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FILED MAR 4 1996

SENATE FILE 2419
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2307)

Passed Senate, ^(p.810) Date 3-14-96 Passed House, Date _____
Vote: Ayes 49 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the activities of the department of education,
2 vocational education, community colleges, to special area
3 education programs, dual enrollment, payment of claims for
4 nonpublic school pupil transportation, the school budget
5 review committee, the enrollment of certain students, annual
6 audits of school districts, and providing effective and
7 retroactive applicability dates.

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

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S.F. 2419

1 Section 1. Section 11.6, subsection 1, paragraph a,
2 unnumbered paragraph 1, Code 1995, is amended to read as
3 follows:

4 The financial condition and transactions of all cities and
5 city offices, counties, county hospitals organized under
6 chapters 347 and 347A, memorial hospitals organized under
7 chapter 37, entities organized under chapter 28E having gross
8 receipts in excess of one hundred thousand dollars in a fiscal
9 year, merged areas, area education agencies, and all school
10 offices in school districts, shall be examined at least once
11 each year, except that cities having a population of seven
12 hundred or more but less than two thousand shall be examined
13 at least once every four years, and cities having a population
14 of less than seven hundred may be examined as otherwise
15 provided in this section. The examination shall cover the
16 fiscal year next preceding the year in which the audit is
17 conducted. The examination of school offices shall include an
18 audit of all school funds, the certified annual financial
19 report, and the certified enrollment as provided in section
20 257.6. If a financial condition statement is present in the
21 annual audit report of a school district, the auditor of state
22 or certified public accountant conducting the audit shall
23 notify, by certified mail, the members of the board of
24 directors of the school district and the chairperson of the
25 school budget review committee. Examinations of community
26 colleges shall include an audit of eligible and noneligible
27 contact hours as defined in section 260D.2. Eligible and
28 noneligible contact hours and any differences in certified
29 enrollment shall be reported to the department of management.

30 Sec. 2. Section 15.103, unnumbered paragraph 1, Code 1995,
31 is amended to read as follows:

32 The Iowa economic development board is created, consisting
33 of eleven voting members appointed by the governor and seven
34 ex officio nonvoting members. The ex officio nonvoting
35 members are four legislative members; one president, or the

1 president's designee, of the University of Northern Iowa, the
2 University of Iowa, or Iowa State University of science and
3 technology designated by the state board of regents on a
4 rotating basis; and one president, or the president's
5 designee, of a private college or university appointed by the
6 Iowa association of independent colleges and universities; and
7 one superintendent chief executive officer, or the
8 superintendent's chief executive officer's designee, of a
9 community college, appointed by the Iowa association of
10 community college presidents. The legislative members are two
11 state senators, one appointed by the president of the senate,
12 after consultation with the majority leader of the senate, and
13 one appointed by the minority leader of the senate, after
14 consultation with the president of the senate, from their
15 respective parties; and two state representatives, one
16 appointed by the speaker and one appointed by the minority
17 leader of the house of representatives from their respective
18 parties. Not more than six of the voting members shall be
19 from the same political party. The secretary of agriculture
20 shall be one of the voting members. The governor shall
21 appoint the remaining ten voting members of the board for a
22 term of four years beginning and ending as provided by section
23 69.19, subject to confirmation by the senate, and the
24 governor's appointments shall include persons knowledgeable of
25 the various elements of the department's responsibilities.

26 Sec. 3. Section 15E.166, subsection 1, paragraph c, Code
27 1995, is amended to read as follows:

28 c. An annual budget for operation of the program and
29 activities agreed to in the contract including provisions
30 related to the transfer of funds to the community college, as
31 agreed upon by the president chief executive officer of the
32 community college and the foundation.

33 Sec. 4. Section 73.18, Code 1995, is amended to read as
34 follows:

35 73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF

1 TARGETED SMALL BUSINESSES.

2 The director of each agency or department, the
3 administrator of each area education agency, the president
4 chief executive officer of each community college, and the
5 superintendent of each school district releasing a
6 solicitation for bids or request for proposal under the
7 targeted small business procurement goal program shall consult
8 a directory of certified targeted small businesses produced by
9 the department of economic development that lists all
10 certified targeted small businesses by category of goods or
11 services provided prior to or upon release of the solicitation
12 and shall send a copy of the request for proposal or
13 solicitation to any appropriate targeted small business listed
14 in the directory. The Iowa department of economic development
15 may charge the department, agency, area education agency,
16 community college, or school district a reasonable fee to
17 cover the cost of producing, distributing, and updating the
18 directory.

19 Sec. 5. Section 256.9, subsection 42, Code 1995, is
20 amended by striking the subsection.

21 Sec. 6. Section 256.11, subsection 5, paragraph h,
22 unnumbered paragraph 1, Code 1995, is amended to read as
23 follows:

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

1 entrepreneurial skills that reflect current industry standards
2 and labor-market needs; and reinforcement of basic academic
3 skills. The instructional programs shall also comply with the
4 provisions of chapter 258 relating to vocational education.
5 However, this paragraph does not apply to the teaching of
6 vocational education in nonpublic schools.

7 Sec. 7. Section 256.11, Code 1995, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 9. Unless a waiver has been obtained
10 under section 256.11A, each school or school district shall
11 have the following:

12 a. A media center in each attendance center which shall be
13 accessible to students throughout the school day.

14 b. A qualified school media specialist who shall meet the
15 licensing standards prescribed by the board of educational
16 examiners and shall be responsible for supervision of the
17 media centers.

18 c. An articulated sequential elementary-secondary guidance
19 program for grades kindergarten through twelve. The guidance
20 counselor shall meet the licensing standards prescribed by the
21 board of educational examiners.

22 In determining the requirements of this subsection for
23 nonpublic schools, the department shall evaluate the schools
24 on a school system basis rather than on an individual school
25 basis.

26 Sec. 8. Section 256.11A, subsections 1 and 2, Code
27 Supplement 1995, are amended to read as follows:

28 1. Schools and school districts unable to meet the
29 standard ~~adopted by the state board~~ established in section
30 256.11, subsection 9, paragraph "c", requiring each school or
31 school district operating a kindergarten through grade twelve
32 program to provide an articulated sequential elementary-
33 secondary guidance program may, not later than August 1, 1995,
34 for the school year beginning July 1, 1995, file a written
35 request to the department of education that the department

1 waive the requirement for that school or school district. The
2 procedures specified in subsection 3 apply to the request.
3 Not later than August 1, 1996, for the school year beginning
4 July 1, 1996, the board of directors of a school district or
5 the authorities in charge of a nonpublic school may request a
6 one-year extension of the waiver.

7 2. Not later than August 1, 1995, for the school year
8 beginning July 1, 1995, the board of directors of a school
9 district, or authorities in charge of a nonpublic school, may
10 file a written request with the department of education that
11 the department waive ~~the rule adopted by the state board to~~
12 ~~establish and operate~~ the requirement for a media services
13 specialist and a media services program to support the total
14 curriculum for that district or school center, established
15 under section 256.11, subsection 9, paragraphs "a" and "b".

16 The procedures specified in subsection 3 apply to the request.
17 Not later than August 1, 1996, for the school year beginning
18 July 1, 1996, the board of directors of a school district or
19 the authorities in charge of a nonpublic school may request an
20 additional one-year extension of the waiver.

21 Sec. 9. Section 256.11B, Code 1995, is amended to read as
22 follows:

23 256.11B VOCATIONAL EDUCATION INSTRUCTION -- NONPUBLIC
24 SCHOOLS.

25 A nonpublic school which provides an educational program
26 that includes grades nine through twelve shall offer and teach
27 five units of occupational education subjects, which may
28 include, but are not limited to, programs, services, and
29 activities which prepare students for employment in business
30 or office occupations, trade and industrial occupations,
31 consumer and family and consumer sciences or home economics
32 occupations, agriculture occupations, marketing occupations,
33 and health occupations. By July 1, 1993, instruction
34 Instruction shall be competency-based, articulated with
35 postsecondary programs of study, and may include field,

1 laboratory, or on-the-job training.

2 Sec. 10. Section 256.31, subsection 1, paragraph c, Code
3 1995, is amended to read as follows:

4 c. A community college ~~president~~ chief executive officer
5 appointed by an association which represents the largest
6 number of community college ~~presidents~~ chief executive
7 officers in the state.

8 Sec. 11. Section 256.82, subsection 1, paragraph b,
9 subparagraph (2), Code 1995, is amended to read as follows:

10 (2) One member shall be appointed jointly by the
11 superintendents chief executive officers of the community
12 colleges created by chapter 260C.

13 Sec. 12. Section 257.6, subsection 1, paragraph f, Code
14 1995, is amended to read as follows:

15 f. Resident pupils receiving competent private instruction
16 under dual enrollment pursuant to chapter 299A and taking less
17 than three academic courses shall be counted as one-tenth of
18 one pupil. For purposes of this paragraph and section 299A.8,
19 "academic course" means a course taken for credit in
20 accordance with section 256.11, subsection 5, or a class that
21 meets the requirements of section 256.11, subsection 3 or 4.

22 Sec. 13. Section 257.31, Code 1995, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 17. The committee may require a school
25 district to utilize the auditor of state to conduct an audit
26 of accounts pursuant to section 11.6.

27 Sec. 14. Section 258.3A, subsections 1 and 3, Code 1995,
28 are amended to read as follows:

29 1. Cooperate with the ~~federal-board-for-vocational~~ United
30 States department of education in the administration of the
31 Act of Congress, as specified in section 258.1.

32 3. Adopt rules prescribing standards for approval of
33 ~~schools, departments, and classes, area vocational technical~~
34 ~~high schools and~~ vocational ~~programs, and community colleges~~
35 ~~with vocational programs, and practitioner preparation~~

1 ~~schools, departments, and classes,~~ applying for federal and
2 state moneys under this chapter.

3 Sec. 15. Section 258.3A, subsection 2, Code 1995, is
4 amended by striking the subsection.

5 Sec. 16. Section 258.4, subsections 1, 2, 3, 5, 6, and 10,
6 Code 1995, are amended to read as follows:

7 1. ~~Co-operate~~ Cooperate with the ~~federal board for~~
8 ~~vocational~~ United States department of education in the
9 administration of the Act of Congress, as specified in section
10 258.1.

11 2. Provide for making studies and investigations relating
12 to ~~prevocational and vocational training~~ education in
13 ~~agricultural, industrial agriculture, trades and industry,~~
14 marketing, business and office, health, and commercial
15 ~~subjects, and home economics~~ family and consumer sciences.

16 3. Promote and aid in the establishment ~~in local~~
17 ~~communities and public schools~~ of ~~departments and classes~~
18 giving programs providing instruction in subjects listed in
19 subsection 2.

20 5. Make recommendations to the board of educational
21 examiners relating to the enforcement of rules prescribing
22 standards for teachers ~~of subjects~~ in programs listed in
23 subsection 2 in ~~accredited schools, departments, and classes~~
24 educational agencies.

25 6. ~~Co-operate~~ Cooperate in the maintenance of practitioner
26 preparation ~~schools, departments, and classes, supported and~~
27 ~~controlled by the public,~~ programs for the training
28 preparation of teachers and supervisors of ~~subjects~~ programs
29 listed in subsection 2.

30 10. Enforce rules prescribing standards for approval of
31 vocational education programs ~~in schools, departments, and~~
32 ~~classes.~~

33 Sec. 17. Section 258.4, Code 1995, is amended by adding
34 the following new subsection:

35 NEW SUBSECTION. 13. Incorporate in the director's annual

1 report a full report of all receipts and expenditures under
2 this chapter.

3 Sec. 18. Section 258.5, Code 1995, is amended to read as
4 follows:

5 258.5 REIMBURSEMENT FROM FEDERAL AND STATE MONEYS.

6 If a school corporation maintains an approved vocational
7 ~~school, department, or classes~~ program in accordance with the
8 rules adopted by the state board, ~~and rules and standards~~
9 ~~adopted by the board of educational examiners, and the state~~
10 ~~plan for vocational education, adopted by the board for~~
11 ~~vocational education and approved by the United States~~
12 ~~department of education,~~ the director of the department of
13 education shall reimburse the school corporation at the end of
14 the fiscal year for its expenditures for salaries and
15 authorized travel of vocational teachers from federal and
16 state funds. However, a school corporation shall not receive
17 from federal and state funds a larger amount than one-half the
18 sum which has been expended by the school corporation for that
19 particular type of program. If federal and state funds are
20 not sufficient to make the reimbursement to the extent
21 provided in this section, the director shall prorate the
22 respective amounts available to the corporations entitled to
23 reimbursement.

24 ~~The director may use federal funds to reimburse approved~~
25 ~~practitioner preparation schools, departments, or classes for~~
26 ~~the training of teachers of agriculture, home economics,~~
27 ~~trades and industrial education, distributive education, and~~
28 ~~for the training of guidance counselors.~~

29 Sec. 19. Section 258.9, Code 1995, is amended to read as
30 follows:

31 258.9 LOCAL ADVISORY COUNCIL.

32 The board of directors of a school district that maintains
33 a ~~school, department, or class~~ receiving federal or state
34 ~~funds under this chapter~~ vocational program shall, ~~as a~~
35 ~~condition of approval by the state board,~~ appoint a local

1 advisory council for vocational education composed of public
2 members with emphasis on persons representing business,
3 agriculture, industry and labor. The local advisory council
4 shall give advice and assistance to the board of directors in
5 the establishment and maintenance of ~~schools, departments, and~~
6 classes vocational programs that receive federal or state
7 funds under this chapter. Local advisory councils may be
8 organized according to program area, school, community, or
9 region. The state board shall adopt rules requiring that the
10 memberships of local advisory councils fairly represent each
11 sex and minorities residing in the school district. Members
12 of an advisory council shall serve without compensation.

13 Sec. 20. Section 258.12, Code 1995, is amended to read as
14 follows:

15 258.12 CUSTODIAN OF FUNDS -- REPORTS.

16 The treasurer of state shall be custodian of the funds paid
17 to the state from the appropriations made under ~~said~~ the Act
18 of Congress as provided in section 258.1, and shall disburse
19 the ~~same~~ funds on vouchers audited as provided by law. The
20 treasurer of state shall report the receipts and disbursements
21 ~~of-said-funds~~ to the general assembly at each biennial regular
22 session.

