

3-17-95 Do Pass

MAR 9 1995
EDUCATION

Reprinted

HOUSE FILE 334
BY CORNELIUS

Passed House, Date ^(P. 1262) 4-5-95 Passed Senate, Date 3/26/96 (P. 1038)
Vote: Ayes 90 Nays 4 Vote: Ayes 48 Nays 0
Approved April 16, 1996

A BILL FOR

1 An Act relating to the hearing and election provisions of the
2 instructional support program of school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 334

1 Section 1. Section 257.18, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. An instructional support program that provides
4 additional funding for school districts is established. A
5 board of directors that wishes to consider participating in
6 the instructional support program shall hold a public hearing
7 on the question of participation. The board shall set forth
8 its proposal, including the method that will be used to fund
9 the program, in a resolution and shall publish the notice of
10 the time and place of a public hearing on the resolution.
11 Notice of the time and place of the public hearing shall be
12 published in one or more newspapers not less than ten nor more
13 than twenty days before the public hearing. For the purpose
14 of establishing and giving assured circulation to the
15 proceedings, only a newspaper which is a newspaper of general
16 circulation issued at a regular frequency, distributed in the
17 school district's area, and regularly delivered or mailed
18 through the post office during the preceding two years may be
19 used for the publication. In addition, the newspaper must
20 have a list of subscribers who have paid, or promised to pay,
21 at more than a nominal rate, for copies to be received during
22 a stated period. At the hearing, ~~the board shall announce a~~
23 ~~date certain,~~ or no later than thirty days after the date of
24 the hearing, ~~that it will~~ the board shall take action to adopt
25 a resolution to participate in the instructional support
26 program for a period not exceeding five years or to direct the
27 county commissioner of elections to call ~~an~~ a special election
28 to submit the question of participation in the program for a
29 period not exceeding ten years to the qualified electors of
30 the school district or to submit the question at the next
31 following regular school election ~~in the base year or a~~
32 ~~special election held not later than December 1 of the base~~
33 year. If the board ~~calls~~ submits the question at an election
34 ~~on the question of participation,~~ if a majority of those
35 voting on the question favors participation in the program,

1 the board shall adopt a resolution to participate and certify
2 the results of the election to the department of management.

3 Sec. 2. Section 257.18, subsection 2, unnumbered paragraph
4 1, Code 1995, is amended to read as follows:

5 If the board does not provide for an election and adopts a
6 resolution to participate in the instructional support
7 program, the district shall participate in the instructional
8 support program unless within twenty-eight days following the
9 action of the board, the secretary of the board receives a
10 petition containing the required number of signatures, asking
11 that an election be called to approve or disapprove the action
12 of the board in adopting the instructional support program.
13 The petition must be signed by eligible electors equal in
14 number to not less than one hundred or thirty percent of the
15 number of voters at the last preceding regular school
16 election, whichever is greater. The board shall either
17 rescind its action or direct the county commissioner of
18 elections to submit the question to the qualified electors of
19 the school district at the next following regular school
20 election or a special election ~~held-not-later-than-December-1~~
21 ~~of-the-base-year~~. If a majority of those voting on the
22 question at the election favors disapproval of the action of
23 the board, the district shall not participate in the
24 instructional support program. If a majority of those voting
25 on the question favors approval of the action, the board shall
26 certify the results of the election to the department of
27 management and the district shall participate in the program.

28 EXPLANATION

29 This bill strikes a provision that would require the board
30 of directors of a school district to announce, at a hearing on
31 the question of participation in an instructional support
32 program, the date by which it will take action to adopt the
33 resolution to participate in the program. The bill would
34 permit the board to take action to adopt a resolution to
35 participate in the instructional support program at the

1 hearing held on the question of participating in the
2 instructional support program. The bill also permits the
3 school board to submit the question of participation in the
4 program at the next following regular school election or at a
5 special election. Currently, the board must wait to call an
6 election until the next following regular school election in
7 the base year or a special election held not later than
8 December 1 of the base year.

