

# REPRINTED

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Place On Calendar

HOUSE FILE 625  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 177)

Passed House, Date <sup>(p.711)</sup> 3/20/97 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 98 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, special educational  
3 programs provided by area education agencies, payment of  
4 claims for nonpublic school pupil transportation, the school  
5 budget review committee, the enrollment of certain students,  
6 and annual audits of school districts.

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

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HF 625

1 Section 1. Section 11.6, subsection 4, Code 1997, 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 that reported  
6 to the school budget review committee, in accordance with  
7 section 11.14, that the district had an undesignated fund  
8 deficit in a fund specified in chapter 298A. If the school  
9 district has not contracted with or employed a certified  
10 public accountant to perform an audit for the fiscal year in  
11 which the request is received by the auditor of state, the  
12 auditor may perform an audit required by subsection 1.

13 Sec. 2. Section 11.14, Code 1997, 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 undesignated fund deficit in a  
18 fund specified in chapter 298A, the auditor shall, by first  
19 class mail, notify the members of the board of directors of  
20 the school district and the chairperson of the school budget  
21 review committee, as established in section 257.30, that an  
22 audit contains an undesignated fund deficit.

23 Sec. 3. Section 15.103, unnumbered paragraph 1, Code 1997,  
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 1997, 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 1997, 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 1997, is  
13 amended by striking the subsection.

14 Sec. 7. Section 256.11, subsection 5, paragraph h,  
15 unnumbered paragraph 1, Code 1997, 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 256.11B, Code 1997, is amended to read as

1 follows:

2 256.11B VOCATIONAL EDUCATION INSTRUCTION -- NONPUBLIC  
3 SCHOOLS.

4 A nonpublic school which provides an educational program  
5 that includes grades nine through twelve shall offer and teach  
6 five units of occupational education subjects, which may  
7 include, but are not limited to, programs, services, and  
8 activities which prepare students for employment in business  
9 or office occupations, trade and industrial occupations,  
10 ~~consumer-and family and consumer sciences or home-economics~~  
11 occupations, agriculture occupations, marketing occupations,  
12 and health occupations. ~~By July 17, 1993, instruction~~  
13 Instruction shall be competency-based, articulated with  
14 postsecondary programs of study, and may include field,  
15 laboratory, or on-the-job training.

16 Sec. 9. Section 256.12, subsection 2, Code 1997, is  
17 amended to read as follows:

18 2. This section does not deprive the respective boards of  
19 public school districts of any of their legal powers,  
20 statutory or otherwise, and in accepting the specially  
21 enrolled students, each of the boards shall prescribe the  
22 terms of the special enrollment, including but not limited to  
23 scheduling of courses and the length of class periods. In  
24 addition, the board of the affected public school district  
25 shall be given notice by the department of its decision to  
26 permit the special enrollment not later than six months prior  
27 to the opening of the affected public school district's school  
28 year, except that the board of the public school district may  
29 waive the notice requirement. School districts and area  
30 education agency boards shall make public school services,  
31 which shall include special education programs and services  
32 and may include health services, services for remedial  
33 education programs, guidance services, and school testing  
34 services, available to children attending accredited nonpublic  
35 schools in the same manner and to the same extent that they

1 are provided to public school students. However, services  
2 that are made available shall be provided on neutral sites, or  
3 in mobile units located off the accredited nonpublic school  
4 premises as determined by the boards of the school districts  
5 and area education agencies providing the services, and not on  
6 accredited nonpublic school property, except for health  
7 services, diagnostic services for speech, hearing, and  
8 psychological purposes, and assistance with physical and  
9 communication needs of students with physical disabilities,  
10 and services of an educational interpreter, which may be  
11 provided on accredited nonpublic school premises, with the  
12 permission of the lawful custodian.

13 Students enrolled in accredited nonpublic schools who  
14 receive services pursuant to this subsection shall be weighted  
15 at the level provided for in section 256B.9, subsection 1.