23 Sec. 21. Section 260C.4, subsection 4, paragraphs e and f,
24 Code 1995, are amended to read as follows:

25 e. The director of the department of education shall give
26 a community college which is to be removed from the approved
27 list at least one year's notice. The notice shall be given by
28 registered or certified mail addressed to the superintendent
29 chief executive officer of the community college and shall
30 specify the reasons for removal. The notice shall also be
31 sent by ordinary mail to each member of the board of directors
32 of the community college, and to the news media which serve
33 the merged area where the school is located; but any good
34 faith error or failure to comply with this sentence shall not
35 affect the validity of any action by the director. If, during

1 the year, the community college remedies the reasons for
2 removal and satisfies the director that it will thereafter
3 comply with the laws and approval standards, the director
4 shall continue the community college on the approved list and
5 shall transmit to the community college notice of the action
6 by registered or certified mail.

7 f. At any time during the year after notice is given, the
8 board of directors of the community college may request a
9 public hearing before the director of the department of
10 education, by mailing a written request to the director by
11 registered or certified mail. The director shall promptly set
12 a time and place for the public hearing, which shall be either
13 in Des Moines or in the affected merged area. At least thirty
14 days' notice of the time and place of the hearing shall be
15 given by registered or certified mail addressed to the
16 superintendent chief executive officer of the community
17 college. At least ten days before the hearing, notice of the
18 time and place of the hearing and the reasons for removal
19 shall also be published by the department in a newspaper of
20 general circulation in the merged area where the community
21 college is located.

22 Sec. 22. Section 260C.4, subsection 4, paragraph h, Code
23 1995, is amended to read as follows:

24 h. This subsection is void and shall be stricken from the
25 Code effective June 30, ~~1995~~ 1998, except as provided in
26 section 260C.47.

27 Sec. 23. Section 260C.5, subsections 1 and 9, Code 1995,
28 are amended to read as follows:

29 1. Designate a community college as an "area vocational
30 education school" within the meaning of, and for the purpose
31 of administering, ~~the Act of Congress designated the~~
32 ~~"Vocational Education Act of 1963"~~ federal vocational
33 education legislation. A community college shall not be so
34 designated by the director of the department of education for
35 the expenditure of funds under 20 U.S.C. § 35c(a)(5), which

1 has not been designated and classified as a community college
2 by the state board.

3 9. Make arrangements with boards of merged areas and local
4 school districts to permit students attending high school to
5 participate in vocational-technical programs and advanced
6 college placement courses and obtain credit for such
7 participation for application toward the completion of a high
8 school diploma. ~~The-granting-of-credit-is-subject-to-the~~
9 ~~approval-of-the-director-of-the-department-of-education.~~

10 Sec. 24. Section 260C.5, subsection 6, Code 1995, is
11 amended by striking the subsection.

12 Sec. 25. Section 260C.14, subsection 8, Code 1995, is
13 amended to read as follows:

14 8. Set the salary of the area-superintendent chief
15 executive officer of the director district. In setting the
16 salary, the board shall consider the salaries of
17 administrators of educational institutions in the merged area
18 and the enrollment of the community college.

19 Sec. 26. Section 260C.35, Code 1995, is amended to read as
20 follows:

21 260C.35 LIMITATION-ON SALE OF LAND.

22 ~~A-merged-area-shall-not-purchase-land-which-will-increase~~
23 ~~the-aggregate-of-land-owned-by-the-merged-area, excluding-land~~
24 ~~acquired-by-donation-or-gift, to-more-than-three-hundred~~
25 ~~twenty-acres-without-the-approval-of-the-director-of-the~~
26 ~~department-of-education.--The-limitation-does-not-apply-to-a~~
27 ~~merged-area-owning-more-than-three-hundred-twenty-acres,~~
28 ~~excluding-land-acquired-by-donation-or-gift, prior-to-January~~
29 ~~17-1969.~~

30 ~~With-the-approval-of-the-director-of-the-department-of~~
31 ~~education, the~~ The board of directors of a merged area at any
32 time may sell any land in excess of one hundred sixty acres
33 owned by the merged area, and an election is not necessary in
34 connection with the sale. The proceeds of the sale may be
35 used for any of the purposes stated in section 260C.22. This

1 paragraph section is in addition to any authority under other
2 provisions of law.

3 Sec. 27. Section 260C.38, unnumbered paragraphs 1 and 3,
4 Code 1995, are amended to read as follows:

5 The board of directors may ~~with the approval of the~~
6 ~~director of the department of education~~, enter into lease
7 agreements, with or without purchase options, not to exceed
8 twenty years in duration, for the leasing or rental of
9 buildings for use basically as classrooms, laboratories,
10 shops, libraries, and study halls for community college
11 purposes, and pay for the leasing or rental with funds
12 acquired pursuant to section sections 260C.17, section
13 260C.18, and section 260C.22. ~~However, lease agreements~~
14 ~~extending for less than ten years and for less than twenty-~~
15 ~~five thousand dollars per year need not be submitted to the~~
16 ~~director of the department of education for approval.~~

17 Before entering into a lease agreement with a purchase
18 option for a building to be constructed, or placed, upon real
19 estate owned by the community college, the board shall first
20 adopt plans and specifications for the proposed building which
21 it considers suitable for the intended use, and the board
22 shall also adopt the proposed terms of the lease agreement and
23 purchase option. ~~Upon obtaining the approval of the director~~
24 ~~of the department of education, if approval of the director is~~
25 ~~required, the~~ The board shall invite bids, by advertisement
26 published once each week for two consecutive weeks in the
27 county where the building is to be located. The lease
28 agreement shall be awarded to the lowest responsible bidder,
29 or the board may reject all bids and readvertise for new bids.

30 Sec. 28. Section 260C.47, subsection 1, unnumbered
31 paragraph 1, Code 1995, is amended to read as follows:

32 The state board of education shall establish an
33 accreditation process for community college programs by July
34 1, ~~1994~~ 1997. The process shall be jointly developed and
35 agreed upon by the department of education and the community

1 colleges. The state accreditation process shall be integrated
2 with the accreditation process of the north central
3 association of colleges and schools, including the evaluation
4 cycle, the self-study process, and the criteria for
5 evaluation, which shall incorporate the standards for
6 community colleges developed under section 260C.48; and shall
7 identify and make provision for the needs of the state that
8 are not met by the association's accreditation process. If a
9 joint agreement has not been reached by July 1, ~~1994~~ 1997, the
10 approval process provided under section 260C.4, subsection 4,
11 shall remain the required accreditation process for community
12 colleges. For the academic year commencing July 1, ~~1995~~ 1998,
13 and in succeeding school years, the department of education
14 shall use a two-component process for the continued
15 accreditation of community college programs.

16 Sec. 29. Section 260C.47, subsection 6, Code 1995, is
17 amended to read as follows:

18 6. The director of the department of education shall give
19 a community college which has a program which fails to meet
20 accreditation standards at least one year's notice prior to
21 removal of accreditation of the program. The notice shall be
22 given by certified mail or restricted certified mail addressed
23 to the superintendent chief executive officer of the community
24 college and shall specify the reasons for removal of
25 accreditation of the program. The notice shall also be sent
26 by ordinary mail to each member of the board of directors of
27 the community college. Any good faith error or failure to
28 comply with the notice requirements shall not affect the
29 validity of any action by the director. If, during the year,
30 the community college remedies the reasons for removal of
31 accreditation of the program and satisfies the director that
32 the community college will comply with the accreditation
33 standards for that program in the future, the director shall
34 continue the accreditation of the program of the community
35 college and shall transmit notice of the action to the

1 community college by certified mail or restricted certified
2 mail.

3 Sec. 30. Section 282.4, subsection 3, Code Supplement
4 1995, is amended to read as follows:

5 3. Notwithstanding section 282.6, if a student has been
6 expelled or suspended from school and has not met the
7 conditions of the expulsion or suspension ~~and-if-the-student,~~
8 ~~or-the-parent-or-guardian-of-the-student,-changes-district-of~~
9 ~~residence,~~ the student shall not be ~~enrolled~~ permitted to
10 enroll in ~~the-new~~ a school district ~~of-residence~~ until the
11 board of directors of the new school district ~~of-residence~~
12 approves, by a majority vote, the enrollment of the student.

13 Sec. 31. Section 282.5, Code Supplement 1995, is amended
14 to read as follows:

15 282.5 READMISSION OF STUDENT.

16 When a student is suspended by a teacher, principal, or
17 superintendent, pursuant to section 282.4, the student may be
18 readmitted by the teacher, principal, or superintendent when
19 the conditions of the suspension have been met, but when
20 expelled by the board the student may be readmitted only by
21 the board or in the manner prescribed by the board.

22 Sec. 32. Section 282.30, subsection 1, paragraph b,
23 unnumbered paragraph 2, Code 1995, is amended to read as
24 follows:

25 An area education agency shall not provide educational
26 services to a facility specified in paragraph "a" unless the
27 facility makes a request for educational services to the area
28 education agency by ~~December~~ January 1 of the school year
29 prior to the beginning of the school year for which the
30 services are being requested.

31 Sec. 33. Section 282.31, subsection 1, paragraph a, Code
32 Supplement 1995, is amended to read as follows:

33 a. A child who lives in a facility pursuant to section
34 282.30, subsection 1, paragraph "a", and who is not enrolled
35 in the educational program of the district of residence of the

1 child, shall receive appropriate educational services. The
2 area education agency shall submit a proposed program and
3 budget to the department of education by ~~January~~ February 1
4 for the next succeeding school year. The department of
5 education shall review and approve or modify the program and
6 proposed budget and shall notify the department of revenue and
7 finance and the area education agency of its action by
8 February March 1.

9 PARAGRAPH DIVIDED. The department of revenue and finance
10 shall pay the approved budget amount for an area education
11 agency in monthly installments beginning September 15 and
12 ending June 15 of the next succeeding school year. The
13 installments shall be as nearly equal as possible as
14 determined by the department of management, taking into
15 consideration the relative budget and cash position of the
16 state's resources. The department of revenue and finance
17 shall transfer the approved budget amount for an area
18 education agency from the moneys appropriated under section
19 257.16 and make the payment to the area education agency.

20 PARAGRAPH DIVIDED. The area education agency shall submit
21 an accounting for the actual cost of the program to the
22 department of education by August 1 of the following school
23 year. The department shall review and approve or modify all
24 expenditures incurred in compliance with the guidelines
25 pursuant to section 256.7, subsection 10, and shall notify the
26 department of revenue and finance of the approved accounting
27 amount. The approved accounting amount shall be compared with
28 any amounts paid by the department of revenue and finance to
29 the area education agency and any differences added to or
30 subtracted from the October payment made under this paragraph
31 for the next school year. Any amount paid by the department
32 of revenue and finance shall be deducted monthly from the
33 state foundation aid paid under section 257.16 to all school
34 districts in the state during the subsequent fiscal year. The
35 portion of the total amount of the approved budget that shall

1 be deducted from the state aid of a school district shall be
2 the same as the ratio that the budget enrollment for the
3 budget year of the school district bears to the total budget
4 enrollment in the state for that budget year in which the
5 deduction is made.

6 Sec. 34. Section 285.2, unnumbered paragraph 5, Code
7 Supplement 1995, is amended to read as follows:

8 Claims shall be accompanied by an affidavit of an officer
9 of the public school district affirming the accuracy of the
10 claim. ~~By-February-1-and-on-or-about-June-15~~ Claims for
11 reimbursement shall be made to the department of education by
12 January 31 and July 15 of each school year, on forms
13 prescribed by the department. The department shall certify to
14 the department of revenue and finance the amounts of approved
15 claims to be paid, and the department of revenue and finance
16 shall draw warrants payable to school districts which have
17 established claims. Claims shall be allowed where practical,
18 and at the option of the public school district of the pupil's
19 residence, subject to approval by the area education agency of
20 the pupil's residence, under section 285.9, subsection 3, the
21 public school district of the pupil's residence may transport
22 a pupil to a school located in a contiguous public school
23 district outside the boundary lines of the public school
24 district of the pupil's residence. The public school district
25 of the pupil's residence may contract with the contiguous
26 public school district or with a private contractor under
27 section 285.5 to transport the pupils to the school of
28 attendance within the boundary lines of the contiguous public
29 school district. The public school district in which the
30 pupil resides may contract with the contiguous public school
31 district or with a private contractor under section 285.5 to
32 transport the pupil from the pupil's residence or from
33 designated school bus collection locations to the school
34 located within the boundary lines of the contiguous public
35 school district, subject to the approval of the area education

1 agency of the pupil's residence. The public school district
2 of the pupil's residence may utilize the reimbursement
3 provisions of section 285.1, subsection 3.

4 Sec. 35. Section 285.3, Code 1995, is amended by striking
5 the section and inserting in lieu thereof the following:

6 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL STUDENT
7 TRANSPORTATION.

8 1. A parent or guardian of a student attending an ac-
9 credited nonpublic school, who furnishes transportation for
10 the student pursuant to section 285.1, and who meets the
11 requirements of subsection 2, is entitled to reimbursement
12 equal to an amount calculated under the provisions of section
13 285.1, subsection 3. In addition, parents or guardians who
14 transport one or more family members more than four miles to
15 their accredited nonpublic schools of attendance shall be
16 entitled to one supplemental mileage payment per family, per
17 claim period, equal to fifteen percent of the parental
18 reimbursement amount, rounded to the nearest whole dollar,
19 when calculated under the provisions of section 285.1,
20 subsection 3.

21 2. To qualify for parental reimbursement under subsection
22 1, a parent or guardian of a student attending an accredited
23 nonpublic school, who furnishes transportation for the student
24 pursuant to section 285.1, shall submit a claim for
25 reimbursement to the resident public school district,
26 notifying the district that the student is enrolled and
27 attending an accredited nonpublic school. Claims for
28 reimbursement shall be filed with the district by December 1
29 and May 1 annually and shall include the name, age, and grade
30 level of the student and the name of the accredited nonpublic
31 school and its location. The district shall submit claims for
32 reimbursement to the department of education on behalf of the
33 parent or guardian if the parent or guardian meets the
34 requirements of this section.

35 Sec. 36. Section 298.9, Code Supplement 1995, is amended

1 to read as follows:

2 298.9 SPECIAL LEVIES.

3 If the voter-approved physical plant and equipment levy,
4 consisting solely of a physical plant and equipment property
5 tax levy, is voted at a special election and certified to the
6 board of supervisors after the regular levy is made, the board
7 shall at its next regular meeting levy the tax and cause it to
8 be entered upon the tax list to be collected as other school
9 taxes. If the certification is filed prior to ~~April~~ May 1,
10 the annual levy shall begin with the tax levy of the year of
11 filing. If the certification is filed after ~~April~~ May 1 in a
12 year, the levy shall begin with the levy of the fiscal year
13 succeeding the year of the filing of the certification.