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HOUSE FILE 334

H-3744

- 1 Amend House File 334 as follows:
- 2 1. Page 1, by striking line 34 and inserting the
3 following: "~~on-the-question-of-participation, if a~~
4 majority, and at least sixty percent of those".
- 5 2. Page 2, by striking lines 21 through 25 and
6 inserting the following: "~~of-the-base-year. If a~~
7 majority at least sixty percent of those voting on the
8 question at the election favors disapproval approval
9 of the action of the board, the district shall not
10 participate in the instructional support program. If
11 a majority of those voting on the question favors
12 approval of the action, the board shall".
- 13 3. Page 2, by inserting after line 27 the
14 following:
- 15 "Sec. 3. Section 257.27, unnumbered paragraph 2,
16 Code 1995, is amended to read as follows:
17 If the voters do not approve adoption of the
18 instructional support program, the board shall wait at
19 least one ~~hundred-twenty-days~~ year following the
20 election before taking action to adopt the program or
21 resubmit the proposition."
- 22 3. By renumbering as necessary.

By ERTL of Dubuque

H-3744 FILED APRIL 4, 1995

Not Hermone 4-5-95 (P 1262)

HOUSE FILE 334

H-3745

- 1 Amend House File 334 as follows:
- 2 1. Page 1, by striking lines 24 through 26 and
3 inserting the following: "~~the hearing, that it will~~
4 ~~take action to adopt a resolution to participate in~~
5 ~~the instructional support program for a period not~~
6 ~~exceeding five years or to~~ the board shall direct
7 the".
- 8 2. Page 2, by striking lines 3 through 27 and
9 inserting the following:
- 10 "Sec. 2. Section 257.18, subsection 2, Code 1995,
11 is amended by striking the subsection.
12 Sec. 3. Section 257.27, unnumbered paragraph 2,
13 Code 1995, is amended to read as follows:
14 If the voters do not approve adoption of the
15 instructional support program, the board shall wait at
16 least one hundred twenty days following the election
17 before taking action to ~~adopt the program or~~ resubmit
18 the proposition."
- 19 3. By renumbering as necessary.

adapted 4-5-95 (P 1261) By ERTL of Dubuque

H-3745 FILED APRIL 4, 1995

HOUSE FILE 334

H-3561

1 Amend House File 334 as follows:
2 1. Page 1, by striking lines 12 through 22 and
3 inserting the following: "~~published in one or more~~
4 ~~newspapers not less than ten nor more than twenty days~~
5 ~~before the public hearing.---For the purpose of~~
6 ~~establishing and giving assured circulation to the~~
7 ~~proceedings, only in~~ a newspaper which is a newspaper
8 of general circulation ~~issued at a regular frequency,~~
9 ~~distributed in the school district's area, and~~
10 ~~regularly delivered or mailed through the post office~~
11 ~~during the preceding two years may be used for the~~
12 publication in the school district. In addition, the
13 ~~newspaper must have a list of subscribers who have~~
14 ~~paid, or promised to pay, at more than a nominal rate,~~
15 ~~for copies to be received during a stated period.~~ At
16 the hearing, the board shall announce a".

By CORNELIUS of Jackson

H-3561 FILED MARCH 29, 1995

Adopted 4-5-95 (R1261)

5-4-95 amend & pass
5-4/10/95 Appropriations
5. 3-7-96 Do Pass

HOUSE FILE 334
BY CORNELIUS

(As Amended and Passed by the House April 5, 1995)

Passed House, Date ^(P1524) 4-10-96 Passed Senate, Date 3/26/96 (p.1038)
Vote: Ayes 95 Nays 0 Vote: Ayes 48 Nays 0
Approved April 16, 1996

A BILL FOR

1 An Act relating to the hearing and election provisions of the
2 instructional support program of school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

House Amendments _____

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1 Section 1. Section 257.18, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. An instructional support program that provides
4 additional funding for school districts is established. A
5 board of directors that wishes to consider participating in
6 the instructional support program shall hold a public hearing
7 on the question of participation. The board shall set forth
8 its proposal, including the method that will be used to fund
9 the program, in a resolution and shall publish the notice of
10 the time and place of a public hearing on the resolution.
11 Notice of the time and place of the public hearing shall be
12 published in one or more newspapers not less than ten nor more
13 than twenty days before the public hearing. For the purpose
14 of establishing and giving assured circulation to the
15 proceedings, only in a newspaper which is a newspaper of
16 general circulation issued at a regular frequency, distributed
17 in the school district's area, and regularly delivered or
18 mailed through the post office during the preceding two years
19 may be used for the publication in the school district. In
20 addition, the newspaper must have a list of subscribers who
21 have paid, or promised to pay, at more than a nominal rate,
22 for copies to be received during a stated period. At the
23 hearing, the board shall announce a date certain, or no later
24 than thirty days after the date of the hearing, that it will
25 the board shall take action to adopt a resolution to
26 participate in the instructional support program for a period
27 not exceeding five years or to direct the county commissioner
28 of elections to call an a special election to submit the
29 question of participation in the program for a period not
30 exceeding ten years to the qualified electors of the school
31 district or to submit the question at the next following
32 regular school election in the base year or a special election
33 held not later than December 1 of the base year. If the board
34 calls submits the question at an election on the question of
35 participation, if a majority of those voting on the question

1 favors participation in the program, the board shall adopt a
2 resolution to participate and certify the results of the
3 election to the department of management.