16 A local school district providing services pursuant to this  
17 subsection shall submit an accounting to the department of  
18 education by August 1 following the school year for the actual  
19 costs of the special education programs and services provided.  
20 The department shall review and approve or modify the  
21 accounting by September 1 and shall notify the department of  
22 revenue and finance of the approved accounting amount. The  
23 department of revenue and finance shall adjust the September  
24 payment to the local school district for the next fiscal year  
25 by the difference between the amount generated by the  
26 weighting for the provision of services to ~~nonpublic-school~~  
27 students attending accredited nonpublic schools, as provided  
28 in this subsection, and the amount of the actual costs as  
29 reflected in the local school district's accounting. Any  
30 amount paid by the department of revenue and finance shall be  
31 deducted monthly from the state foundation aid paid under  
32 section 257.16 during that fiscal year to all school districts  
33 in the state. The portion of the total amount of the approved  
34 accounting amount that shall be deducted from the state aid of  
35 a school district shall be the same as the ratio that the

1 budget enrollment for the budget year of the school district  
2 bears to the total budget enrollment in the state for that  
3 budget year.

4 Sec. 10. Section 256.31, subsection 1, paragraph c, Code  
5 1997, is amended to read as follows:

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

10 Sec. 11. Section 256.45, unnumbered paragraphs 1, 3, and  
11 4, Code 1997, are amended to read as follows:

12 The department of education shall establish ~~within-the~~  
13 department and administer the position of ambassador to  
14 education. It shall be the function of the ambassador to  
15 education to act as an education liaison to primary and  
16 secondary schools in this state. The ambassador to education  
17 position shall be filled by the educator selected as teacher  
18 of the year by the governor, but only if that person agrees to  
19 fill the ambassador to education position.

20 The ambassador to education shall receive, in lieu of  
21 compensation from the district in which the ambassador is  
22 regularly employed, a salary ~~which-is~~ equal to the amount of  
23 salary ~~received-by~~ the person ~~during-the-previous~~ would have  
24 received from the district in the person's regular position  
25 during the school year for which the person serves as  
26 ambassador, or thirty thousand dollars, whichever amount is  
27 greater. The ambassador shall also be compensated for actual  
28 expenses incurred as a result of the performance of duties  
29 under this section.

30 The ~~district-which~~ department shall grant funds in an  
31 amount equal to the salary and benefits the person selected as  
32 ambassador to education would have received from the district,  
33 or thirty thousand dollars, whichever amount is greater, to  
34 the school district that employs the person selected as the  
35 ambassador to-education. The department shall also reimburse

1 the school district for actual expenses incurred as a result  
2 of the performance of duties under this section. The school  
3 district shall grant the person a one-year sabbatical in order  
4 to allow the person to be the ambassador to education, and  
5 during the sabbatical, shall pay the salary and benefits of  
6 the ambassador with funds granted by the department. The  
7 person selected as the ambassador to education shall be  
8 entitled to return to the person's same or a comparable  
9 position without loss of accrued benefits or seniority.

10 Sec. 12. Section 256.82, subsection 1, paragraph b,  
11 subparagraph (2), Code 1997, is amended to read as follows:

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

15 Sec. 13. Section 256B.9, subsection 4, Code 1997, is  
16 amended to read as follows:

17 4. On December 1, 1987, and no later than December 1 every  
18 two years thereafter, for the school year commencing the  
19 following July 1, the director of the department of education  
20 shall report to the school budget review committee the average  
21 costs of providing instruction for children requiring special  
22 education in the categories of the weighting plan established  
23 under this section, and for providing services to accredited  
24 nonpublic school students pursuant to section 256.12,  
25 subsection 2, and the director of the department of education  
26 shall make recommendations to the school budget review  
27 committee for needed alterations to make the weighting plan  
28 suitable for subsequent school years. The school budget  
29 review committee shall establish the weighting plan for each  
30 school year and shall report the plan to the director of the  
31 department of education. The school budget review committee  
32 may establish weights to the nearest hundredth. The school  
33 budget review committee shall not alter the weighting assigned  
34 to pupils in a regular curriculum, but it may increase or  
35 decrease the weighting assigned to each category of children

1 requiring special education by not more than two-tenths of the  
2 weighting assigned to pupils in a regular curriculum. The  
3 state board of education shall adopt rules under chapter 17A  
4 to implement the weighting plan for each year and to assist in  
5 identification and proper indexing of each child in the state  
6 who requires special education.

