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EDUCATION

HOUSE FILE

2214

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Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to school finance, by providing for an increase  
2 in the regular and special education program foundation  
3 levels, funding the returning dropout, dropout prevention, and  
4 gifted and talented children programs through supplemental  
5 weighting, and making weighting adjustments for special  
6 education deficits, and providing an immediate effective and  
7 applicability date.

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

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HF 2214

1 Section 1. Section 256B.9, Code 1995, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 10. For the school year commencing July  
4 1, 1996, the director of the department of education shall  
5 report to the school budget review committee the total  
6 statewide deficit, actual or estimate for the most recent  
7 school year available, in costs for providing instruction for  
8 children requiring special education in the categories of the  
9 weighting plan established under this section, and for  
10 providing services to nonpublic school students pursuant to  
11 section 256.12, subsection 2. The school budget review  
12 committee shall adjust the weighting plan beginning with the  
13 school year beginning July 1, 1996, so as to eliminate the  
14 amount of the statewide deficit as reported by the director.  
15 Any adjustment to weightings made under this subsection shall  
16 be in addition to any adjustments made pursuant to subsection  
17 4.

18 Sec. 2. Section 257.1, subsection 2, unnumbered paragraph  
19 2, Code Supplement 1995, is amended to read as follows:

20 For the budget year commencing July 1, ~~1991~~ 1996, and-for  
21 ~~each-succeeding-budget-year~~ the regular program foundation  
22 base per pupil is ~~eighty-three~~ eighty-five percent of the  
23 regular program state cost per pupil, ~~except-that-the-regular~~  
24 ~~program-foundation-base-per-pupil-for-the-portion-of-weighted~~  
25 ~~enrollment-that-is-additional-enrollment-because-of-special~~  
26 ~~education-is-seventy-nine-percent-of-the-regular-program-state~~  
27 ~~cost-per-pupil.~~ For each succeeding budget year, the regular  
28 program foundation base shall increase one-half of one percent  
29 per year until the regular program foundation base reaches  
30 ninety percent of the regular program state cost per pupil.  
31 For the budget year commencing July 1, ~~1991~~ 1996, and-for-each  
32 ~~succeeding-budget-year~~ the special education support services  
33 foundation base is ~~seventy-nine~~ eighty-five percent of the  
34 special education support services state cost per pupil. It  
35 shall increase at the same rate as the regular program

1 foundation base. The combined foundation base is the sum of  
2 the regular program foundation base and the special education  
3 support services foundation base.

4 Sec. 3. Section 257.11, unnumbered paragraph 1, Code  
5 Supplement 1995, is amended to read as follows:

6 In order to provide additional funds for school districts  
7 which send their resident pupils to another school district or  
8 to a community college for classes, which jointly employ and  
9 share the services of teachers under section 280.15, which use  
10 the services of a teacher employed by another school district,  
11 or which jointly employ and share the services of a school  
12 superintendent under section 280.15 or 273.7A, have  
13 established programs for returning dropouts and dropout  
14 prevention, or which have established gifted and talented  
15 children programs, a supplementary weighting plan for  
16 determining enrollment is adopted as follows:

17 Sec. 4. Section 257.11, Code Supplement 1995, is amended  
18 by adding the following new subsections:

19 NEW SUBSECTION. 8. GIFTED AND TALENTED CHILDREN PROGRAMS.  
20 School districts that have established gifted and talented  
21 children programs approved pursuant to sections 257.42 through  
22 257.49 may receive supplementary weighting for each pupil  
23 enrolled in the program equal to two-tenths. However, the  
24 total additional weighting allowed under this subsection for a  
25 budget year for a school district shall not result in  
26 additional funding in excess of the lesser of the product of  
27 one-fifth of the district cost per pupil multiplied by one-  
28 twentieth of the budget enrollment, or of the amount  
29 established by the department of management, as required in  
30 section 257.46, to be raised from supplementary weighting.

31 NEW SUBSECTION. 9. RETURNING DROPOUTS AND DROPOUT  
32 PREVENTION PROGRAMS. School districts that have established  
33 returning dropouts and dropout prevention programs approved  
34 pursuant to sections 257.38 through 257.41 may receive  
35 supplementary weighting for each pupil enrolled in the program

1 equal to two-tenths. However, the total additional weighting  
2 allowed under this subsection for a budget year for a school  
3 district shall not result in additional funding in excess of  
4 the lesser of the product of one-fifth of the district cost  
5 per pupil multiplied by one-twentieth of the budget  
6 enrollment, or of the amount established by the department of  
7 management, as required in section 257.41, to be raised from  
8 supplementary weighting.