14 Sec. 37. Section 299A.8, Code 1995, is amended to read as
15 follows:

16 299A.8 DUAL ENROLLMENT.

17 If a parent, guardian, or legal custodian of a child who is
18 receiving competent private instruction under this chapter
19 submits a request, the child shall also be registered in a
20 public school for dual enrollment purposes. If the child is
21 enrolled in a public school district for dual enrollment
22 purposes, the child shall be permitted to participate in any
23 academic activities in the district and shall also be
24 permitted to participate on the same basis as public school
25 children in any extracurricular activities available to
26 children in the child's grade or group, and the parent,
27 guardian, or legal custodian shall not be required to pay the
28 costs of any annual evaluation under this chapter. If the
29 child is enrolled for dual enrollment purposes, the child
30 shall be included in the public school's basic enrollment
31 under section 257.6, subsection 1, paragraph "a", if the child
32 participates in three or more academic courses, or under
33 section 257.6, subsection 1, paragraph "f", if the child
34 participates in less than three academic courses.

35 Sec. 38. REPEALS. Sections 258.6, 258.10, and 258.13,

1 Code 1995, are repealed.

2 Sec. 39. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

3 The sections of this Act which amend section 260C.4,
4 subsection 4, paragraph "h", and section 260C.47, subsection
5 1, unnumbered paragraph 1, being deemed of immediate
6 importance, take effect upon enactment and apply retroactively
7 to June 30, 1994.

8 EXPLANATION

9 This bill makes numerous technical statutory revisions
10 relating to the department of education, vocational education,
11 community colleges, special area education programs, dual
12 enrollment, and payment of claims for nonpublic school pupil
13 transportation.

14 11.6(1)(a), unnumbered paragraph 1: Requires the
15 individual conducting a school audit to notify, if a financial
16 condition statement is present in the annual audit report of a
17 school district, by certified mail, the members of the
18 district board and the chair of the school budget review
19 committee.

20 15.103, unnumbered paragraph 1, 15E.166(1)(c), 73.18,
21 256.82(1)(b)(2), 256.31(1)(c), 260C.4(4)(e) and (f),
22 260C.14(8), and 260C.47(6): Change references to the area
23 superintendent or president of a community college to the
24 chief executive officer of the community college.

25 256.9(42): Eliminates a provision directing the director
26 of the department of education to develop an application and
27 review process for approval of administrative and program
28 sharing agreements between two or more community colleges or a
29 community college and a state university. That responsibility
30 is provided for in more detail in section 260C.46.

31 256.11(5)(h), unnumbered paragraph 1, 256.11B, and
32 258.4(2): Update language by striking references to home
33 economics occupations.

34 256.11(9) and 256.11A(1) and (2): The education standards
35 in section 256.11 previously included a requirement that

1 certain schools and school districts have a media specialist,
2 media center, and an articulated sequential guidance program.
3 Section 256.11A includes a provision that permits schools to
4 apply to the department for a waiver from these requirements.
5 The requirements were stricken from section 256.11 in 1994,
6 but the administrative rules maintain the requirement. The
7 bill reestablishes the requirement within the education
8 standards in section 256.11.

9 257.6(1)(f) and 299A.8: Provide that a child who enrolls
10 under dual enrollment and participates in three or more
11 courses is counted as a pupil for purposes of a school
12 district's annual enrollment. A child who enrolls under dual
13 enrollment, but participates in less than three courses, is
14 counted as one-tenth of one pupil.

15 257.31: Permits the school budget review committee to
16 request an audit of the accounts of a school district or area
17 education agency.

18 258.3A(1) and 258.4(1): References to the federal board of
19 vocational education, which has been eliminated, are replaced
20 with references to the United States department of education.

21 258.3A(2): Strikes a reference to the adoption of rules
22 prescribing standards for teachers of vocational education.

23 258.3A(3), 258.4(2), (3), (5), (6), and (10), 258.5,
24 unnumbered paragraph 1, 258.6, and 258.9: Replace references
25 to vocational schools, departments, and classes, and other
26 examples of possible vocational programs with the more general
27 term "vocational programs".

28 258.4(13) and 258.13: Amend the provision currently
29 codified in section 258.13, establishing a duty of the
30 director of the department of education to include in a
31 biennial report receipts and expenditures under the vocational
32 education chapter, to reflect the current practice of
33 submitting the report annually, and transfers the provision to
34 section 258.4, which establishes the director's duties under
35 the chapter.

1 258.5, unnumbered paragraph 2: Eliminates a reference in
2 the vocational education chapter to the disbursement of
3 federal funds as reimbursement for practitioner preparation
4 programs.

5 258.10: Eliminates a provision authorizing school
6 districts to provide vocational education and to pay for the
7 education as the district pays for other programs. Section
8 256.11, the section on educational standards, addresses the
9 provision of the vocational education areas identified in the
10 repeal section.

11 258.12: Updates a requirement that the treasurer of state
12 report the receipt of federal vocational education funds to
13 the general assembly to reflect the current practice of
14 providing the report annually, rather than biennially.

15 260C.4(4)(h) and 260C.47(1), unnumbered paragraph 1:
16 Timelines for the use and establishment of approval and
17 accreditation processes relating to community colleges are
18 delayed from 1994 to 1997, and from 1995 to 1998. These
19 provisions take effect upon enactment and apply retroactively
20 to June 30, 1994.

21 260C.5(1): Reference to the federal "Vocational Education
22 Act of 1963" in the community colleges chapter is replaced
23 with a general reference to federal vocational education
24 legislation.

25 260C.5(9): Strikes language giving the director of the
26 department of education the authority to grant credit to high
27 school students who participate in community college programs,
28 leaving the granting of credit to the discretion of the
29 community college boards and the school district boards.

30 260C.5(6), 260C.35, and 260C.38, unnumbered paragraphs 1
31 and 3: Eliminate provisions requiring the director of the
32 department of education to approve or disapprove a lease
33 agreement for space needed by a community college, or sites,
34 buildings, or land to be acquired, erected, or remodeled for
35 use by community colleges.

1 282.4: Provides that a student who has been expelled or
2 suspended from school, and has not met the conditions of the
3 expulsion or suspension, shall not be permitted to enroll in a
4 school district without the approval of a majority of the
5 board members of the school district.

6 282.5: Permits a teacher, principal, or superintendent who
7 suspended a student to readmit the student only when the
8 conditions of the suspension have been met.

9 282.30(1)(b), unnumbered paragraph 2, and 282.31(1)(a):
10 The deadline by which shelter care homes and juvenile
11 detention homes must request educational services of an area
12 education agency is moved from December 1 to January 1; by
13 which an area education agency must submit for approval a
14 proposed special program and budget to the department of
15 education is revised from January 1 to February 1; and by
16 which the department of education must review and approve the
17 program and budget is changed from February 1 to March 1.

18 285.2 and 285.3: Section 285.3 currently specifies the
19 amount of the base parental reimbursement for nonpublic school
20 student transportation by using the basic formula established
21 in section 285.1, subsection 3, pertaining to transportation
22 when necessary to implement a whole grade sharing agreement or
23 where transportation by school bus is impracticable or not
24 available, except that section 285.3 limits the number of
25 students used in the calculation to all elementary students
26 and two high school students, and section 285.1, subsection 3,
27 provides a limitation of three elementary students and one
28 high school student. The bill eliminates the different
29 limitation provided in section 285.3.

30 298.9: Changes the tax certification filing date affecting
31 the year in which a special annual levy is to begin from April
32 1 to May 1.

33 Moreover, the bill changes the formula for calculating a
34 supplemental payment for a parent or guardian transporting a
35 student more than four miles to a nonpublic school. Current

1 section 285.3 provides a formula based upon all of the base
2 payments made to parents or guardians of nonpublic school
3 students under section 285.1, subsection 3 and section 285.3.
4 The bill provides that a parent or guardian is entitled to a
5 supplemental payment equal to 15 percent of the parent or
6 guardian's base reimbursement amount. The section also
7 requires parents or guardians to submit claims for
8 reimbursement to a school district by December 1 and May 1.

9 The bill amends section 285.2 to require districts to
10 submit claims for reimbursement by January 31 and July 15, and
11 removes the deadline by which the department is required to
12 certify the amount of the claims to the department of revenue
13 and finance.

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SENATE FILE 2419

S-5161

1 Amend Senate File 2419 as follows:

2 1. Page 14, by inserting after line 2 the
3 following:

4 "Sec. ____ . Section 261C.3, subsection 2, Code
5 1995, is amended to read as follows:

6 2. "Eligible pupil" means a pupil classified by
7 the board of directors of a school district, by the
8 state board of regents for pupils of the school for
9 the deaf and the Iowa braille and sight saving school,
10 or by the authorities in charge of an accredited
11 nonpublic school as a ninth or tenth grade pupil who
12 is identified according to the school district's
13 gifted and talented criteria and procedures, pursuant
14 to section 257.43, as a gifted and talented child, or
15 an eleventh or twelfth grade pupil, during the period
16 the pupil is participating in the enrollment option
17 provided under this chapter. A pupil attending an
18 accredited nonpublic school shall be counted as a
19 shared-time student in the school district in which
20 the nonpublic school of attendance is located for
21 state foundation aid purposes. All pupils enrolling
22 pursuant to this chapter who select postsecondary
23 courses in a core course area must be maintaining at
24 least a two point nine-five grade average on a four-
25 point scale in the related subject area core courses
26 offered by the high school the pupil is currently
27 enrolled in, and must meet the entrance standards of
28 the postsecondary institution without the option of a
29 waiver by the district.

30 Sec. ____ . Section 261C.4, Code 1995, is amended to
31 read as follows:

32 261C.4 AUTHORIZATION.

33 An eligible pupil may make application to an
34 eligible institution to allow the eligible pupil to
35 enroll for academic or vocational-technical credit in
36 a nonsectarian course offered at that eligible
37 institution. A comparable course, as defined in rules
38 made by the board of directors of the public school
39 district, covers substantially the same subject matter
40 in similar scope and depth, and must not be offered by
41 the school district or accredited nonpublic school
42 which the pupil attends. If an eligible institution
43 accepts an eligible pupil for enrollment under this
44 section, the institution shall send written notice to
45 the pupil, the pupil's school district or accredited
46 nonpublic school or the school for the deaf or the
47 Iowa braille and sight saving school, and the
48 department of education. The notice shall list the
49 course, the clock hours the pupil will be attending
50 the course, and the number of hours of postsecondary

S-5161

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S-5161

Page 2

1 academic or vocational-technical credit that the
2 eligible pupil will receive from the eligible
3 institution upon successful completion of the course.

4 Sec. ____ . Section 261C.5, unnumbered paragraph 1,
5 Code 1995, is amended to read as follows:

6 A school district, the school for the deaf, the
7 Iowa braille and sight saving school, or accredited
8 nonpublic school shall grant high school academic or
9 vocational-technical credit to an eligible pupil
10 enrolled in a course under this chapter if the
11 eligible pupil successfully completes the course as
12 determined by the eligible institution. Eligible
13 pupils, who have completed the eleventh grade but who
14 have not yet completed the requirements for
15 graduation, may take up to seven semester hours of
16 credit during the summer months when school is not in
17 session and receive credit for that attendance, if the
18 pupil pays the cost of attendance of those summer
19 credit hours. ~~The board of directors of the school~~
20 ~~district, the state board of regents for the school~~
21 ~~for the deaf and the Iowa braille and sight saving~~
22 ~~school, or authorities in charge of an accredited~~
23 ~~nonpublic school shall determine the number of high~~
24 ~~school credits that shall be granted to an eligible~~
25 ~~pupil who successfully completes a course. During the~~
26 school year, the number of courses an eligible pupil
27 may take in any one semester, is limited to not more
28 than seven semester hours of credit or three courses
29 of instruction. Students must be enrolled in a
30 minimum of four high school courses in conjunction
31 with postsecondary course work. Credits earned in a
32 postsecondary course shall be computed at the rate of
33 three postsecondary credits equalling one high school
34 course, with the grade received computed into the
35 pupil's high school grade point average."

36 2. By renumbering as necessary.

By WILMER RENSINK

S-5161 FILED MARCH 4, 1996

WITHDRAWN

3/14/96

(P. 810)

SENATE FILE 2419

S-5318

1 Amend Senate File 2419 as follows:

2 1. Page 1, by striking lines 1 through 29 and
3 inserting the following:

4 "Sec. _____. Section 11.6, subsection 4, Code 1995,
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. d. The auditor of state receives
7 from the school budget review committee a written
8 request for a complete or partial reaudit of a school
9 district which had an undesignated fund deficit in a
10 statutory fund reported to the school budget review
11 committee in accordance with section 11.14. If the
12 school district has not contracted with or employed a
13 certified public accountant to perform an audit for
14 the fiscal year in which the request is received by
15 the auditor of state, the auditor may perform an audit
16 required by subsection 1.

17 Sec. _____. Section 11.14, Code 1995, is amended by
18 adding the following new unnumbered paragraph after
19 unnumbered paragraph 1:

20 NEW UNNUMBERED PARAGRAPH. If a report of an
21 examination of a school district includes an
22 undesignated fund deficit in a statutory fund, the
23 auditor shall, by certified mail, notify the members
24 of the board of directors of the school district and
25 the chairperson of the school budget review committee,
26 as established in section 257.30, that an audit
27 contains an undesignated fund deficit."

28 2. Page 6, by striking lines 24 through 26 and
29 inserting the following:

30 NEW SUBSECTION. 17. The committee may request the
31 auditor of state to conduct, in accordance with
32 section 11.6, a complete or partial reaudit of a
33 school district reported to the committee in
34 accordance with section 11.14 because of an
35 undesignated fund deficit in a statutory fund."

36 3. Title page, line 6, by inserting after the
37 word "districts," the following: "tax certification
38 filing dates for special levies,".

By MARY NEUHAUSER
STEWART IVERSON, Jr.

S-5318 FILED MARCH 12, 1996

adapted
3.14.96
(P. 810)

H. 3/15/96 Education
H. 3/21/96 Amend/Do Pass
W. A. 5514

SENATE FILE 2419
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2307)

(AS AMENDED AND PASSED BY THE SENATE MARCH 14, 1996)

 - New Language by the Senate

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

A BILL FOR

1 An Act relating to the activities of the department of education,
2 vocational education, community colleges, to special area
3 education programs, dual enrollment, payment of claims for
4 nonpublic school pupil transportation, the school budget
5 review committee, the enrollment of certain students, annual
6 audits of school districts, tax certification filing dates for
7 special levies, and providing effective and retroactive
8 applicability dates.