7 Sec. 14. Section 256C.1, Code 1997, is amended to read as  
8 follows:

9 256C.1 FAMILY RESOURCE CENTER DEMONSTRATION PROGRAM  
10 ESTABLISHED.

11 If the general assembly appropriates moneys for the  
12 establishment of family resource centers, the department of  
13 education, in conjunction with the child development  
14 coordinating council, shall establish and coordinate a family  
15 resource center demonstration program to provide comprehensive  
16 child development and child care services, remedial  
17 educational and literacy services, and supportive services to  
18 parents who are recipients of assistance under the family  
19 investment program and other parents in need of services. The  
20 program shall provide for the establishment location of family  
21 resource centers ~~by-the-school-year-commencing-July-17-1994,~~  
22 ~~which-shall-be-located~~ in at least three public schools, one  
23 located in a large school district, one located in a medium-  
24 sized school district, and one located in a small school  
25 district. For purposes of this section a large school  
26 district is a district with an actual enrollment of five  
27 thousand or more pupils; a medium-sized school district is a  
28 district with an actual enrollment that is greater than one  
29 thousand one hundred ninety-nine pupils, but less than five  
30 thousand pupils; and a small school district is a district  
31 with an actual enrollment of one thousand one hundred ninety-  
32 nine or fewer pupils.

33 Sec. 15. Section 256C.2, unnumbered paragraph 2, Code  
34 1997, is amended to read as follows:

35 A district applying for a grant under this section shall

1 agree, for each dollar of grant funds, to provide twenty cents  
2 in matching cash or in-kind resources. ~~Grants may be awarded~~  
3 ~~for four years, beginning July 1, 1994, and ending June 30,~~  
4 ~~1998.~~ Up to ten percent of the moneys appropriated for the  
5 grant program may be used by the council for staffing,  
6 technical assistance, and external evaluation development.  
7 Notwithstanding section 8.33, unencumbered or unobligated  
8 funds remaining on June 30 of the fiscal year for which the  
9 funds were appropriated shall not revert but shall be  
10 available for expenditure for the following fiscal year for  
11 the purposes of this section.

12 Sec. 16. Section 257.31, Code 1997, is amended by adding  
13 the following new subsection:

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

19 Sec. 17. Section 258.3A, subsections 1 and 3, Code 1997,  
20 are amended to read as follows:

21 1. Cooperate with the ~~federal board for vocational~~ United  
22 States department of education in the administration of the  
23 Act of Congress, as specified in section 258.1.

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

30 Sec. 18. Section 258.3A, subsection 2, Code 1997, is  
31 amended by striking the subsection.

32 Sec. 19. Section 258.4, subsections 1, 2, 3, 5, 6, and 10,  
33 Code 1997, are amended to read as follows:

34 1. ~~Co-operate~~ Cooperate with the ~~federal board for~~  
35 ~~vocational~~ United States department of education in the

1 administration of the Act of Congress, as specified in section  
2 258.1.

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

8 3. Promote and aid in the establishment in-local  
9 communities-and-public-schools of departments-and-classes  
10 giving programs providing instruction in subjects listed in  
11 subsection 2.

12 5. Make recommendations to the board of educational  
13 examiners relating to the enforcement of rules prescribing  
14 standards for teachers of-subjects in programs listed in  
15 subsection 2 in accredited schools, departments, and classes.

16 6. Co-operate Cooperate in the maintenance of practitioner  
17 preparation schools,-departments,-and-classes,-supported-and  
18 controlled-by-the-public, programs for the training  
19 preparation of teachers and supervisors of subjects programs  
20 listed in subsection 2.

21 10. Enforce rules prescribing standards for approval of  
22 vocational education programs in-schools,-departments,-and  
23 classes.

24 Sec. 20. Section 258.4, Code 1997, is amended by adding  
25 the following new subsection:

26 NEW SUBSECTION. 13. Incorporate in the director's annual  
27 report a full report of all receipts and expenditures under  
28 this chapter.

29 Sec. 21. Section 258.5, Code 1997, is amended to read as  
30 follows:

31 258.5 REIMBURSEMENT FROM FEDERAL AND STATE MONEYS.

