terminated as a result of
32 the agreement shall be notified that the new positions exist
33 and that they may apply for the new positions. The board
34 shall hire an applicant from among those who were terminated
35 as a result of the agreement if the applicant is licensed for

1 the new position or, in the case of unlicensed personnel, is
2 otherwise qualified. If two or more individuals from among
3 those terminated as a result of the agreement apply for a
4 single position, the applicant who is best qualified in the
5 opinion of the board shall be hired. However, the board is
6 not required to hire applicants who were among those who were
7 terminated as a result of the agreement beyond one school
8 year. An employee who accrued benefits before a whole grade
9 sharing agreement resulted in the employee's termination shall
10 not, as a result of reemployment under this section, forfeit
11 accrued vacation, accrued sick leave, longevity, completion of
12 probationary status as defined by section 279.19, or salary or
13 placement on a salary schedule based upon the employee's years
14 of experience.

15 EXPLANATION

16 This bill requires school districts that have entered into
17 whole grade sharing agreements to, for a period of one year,
18 hire employees whose positions were terminated as a result of
19 the agreement for a new position if the district determines
20 that there is a need to hire additional employees. Districts
21 terminating employees as a result of a whole grade sharing
22 agreement must notify any other district, which is a party to
23 the agreement, of the names and addresses of those terminated.
24 Applicants must be licensed or otherwise qualified for the new
25 positions. The bill also provides for the continuation of
26 benefits accrued before termination by the employee who is
27 reemployed under the provisions of the bill.

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SENATE FILE 2087

H-5675

1 Amend Senate File 2087 as follows:

- 2 1. Page 1, line 34, by striking the word "hire"
3 and inserting the following: "offer the new position
4 to".
5 2. Page 2, line 5, by striking the word "hired"
6 and inserting the following: "offered the new
7 position".
8 3. Page 2, line 6, by striking the word "hire"
9 and inserting the following: "offer a new position
10 to".
11 4. Page 2, line 7, by striking the word "one" and
12 inserting the following: "two".
13 5. Page 2, line 8, by striking the word "year"
14 and inserting the following: "years".

By COMMITTEE ON EDUCATION
GRUBBS of Scott, Chairperson

H-5675 FILED MARCH 24, 1994

HOUSE AMENDMENT TO
SENATE FILE 2087

S-5524

1 Amend Senate File 2087 as follows:

- 2 1. Page 1, line 34, by striking the word "hire"
3 and inserting the following: "offer the new position
4 to".
5 2. Page 2, line 5, by striking the word "hired"
6 and inserting the following: "offered the new
7 position".
8 3. Page 2, line 6, by striking the word "hire"
9 and inserting the following: "offer a new position
10 to".
11 4. Page 2, line 7, by striking the word "one" and
12 inserting the following: "two".
13 5. Page 2, line 8, by striking the word "year"
14 and inserting the following: "years".

RECEIVED FROM THE HOUSE

S-5524 FILED APRIL 7, 1994

Senate Concurred 4-8-94 (A1098)

Kibbie - Chair
Vilsack
Rensink

SSB-2048
Education

SENATE FILE 2087

BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY CHAIRPERSON
CONNOLLY)

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

A BILL FOR

1 An Act relating to employment under school district whole grade
2 sharing agreements.

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

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1 Section 1. Section 280.15, subsection 1, Code 1993, is
2 amended to read as follows:

3 1. Two or more public school districts may jointly employ
4 and share the services of any school personnel, or acquire and
5 share the use of classrooms, laboratories, equipment and
6 facilities. Classes made available to students in the manner
7 provided in this section shall be considered as complying with
8 the requirements of section 275.1 relating to the maintenance
9 of kindergarten and twelve grades by a school district. If
10 students attend classes in another school district under this
11 section under an agreement that provides for whole grade
12 sharing, the boards of directors of districts entering into
13 these agreements shall provide for sharing the costs and
14 expenses as provided in sections 282.10 through 282.12.
15 ~~Sharing agreements shall provide that any person who is not an~~
16 ~~employee at the time an agreement is signed shall not be~~
17 ~~employed in any professional position, under the terms of the~~
18 ~~agreement, for which a current employee of any of the~~
19 ~~districts involved in the agreement holds an appropriate~~
20 ~~license, unless the professional position is an administrator~~
21 ~~position or the professional position is first offered to the~~
22 ~~current employee.~~ If a district that has entered into a whole
23 grade sharing agreement determines that a need exists to hire
24 additional employees, in positions which are not administrator
25 positions, because of the whole grade sharing agreement, the
26 district shall determine the nature and number of the
27 necessary new positions. The district terminating employees
28 as a result of a whole grade sharing agreement shall notify
29 any other district, which is a party to the agreement, of the
30 names and addresses of those terminated. Individuals who were
31 employed by a district that entered into a whole grade sharing
32 agreement and who were terminated as a result of the agreement
33 shall be notified that the new positions exist and that they
34 may apply for the new positions. The board shall hire an
35 applicant from among those who were terminated as a result of

1 the agreement if the applicant is licensed for the new
2 position or, in the case of unlicensed personnel, is otherwise
3 qualified. If two or more individuals from among those
4 terminated as a result of the agreement apply for a single
5 position, the applicant who is best qualified in the opinion
6 of the board shall be hired. However, the board is not
7 required to hire applicants who were among those who were
8 terminated as a result of the agreement beyond one school
9 year. An employee who accrued benefits before a whole grade
10 sharing agreement resulted in the employee's termination shall
11 not, as a result of reemployment under this section, forfeit
12 accrued vacation, accrued sick leave, longevity, completion of
13 probationary status as defined by section 279.19, or salary or
14 placement on a salary schedule based upon the employee's years
15 of experience.

16 EXPLANATION

17 This bill requires school districts that have entered into
18 whole grade sharing agreements to, for a period of one year,
19 hire employees whose positions were terminated as a result of
20 the agreement for a new position if the district determines
21 that there is a need to hire additional employees. Districts
22 terminating employees as a result of a whole grade sharing
23 agreement must notify any other district, which is a party to
24 the agreement, of the names and addresses of those terminated.
25 Applicants must be licensed or otherwise qualified for the new
26 positions. Districts are not required to hire applicants who
27 were among those terminated as a result of the agreement if
28 the professional position is an administrator position.

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SENATE FILE 2087

AN ACT

RELATING TO EMPLOYMENT UNDER SCHOOL DISTRICT WHOLE GRADE
SHARING AGREEMENTS.

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

Section 1. Section 280.15, subsection 1, Code 1993, is amended to read as follows: .

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

expenses as provided in sections 282.10 through 282.12. ~~Sharing agreements shall provide that any person who is not an employee at the time an agreement is signed shall not be employed in any professional position under the terms of the agreement, for which a current employee of any of the districts involved in the agreement holds an appropriate license, unless the professional position is an administrator position or the professional position is first offered to the current employee. If a district that has entered into a whole grade sharing agreement determines that a need exists to hire additional employees because of the whole grade sharing agreement, the district shall determine the nature and number of the necessary new positions. The district terminating employees as a result of a whole grade sharing agreement shall notify any other district, which is a party to the agreement, of the names and addresses of those terminated. Individuals who were employed by a district that entered into a whole grade sharing agreement and who were terminated as a result of the agreement shall be notified that the new positions exist and that they may apply for the new positions. The board shall offer the new position to an applicant from among those who were terminated as a result of the agreement if the applicant is licensed for the new position or, in the case of unlicensed personnel, is otherwise qualified. If two or more individuals from among those terminated as a result of the agreement apply for a single position, the applicant who is best qualified in the opinion of the board shall be offered the new position. However, the board is not required to offer a new position to applicants who were among those who were terminated as a result of the agreement beyond two school years. An employee who accrued benefits before a whole grade sharing agreement resulted in the employee's termination shall not, as a result of reemployment under this section, forfeit accrued vacation, accrued sick leave, longevity, completion of probationary status as defined by section 279.19, or salary or~~

placement on a salary schedule based upon the employee's years of experience.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2087, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 19, 1994

TERRY E. BRANSTAD
Governor