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

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S.F. 2419

1 Section 1. Section 11.6, subsection 4, Code 1995, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. The auditor of state receives from the
4 school budget review committee a written request for a
5 complete or partial reaudit of a school district which had an
6 undesigned fund deficit in a statutory fund reported to the
7 school budget review committee in accordance with section
8 11.14. If the school district has not contracted with or
9 employed a certified public accountant to perform an audit for
10 the fiscal year in which the request is received by the
11 auditor of state, the auditor may perform an audit required by
12 subsection 1.

13 Sec. 2. Section 11.14, Code 1995, is amended by adding the
14 following new unnumbered paragraph after unnumbered paragraph
15 1:

16 NEW UNNUMBERED PARAGRAPH. If a report of an examination of
17 a school district includes an undesigned fund deficit in a
18 statutory fund, the auditor shall, by certified mail, notify
19 the members of the board of directors of the school district
20 and the chairperson of the school budget review committee, as
21 established in section 257.30, that an audit contains an
22 undesigned fund deficit.

23 Sec. 3. Section 15.103, unnumbered paragraph 1, Code 1995,
24 is amended to read as follows:

25 The Iowa economic development board is created, consisting
26 of eleven voting members appointed by the governor and seven
27 ex officio nonvoting members. The ex officio nonvoting
28 members are four legislative members; one president, or the
29 president's designee, of the University of Northern Iowa, the
30 University of Iowa, or Iowa State University of science and
31 technology designated by the state board of regents on a
32 rotating basis; and one president, or the president's
33 designee, of a private college or university appointed by the
34 Iowa association of independent colleges and universities; and
35 one superintendent chief executive officer, or the

1 superintendent's chief executive officer's designee, of a
2 community college, appointed by the Iowa association of
3 community college presidents. The legislative members are two
4 state senators, one appointed by the president of the senate,
5 after consultation with the majority leader of the senate, and
6 one appointed by the minority leader of the senate, after
7 consultation with the president of the senate, from their
8 respective parties; and two state representatives, one
9 appointed by the speaker and one appointed by the minority
10 leader of the house of representatives from their respective
11 parties. Not more than six of the voting members shall be
12 from the same political party. The secretary of agriculture
13 shall be one of the voting members. The governor shall
14 appoint the remaining ten voting members of the board for a
15 term of four years beginning and ending as provided by section
16 69.19, subject to confirmation by the senate, and the
17 governor's appointments shall include persons knowledgeable of
18 the various elements of the department's responsibilities.

19 Sec. 4. Section 15E.166, subsection 1, paragraph c, Code
20 1995, is amended to read as follows:

21 c. An annual budget for operation of the program and
22 activities agreed to in the contract including provisions
23 related to the transfer of funds to the community college, as
24 agreed upon by the president chief executive officer of the
25 community college and the foundation.

26 Sec. 5. Section 73.18, Code 1995, is amended to read as
27 follows:

28 73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF
29 TARGETED SMALL BUSINESSES.

30 The director of each agency or department, the
31 administrator of each area education agency, the president
32 chief executive officer of each community college, and the
33 superintendent of each school district releasing a
34 solicitation for bids or request for proposal under the
35 targeted small business procurement goal program shall consult

1 a directory of certified targeted small businesses produced by
2 the department of economic development that lists all
3 certified targeted small businesses by category of goods or
4 services provided prior to or upon release of the solicitation
5 and shall send a copy of the request for proposal or
6 solicitation to any appropriate targeted small business listed
7 in the directory. The Iowa department of economic development
8 may charge the department, agency, area education agency,
9 community college, or school district a reasonable fee to
10 cover the cost of producing, distributing, and updating the
11 directory.

12 Sec. 6. Section 256.9, subsection 42, Code 1995, is
13 amended by striking the subsection.

14 Sec. 7. Section 256.11, subsection 5, paragraph h,
15 unnumbered paragraph 1, Code 1995, is amended to read as
16 follows:

17 A minimum of three sequential units in at least four of the
18 following six vocational service areas: agriculture, business
19 or office occupations, health occupations, family and consumer
20 sciences ~~or-home-economics-occupations~~, industrial technology
21 or trade and industrial education, and marketing education.
22 Instruction shall be competency-based, articulated with
23 postsecondary programs of study, and include field,
24 laboratory, or on-the-job training. Each sequential unit
25 shall include instruction in a minimum set of competencies
26 established by the department of education that relate to the
27 following: new and emerging technologies; job-seeking, job-
28 adaptability, and other employment, self-employment and
29 entrepreneurial skills that reflect current industry standards
30 and labor-market needs; and reinforcement of basic academic
31 skills. The instructional programs shall also comply with the
32 provisions of chapter 258 relating to vocational education.
33 However, this paragraph does not apply to the teaching of
34 vocational education in nonpublic schools.

35 Sec. 8. Section 256.11, Code 1995, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 9. Unless a waiver has been obtained
3 under section 256.11A, each school or school district shall
4 have the following:

5 a. A media center in each attendance center which shall be
6 accessible to students throughout the school day.

7 b. A qualified school media specialist who shall meet the
8 licensing standards prescribed by the board of educational
9 examiners and shall be responsible for supervision of the
10 media centers.

11 c. An articulated sequential elementary-secondary guidance
12 program for grades kindergarten through twelve. The guidance
13 counselor shall meet the licensing standards prescribed by the
14 board of educational examiners.

15 In determining the requirements of this subsection for
16 nonpublic schools, the department shall evaluate the schools
17 on a school system basis rather than on an individual school
18 basis.

19 Sec. 9. Section 256.11A, subsections 1 and 2, Code
20 Supplement 1995, are amended to read as follows:

21 1. Schools and school districts unable to meet the
22 standard ~~adopted-by-the-state-board~~ established in section
23 256.11, subsection 9, paragraph "c", requiring each school or
24 school district operating a kindergarten through grade twelve
25 program to provide an articulated sequential elementary-
26 secondary guidance program may, not later than August 1, 1995,
27 for the school year beginning July 1, 1995, file a written
28 request to the department of education that the department
29 waive the requirement for that school or school district. The
30 procedures specified in subsection 3 apply to the request.
31 Not later than August 1, 1996, for the school year beginning
32 July 1, 1996, the board of directors of a school district or
33 the authorities in charge of a nonpublic school may request a
34 one-year extension of the waiver.

35 2. Not later than August 1, 1995, for the school year

1 beginning July 1, 1995, the board of directors of a school
2 district, or authorities in charge of a nonpublic school, may
3 file a written request with the department of education that
4 the department waive ~~the rule adopted by the state board to~~
5 ~~establish and operate~~ the requirement for a media services
6 specialist and a media services program to support the total
7 curriculum for that district or school center, established
8 under section 256.11, subsection 9, paragraphs "a" and "b".
9 The procedures specified in subsection 3 apply to the request.
10 Not later than August 1, 1996, for the school year beginning
11 July 1, 1996, the board of directors of a school district or
12 the authorities in charge of a nonpublic school may request an
13 additional one-year extension of the waiver.

14 Sec. 10. Section 256.11B, Code 1995, is amended to read as
15 follows:

16 256.11B VOCATIONAL EDUCATION INSTRUCTION -- NONPUBLIC
17 SCHOOLS.

18 A nonpublic school which provides an educational program
19 that includes grades nine through twelve shall offer and teach
20 five units of occupational education subjects, which may
21 include, but are not limited to, programs, services, and
22 activities which prepare students for employment in business
23 or office occupations, trade and industrial occupations,
24 ~~consumer and family and consumer sciences or home economics~~
25 occupations, agriculture occupations, marketing occupations,
26 and health occupations. ~~By July 17, 1993, instruction~~
27 Instruction shall be competency-based, articulated with
28 postsecondary programs of study, and may include field,
29 laboratory, or on-the-job training.

30 Sec. 11. Section 256.31, subsection 1, paragraph c, Code
31 1995, is amended to read as follows:

32 c. A community college president chief executive officer
33 appointed by an association which represents the largest
34 number of community college presidents chief executive
35 officers in the state.

1 Sec. 12. Section 256.82, subsection 1, paragraph b,
2 subparagraph (2), Code 1995, is amended to read as follows:

3 (2) One member shall be appointed jointly by the
4 ~~superintendents~~ chief executive officers of the community
5 colleges created by chapter 260C.

6 Sec. 13. Section 257.6, subsection 1, paragraph f, Code
7 1995, is amended to read as follows:

8 f. Resident pupils receiving competent private instruction
9 under dual enrollment pursuant to chapter 299A and taking less
10 than three academic courses shall be counted as one-tenth of
11 one pupil. For purposes of this paragraph and section 299A.8,
12 "academic course" means a course taken for credit in
13 accordance with section 256.11, subsection 5, or a class that
14 meets the requirements of section 256.11, subsection 3 or 4.

15 Sec. 14. Section 257.31, Code 1995, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 17. The committee may request the auditor
18 of state to conduct, in accordance with section 11.6, a
19 complete or partial reaudit of a school district reported to
20 the committee in accordance with section 11.14 because of an
21 undesignated fund deficit in a statutory fund.

22 Sec. 15. Section 258.3A, subsections 1 and 3, Code 1995,
23 are amended to read as follows:

24 1. Cooperate with the ~~federal-board-for-vocational~~ United
25 States department of education in the administration of the
26 Act of Congress, as specified in section 258.1.

27 3. Adopt rules prescribing standards for approval of
28 ~~schools, departments, and classes, area vocational technical~~
29 ~~high schools and vocational~~ programs, and community colleges
30 ~~with vocational programs, and practitioner preparation~~
31 ~~schools, departments, and classes,~~ applying for federal and
32 state moneys under this chapter.

33 Sec. 16. Section 258.3A, subsection 2, Code 1995, is
34 amended by striking the subsection.

35 Sec. 17. Section 258.4, subsections 1, 2, 3, 5, 6, and 10.

1 Code 1995, are amended to read as follows:

2 1. ~~Co-operate~~ Cooperate with the ~~federal-board-for~~
3 ~~vocational~~ United States department of education in the
4 administration of the Act of Congress, as specified in section
5 258.1.

6 2. Provide for making studies and investigations relating
7 to ~~prevocational-and~~ vocational training education in
8 ~~agricultural,-industrial~~ agriculture, trades and industry,
9 marketing, business and office, health, and commercial
10 ~~subjects,-and-home-economics~~ family and consumer sciences.

11 3. Promote and aid in the establishment ~~in-local~~
12 ~~communities-and-public-schools~~ of ~~departments-and-classes~~
13 giving programs providing instruction in subjects listed in
14 subsection 2.

15 5. Make recommendations to the board of educational
16 examiners relating to the enforcement of rules prescribing
17 standards for teachers ~~of-subjects~~ in programs listed in
18 subsection 2 in ~~accredited-schools,-departments,-and-classes~~
19 educational agencies.

20 6. ~~Co-operate~~ Cooperate in the maintenance of practitioner
21 preparation ~~schools,-departments,-and-classes,-supported-and~~
22 ~~controlled-by-the-public,~~ programs for the training
23 preparation of teachers and supervisors of ~~subjects~~ programs
24 listed in subsection 2.

25 10. Enforce rules prescribing standards for approval of
26 vocational education programs ~~in-schools,-departments,-and~~
27 ~~classes.~~

28 Sec. 18. Section 258.4, Code 1995, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 13. Incorporate in the director's annual
31 report a full report of all receipts and expenditures under
32 this chapter.

33 Sec. 19. Section 258.5, Code 1995, is amended to read as
34 follows:

35 258.5 REIMBURSEMENT FROM FEDERAL AND STATE MONEYS.

1 If a school corporation maintains an approved vocational
2 ~~school, department, or classes~~ program in accordance with the
3 rules adopted by the state board, ~~and rules and standards~~
4 ~~adopted by the board of educational examiners, and the state~~
5 ~~plan for vocational education, adopted by the board for~~
6 ~~vocational education and approved by the United States~~
7 ~~department of education,~~ the director of the department of
8 education shall reimburse the school corporation at the end of
9 the fiscal year for its expenditures for salaries and
10 authorized travel of vocational teachers from federal and
11 state funds. However, a school corporation shall not receive
12 from federal and state funds a larger amount than one-half the
13 sum which has been expended by the school corporation for that
14 particular type of program. If federal and state funds are
15 not sufficient to make the reimbursement to the extent
16 provided in this section, the director shall prorate the
17 respective amounts available to the corporations entitled to
18 reimbursement.

19 ~~The director may use federal funds to reimburse approved~~
20 ~~practitioner preparation schools, departments, or classes for~~
21 ~~the training of teachers of agriculture, home economics,~~
22 ~~trades and industrial education, distributive education, and~~
23 ~~for the training of guidance counselors.~~

24 Sec. 20. Section 258.9, Code 1995, is amended to read as
25 follows:

26 258.9 LOCAL ADVISORY COUNCIL.

27 The board of directors of a school district that maintains
28 a ~~school, department, or class receiving federal or state~~
29 ~~funds under this chapter~~ vocational program shall, ~~as a~~
30 ~~condition of approval by the state board,~~ appoint a local
31 advisory council for vocational education composed of public
32 members with emphasis on persons representing business,
33 agriculture, industry and labor. The local advisory council
34 shall give advice and assistance to the board of directors in
35 the establishment and maintenance of ~~schools, departments, and~~

1 ~~classes~~ vocational programs that receive federal or state
2 funds under this chapter. Local advisory councils may be
3 organized according to program area, school, community, or
4 region. The state board shall adopt rules requiring that the
5 memberships of local advisory councils fairly represent each
6 sex and minorities residing in the school district. Members
7 of an advisory council shall serve without compensation.

8 Sec. 21. Section 258.12, Code 1995, is amended to read as
9 follows:

10 258.12 CUSTODIAN OF FUNDS -- REPORTS.

11 The treasurer of state shall be custodian of the funds paid
12 to the state from the appropriations made under ~~said~~ the Act
13 of Congress as provided in section 258.1, and shall disburse
14 the ~~same~~ funds on vouchers audited as provided by law. The
15 treasurer of state shall report the receipts and disbursements
16 ~~of-said-funds~~ to the general assembly at each ~~biennial~~ regular
17 session.