32 If a school corporation maintains an approved vocational  
33 school,-department,-or-classes program in accordance with the  
34 rules adopted by the state board, and-rules-and-standards  
35 adopted-by-the-board-of-educational-examiners,-and-the-state

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

15 ~~The-director-may-use-federal-funds-to-reimburse-approved~~  
16 ~~practitioner-preparation-schools, departments, or classes-for~~  
17 ~~the-training-of-teachers-of-agriculture, home-economics,~~  
18 ~~trades-and-industrial-education, distributive-education, and~~  
19 ~~for-the-training-of-guidance-counselors.~~

20 Sec. 22. Section 258.9, Code 1997, is amended to read as  
21 follows:

22 258.9 LOCAL ADVISORY COUNCIL.

23 The board of directors of a school district that maintains  
24 a ~~school, department, or class-receiving-federal-or-state~~  
25 ~~funds-under-this-chapter~~ vocational program shall, ~~as-a~~  
26 ~~condition-of-approval-by-the-state-board,~~ appoint a local  
27 advisory council for vocational education composed of public  
28 members with emphasis on persons representing business,  
29 agriculture, industry, and labor. The local advisory council  
30 shall give advice and assistance to the board of directors in  
31 the establishment and maintenance of ~~schools, departments, and~~  
32 ~~classes~~ vocational programs that receive federal or state  
33 funds under this chapter. Local advisory councils may be  
34 organized according to program area, school, community, or  
35 region. The state board shall adopt rules requiring that the

1 memberships of local advisory councils fairly represent each  
2 sex and minorities residing in the school district. Members  
3 of an advisory council shall serve without compensation.

4 Sec. 23. Section 258.12, Code 1997, is amended to read as  
5 follows:

6 258.12 CUSTODIAN OF FUNDS -- REPORTS.

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

14 Sec. 24. Section 260C.4, subsection 4, paragraphs e and f,  
15 Code 1997, are amended to read as follows:

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

33 f. At any time during the year after notice is given, the  
34 board of directors of the community college may request a  
35 public hearing before the director of the department of

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

13 Sec. 25. Section 260C.5, subsections 1 and 9, Code 1997,  
14 are amended to read as follows:

15 1. Designate a community college as an "area vocational  
16 education school" within the meaning of, and for the purpose  
17 of administering, ~~the Act of Congress designated the~~  
18 "Vocational Education Act of 1963" federal vocational  
19 education legislation. A community college shall not be so  
20 designated by the director of the department of education for  
21 the expenditure of funds under 20 U.S.C. § 35c(a)(5), which  
22 has not been designated and classified as a community college  
23 by the state board.

24 9. Make arrangements with boards of merged areas and local  
25 school districts to permit students attending high school to  
26 participate in vocational-technical programs and advanced  
27 college placement courses and obtain credit for such  
28 participation for application toward the completion of a high  
29 school diploma. ~~The granting of credit is subject to the~~  
30 ~~approval of the director of the department of education.~~

31 Sec. 26. Section 260C.5, subsection 6, Code 1997, is  
32 amended by striking the subsection.

33 Sec. 27. Section 260C.14, subsection 8, Code 1997, is  
34 amended to read as follows:

35 8. Set the salary of the ~~area superintendent~~ chief

1 executive officer of the director district. In setting the  
2 salary, the board shall consider the salaries of  
3 administrators of educational institutions in the merged area  
4 and the enrollment of the community college.

5 Sec. 28. Section 260C.35, Code 1997, is amended to read as  
6 follows:

7 260C.35 ~~LIMITATION-ON~~ SALE OF LAND.

8 ~~A-merged-area-shall-not-purchase-land-which-will-increase~~  
9 ~~the-aggregate-of-land-owned-by-the-merged-area,-excluding-land~~  
10 ~~acquired-by-donation-or-gift,-to-more-than-three-hundred~~  
11 ~~twenty-acres-without-the-approval-of-the-director-of-the~~  
12 ~~department-of-education.--The-limitation-does-not-apply-to-a~~  
13 ~~merged-area-owning-more-than-three-hundred-twenty-acres,~~  
14 ~~excluding-land-acquired-by-donation-or-gift,-prior-to-January~~  
15 ~~17-1969-~~

16 ~~With-the-approval-of-the-director-of-the-department-of~~  
17 ~~education,-the~~ The board of directors of a merged area at any  
18 time may sell any land in excess of one hundred sixty acres  
19 owned by the merged area, and an election is not necessary in  
20 connection with the sale. The proceeds of the sale may be  
21 used for any of the purposes stated in section 260C.22. This  
22 paragraph section is in addition to any authority under other  
23 provisions of law.