4 Sec. 2. Section 257.18, subsection 2, unnumbered paragraph
5 1, Code 1995, is amended to read as follows:

6 If the board does not provide for an election and adopts a
7 resolution to participate in the instructional support
8 program, the district shall participate in the instructional
9 support program unless within twenty-eight days following the
10 action of the board, the secretary of the board receives a
11 petition containing the required number of signatures, asking
12 that an election be called to approve or disapprove the action
13 of the board in adopting the instructional support program.
14 The petition must be signed by eligible electors equal in
15 number to not less than one hundred or thirty percent of the
16 number of voters at the last preceding regular school
17 election, whichever is greater. The board shall either
18 rescind its action or direct the county commissioner of
19 elections to submit the question to the qualified electors of
20 the school district at the next following regular school
21 election or a special election ~~held-not-later-than-December-1~~
22 ~~of-the-base-year~~. If a majority of those voting on the
23 question at the election favors disapproval of the action of
24 the board, the district shall not participate in the
25 instructional support program. If a majority of those voting
26 on the question favors approval of the action, the board shall
27 certify the results of the election to the department of
28 management and the district shall participate in the program.

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HOUSE FILE 334

S-3367

1 Amend House File 334, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. INTERIM POVERTY STUDY. The
6 legislative council is requested to authorize an
7 interim study to assess the impact of poverty on
8 decisionmaking, teaching, learning systems, and on the
9 students in Iowa's K-12 public schools, utilizing the
10 primary and secondary risk factors specified in 281
11 IAC 65(4-5) for identifying the at-risk population of
12 a school district or building. The study shall be
13 conducted under the leadership of the chairpersons and
14 the ranking members of the standing education
15 committees of the senate and house of representatives,
16 in collaboration with, and with the assistance and
17 support of, the department of education, the
18 department of human services, the department of
19 economic development, and other public and nonpublic
20 institutions and agencies deemed appropriate by the
21 council. The council is further requested to provide
22 funds sufficient for administrative needs and to
23 contract for research and support staffing. The study
24 committee shall define the conditions of poverty,
25 estimate the number of dropouts and the number of
26 families and children living in poverty, identify the
27 local, state and federal subsidies provided for
28 students and their families living in poverty, compare
29 the conditions in Iowa with the conditions in other
30 states in the midwest relating to poverty and the
31 states' responses to the conditions, and establish an
32 ongoing procedure to track the impact of poverty on
33 education, health conditions, and the job market. The
34 study committee shall submit its findings and
35 recommendations to the general assembly by January 15,
36 1996.

37 Sec. 2. NEW SECTION. 257.50 TRANSPORTATION
38 ASSISTANCE AID TO DISTRICTS.

39 1. The department shall pay transportation
40 assistance aid to a school district from funds as
41 provided in this section to school districts whose
42 average transportation costs per pupil exceed the
43 state average transportation costs per pupil
44 determined under subsection 2 by one hundred percent.

45 2. A district's average transportation costs per
46 pupil shall be determined by dividing the district's
47 actual cost for all children transported in all school
48 buses for a school year pursuant to section 285.1,
49 subsection 12, less the amount received for
50 transporting nonpublic school pupils under section

S-3367

S-3367

Page 2

1 285.1, by the district's actual enrollment for the
2 school year, less the shared-time enrollment for the
3 school year, as defined in section 257.6. The state
4 average transportation costs per pupil shall be
5 determined by dividing the total actual costs for all
6 children transported in all districts for a school
7 year, by the total of all districts' actual
8 enrollments for the school year.

9 3. To be eligible for transportation assistance
10 aid, a school district shall annually certify its
11 actual cost for all children transported in all school
12 buses not later than July 31 after each school year on
13 forms prescribed by the department of education.

14 4. If a school district's average transportation
15 costs per pupil exceed the state average
16 transportation costs per pupil by one hundred percent,
17 the department of education shall pay transportation
18 assistance aid equal to the amount of the difference
19 multiplied by the district's actual enrollment for the
20 school year less the shared-time enrollment for the
21 school year as defined in section 257.6.