9 Sec. 5. Section 257.38, unnumbered paragraphs 1 and 2,  
10 Code 1995, are amended to read as follows:

11 Boards of school districts, individually or jointly with  
12 boards of other school districts, requesting to ~~use-additional~~  
13 ~~allowable-growth~~ receive supplementary weighting for programs  
14 for returning dropouts and dropout prevention, shall annually  
15 submit comprehensive program plans for the programs and budget  
16 costs, including requests for ~~additional-allowable-growth~~  
17 supplementary weighting for funding the programs, to the  
18 department of education as provided in this chapter. The  
19 program plans shall include:

20 Program plans shall identify the parts of the plan that  
21 will be implemented first upon approval of the application.  
22 If a district is requesting to ~~use-additional-allowable-growth~~  
23 receive supplementary weighting to finance the program, it  
24 shall not identify more than five percent of its budget  
25 enrollment for the budget year as returning dropouts and  
26 potential dropouts.

27 Sec. 6. Section 257.40, Code 1995, is amended to read as  
28 follows:

29 257.40 PLANS FOR RETURNING DROPOUTS AND DROPOUT  
30 PREVENTION.

31 The board of directors of a school district requesting to  
32 ~~use-additional-allowable-growth~~ receive supplementary  
33 weighting for programs for returning dropouts and dropout  
34 prevention shall submit applications for approval for the  
35 programs to the department not later than November 1 preceding

1 the budget year during which the program will be offered. The  
2 department shall review the program plans and shall prior to  
3 January 15 either grant approval for the program or return the  
4 request for approval with comments of the department included.  
5 An unapproved request for a program may be resubmitted with  
6 modifications to the department not later than February 1.  
7 Not later than February 15, the department shall notify the  
8 department of management and the school budget review  
9 committee of the names of the school districts for which  
10 programs ~~using additional allowable growth~~ receiving  
11 supplementary weighting for funding have been approved and the  
12 approved budget of each program listed separately for each  
13 school district having an approved program.

14 Sec. 7. Section 257.41, Code 1995, is amended to read as  
15 follows:

16 257.41 FUNDING FOR PROGRAMS FOR RETURNING DROPOUTS AND  
17 DROPOUT PREVENTION.

18 The budget of an approved program for returning dropouts  
19 and dropout prevention for a school district, after  
20 subtracting funds received from other sources for that  
21 purpose, shall be funded annually on a basis of one-fourth or  
22 more from the district cost of the school district and up to  
23 three-fourths by ~~an increase in allowable growth as defined in~~  
24 section 257:8 receipt of supplementary weighting as provided  
25 in section 257.11, subsection 9. Annually, the department of  
26 management shall establish ~~a modified allowable growth~~ the  
27 amount of additional funding needed to be raised from the  
28 supplementary weighting for each such district equal to the  
29 difference between the approved budget for the program for  
30 returning dropouts and dropout prevention for that district  
31 and the sum of the amount funded from the district cost of the  
32 school district plus funds received from other sources.

33 Sec. 8. Section 257.42, unnumbered paragraph 1, Code 1995,  
34 is amended to read as follows:

35 Boards of school districts, individually or jointly with

1 the boards of other school districts, requesting to use  
2 ~~additional-allowable-growth~~ receive supplementary weighting  
3 for gifted and talented children programs, may annually submit  
4 program plans for gifted and talented children programs and  
5 budget costs, including requests for ~~additional-allowable~~  
6 growth supplementary weighting for funding the programs, to  
7 the department of education and to the applicable gifted and  
8 talented children advisory council, if an advisory council has  
9 been established, as provided in this chapter.

10 Sec. 9. Section 257.42, unnumbered paragraphs 4 and 5,  
11 Code 1995, are amended to read as follows:

12 The department of education shall adopt rules under chapter  
13 17A relating to the administration of sections 257.42 through  
14 257.49. The rules shall prescribe the format of program plans  
15 submitted under section 257.43 and shall require that programs  
16 fulfill specified objectives. The department shall encourage  
17 and assist school districts to provide programs for gifted and  
18 talented children whether or not ~~additional-allowable-growth~~  
19 supplementary weighting is requested under this chapter.

20 The department may request that the staff of the auditor of  
21 state conduct an independent program audit to verify that the  
22 gifted and talented children programs funded by ~~additional~~  
23 allowable-growth supplementary weighting conform to a  
24 district's program plans.