24 Sec. 29. Section 260C.38, unnumbered paragraphs 1 and 3,  
25 Code 1997, are amended to read as follows:

26 The board of directors may ~~with-the-approval-of-the~~  
27 ~~director-of-the-department-of-education,~~ enter into lease  
28 agreements, with or without purchase options, not to exceed  
29 twenty years in duration, for the leasing or rental of  
30 buildings for use basically as classrooms, laboratories,  
31 shops, libraries, and study halls for community college  
32 purposes, and pay for the leasing or rental with funds  
33 acquired pursuant to section sections 260C.17, section  
34 260C.18, and section 260C.22. ~~However,-lease-agreements~~  
35 ~~extending-for-less-than-ten-years-and-for-less-than-twenty-~~

~~1 five-thousand-dollars-per-year-need-not-be-submitted-to-the  
2 director-of-the-department-of-education-for-approval-~~

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

16 Sec. 30. Section 260C.47, subsection 6, Code 1997, 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. 31. Section 273.2, unnumbered paragraph 3, Code 1997,  
4 is amended to read as follows:

5 The area education agency board shall furnish educational  
6 services and programs as provided in sections 273.1 to 273.9  
7 and chapter 256B to the pupils enrolled in public or nonpublic  
8 schools located within its boundaries which are on the list of  
9 accredited schools pursuant to section 256.11. The programs  
10 and services provided shall be at least commensurate with  
11 programs and services existing on July 1, 1974. The programs  
12 and services provided to pupils enrolled in accredited  
13 nonpublic schools shall be comparable to programs and services  
14 provided to pupils enrolled in public schools within  
15 constitutional guidelines.

16 Sec. 32. Section 273.2, subsection 4, Code 1997, is  
17 amended to read as follows:

18 4. Auxiliary services for ~~nonpublic-school~~ pupils  
19 attending accredited nonpublic schools as provided in section  
20 256.12. However, if auxiliary services are provided their  
21 funding shall be based on the type of service provided.

22 Sec. 33. Section 279.10, subsection 1, Code 1997, is  
23 amended to read as follows:

24 1. The school year shall begin on the first day of July  
25 ~~and each regularly established elementary and secondary school~~  
26 ~~shall begin no sooner than a day during the calendar week in~~  
27 ~~which the first day of September falls but no later than the~~  
28 ~~first Monday in December. However, if the first day of~~  
29 ~~September falls on a Sunday, school may begin on a day during~~  
30 ~~the calendar week which immediately precedes the first day of~~  
31 ~~September.~~ School shall continue for at least one hundred  
32 eighty days, except as provided in subsection 3, and may be  
33 maintained during the entire calendar year. However, if the  
34 board of directors of a district extends the school calendar  
35 because inclement weather caused the district to temporarily

1 close school during the regular school calendar, the district  
2 may excuse a graduating senior who has met district or school  
3 requirements for graduation from attendance during the  
4 extended school calendar. A school corporation may begin  
5 employment of personnel for in-service training and  
6 development purposes before the date to begin elementary and  
7 secondary school.

8 Sec. 34. Section 279.10, subsection 3, unnumbered  
9 paragraph 2, Code 1997, is amended to read as follows:

10 The board shall file a request for approval with the  
11 department not later than ~~November-1~~ March 15 of the preceding  
12 school year. The request shall include a listing of the  
13 savings and goals to be attained under the innovative school  
14 year subject to rules adopted by the department under chapter  
15 17A. The department shall notify the districts of the  
16 approval or denial of pilot programs not later than the next  
17 following ~~January~~ April 15.