22 5. There is appropriated from the general fund of
23 the state to the department of education, for each
24 fiscal year, an amount necessary to pay transportation
25 assistance aid pursuant to this section.

26 Transportation assistance aid is miscellaneous income
27 for purposes of chapter 257.

28 6. If the general assembly creates an Iowa
29 education transportation enhancement fund in the
30 office of the treasurer of state, the department shall
31 pay transportation assistance aid to a school district
32 that meets the requirements of this section from
33 moneys credited to the Iowa education transportation
34 enhancement fund. If moneys in the fund are
35 insufficient for purposes of this subsection, there is
36 appropriated from the general fund of the state to the
37 department of education, for each fiscal year, an
38 amount sufficient to pay the remaining transportation
39 assistance aid necessary under this section.
40 Transportation assistance aid is miscellaneous income
41 for purposes of chapter 257."

42 2. Page 2, by inserting after line 28 the
43 following:

44 "Sec. ____ . Section 285.3, Code 1995, is amended by
45 striking the section and inserting in lieu thereof the
46 following:

47 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL
48 STUDENT TRANSPORTATION.

49 1. A parent or legal guardian of a nonpublic
50 school student, who furnishes transportation to the

S-3367

-2-

S-3367

Page 3

1 student pursuant to section 285.1, shall notify the
2 resident public school district that the child is
3 enrolled and attending an accredited nonpublic school.
4 In addition, the parent or legal guardian shall
5 provide the name, age, and grade level of the student,
6 and the name of the accredited nonpublic school and
7 its location. The resident district shall submit
8 claims on behalf of a parent or legal guardian of a
9 nonpublic school student by February 1 and July 15 of
10 each school year unless the parent or legal guardian
11 fails to notify the district pursuant to this
12 subsection.

13 2. A parent or legal guardian of a nonpublic
14 school student who furnishes transportation for the
15 child pursuant to section 285.1 is entitled to
16 reimbursement equal to an amount calculated under the
17 provisions of section 285.1, subsection 3. In
18 addition, nonpublic school parents or legal guardians
19 who transport one or more family members more than
20 four miles to their accredited nonpublic schools of
21 attendance shall be entitled to one supplemental
22 mileage payment per family, per claim period, equal to
23 fifteen percent of the parental reimbursement amount,
24 rounded to the nearest whole dollar, when calculated
25 under the provisions of section 285.1, subsection 3."

26 Sec. _____. Section 257.50, subsection 5, as enacted
27 by this Act, is amended by striking the subsection
28 effective January 1, 1997.

29 Sec. _____. Section 257.50, subsection 6, as enacted
30 by this Act, takes effect January 1, 1997".

31 3. Title page, line 2, by inserting after the
32 word "districts" the following: ", transportation
33 assistance aid to a school district, requesting an
34 interim poverty study, and making an appropriation".

By COMMITTEE ON EDUCATION
MIKE CONNOLLY, Chairperson

S-3367 FILED APRIL 6, 1995

Out of Order
3/26/96

HOUSE FILE 334

5242

1 Amend House File 334, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.18, subsection 1, Code
6 Supplement 1995, is amended to read as follows:

7 1. An instructional support program that provides
8 additional funding for school districts is
9 established. A board of directors that wishes to
10 consider participating in the instructional support
11 program shall hold a public hearing on the question of
12 participation. The board shall set forth its
13 proposal, including the method that will be used to
14 fund the program, in a resolution and shall publish
15 the notice of the time and place of a public hearing
16 on the resolution. Notice of the time and place of
17 the public hearing shall be published ~~in one or more~~
18 ~~newspapers~~ not less than ten nor more than twenty days
19 before the public hearing. ~~For the purpose of~~
20 ~~establishing and giving assured circulation to the~~
21 ~~proceedings, only in a newspaper which is a newspaper~~
22 ~~of general circulation issued at a regular frequency,~~
23 ~~distributed in the school district's area, and~~
24 ~~regularly delivered or mailed through the post office~~
25 ~~during the preceding two years may be used for the~~
26 ~~publication in the school district. In addition, the~~
27 ~~newspaper must have a list of subscribers who have~~
28 ~~paid, or promised to pay, at more than a nominal rate,~~
29 ~~for copies to be received during a stated period. At~~
30 ~~the hearing, the board shall announce a date certain,~~
31 ~~or no later than thirty days after the date of the~~
32 ~~hearing, that it will~~ the board shall take action to
33 adopt a resolution to participate in the instructional
34 support program for a period not exceeding five years
35 or to direct the county commissioner of elections to
36 call an a special election to submit the question of
37 participation in the program for a period not
38 exceeding ten years to the registered voters of the
39 school district or to submit the question at the next
40 following regular school election in the base year or
41 a special election held not later than December 1 of
42 the base year. If the board ~~calls~~ submits the
43 question at an election on the question of
44 participation, if a majority of those voting on the
45 question favors participation in the program, the
46 board shall adopt a resolution to participate and
47 certify the results of the election to the department
48 of management.