18 Sec. 22. Section 260C.4, subsection 4, paragraphs e and f,
19 Code 1995, are amended to read as follows:

20 e. The director of the department of education shall give
21 a community college which is to be removed from the approved
22 list at least one year's notice. The notice shall be given by
23 registered or certified mail addressed to the ~~superintendent~~
24 chief executive officer of the community college and shall
25 specify the reasons for removal. The notice shall also be
26 sent by ordinary mail to each member of the board of directors
27 of the community college, and to the news media which serve
28 the merged area where the school is located; but any good
29 faith error or failure to comply with this sentence shall not
30 affect the validity of any action by the director. If, during
31 the year, the community college remedies the reasons for
32 removal and satisfies the director that it will thereafter
33 comply with the laws and approval standards, the director
34 shall continue the community college on the approved list and
35 shall transmit to the community college notice of the action

1 by registered or certified mail.

2 f. At any time during the year after notice is given, the
3 board of directors of the community college may request a
4 public hearing before the director of the department of
5 education, by mailing a written request to the director by
6 registered or certified mail. The director shall promptly set
7 a time and place for the public hearing, which shall be either
8 in Des Moines or in the affected merged area. At least thirty
9 days' notice of the time and place of the hearing shall be
10 given by registered or certified mail addressed to the
11 superintendent chief executive officer of the community
12 college. At least ten days before the hearing, notice of the
13 time and place of the hearing and the reasons for removal
14 shall also be published by the department in a newspaper of
15 general circulation in the merged area where the community
16 college is located.

17 Sec. 23. Section 260C.4, subsection 4, paragraph h, Code
18 1995, is amended to read as follows:

19 h. This subsection is void and shall be stricken from the
20 Code effective June 30, ~~1995~~ 1998, except as provided in
21 section 260C.47.

22 Sec. 24. Section 260C.5, subsections 1 and 9, Code 1995,
23 are amended to read as follows:

24 1. Designate a community college as an "area vocational
25 education school" within the meaning of, and for the purpose
26 of administering, ~~the Act of Congress designated the~~
27 ~~"Vocational Education Act of 1963"~~ federal vocational
28 education legislation. A community college shall not be so
29 designated by the director of the department of education for
30 the expenditure of funds under 20 U.S.C. § 35c(a)(5), which
31 has not been designated and classified as a community college
32 by the state board.

33 9. Make arrangements with boards of merged areas and local
34 school districts to permit students attending high school to
35 participate in vocational-technical programs and advanced

1 college placement courses and obtain credit for such
2 participation for application toward the completion of a high
3 school diploma. ~~The-granting-of-credit-is-subject-to-the~~
4 ~~approval-of-the-director-of-the-department-of-education.~~

5 Sec. 25. Section 260C.5, subsection 6, Code 1995, is
6 amended by striking the subsection.

7 Sec. 26. Section 260C.14, subsection 8, Code 1995, is
8 amended to read as follows:

9 8. Set the salary of the ~~area-superintendent~~ chief
10 executive officer of the director district. In setting the
11 salary, the board shall consider the salaries of
12 administrators of educational institutions in the merged area
13 and the enrollment of the community college.

14 Sec. 27. Section 260C.35, Code 1995, is amended to read as
15 follows:

16 260C.35 LIMITATION-ON SALE OF LAND.

17 ~~A-merged-area-shall-not-purchase-land-which-will-increase~~
18 ~~the-aggregate-of-land-owned-by-the-merged-area,excluding-land~~
19 ~~acquired-by-donation-or-gift, to more than three hundred~~
20 ~~twenty-acres-without-the-approval-of-the-director-of-the~~
21 ~~department-of-education.--The-limitation-does-not-apply-to-a~~
22 ~~merged-area-owning-more-than-three-hundred-twenty-acres,~~
23 ~~excluding-land-acquired-by-donation-or-gift, prior to January~~
24 ~~17-1969.~~

25 ~~With-the-approval-of-the-director-of-the-department-of~~
26 ~~education, the~~ The board of directors of a merged area at any
27 time may sell any land in excess of one hundred sixty acres
28 owned by the merged area, and an election is not necessary in
29 connection with the sale. The proceeds of the sale may be
30 used for any of the purposes stated in section 260C.22. This
31 paragraph section is in addition to any authority under other
32 provisions of law.

33 Sec. 28. Section 260C.38, unnumbered paragraphs 1 and 3,
34 Code 1995, are amended to read as follows:

35 The board of directors may ~~with-the-approval-of-the~~

1 ~~director-of-the-department-of-education,~~ enter into lease
2 agreements, with or without purchase options, not to exceed
3 twenty years in duration, for the leasing or rental of
4 buildings for use basically as classrooms, laboratories,
5 shops, libraries, and study halls for community college
6 purposes, and pay for the leasing or rental with funds
7 acquired pursuant to section sections 260C.17, section
8 260C.18, and section 260C.22. ~~However,~~ lease agreements
9 ~~extending-for-less-than-ten-years-and-for-less-than-twenty-~~
10 ~~five-thousand-dollars-per-year-need-not-be-submitted-to-the~~
11 ~~director-of-the-department-of-education-for-approval.~~

12 Before entering into a lease agreement with a purchase
13 option for a building to be constructed, or placed, upon real
14 estate owned by the community college, the board shall first
15 adopt plans and specifications for the proposed building which
16 it considers suitable for the intended use, and the board
17 shall also adopt the proposed terms of the lease agreement and
18 purchase option. ~~Upon-obtaining-the-approval-of-the-director~~
19 ~~of-the-department-of-education,~~ ~~if-approval-of-the-director-is~~
20 ~~required,~~ The board shall invite bids, by advertisement
21 published once each week for two consecutive weeks in the
22 county where the building is to be located. The lease
23 agreement shall be awarded to the lowest responsible bidder,
24 or the board may reject all bids and readvertise for new bids.

25 Sec. 29. Section 260C.47, subsection 1, unnumbered
26 paragraph 1, Code 1995, is amended to read as follows:

27 The state board of education shall establish an
28 accreditation process for community college programs by July
29 1, ~~1994~~ 1997. The process shall be jointly developed and
30 agreed upon by the department of education and the community
31 colleges. The state accreditation process shall be integrated
32 with the accreditation process of the north central
33 association of colleges and schools, including the evaluation
34 cycle, the self-study process, and the criteria for
35 evaluation, which shall incorporate the standards for

1 community colleges developed under section 260C.48; and shall
2 identify and make provision for the needs of the state that
3 are not met by the association's accreditation process. If a
4 joint agreement has not been reached by July 1, ~~1994~~ 1997, the
5 approval process provided under section 260C.4, subsection 4,
6 shall remain the required accreditation process for community
7 colleges. For the academic year commencing July 1, ~~1995~~ 1998,
8 and in succeeding school years, the department of education
9 shall use a two-component process for the continued
10 accreditation of community college programs.

11 Sec. 30. Section 260C.47, subsection 6, Code 1995, is
12 amended to read as follows:

13 6. The director of the department of education shall give
14 a community college which has a program which fails to meet
15 accreditation standards at least one year's notice prior to
16 removal of accreditation of the program. The notice shall be
17 given by certified mail or restricted certified mail addressed
18 to the ~~superintendent~~ chief executive officer of the community
19 college and shall specify the reasons for removal of
20 accreditation of the program. The notice shall also be sent
21 by ordinary mail to each member of the board of directors of
22 the community college. Any good faith error or failure to
23 comply with the notice requirements shall not affect the
24 validity of any action by the director. If, during the year,
25 the community college remedies the reasons for removal of
26 accreditation of the program and satisfies the director that
27 the community college will comply with the accreditation
28 standards for that program in the future, the director shall
29 continue the accreditation of the program of the community
30 college and shall transmit notice of the action to the
31 community college by certified mail or restricted certified
32 mail.

33 Sec. 31. Section 282.4, subsection 3, Code Supplement
34 1995, is amended to read as follows:

35 3. Notwithstanding section 282.6, if a student has been

1 expelled or suspended from school and has not met the
2 conditions of the expulsion or suspension ~~and-if-the-student,~~
3 ~~or-the-parent-or-guardian-of-the-student,-changes-district-of~~
4 ~~residence,~~ the student shall not be ~~enrolled~~ permitted to
5 enroll in the-new a school district of-residence until the
6 board of directors of the new school district of-residence
7 approves, by a majority vote, the enrollment of the student.

8 Sec. 32. Section 282.5, Code Supplement 1995, is amended
9 to read as follows:

10 282.5 READMISSION OF STUDENT.

11 When a student is suspended by a teacher, principal, or
12 superintendent, pursuant to section 282.4, the student may be
13 readmitted by the teacher, principal, or superintendent when
14 the conditions of the suspension have been met, but when
15 expelled by the board the student may be readmitted only by
16 the board or in the manner prescribed by the board.

17 Sec. 33. Section 282.30, subsection 1, paragraph b,
18 unnumbered paragraph 2, Code 1995, is amended to read as
19 follows:

20 An area education agency shall not provide educational
21 services to a facility specified in paragraph "a" unless the
22 facility makes a request for educational services to the area
23 education agency by ~~December~~ January 1 of the school year
24 prior to the beginning of the school year for which the
25 services are being requested.

26 Sec. 34. Section 282.31, subsection 1, paragraph a, Code
27 Supplement 1995, is amended to read as follows:

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

1 proposed budget and shall notify the department of revenue and
2 finance and the area education agency of its action by
3 February March 1.

4 PARAGRAPH DIVIDED. The department of revenue and finance
5 shall pay the approved budget amount for an area education
6 agency in monthly installments beginning September 15 and
7 ending June 15 of the next succeeding school year. The
8 installments shall be as nearly equal as possible as
9 determined by the department of management, taking into
10 consideration the relative budget and cash position of the
11 state's resources. The department of revenue and finance
12 shall transfer the approved budget amount for an area
13 education agency from the moneys appropriated under section
14 257.16 and make the payment to the area education agency.

15 PARAGRAPH DIVIDED. The area education agency shall submit
16 an accounting for the actual cost of the program to the
17 department of education by August 1 of the following school
18 year. The department shall review and approve or modify all
19 expenditures incurred in compliance with the guidelines
20 pursuant to section 256.7, subsection 10, and shall notify the
21 department of revenue and finance of the approved accounting
22 amount. The approved accounting amount shall be compared with
23 any amounts paid by the department of revenue and finance to
24 the area education agency and any differences added to or
25 subtracted from the October payment made under this paragraph
26 for the next school year. Any amount paid by the department
27 of revenue and finance shall be deducted monthly from the
28 state foundation aid paid under section 257.16 to all school
29 districts in the state during the subsequent fiscal year. The
30 portion of the total amount of the approved budget that shall
31 be deducted from the state aid of a school district shall be
32 the same as the ratio that the budget enrollment for the
33 budget year of the school district bears to the total budget
34 enrollment in the state for that budget year in which the
35 deduction is made.

1 Sec. 35. Section 285.2, unnumbered paragraph 5, Code
2 Supplement 1995, is amended to read as follows:

3 Claims shall be accompanied by an affidavit of an officer
4 of the public school district affirming the accuracy of the
5 claim. ~~By-February-1-and-on-or-about-June-15~~ Claims for
6 reimbursement shall be made to the department of education by
7 January 31 and July 15 of each school year, on forms
8 prescribed by the department. The department shall certify to
9 the department of revenue and finance the amounts of approved
10 claims to be paid, and the department of revenue and finance
11 shall draw warrants payable to school districts which have
12 established claims. Claims shall be allowed where practical,
13 and at the option of the public school district of the pupil's
14 residence, subject to approval by the area education agency of
15 the pupil's residence, under section 285.9, subsection 3, the
16 public school district of the pupil's residence may transport
17 a pupil to a school located in a contiguous public school
18 district outside the boundary lines of the public school
19 district of the pupil's residence. The public school district
20 of the pupil's residence may contract with the contiguous
21 public school district or with a private contractor under
22 section 285.5 to transport the pupils to the school of
23 attendance within the boundary lines of the contiguous public
24 school district. The public school district in which the
25 pupil resides may contract with the contiguous public school
26 district or with a private contractor under section 285.5 to
27 transport the pupil from the pupil's residence or from
28 designated school bus collection locations to the school
29 located within the boundary lines of the contiguous public
30 school district, subject to the approval of the area education
31 agency of the pupil's residence. The public school district
32 of the pupil's residence may utilize the reimbursement
33 provisions of section 285.1, subsection 3.

34 Sec. 36. Section 285.3, Code 1995, is amended by striking
35 the section and inserting in lieu thereof the following:

1 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL STUDENT
2 TRANSPORTATION.

3 1. A parent or guardian of a student attending an ac-
4 credited nonpublic school, who furnishes transportation for
5 the student pursuant to section 285.1, and who meets the
6 requirements of subsection 2, is entitled to reimbursement
7 equal to an amount calculated under the provisions of section
8 285.1, subsection 3. In addition, parents or guardians who
9 transport one or more family members more than four miles to
10 their accredited nonpublic schools of attendance shall be
11 entitled to one supplemental mileage payment per family, per
12 claim period, equal to fifteen percent of the parental
13 reimbursement amount, rounded to the nearest whole dollar,
14 when calculated under the provisions of section 285.1,
15 subsection 3.

16 2. To qualify for parental reimbursement under subsection
17 1, a parent or guardian of a student attending an accredited
18 nonpublic school, who furnishes transportation for the student
19 pursuant to section 285.1, shall submit a claim for
20 reimbursement to the resident public school district,
21 notifying the district that the student is enrolled and
22 attending an accredited nonpublic school. Claims for
23 reimbursement shall be filed with the district by December 1
24 and May 1 annually and shall include the name, age, and grade
25 level of the student and the name of the accredited nonpublic
26 school and its location. The district shall submit claims for
27 reimbursement to the department of education on behalf of the
28 parent or guardian if the parent or guardian meets the
29 requirements of this section.

30 Sec. 37. Section 298.9, Code Supplement 1995, is amended
31 to read as follows:

32 298.9 SPECIAL LEVIES.

33 If the voter-approved physical plant and equipment levy,
34 consisting solely of a physical plant and equipment property
35 tax levy, is voted at a special election and certified to the

1 board of supervisors after the regular levy is made, the board
2 shall at its next regular meeting levy the tax and cause it to
3 be entered upon the tax list to be collected as other school
4 taxes. If the certification is filed prior to ~~April~~ May 1,
5 the annual levy shall begin with the tax levy of the year of
6 filing. If the certification is filed after ~~April~~ May 1 in a
7 year, the levy shall begin with the levy of the fiscal year
8 succeeding the year of the filing of the certification.

9 Sec. 38. Section 299A.8, Code 1995, is amended to read as
10 follows:

11 299A.8 DUAL ENROLLMENT.