18 Sec. 35. Section 279.10, subsection 4, Code 1997, is  
19 amended by striking the subsection.

20 Sec. 36. Section 282.18, subsection 2, unnumbered  
21 paragraph 1, Code 1997, is amended to read as follows:

22 By January 1 of the preceding school year, the parent or  
23 guardian shall send notification to the district of residence,  
24 on forms prescribed by the department of education, that the  
25 parent or guardian intends to enroll the parent's or  
26 guardian's child in a public school in another school  
27 district. If a parent or guardian fails to file a  
28 notification that the parent intends to enroll the parent's or  
29 guardian's child in a public school in another district by the  
30 deadline of January 1 of the previous year, ~~and-one-of-the~~  
31 ~~criteria-defined-in-subsection-16-exists-for-the-failure-to~~  
32 ~~meet-the-deadline-or-if-the-request-is-to-enroll-a-child-in~~  
33 ~~kindergarten-in-a-public-school-in-another-district,~~ the  
34 parent or guardian shall be permitted to enroll the child in  
35 the other district in the same manner as if the deadline had

1 been met when any of the following circumstances exist:

2 a. One of the criteria defined in subsection 16 exists for  
3 the failure to meet the deadline.

4 b. The request is to enroll a child in kindergarten in a  
5 public school in another district.

6 c. Both the resident or sending school district and the  
7 receiving school district approve the late-filed request.

8 Sec. 37. Section 282.18, subsection 5, Code 1997, is  
9 amended to read as follows:

10 5. Each district shall provide notification to the parent  
11 or guardian relating to the transmission or denial of the  
12 request. A district of residence shall provide for  
13 notification of transmission or denial to a parent or guardian  
14 within three days of board action on the request. A receiving  
15 district shall provide notification to a parent or guardian,  
16 within fifteen days of board action on the request, of whether  
17 the pupil will be enrolled in that district or whether the  
18 request is to be denied. If, within five days of receiving  
19 notification that the receiving district has denied the  
20 request, a parent or guardian who filed a timely request  
21 petitions the resident district to transfer the request to  
22 another receiving district, the request shall be considered  
23 timely filed. The resident district shall transfer the  
24 request to another receiving district within five days after  
25 receiving the parent's or guardian's petition.

26 Sec. 38. Section 282.30, subsection 1, paragraph b,  
27 unnumbered paragraph 2, Code 1997, is amended to read as  
28 follows:

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

35 Sec. 39. Section 282.31, subsection 1, paragraph a, Code

1 1997, is amended to read as follows:

2 a. A child who lives in a facility pursuant to section  
3 282.30, subsection 1, paragraph "a", and who is not enrolled  
4 in the educational program of the district of residence of the  
5 child, shall receive appropriate educational services. The  
6 area education agency shall submit a proposed program and  
7 budget to the department of education by ~~January~~ February 1  
8 for the next succeeding school year. The department of  
9 education shall review and approve or modify the program and  
10 proposed budget and shall notify the department of revenue and  
11 finance and the area education agency of its action by  
12 February March 1.

13 PARAGRAPH DIVIDED. The department of revenue and finance  
14 shall pay the approved budget amount for an area education  
15 agency in monthly installments beginning September 15 and  
16 ending June 15 of the next succeeding school year. The  
17 installments shall be as nearly equal as possible as  
18 determined by the department of management, taking into  
19 consideration the relative budget and cash position of the  
20 state's resources. The department of revenue and finance  
21 shall transfer the approved budget amount for an area  
22 education agency from the moneys appropriated under section  
23 257.16 and make the payment to the area education agency.

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

1 of revenue and finance shall be deducted monthly from the  
2 state foundation aid paid under section 257.16 to all school  
3 districts in the state during the subsequent fiscal year. The  
4 portion of the total amount of the approved budget that shall  
5 be deducted from the state aid of a school district shall be  
6 the same as the ratio that the budget enrollment for the  
7 budget year of the school district bears to the total budget  
8 enrollment in the state for that budget year in which the  
9 deduction is made.

10 Sec. 40. Section 285.2, unnumbered paragraph 5, Code 1997,  
11 is amended to read as follows:

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

1 transport the pupil from the pupil's residence or from  
2 designated school bus collection locations to the school  
3 located within the boundary lines of the contiguous public  
4 school district, subject to the approval of the area education  
5 agency of the pupil's residence. The public school district  
6 of the pupil's residence may utilize the reimbursement  
7 provisions of section 285.1, subsection 3.

8 Sec. 41. Section 285.3, Code 1997, is amended by striking  
9 the section and inserting in lieu thereof the following:

10 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL STUDENT  
11 TRANSPORTATION.