49 Sec. 2. Section 257.18, subsection 2, unnumbered
50 paragraph 1, Code Supplement 1995, is amended to read

5242

S-5242

Page 2

1 as follows:

2 If the board does not provide for an election and
 3 adopts a resolution to participate in the
 4 instructional support program, the district shall
 5 participate in the instructional support program
 6 unless within twenty-eight days following the action
 7 of the board, the secretary of the board receives a
 8 petition containing the required number of signatures,
 9 asking that an election be called to approve or
 10 disapprove the action of the board in adopting the
 11 instructional support program. The petition must be
 12 signed by eligible electors equal in number to not
 13 less than one hundred or thirty percent of the number
 14 of voters at the last preceding regular school
 15 election, whichever is greater. The board shall
 16 either rescind its action or direct the county
 17 commissioner of elections to submit the question to
 18 the registered voters of the school district at the
 19 next following regular school election or a special
 20 election ~~held not later than December 1 of the base~~
 21 ~~year~~. If a majority of those voting on the question
 22 at the election favors disapproval of the action of
 23 the board, the district shall not participate in the
 24 instructional support program. If a majority of those
 25 voting on the question favors approval of the action,
 26 the board shall certify the results of the election to
 27 the department of management and the district shall
 28 participate in the program."

By TOM FLYNN

S-5242 FILED MARCH 7, 1996

Adopted as amended 3/26/96 (p. 1038)

S-5537

HOUSE FILE 334

1 Amend the amendment, S-5242, to House File 334, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, by striking line 36 and inserting the
 5 following: "~~call an election to~~ submit the question
 6 of".
 7 2. Page 1, by striking lines 39 through 41 and
 8 inserting the following: "school district at the next
 9 following regular school election ~~in the base year or~~
 10 ~~at a special election held not later than December 1~~
 11 ~~of~~".
 12 3. Page 1, by striking line 44 and inserting the
 13 following: "~~participation, if~~ and a majority of those
 14 voting on the".

By TOM FLYNN

S-5537 FILED MARCH 26, 1996
ADOPTED (p. 1038)

SENATE AMENDMENT TO HOUSE FILE 334

H-5601

1 Amend House File 334, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.18, subsection 1, Code
6 Supplement 1995, is amended to read as follows:

7 1. An instructional support program that provides
8 additional funding for school districts is
9 established. A board of directors that wishes to
10 consider participating in the instructional support
11 program shall hold a public hearing on the question of
12 participation. The board shall set forth its
13 proposal, including the method that will be used to
14 fund the program, in a resolution and shall publish
15 the notice of the time and place of a public hearing
16 on the resolution. Notice of the time and place of
17 the public hearing shall be published ~~in one or more~~
18 ~~newspapers~~ not less than ten nor more than twenty days
19 before the public hearing. ~~For the purpose of~~
20 ~~establishing and giving assured circulation to the~~
21 ~~proceedings, only in~~ a newspaper which is a newspaper
22 of general circulation ~~issued at a regular frequency,~~
23 ~~distributed in the school district's area, and~~
24 ~~regularly delivered or mailed through the post office~~
25 ~~during the preceding two years may be used for the~~
26 publication in the school district. ~~In addition, the~~
27 ~~newspaper must have a list of subscribers who have~~
28 ~~paid, or promised to pay, at more than a nominal rate,~~
29 ~~for copies to be received during a stated period.~~ At
30 the hearing, ~~the board shall announce a date certain,~~
31 or no later than thirty days after the date of the
32 ~~hearing, that it will~~ the board shall take action to
33 adopt a resolution to participate in the instructional
34 support program for a period not exceeding five years
35 or to direct the county commissioner of elections to
36 ~~call an election to~~ submit the question of
37 participation in the program for a period not
38 exceeding ten years to the registered voters of the
39 school district at the next ~~following~~ regular school
40 election ~~in the base year~~ or at a special election
41 ~~held not later than December 1 of the base year.~~ If
42 the board ~~calls~~ submits the question at an election on
43 ~~the question of participation, if~~ and a majority of
44 those voting on the question favors participation in
45 the program, the board shall adopt a resolution to
46 participate and certify the results of the election to
47 the department of management.