12 If a parent, guardian, or legal custodian of a child who is
13 receiving competent private instruction under this chapter
14 submits a request, the child shall also be registered in a
15 public school for dual enrollment purposes. If the child is
16 enrolled in a public school district for dual enrollment
17 purposes, the child shall be permitted to participate in any
18 academic activities in the district and shall also be
19 permitted to participate on the same basis as public school
20 children in any extracurricular activities available to
21 children in the child's grade or group, and the parent,
22 guardian, or legal custodian shall not be required to pay the
23 costs of any annual evaluation under this chapter. If the
24 child is enrolled for dual enrollment purposes, the child
25 shall be included in the public school's basic enrollment
26 under section 257.6, subsection 1, paragraph "a", if the child
27 participates in three or more academic courses, or under
28 section 257.6, subsection 1, paragraph "f", if the child
29 participates in less than three academic courses.

30 Sec. 39. REPEALS. Sections 258.6, 258.10, and 258.13,
31 Code 1995, are repealed.

32 Sec. 40. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
33 The sections of this Act which amend section 260C.4,
34 subsection 4, paragraph "h", and section 260C.47, subsection
35 1, unnumbered paragraph 1, being deemed of immediate

1 importance, take effect upon enactment and apply retroactively
2 to June 30, 1994.

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SENATE FILE 2419

H-5514

- 1 Amend Senate File 2419, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 3, line 35, through page 5,
4 line 13.
5 2. Page 6, line 9, by inserting after the word
6 "taking" the following: "two academic courses shall
7 be counted as one-half of one pupil, and those
8 taking".
9 3. Page 6, line 10, by striking the word "three"
10 and inserting the following: "two".
11 4. Page 18, line 29, by striking the words "less
12 than three" and inserting the following: "two or
13 fewer".
14 5. By renumbering as necessary.

By COMMITTEE ON EDUCATION
GRUBBS of Scott, Chairperson

H-5514 FILED MARCH 21, 1996

SENATE FILE 2419

H-5467

- 1 Amend Senate File 2419, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 3, line 35, through page 5,
4 line 13.
5 2. By renumbering as necessary.

By GRUBBS of Scott

H-5467 FILED MARCH 19, 1996

SENATE FILE 2419

H-5785

- 1 Amend the amendment, H-5514, to Senate File 2419,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by inserting after line 13 the
5 following:
6 " . Page 18, by inserting after line 29 the
7 following:
8 "Sec. . INSTRUCTIONAL SUPPORT FOR REORGANIZED
9 SCHOOL DISTRICTS. Notwithstanding section 257.18,
10 subsection 3, and section 257.27, a school district
11 participating in an instructional support program on
12 or after July 1, 1995, which reorganizes effective
13 July 1, 1996, may continue to participate in the
14 instructional support program for the budget year
15 beginning July 1, 1996. The percent of income surtax
16 imposed for the budget year beginning July 1, 1996, by
17 the board of directors of the school district that
18 reorganizes effective July 1, 1996, shall not exceed
19 seventeen percent."
20 " . Title page, line 7, by inserting after the
21 word "levies," the following: "instructional support
22 for reorganized school districts,"."

By GRIES of Crawford

H-5785 FILED APRIL 1, 1996

Newhauser
Kibbie
Redfern

SSB 2307

Education

Succeeded By

(SF) HF 2419

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

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

A BILL FOR

1 An Act relating to the activities of the department of education,
2 vocational education, community colleges, to special area
3 education programs, dual enrollment, payment of claims for
4 nonpublic school pupil transportation, the school budget
5 review committee, the enrollment of certain students, annual
6 audits of school districts, and providing effective and
7 retroactive applicability dates.

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

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1 Section 1. Section 11.6, subsection 1, paragraph a,
2 unnumbered paragraph 1, Code 1995, is amended to read as
3 follows:

4 The financial condition and transactions of all cities and
5 city offices, counties, county hospitals organized under
6 chapters 347 and 347A, memorial hospitals organized under
7 chapter 37, entities organized under chapter 28E having gross
8 receipts in excess of one hundred thousand dollars in a fiscal
9 year, merged areas, area education agencies, and all school
10 offices in school districts, shall be examined at least once
11 each year, except that cities having a population of seven
12 hundred or more but less than two thousand shall be examined
13 at least once every four years, and cities having a population
14 of less than seven hundred may be examined as otherwise
15 provided in this section. The examination shall cover the
16 fiscal year next preceding the year in which the audit is
17 conducted. The examination of school offices shall include an
18 audit of all school funds, the certified annual financial
19 report, and the certified enrollment as provided in section
20 257.6. If a financial condition statement is present in the
21 annual audit report of a school district, the auditor of state
22 or certified public accountant conducting the audit shall
23 notify, by certified mail, the members of the board of
24 directors of the school district and the chairperson of the
25 school budget review committee. Examinations of community
26 colleges shall include an audit of eligible and noneligible
27 contact hours as defined in section 260D.2. Eligible and
28 noneligible contact hours and any differences in certified
29 enrollment shall be reported to the department of management.

30 Sec. 2. Section 15.103, unnumbered paragraph 1, Code 1995,
31 is amended to read as follows:

32 The Iowa economic development board is created, consisting
33 of eleven voting members appointed by the governor and seven
34 ex officio nonvoting members. The ex officio nonvoting
35 members are four legislative members; one president, or the

1 president's designee, of the University of Northern Iowa, the
2 University of Iowa, or Iowa State University of science and
3 technology designated by the state board of regents on a
4 rotating basis; and one president, or the president's
5 designee, of a private college or university appointed by the
6 Iowa association of independent colleges and universities; and
7 one superintendent chief executive officer, or the
8 superintendent's chief executive officer's designee, of a
9 community college, appointed by the Iowa association of
10 community college presidents. The legislative members are two
11 state senators, one appointed by the president of the senate,
12 after consultation with the majority leader of the senate, and
13 one appointed by the minority leader of the senate, after
14 consultation with the president of the senate, from their
15 respective parties; and two state representatives, one
16 appointed by the speaker and one appointed by the minority
17 leader of the house of representatives from their respective
18 parties. Not more than six of the voting members shall be
19 from the same political party. The secretary of agriculture
20 shall be one of the voting members. The governor shall
21 appoint the remaining ten voting members of the board for a
22 term of four years beginning and ending as provided by section
23 69.19, subject to confirmation by the senate, and the
24 governor's appointments shall include persons knowledgeable of
25 the various elements of the department's responsibilities.

26 Sec. 3. Section 15E.166, subsection 1, paragraph c, Code
27 1995, is amended to read as follows:

28 c. An annual budget for operation of the program and
29 activities agreed to in the contract including provisions
30 related to the transfer of funds to the community college, as
31 agreed upon by the president chief executive officer of the
32 community college and the foundation.

33 Sec. 4. Section 73.18, Code 1995, is amended to read as
34 follows:

35 73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF

1 TARGETED SMALL BUSINESSES.

2 The director of each agency or department, the
3 administrator of each area education agency, the president
4 chief executive officer of each community college, and the
5 superintendent of each school district releasing a
6 solicitation for bids or request for proposal under the
7 targeted small business procurement goal program shall consult
8 a directory of certified targeted small businesses produced by
9 the department of economic development that lists all
10 certified targeted small businesses by category of goods or
11 services provided prior to or upon release of the solicitation
12 and shall send a copy of the request for proposal or
13 solicitation to any appropriate targeted small business listed
14 in the directory. The Iowa department of economic development
15 may charge the department, agency, area education agency,
16 community college, or school district a reasonable fee to
17 cover the cost of producing, distributing, and updating the
18 directory.

19 Sec. 5. Section 256.9, subsection 42, Code 1995, is
20 amended by striking the subsection.

21 Sec. 6. Section 256.11, subsection 5, paragraph h,
22 unnumbered paragraph 1, Code 1995, is amended to read as
23 follows:

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

1 entrepreneurial skills that reflect current industry standards
2 and labor-market needs; and reinforcement of basic academic
3 skills. The instructional programs shall also comply with the
4 provisions of chapter 258 relating to vocational education.
5 However, this paragraph does not apply to the teaching of
6 vocational education in nonpublic schools.

7 Sec. 7. Section 256.11, Code 1995, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 9. Unless a waiver has been obtained
10 under section 256.11A, each school or school district shall
11 have the following:

12 a. A media center in each attendance center which shall be
13 accessible to students throughout the school day.

14 b. A qualified school media specialist who shall meet the
15 licensing standards prescribed by the board of educational
16 examiners and shall be responsible for supervision of the
17 media centers.

18 c. An articulated sequential elementary-secondary guidance
19 program for grades kindergarten through twelve. The guidance
20 counselor shall meet the licensing standards prescribed by the
21 board of educational examiners.

22 In determining the requirements of this subsection for
23 nonpublic schools, the department shall evaluate the schools
24 on a school system basis rather than on an individual school
25 basis.

26 Sec. 8. Section 256.11A, subsections 1 and 2, Code
27 Supplement 1995, are amended to read as follows:

28 1. Schools and school districts unable to meet the
29 standard adopted-by-the-state-board established in section
30 256.11, subsection 9, paragraph "c", requiring each school or
31 school district operating a kindergarten through grade twelve
32 program to provide an articulated sequential elementary-
33 secondary guidance program may, not later than August 1, 1995,
34 for the school year beginning July 1, 1995, file a written
35 request to the department of education that the department

1 waive the requirement for that school or school district. The
2 procedures specified in subsection 3 apply to the request.
3 Not later than August 1, 1996, for the school year beginning
4 July 1, 1996, the board of directors of a school district or
5 the authorities in charge of a nonpublic school may request a
6 one-year extension of the waiver.

7 2. Not later than August 1, 1995, for the school year
8 beginning July 1, 1995, the board of directors of a school
9 district, or authorities in charge of a nonpublic school, may
10 file a written request with the department of education that
11 the department waive ~~the rule adopted by the state board to~~
12 ~~establish and operate~~ the requirement for a media services
13 specialist and a media services program to support the total
14 curriculum for that district or school center, established
15 under section 256.11, subsection 9, paragraphs "a" and "b".
16 The procedures specified in subsection 3 apply to the request.
17 Not later than August 1, 1996, for the school year beginning
18 July 1, 1996, the board of directors of a school district or
19 the authorities in charge of a nonpublic school may request an
20 additional one-year extension of the waiver.

21 Sec. 9. Section 256.11B, Code 1995, is amended to read as
22 follows:

23 256.11B VOCATIONAL EDUCATION INSTRUCTION -- NONPUBLIC
24 SCHOOLS.

25 A nonpublic school which provides an educational program
26 that includes grades nine through twelve shall offer and teach
27 five units of occupational education subjects, which may
28 include, but are not limited to, programs, services, and
29 activities which prepare students for employment in business
30 or office occupations, trade and industrial occupations,
31 ~~consumer and family and consumer sciences or home economics~~
32 occupations, agriculture occupations, marketing occupations,
33 and health occupations. ~~By July 1, 1993, instruction~~
34 Instruction shall be competency-based, articulated with
35 postsecondary programs of study, and may include field,

1 laboratory, or on-the-job training.

2 Sec. 10. Section 256.31, subsection 1, paragraph c, Code
3 1995, is amended to read as follows:

4 c. A community college ~~president~~ chief executive officer
5 appointed by an association which represents the largest
6 number of community college ~~presidents~~ chief executive
7 officers in the state.

8 Sec. 11. Section 256.82, subsection 1, paragraph b,
9 subparagraph (2), Code 1995, is amended to read as follows:

10 (2) One member shall be appointed jointly by the
11 ~~superintendents~~ chief executive officers of the community
12 colleges created by chapter 260C.

13 Sec. 12. Section 257.6, subsection 1, paragraph f, Code
14 1995, is amended to read as follows:

15 f. Resident pupils receiving competent private instruction
16 under dual enrollment pursuant to chapter 299A and taking less
17 than three academic courses shall be counted as one-tenth of
18 one pupil. For purposes of this paragraph and section 299A.8,
19 "academic course" means a course taken for credit in
20 accordance with section 256.11, subsection 5, or a class that
21 meets the requirements of section 256.11, subsection 3 or 4.

22 Sec. 13. Section 257.31, Code 1995, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 17. The committee may require a school
25 district to utilize the auditor of state to conduct an audit
26 of accounts pursuant to section 11.6.

27 Sec. 14. Section 258.3A, subsections 1 and 3, Code 1995,
28 are amended to read as follows:

29 1. Cooperate with the ~~federal-board-for-vocational~~ United
30 States department of education in the administration of the
31 Act of Congress, as specified in section 258.1.

32 3. Adopt rules prescribing standards for approval of
33 ~~schools,-departments,-and-classes,-area-vocational-technical~~
34 ~~high-schools-and~~ vocational programs, ~~and-community-colleges~~
35 ~~with-vocational-programs,-and-practitioner-preparation~~

1 ~~schools,--departments,--and-classes,~~ applying for federal and
2 state moneys under this chapter.

3 Sec. 15. Section 258.3A, subsection 2, Code 1995, is
4 amended by striking the subsection.

5 Sec. 16. Section 258.4, subsections 1, 2, 3, 5, 6, and 10,
6 Code 1995, are amended to read as follows:

7 1. ~~Co-operate~~ Cooperate with the ~~federal-board-for~~
8 ~~vocational~~ United States department of education in the
9 administration of the Act of Congress, as specified in section
10 258.1.

11 2. Provide for making studies and investigations relating
12 to ~~pre~~vocational and vocational training education in
13 ~~agricultural,--industrial~~ agriculture, trades and industry,
14 marketing, business and office, health, and commercial
15 ~~subjects,--and-home-economics~~ family and consumer sciences.

16 3. Promote and aid in the establishment ~~in-local~~
17 ~~communities-and-public-schools~~ of departments-and-classes
18 giving programs providing instruction in subjects listed in
19 subsection 2.

20 5. Make recommendations to the board of educational
21 examiners relating to the enforcement of rules prescribing
22 standards for teachers ~~of-subjects~~ in programs listed in
23 subsection 2 in ~~accredited-schools,--departments,--and-classes~~
24 educational agencies.

25 6. ~~Co-operate~~ Cooperate in the maintenance of practitioner
26 preparation ~~schools,--departments,--and-classes,--supported-and~~
27 ~~controlled-by-the-public,~~ programs for the training
28 preparation of teachers and supervisors of subjects programs
29 listed in subsection 2.

30 10. Enforce rules prescribing standards for approval of
31 vocational education programs ~~in-schools,--departments,--and~~
32 ~~classes.~~

33 Sec. 17. Section 258.4, Code 1995, is amended by adding
34 the following new subsection:

35 NEW SUBSECTION. 13. Incorporate in the director's annual

1 report a full report of all receipts and expenditures under
2 this chapter.