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

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

1 reimbursement to the department of education on behalf of the  
2 parent or guardian if the parent or guardian meets the  
3 requirements of this section.

4 Sec. 42. Section 294A.14, subsection 2, unnumbered  
5 paragraph 6, Code 1997, is amended to read as follows:

6 Any summer school program, for which the teacher's salary  
7 is paid or supplemented under a supplemental pay plan, shall  
8 be open to ~~nonpublic-school~~ students attending accredited  
9 nonpublic schools in the manner provided in section 256.12.

10 Sec. 43. Section 294A.25, subsection 5, Code 1997, is  
11 amended to read as follows:

12 5. Commencing with the fiscal year beginning July 1, 1990,  
13 the amount of ~~sixty~~ seventy-five thousand dollars for the  
14 ambassador to education program under section 256.43.

15 Sec. 44. Section 299.4, Code 1997, is amended to read as  
16 follows:

17 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

18 The parent, guardian, or legal custodian of a child who is  
19 of compulsory attendance age, who places the child under  
20 competent private instruction under either section 299A.2 or  
21 299A.3, not in an accredited school or a home school  
22 assistance program operated by a public or accredited  
23 nonpublic school, shall furnish a report in duplicate on forms  
24 provided by the public school district, to the district by the  
25 ~~earliest-starting-date-specified-in-section-279.107-subsection~~  
26 ± September 1 of the school year in which the child is placed  
27 under private instruction. The secretary shall retain and  
28 file one copy and forward the other copy to the district's  
29 area education agency. The report shall state the name and  
30 age of the child, the period of time during which the child  
31 has been or will be under competent private instruction for  
32 the year, an outline of the course of study, texts used, and  
33 the name and address of the instructor. The parent, guardian,  
34 or legal custodian of a child, who is placing the child under  
35 competent private instruction, for the first time, shall also

1 provide the district with evidence that the child has had the  
2 immunizations required under section 139.9. The term "outline  
3 of course of study" shall include subjects covered, lesson  
4 plans, and time spent on the areas of study.

5 Sec. 45. Sections 257.17, 258.6, 258.10, and 258.13, Code  
6 1997, are repealed.

7 EXPLANATION

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

13 Code sections 11.6(4)(d) and 11.14: Provides that if a  
14 school audit examination report filed with the auditor of  
15 state includes an undesignated fund deficit in any of the  
16 funds provided for in Code chapter 298A, the auditor of state  
17 must send, by first class mail, notification of the deficit to  
18 the board of directors of the school district and the  
19 chairperson of the school budget review committee. If the  
20 school budget review committee receives such notification, it  
21 may request the auditor of state to make complete or partial  
22 reaudit of the financial condition and transactions of the  
23 school district that had the undesignated fund deficit. The  
24 auditor of state may perform this audit as requested unless  
25 the district has employed a certified public accountant to  
26 perform the audit.

27 Code sections 15.103, unnumbered paragraph 1,  
28 15E.166(1)(c), 73.18, 256.82(1)(b)(2), 256.31(1)(c),  
29 260C.4(4)(e) and (f), 260C.14(8), and 260C.47(6): Change  
30 references to the area superintendent or president of a  
31 community college to the chief executive officer of the  
32 community college.

33 Code section 256.9(42): Eliminates a provision directing  
34 the director of the department of education to develop an  
35 application and review process for approval of administrative

1 and program sharing agreements between two or more community  
2 colleges or a community college and a state university. That  
3 responsibility is provided for in more detail in section  
4 260C.46.

5 Code sections 256.11(5)(h), unnumbered paragraph 1,  
6 256.11B, and 258.4(2): Update language by striking references  
7 to home economics occupations.

8 Code sections 256.12(2), 256B.9(4), 273.2, unnumbered  
9 paragraph 3, and 273.2, subsection 4, and 294A.14(2),  
10 unnumbered paragraph 6: Provide that special education  
11 services are available only to children attending accredited  
12 nonpublic schools in the same manner and to the same extent  
13 that they are provided to public school students.