48 Sec. 2. Section 257.18, subsection 2, unnumbered
49 paragraph 1, Code Supplement 1995, is amended to read
50 as follows:

H-5601

H-5601

Page 2

1 If the board does not provide for an election and
2 adopts a resolution to participate in the
3 instructional support program, the district shall
4 participate in the instructional support program
5 unless within twenty-eight days following the action
6 of the board, the secretary of the board receives a
7 petition containing the required number of signatures,
8 asking that an election be called to approve or
9 disapprove the action of the board in adopting the
10 instructional support program. The petition must be
11 signed by eligible electors equal in number to not
12 less than one hundred or thirty percent of the number
13 of voters at the last preceding regular school
14 election, whichever is greater. The board shall
15 either rescind its action or direct the county
16 commissioner of elections to submit the question to
17 the registered voters of the school district at the
18 next following regular school election or a special
19 election ~~held-not-later-than-December-1-of-the-base~~
20 ~~year.~~ If a majority of those voting on the question
21 at the election favors disapproval of the action of
22 the board, the district shall not participate in the
23 instructional support program. If a majority of those
24 voting on the question favors approval of the action,
25 the board shall certify the results of the election to
26 the department of management and the district shall
27 participate in the program."

RECEIVED FROM THE SENATE

H-5601 FILED MARCH 26, 1996

House Concurred
4-10-96
(P. 1524)

HOUSE FILE 334

AN ACT

RELATING TO THE HEARING AND ELECTION PROVISIONS OF THE
INSTRUCTIONAL SUPPORT PROGRAM OF SCHOOL DISTRICTS.

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

Section 1. Section 257.18, subsection 1, Code Supplement 1995, is amended to read as follows:

1. An instructional support program that provides additional funding for school districts is established. A board of directors that wishes to consider participating in the instructional support program shall hold a public hearing on the question of participation. The board shall set forth its proposal, including the method that will be used to fund the program, in a resolution and shall publish the notice of the time and place of a public hearing on the resolution. Notice of the time and place of the public hearing shall be published ~~in one or more newspapers~~ not less than ten nor more than twenty days before the public hearing. ~~For the purpose of establishing and giving assured circulation to the proceedings, only in~~ a newspaper which is a newspaper of general circulation ~~issued at a regular frequency, distributed in the school district's area, and regularly delivered or mailed through the post office during the preceding two years may be used for the publication in the school district.~~ In addition, ~~the newspaper must have a list of subscribers who have paid, or promised to pay, at more than a nominal rate, for copies to be received during a stated period.~~ At the hearing, ~~the board shall announce a date certain, or no later~~

~~than thirty days after the date of the hearing, that it will the board shall~~ take action to adopt a resolution to participate in the instructional support program for a period not exceeding five years or to direct the county commissioner of elections to ~~call an election to~~ submit the question of participation in the program for a period not exceeding ten years to the registered voters of the school district at the next ~~following~~ regular school election ~~in the base year or at a special election held not later than December 1 of the base year.~~ If the board ~~calls~~ submits the question at an election ~~on the question of participation, if and~~ a majority of those voting on the question favors participation in the program, the board shall adopt a resolution to participate and certify the results of the election to the department of management.

Sec. 2. Section 257.18, subsection 2, unnumbered paragraph 1, Code Supplement 1995, is amended to read as follows:

If the board does not provide for an election and adopts a resolution to participate in the instructional support program, the district shall participate in the instructional support program unless within twenty-eight days following the action of the board, the secretary of the board receives a petition containing the required number of signatures, asking that an election be called to approve or disapprove the action of the board in adopting the instructional support program. The petition must be signed by eligible electors equal in number to not less than one hundred or thirty percent of the number of voters at the last preceding regular school election, whichever is greater. The board shall either rescind its action or direct the county commissioner of elections to submit the question to the registered voters of the school district at the next following regular school election or a special election ~~held not later than December 1 of the base year.~~ If a majority of those voting on the question at the election favors disapproval of the action of the board, the district shall not participate in the

instructional support program. If a majority of those voting on the question favors approval of the action, the board shall certify the results of the election to the department of management and the district shall participate in the program.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 334, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 16, 1996

TERRY E. BRANSTAD
Governor