3 Sec. 18. Section 258.5, Code 1995, is amended to read as
4 follows:

5 258.5 REIMBURSEMENT FROM FEDERAL AND STATE MONEYS.

6 If a school corporation maintains an approved vocational
7 school, department, or classes program in accordance with the
8 rules adopted by the state board, and rules and standards
9 adopted by the board of educational examiners, and the state
10 plan for vocational education, adopted by the board for
11 vocational education and approved by the United States
12 department of education, the director of the department of
13 education shall reimburse the school corporation at the end of
14 the fiscal year for its expenditures for salaries and
15 authorized travel of vocational teachers from federal and
16 state funds. However, a school corporation shall not receive
17 from federal and state funds a larger amount than one-half the
18 sum which has been expended by the school corporation for that
19 particular type of program. If federal and state funds are
20 not sufficient to make the reimbursement to the extent
21 provided in this section, the director shall prorate the
22 respective amounts available to the corporations entitled to
23 reimbursement.

24 ~~The director may use federal funds to reimburse approved~~
25 ~~practitioner-preparation schools, departments, or classes for~~
26 ~~the training of teachers of agriculture, home economics,~~
27 ~~trades and industrial education, distributive education, and~~
28 ~~for the training of guidance counselors.~~

29 Sec. 19. Section 258.9, Code 1995, is amended to read as
30 follows:

31 258.9 LOCAL ADVISORY COUNCIL.

32 The board of directors of a school district that maintains
33 a school, department, or class receiving federal or state
34 funds under this chapter vocational program shall, as a
35 condition of approval by the state board, appoint a local

1 advisory council for vocational education composed of public
2 members with emphasis on persons representing business,
3 agriculture, industry and labor. The local advisory council
4 shall give advice and assistance to the board of directors in
5 the establishment and maintenance of ~~schools,--departments,--and~~
6 classes vocational programs that receive federal or state
7 funds under this chapter. Local advisory councils may be
8 organized according to program area, school, community, or
9 region. The state board shall adopt rules requiring that the
10 memberships of local advisory councils fairly represent each
11 sex and minorities residing in the school district. Members
12 of an advisory council shall serve without compensation.

13 Sec. 20. Section 258.12, Code 1995, is amended to read as
14 follows:

15 258.12 CUSTODIAN OF FUNDS -- REPORTS.

16 The treasurer of state shall be custodian of the funds paid
17 to the state from the appropriations made under said the Act
18 of Congress as provided in section 258.1, and shall disburse
19 the same funds on vouchers audited as provided by law. The
20 treasurer of state shall report the receipts and disbursements
21 ~~of-said-funds~~ to the general assembly at each ~~biennial~~ regular
22 session.

23 Sec. 21. Section 260C.4, subsection 4, paragraphs e and f,
24 Code 1995, is amended to read as follows:

25 e. The director of the department of education shall give
26 a community college which is to be removed from the approved
27 list at least one year's notice. The notice shall be given by
28 registered or certified mail addressed to the ~~superintendent~~
29 chief executive officer of the community college and shall
30 specify the reasons for removal. The notice shall also be
31 sent by ordinary mail to each member of the board of directors
32 of the community college, and to the news media which serve
33 the merged area where the school is located; but any good
34 faith error or failure to comply with this sentence shall not
35 affect the validity of any action by the director. If, during

1 the year, the community college remedies the reasons for
2 removal and satisfies the director that it will thereafter
3 comply with the laws and approval standards, the director
4 shall continue the community college on the approved list and
5 shall transmit to the community college notice of the action
6 by registered or certified mail.

7 f. At any time during the year after notice is given, the
8 board of directors of the community college may request a
9 public hearing before the director of the department of
10 education, by mailing a written request to the director by
11 registered or certified mail. The director shall promptly set
12 a time and place for the public hearing, which shall be either
13 in Des Moines or in the affected merged area. At least thirty
14 days' notice of the time and place of the hearing shall be
15 given by registered or certified mail addressed to the
16 superintendent chief executive officer of the community
17 college. At least ten days before the hearing, notice of the
18 time and place of the hearing and the reasons for removal
19 shall also be published by the department in a newspaper of
20 general circulation in the merged area where the community
21 college is located.

22 Sec. 22. Section 260C.4, subsection 4, paragraph h, Code
23 1995, is amended to read as follows:

24 h. This subsection is void and shall be stricken from the
25 Code effective June 30, ~~1995~~ 1998, except as provided in
26 section 260C.47.

27 Sec. 23. Section 260C.5, subsections 1 and 9, Code 1995,
28 are amended to read as follows:

29 1. Designate a community college as an "area vocational
30 education school" within the meaning of, and for the purpose
31 of administering, ~~the Act of Congress designated the~~
32 ~~"Vocational Education Act of 1963"~~ federal vocational
33 education legislation. A community college shall not be so
34 designated by the director of the department of education for
35 the expenditure of funds under 20 U.S.C. §35c(a)(5), which

1 has not been designated and classified as a community college
2 by the state board.

3 9. Make arrangements with boards of merged areas and local
4 school districts to permit students attending high school to
5 participate in vocational-technical programs and advanced
6 college placement courses and obtain credit for such
7 participation for application toward the completion of a high
8 school diploma. ~~The-granting-of-credit-is-subject-to-the~~
9 ~~approval-of-the-director-of-the-department-of-education.~~

10 Sec. 24. Section 260C.5, subsection 6, Code 1995, is
11 amended by striking the subsection.

12 Sec. 25. Section 260C.14, subsection 8, Code 1995, is
13 amended to read as follows:

14 8. Set the salary of the ~~area-superintendent~~ chief
15 executive officer of the director district. In setting the
16 salary, the board shall consider the salaries of
17 administrators of educational institutions in the merged area
18 and the enrollment of the community college.

19 Sec. 26. Section 260C.35, Code 1995, is amended to read as
20 follows:

21 260C.35 LIMITATION-ON SALE OF LAND.

22 ~~A-merged-area-shall-not-purchase-land-which-will-increase~~
23 ~~the-aggregate-of-land-owned-by-the-merged-area,--excluding-land~~
24 ~~acquired-by-donation-or-gift,--to-more-than-three-hundred~~
25 ~~twenty-acres-without-the-approval-of-the-director-of-the~~
26 ~~department-of-education.--The-limitation-does-not-apply-to-a~~
27 ~~merged-area-owning-more-than-three-hundred-twenty-acres,~~
28 ~~excluding-land-acquired-by-donation-or-gift,--prior-to-January~~
29 ~~17-1969.~~

30 ~~With-the-approval-of-the-director-of-the-department-of~~
31 ~~education,--the~~ The board of directors of a merged area at any
32 time may sell any land in excess of one hundred sixty acres
33 owned by the merged area, and an election is not necessary in
34 connection with the sale. The proceeds of the sale may be
35 used for any of the purposes stated in section 260C.22. This

1 paragraph section is in addition to any authority under other
2 provisions of law.

3 Sec. 27. Section 260C.38, unnumbered paragraphs 1 and 3,
4 Code 1995, are amended to read as follows:

5 The board of directors may~~, with the approval of the~~
6 ~~director of the department of education,~~ enter into lease
7 agreements, with or without purchase options, not to exceed
8 twenty years in duration, for the leasing or rental of
9 buildings for use basically as classrooms, laboratories,
10 shops, libraries, and study halls for community college
11 purposes, and pay for the leasing or rental with funds
12 acquired pursuant to section sections 260C.17, section
13 260C.18, and section 260C.22. However~~, lease agreements~~
14 ~~extending for less than ten years and for less than twenty-~~
15 ~~five thousand dollars per year need not be submitted to the~~
16 ~~director of the department of education for approval.~~

17 Before entering into a lease agreement with a purchase
18 option for a building to be constructed, or placed, upon real
19 estate owned by the community college, the board shall first
20 adopt plans and specifications for the proposed building which
21 it considers suitable for the intended use, and the board
22 shall also adopt the proposed terms of the lease agreement and
23 purchase option. ~~Upon obtaining the approval of the director~~
24 ~~of the department of education, if approval of the director is~~
25 ~~required, the~~ The board shall invite bids, by advertisement
26 published once each week for two consecutive weeks in the
27 county where the building is to be located. The lease
28 agreement shall be awarded to the lowest responsible bidder,
29 or the board may reject all bids and readvertise for new bids.

30 Sec. 28. Section 260C.47, subsection 1, unnumbered
31 paragraph 1, Code 1995, is amended to read as follows:

32 The state board of education shall establish an
33 accreditation process for community college programs by July
34 1, ~~1994~~ 1997. The process shall be jointly developed and
35 agreed upon by the department of education and the community

1 colleges. The state accreditation process shall be integrated
2 with the accreditation process of the north central
3 association of colleges and schools, including the evaluation
4 cycle, the self-study process, and the criteria for
5 evaluation, which shall incorporate the standards for
6 community colleges developed under section 260C.48; and shall
7 identify and make provision for the needs of the state that
8 are not met by the association's accreditation process. If a
9 joint agreement has not been reached by July 1, ~~1994~~ 1997, the
10 approval process provided under section 260C.4, subsection 4,
11 shall remain the required accreditation process for community
12 colleges. For the academic year commencing July 1, ~~1995~~ 1998,
13 and in succeeding school years, the department of education
14 shall use a two-component process for the continued
15 accreditation of community college programs.

16 Sec. 29. Section 260C.47, subsection 6, Code 1995, is
17 amended to read as follows:

18 6. The director of the department of education shall give
19 a community college which has a program which fails to meet
20 accreditation standards at least one year's notice prior to
21 removal of accreditation of the program. The notice shall be
22 given by certified mail or restricted certified mail addressed
23 to the superintendent chief executive officer of the community
24 college and shall specify the reasons for removal of
25 accreditation of the program. The notice shall also be sent
26 by ordinary mail to each member of the board of directors of
27 the community college. Any good faith error or failure to
28 comply with the notice requirements shall not affect the
29 validity of any action by the director. If, during the year,
30 the community college remedies the reasons for removal of
31 accreditation of the program and satisfies the director that
32 the community college will comply with the accreditation
33 standards for that program in the future, the director shall
34 continue the accreditation of the program of the community
35 college and shall transmit notice of the action to the

1 community college by certified mail or restricted certified
2 mail.

3 Sec. 30. Section 282.4, subsection 3, Code Supplement
4 1995, is amended to read as follows:

5 3. Notwithstanding section 282.6, if a student has been
6 expelled or suspended from a public or nonpublic school and
7 has not met the conditions of the expulsion or suspension and
8 ~~if the student, or the parent or guardian of the student,~~
9 ~~changes district of residence,~~ the student shall not be
10 ~~enrolled~~ permitted to enroll in ~~the new~~ a school district of
11 ~~residence~~ until the board of directors of the new school
12 ~~district of residence~~ approves, by a majority vote, the
13 enrollment of the student.

14 Sec. 31. Section 282.5, Code Supplement 1995, is amended
15 to read as follows:

16 282.5 READMISSION OF STUDENT.

17 When a student is suspended by a teacher, principal, or
18 superintendent, pursuant to section 282.4, the student may be
19 readmitted by the teacher, principal, or superintendent when
20 the conditions of the suspension have been met, but when
21 expelled by the board the student may be readmitted only by
22 the board or in the manner prescribed by the board.

23 Sec. 32. Section 282.30, subsection 1, paragraph b,
24 unnumbered paragraph 2, Code 1995, is amended to read as
25 follows:

26 An area education agency shall not provide educational
27 services to a facility specified in paragraph "a" unless the
28 facility makes a request for educational services to the area
29 education agency by ~~December~~ January 1 of the school year
30 prior to the beginning of the school year for which the
31 services are being requested.

32 Sec. 33. Section 282.31, subsection 1, paragraph a, Code
33 Supplement 1995, is amended to read as follows:

34 a. A child who lives in a facility pursuant to section
35 282.30, subsection 1, paragraph "a", and who is not enrolled

1 in the educational program of the district of residence of the
2 child, shall receive appropriate educational services. The
3 area education agency shall submit a proposed program and
4 budget to the department of education by ~~January~~ February 1
5 for the next succeeding school year. The department of
6 education shall review and approve or modify the program and
7 proposed budget and shall notify the department of revenue and
8 finance and the area education agency of its action by
9 February March 1.

10 PARAGRAPH DIVIDED. The department of revenue and finance
11 shall pay the approved budget amount for an area education
12 agency in monthly installments beginning September 15 and
13 ending June 15 of the next succeeding school year. The
14 installments shall be as nearly equal as possible as
15 determined by the department of management, taking into
16 consideration the relative budget and cash position of the
17 state's resources. The department of revenue and finance
18 shall transfer the approved budget amount for an area
19 education agency from the moneys appropriated under section
20 257.16 and make the payment to the area education agency.

21 PARAGRAPH DIVIDED. The area education agency shall submit
22 an accounting for the actual cost of the program to the
23 department of education by August 1 of the following school
24 year. The department shall review and approve or modify all
25 expenditures incurred in compliance with the guidelines
26 pursuant to section 256.7, subsection 10, and shall notify the
27 department of revenue and finance of the approved accounting
28 amount. The approved accounting amount shall be compared with
29 any amounts paid by the department of revenue and finance to
30 the area education agency and any differences added to or
31 subtracted from the October payment made under this paragraph
32 for the next school year. Any amount paid by the department
33 of revenue and finance shall be deducted monthly from the
34 state foundation aid paid under section 257.16 to all school
35 districts in the state during the subsequent fiscal year. The

1 portion of the total amount of the approved budget that shall
2 be deducted from the state aid of a school district shall be
3 the same as the ratio that the budget enrollment for the
4 budget year of the school district bears to the total budget
5 enrollment in the state for that budget year in which the
6 deduction is made.