25 Sec. 10. Section 257.45, subsection 1, Code 1995, is  
26 amended to read as follows:

27 1. The board of directors of a school district requesting  
28 to ~~use-additional-allowable-growth~~ receive supplementary  
29 weighting for gifted and talented children programs shall  
30 submit applications for approval for the programs to the  
31 department not later than November 1 preceding the fiscal year  
32 during which the program will be offered. The board shall  
33 also submit a copy of the program plans to the gifted and  
34 talented children advisory council, if an advisory council has  
35 been established. The department shall review the program

1 plans and shall prior to January 15 either grant approval for  
2 the program or return the request for approval with comments  
3 of the department included. Any unapproved request for a  
4 program may be resubmitted with modifications to the  
5 department not later than a date established by the  
6 department. Not later than February 15 the department shall  
7 notify the department of management and the school budget  
8 review committee of the names of the school districts for  
9 which gifted and talented children programs ~~using-additional~~  
10 ~~allowable-growth~~ receiving supplementary weighting for funding  
11 have been approved and the approved budget of each program  
12 listed separately for each school district having an approved  
13 program.

14 Sec. 11. Section 257.46, Code 1995, is amended to read as  
15 follows:

16 257.46 FUNDING.

17 The budget of an approved gifted and talented children  
18 program for a school district, after subtracting funds  
19 received from other sources for that purpose, shall be funded  
20 annually on a basis of one-fourth or more from the district  
21 cost of the school district and up to three-fourths by an  
22 ~~increase-in-allowable-growth-as-defined-in-section-257-8~~  
23 receipt of supplementary weighting as provided in section  
24 257.11, subsection 8. The approved budget for a gifted and  
25 talented children program shall not exceed an amount equal to  
26 one and twenty-four-hundredths percent of the district cost  
27 per pupil of the district for the base year multiplied by the  
28 budget enrollment of the district for the budget year.  
29 Annually, the department of management shall establish a  
30 ~~modified-allowable-growth~~ the amount of additional funding  
31 needed to be raised from the supplementary weighting for each  
32 such district equal to the difference between the approved  
33 budget for the gifted and talented children program for that  
34 district and the sum of the amount funded from the district  
35 cost of the school district plus funds received from other

1 sources.

2 If any portion of the gifted and talented program budget  
3 remains unexpended at the end of the budget year, the part of  
4 the remainder equal to the proportion of the original budget  
5 which was funded by ~~an-increase-in-allowable-growth, as~~  
6 ~~defined-in-section-257-8,~~ supplementary weightings shall be  
7 carried over to the subsequent budget year and added to the  
8 gifted and talented program budget for that year.

9 Sec. 12. This Act, being deemed of immediate importance,  
10 takes effect upon enactment, and applies to the computation of  
11 school funding for school budget years commencing on or after  
12 July 1, 1996.

13 EXPLANATION

14 This bill contains several provisions related to the state  
15 school foundation program funding level and the application  
16 and adjustment of supplemental weighting for designated  
17 programs.

18 The bill provides that the school budget review committee  
19 shall receive a report of the total statewide deficit for  
20 instruction costs for weighted special education public and  
21 nonpublic school children from the department of education for  
22 the last school year available. The school budget review  
23 committee shall adjust the weighting plan beginning with the  
24 school year commencing July 1, 1996, to eliminate the reported  
25 special education deficit.

26 The bill also provides that for the budget year commencing  
27 July 1, 1996, the regular program and special education  
28 support services foundation bases per pupil are 85 percent of  
29 the regular program and special education support services  
30 state cost per pupil. These foundation base levels shall  
31 increase one-half of one percent each succeeding budget year  
32 until the level of 90 percent is reached.

33 The bill additionally provides for supplementary weighting  
34 for funding for programs involving returning dropouts, and  
35 dropout prevention, and gifted and talented children. Current



1 law provides additional allowable growth which is funded by  
2 property tax for these programs. School districts which have  
3 established these programs may receive supplementary weighting  
4 for each pupil enrolled in the programs equal to two-tenths  
5 per child. The total additional weighting allowed, for a  
6 budget year resulting from the supplementary weighting, shall  
7 not result in additional funding exceeding the lesser of one-  
8 fifth of the district cost per pupil multiplied by one-  
9 twentieth of the budget enrollment, or the amount established  
10 for the respective program by the department of management.  
11 The bill provides an immediate effective and applicability  
12 date.

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