7 Sec. 34. Section 285.2, unnumbered paragraph 5, Code
8 Supplement 1995, is amended to read as follows:

9 Claims shall be accompanied by an affidavit of an officer
10 of the public school district affirming the accuracy of the
11 claim. ~~By-February-1-and-on-or-about-June-15~~ Claims for
12 reimbursement shall be made to the department of education by
13 January 31 and July 15 of each school year, on forms
14 prescribed by the department. The department shall certify to
15 the department of revenue and finance the amounts of approved
16 claims to be paid, and the department of revenue and finance
17 shall draw warrants payable to school districts which have
18 established claims. Claims shall be allowed where practical,
19 and at the option of the public school district of the pupil's
20 residence, subject to approval by the area education agency of
21 the pupil's residence, under section 285.9, subsection 3, the
22 public school district of the pupil's residence may transport
23 a pupil to a school located in a contiguous public school
24 district outside the boundary lines of the public school
25 district of the pupil's residence. The public school district
26 of the pupil's residence may contract with the contiguous
27 public school district or with a private contractor under
28 section 285.5 to transport the pupils to the school of
29 attendance within the boundary lines of the contiguous public
30 school district. The public school district in which the
31 pupil resides may contract with the contiguous public school
32 district or with a private contractor under section 285.5 to
33 transport the pupil from the pupil's residence or from
34 designated school bus collection locations to the school
35 located within the boundary lines of the contiguous public

1 school district, subject to the approval of the area education
2 agency of the pupil's residence. The public school district
3 of the pupil's residence may utilize the reimbursement
4 provisions of section 285.1, subsection 3.

5 Sec. 35. Section 285.3, Code 1995, is amended by striking
6 the section and inserting in lieu thereof the following:

7 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL STUDENT
8 TRANSPORTATION.

9 1. A parent or guardian of a student attending an ac-
10 credited nonpublic school, who furnishes transportation for
11 the student pursuant to section 285.1, and who meets the
12 requirements of subsection 2, is entitled to reimbursement
13 equal to an amount calculated under the provisions of section
14 285.1, subsection 3. In addition, parents or guardians who
15 transport one or more family members more than four miles to
16 their accredited nonpublic schools of attendance shall be
17 entitled to one supplemental mileage payment per family, per
18 claim period, equal to fifteen percent of the parental
19 reimbursement amount, rounded to the nearest whole dollar,
20 when calculated under the provisions of section 285.1,
21 subsection 3.

22 2. To qualify for parental reimbursement under subsection
23 1, a parent or guardian of a student attending an accredited
24 nonpublic school, who furnishes transportation for the student
25 pursuant to section 285.1, shall submit a claim for
26 reimbursement to the resident public school district,
27 notifying the district that the student is enrolled and
28 attending an accredited nonpublic school. Claims for
29 reimbursement shall be filed with the district by December 1
30 and May 1 annually and shall include the name, age, and grade
31 level of the student and the name of the accredited nonpublic
32 school and its location. The district shall submit claims for
33 reimbursement to the department of education on behalf of the
34 parent or guardian if the parent or guardian meets the
35 requirements of this section.

1 11.6(1)(a), unnumbered paragraph 1: Requires the
2 individual conducting a school audit to notify, if a financial
3 condition statement is present in the annual audit report of a
4 school district, by certified mail, the members of the
5 district board and the chair of the school budget review
6 committee.

7 15.103, unnumbered paragraph 1, 15E.166(1)(c), 73.18,
8 256.82(1)(b)(2), 256.31(1)(c), 260C.4(4)(e) and (f),
9 260C.14(8), and 260C.47(6): Change references to the area
10 superintendent or president of a community college to the
11 chief executive officer of the community college.

12 256.9(42): Eliminates a provision directing the director
13 of the department of education to develop an application and
14 review process for approval of administrative and program
15 sharing agreements between two or more community colleges or a
16 community college and a state university. That responsibility
17 is provided for in more detail in section 260C.46.

18 256.11(5)(h), unnumbered paragraph 1, 256.11B, and
19 258.4(2): Update language by striking references to home
20 economics occupations.

21 256.11(9) and 256.11A(1) and (2): The education standards
22 in section 256.11 previously included a requirement that
23 certain schools and school districts have a media specialist,
24 media center, and an articulated sequential guidance program.
25 Section 256.11A includes a provision that permits schools to
26 apply to the department for a waiver from these requirements.
27 The requirements were stricken from section 256.11 in 1994,
28 but the administrative rules maintain the requirement. The
29 bill reestablishes the requirement within the education
30 standards in section 256.11.

31 257.6(1)(f) and 299A.8: Provide that a child who enrolls
32 under dual enrollment and participates in three or more
33 courses is counted as a pupil for purposes of a school
34 district's annual enrollment. A child who enrolls under dual
35 enrollment, but participates in less than three courses, is

1 counted as one-tenth of one pupil.

2 257.31: Permits the school budget review committee to
3 request an audit of the accounts of a school district or area
4 education agency.

5 258.3A(1) and 258.4(1): References to the federal board of
6 vocational education, which has been eliminated, are replaced
7 with references to the United States department of education.

8 258.3A(2): Strikes a reference to the adoption of rules
9 prescribing standards for teachers of vocational education.

10 258.3A(3), 258.4(2), (3), (5), (6), and (10), 258.5,
11 unnumbered paragraph 1, 258.6, and 258.9: Replace references
12 to vocational schools, departments, and classes, and other
13 examples of possible vocational programs with the more general
14 term "vocational programs".

15 258.4(13) and 258.13: Amend the provision currently
16 codified in section 258.13, establishing a duty of the
17 director of the department of education to include in a
18 biennial report receipts and expenditures under the vocational
19 education chapter, to reflect the current practice of
20 submitting the report annually, and transfers the provision to
21 section 258.4, which establishes the director's duties under
22 the chapter.

23 258.5, unnumbered paragraph 2: Eliminates a reference in
24 the vocational education chapter to the disbursement of
25 federal funds as reimbursement for practitioner preparation
26 programs.

27 258.10: Eliminates a provision authorizing school
28 districts to provide vocational education and to pay for the
29 education as the district pays for other programs. Section
30 256.11, the section on educational standards, addresses the
31 provision of the vocational education areas identified in the
32 repeal section.

33 258.12: Updates a requirement that the treasurer of state
34 report the receipt of federal vocational education funds to
35 the general assembly to reflect the current practice of

1 providing the report annually, rather than biennially.

2 260C.4(4)(h) and 260C.47(1), unnumbered paragraph 1:
3 Timelines for the use and establishment of approval and
4 accreditation processes relating to community colleges are
5 delayed from 1994 to 1997, and from 1995 to 1998. These
6 provisions take effect upon enactment and apply retroactively
7 to June 30, 1994.

8 260C.5(1): Reference to the federal "Vocational Education
9 Act of 1963" in the community colleges chapter is replaced
10 with a general reference to federal vocational education
11 legislation.

12 260C.5(9): Strikes language giving the director of the
13 department of education the authority to grant credit to high
14 school students who participate in community college programs,
15 leaving the granting of credit to the discretion of the
16 community college boards and the school district boards.

17 260C.5(6), 260C.35, and 260C.38, unnumbered paragraphs 1
18 and 3: Eliminate provisions requiring the director of the
19 department of education to approve or disapprove a lease
20 agreement for space needed by a community college, or sites,
21 buildings, or land to be acquired, erected, or remodeled for
22 use by community colleges.

23 282.4: Provides that a student who has been expelled or
24 suspended from school, and has not met the conditions of the
25 expulsion or suspension, shall not be permitted to enroll in a
26 school district without the approval of a majority of the
27 board members of the school district.

28 282.5: Permits a teacher, principal, or superintendent who
29 suspended a student to readmit the student only when the
30 conditions of the suspension have been met.

31 282.30(1)(b), unnumbered paragraph 2, and 282.31(1)(a):
32 The deadline by which shelter care homes and juvenile
33 detention homes must request educational services of an area
34 education agency is moved from December 1 to January 1; by
35 which an area education agency must submit for approval a

1 proposed special program and budget to the department of
2 education is revised from January 1 to February 1; and by
3 which the department of education must review and approve the
4 program and budget is changed from February 1 to March 1.

5 285.2 and 285.3: Section 285.3 currently specifies the
6 amount of the base parental reimbursement for nonpublic school
7 student transportation by using the basic formula established
8 in section 285.1, subsection 3, pertaining to transportation
9 when necessary to implement a whole grade sharing agreement or
10 where transportation by school bus is impracticable or not
11 available, except that section 285.3 limits the number of
12 students used in the calculation to all elementary students
13 and two high school students, and section 285.1, subsection 3,
14 provides a limitation of three elementary students and one
15 high school student. The bill eliminates the different
16 limitation provided in section 285.3.

17 Moreover, the bill changes the formula for calculating a
18 supplemental payment for a parent or guardian transporting a
19 student more than four miles to a nonpublic school. Current
20 section 285.3 provides a formula based upon all of the base
21 payments made to parents or guardians of nonpublic school
22 students under section 285.1, subsection 3 and section 285.3.
23 The bill provides that a parent or guardian is entitled to a
24 supplemental payment equal to 15 percent of the parent or
25 guardian's base reimbursement amount. The section also
26 requires parents or guardians to submit claims for
27 reimbursement to a school district by December 1 and May 1.

28 The bill amends section 285.2 to require districts to
29 submit claims for reimbursement by January 31 and July 15, and
30 removes the deadline by which the department is required to
31 certify the amount of the claims to the department of revenue
32 and finance.

33 BACKGROUND STATEMENT

34 SUBMITTED BY AGENCY

35 This is the department's annual statutory bill, which is

1 designed to correct outdated language, eliminate obsolete
2 provisions, and streamline certain practices. The changes are
3 as follows:

4 11.6(1)(a), unnumbered paragraph 1: Requires the
5 individual auditing and school district to notify, by
6 certified mail, school board members and the chairman of the
7 school budget review committee, of a school district's
8 negative balance in one or more accounts.

9 15.103, unnumbered paragraph 1, 15E.166(1)(c), 73.18,
10 256.31(1)(c), 256.82(1)(b)(2), 260C.4(4)(e) and (f),
11 260C.14(8), and 260C.47(6): Update the community college
12 title of area or community college superintendent or president
13 to the current title of chief executive officer.

14 256.9(42): Strikes the requirement that the director
15 develop an application and review process for approval of
16 administrative and program sharing between two community
17 colleges or a community college and regents institution. This
18 requirement is contained in section 260C.46.

19 256.11(5)(h), unnumbered paragraph 1, 256.11B, and
20 258.4(2): Remove references to home economics occupations.
21 The term has been replaced with the current reference of
22 "family and consumer sciences occupations".

23 256.11(9) and 256.11A(1) and (2): Insert the media and
24 guidance standard that was inadvertently removed during the
25 1994 session. During the 1995 session, the general assembly
26 extended the waiver from the standard until the 1997 school
27 year.

28 257.6(1)(f) and 299A.8: Allow a home school student who
29 dual enrolls to be counted as a full-time student if the
30 student is enrolled in three or more academic classes at the
31 public school. Students enrolling in less than three classes
32 would be counted at the current one-tenth level. This change
33 is needed to adequately compensate school districts for those
34 home students who opt to have the public school provide a
35 significant portion of their educational experience.

1 257.31: Gives the school budget review committee the
2 discretionary authority to require a school district to have
3 an audit of accounts conducted by the state auditor.

4 258.3A(1) and (3), 258.4(1), (2), (3), (5), (6), and (10),
5 258.5, 258.6, and 258.9: Update the Code to remove references
6 to the "federal board of vocational education", which does not
7 exist. The reference is replaced by a reference to the United
8 States department of education. These sections also update
9 references to areas of vocational education. Also, the bill
10 strikes provisions relating to the use of federal funds,
11 because the federal moneys are determined by federal law. The
12 state funds have been distributed in the manner described in
13 the current law, but the federal dollars have not been
14 distributed in this manner. Section 258.9 replaces current
15 references to schools, departments, and classes with the
16 general term "vocational programs".

17 258.3A(2): Eliminates language that placed the
18 responsibility for prescribing standards for teachers of
19 vocational education. The board of educational examiners has
20 been given that authority.

21 258.4(13), 258.10, and 258.13: Section 258.10, authorizing
22 school districts to provide vocational education and to pay
23 for the education as the district pays for other programs, is
24 repealed. The Code addresses the provision of the vocational
25 education areas identified in the eliminated section under the
26 section on educational standards, section 256.11. Section
27 258.13, a provision requiring the director of the department
28 of education to make a biennial report relating to vocational
29 education receipts and expenditures, is also repealed, but the
30 reporting requirement is added to section 258.4, pertaining to
31 the director's duties, and is changed to an annual, rather
32 than biennial, report.

33 258.12: Requires the treasurer of state to submit a report
34 on the receipts and disbursements relating to vocational
35 education to the general assembly annually, to reflect current

1 practice.

2 260C.4(4)(h) and 260C.47(1), unnumbered paragraph 1: Move
3 the dates by which the department of education shall have
4 established an accreditation process relating to community
5 colleges from 1994 and 1995 to 1997 and 1998. The date by
6 which the interim approval process is void is moved from 1995
7 to 1998. The last section of the bill provides that these
8 provisions take effect upon enactment and are retroactively
9 applicable to June 30, 1994.

10 260C.5(1): Updates Code language to allow the state to
11 qualify for funds under all federal vocational Acts instead of
12 requiring an amendment to this section each time the name of
13 the federal Act is changed.

14 260C.5(6), 260C.35, and 260C.38, unnumbered paragraphs 1
15 and 3: Strike the requirement that the director approve the
16 acquisition, sale, remodeling, and leasing of community
17 college property and facilities. Given the strong governing
18 structure in place at each community college, these provisions
19 are no longer needed.

20 260C.5(9): Strikes a requirement that the director of the
21 department of education authorize credit for high school
22 students who participate in community college programs because
23 the granting of credit be left to the discretion of the
24 schools and the community colleges.

25 282.4(3): Requires a school board to vote to admit any
26 student who has been expelled or suspended from a public or
27 nonpublic school. Current law only allows a school board to
28 vote to admit students expelled from public schools.

29 282.30(1)(b), unnumbered paragraph 2, and 282.31(1)(a):
30 Bring the application deadlines for various juvenile home
31 special programs provided by area education agencies in line
32 with the submission of the rest of the area education agency
33 budget approval process.

34 285.2: Corrects a change made in the 1994 generally
35 accepted accounting principles (GAAP) bill that moved from

1 July 15 to June 15 the date for the department to report the
2 nonpublic school transportation aid payments to the department
3 of revenue and finance. The July 15 date is needed to make
4 the state nonpublic school transportation aid payments
5 coincide with the state aid payments for nonpublic textbooks.
6 285.3: Allows for a more timely processing of supplemental
7 reimbursement for nonpublic school student transportation.
8 Under the current system, the department cannot calculate the
9 amount of supplemental reimbursement until all claims have
10 been processed. Historically, the claims represent
11 approximately 15 percent of the parental reimbursement amount.
12 This section eliminates the need to wait for all claims to be
13 received by basing the supplemental reimbursements on 15
14 percent of the parental reimbursement rate.

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