14 Code section 256.45, unnumbered paragraphs 1, 3, and 4:  
15 Places responsibility for administration of the ambassador to  
16 education position with the department of education, but  
17 eliminates language requiring that the position be established  
18 within the department. Provides that the ambassador receive a  
19 salary in an amount that the person would have received from  
20 the school district during the year in which the person acts  
21 as ambassador, or \$30,000, whichever is greater. Under the  
22 bill, the department grants funds to the school district in  
23 that amount, and the school district pays the ambassador's  
24 salary and benefits.

25 Code sections 256C.1 and 256C.2, unnumbered paragraph 2:  
26 Strike a reference to the date by which the department of  
27 education shall establish family resource centers and  
28 eliminate the dates between which the family resource center  
29 grants will be awarded. Currently, the grants are to end on  
30 June 30, 1998.

31 Code section 257.31: Permits the school budget review  
32 committee to request a complete or partial reaudit of the  
33 accounts of a school district or area education agency.

34 Code sections 258.3A(1) and 258.4(1): References to the  
35 federal board of vocational education, which has been

1 eliminated, are replaced with references to the United States  
2 department of education.

3 Code section 258.3A(2): Strikes a reference to the  
4 adoption of rules prescribing standards for teachers of  
5 vocational education.

6 Code sections 258.3A(3), 258.4(2), (3), (5), (6), and (10),  
7 258.5, unnumbered paragraph 1, 258.6, and 258.9: Eliminate,  
8 or when necessary, replace references to vocational schools,  
9 departments, and classes, and other examples of possible  
10 vocational programs with the more general term "vocational  
11 programs".

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

20 Code section 258.5, unnumbered paragraph 2: Eliminates a  
21 reference in the vocational education chapter to the  
22 disbursement of federal funds as reimbursement for  
23 practitioner preparation programs.

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

30 Code section 258.12: Updates a requirement that the  
31 treasurer of state report the receipt of federal vocational  
32 education funds to the general assembly to reflect the current  
33 practice of providing the report annually, rather than  
34 biennially.

35 Code section 260C.5(1): Reference to the federal

1 "Vocational Education Act of 1963" in the community colleges  
2 chapter is replaced with a general reference to federal  
3 vocational education legislation.

4 Code section 260C.5(9): Strikes language giving the  
5 director of the department of education the authority to grant  
6 credit to high school students who participate in community  
7 college programs, leaving the granting of credit to the  
8 discretion of the community college boards and the school  
9 district boards.

10 Code sections 260C.5(6), 260C.35, and 260C.38, unnumbered  
11 paragraphs 1 and 3: Eliminate provisions requiring the  
12 director of the department of education to approve or  
13 disapprove a lease agreement for space needed by a community  
14 college, or sites, buildings, or land to be acquired, erected,  
15 or remodeled for use by community colleges.

16 Code sections 279.10(1), (3), and (4), 257.17, and 299.4:  
17 Remove provisions that prohibit school districts from  
18 beginning school calendars before the calendar week in which  
19 the first day of September falls, or later than the first  
20 Monday in December, and which penalize the school that begins  
21 before the date specified by reducing state aid.

22 Code section 282.18(2), unnumbered paragraph 1: Allows the  
23 approval of applications for open enrollment that were filed  
24 late without "good cause" if both the sending and receiving  
25 district approve the late-filed request.

26 Code section 282.18(5): Provides that when a request for  
27 open enrollment is filed in a timely manner, but denied by a  
28 receiving district, the parent or guardian who filed the  
29 request may, within five days of receiving the denial  
30 notification, petition the resident district to transfer the  
31 request to another receiving district, and the request shall  
32 still be considered timely filed.

33 Code sections 282.30(1)(b), unnumbered paragraph 2, and  
34 282.31(1)(a): The deadline by which shelter care homes and  
35 juvenile detention homes must request educational services of

1 an area education agency is moved from December 1 to January  
2 1; by which an area education agency must submit for approval  
3 a proposed special program and budget to the department of  
4 education is revised from January 1 to February 1; and by  
5 which the department of education must review and approve the  
6 program and budget is changed from February 1 to March 1.

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

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

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

35 Code section 294A.25(5): Increases from \$60,000 to \$75,000

1 the amount of educational excellence program moneys allocated  
2 to the department of education for purposes of the ambassador  
3 to education program.

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## HOUSE FILE 625

S-3546

1 Amend the amendment, S-3357, to House File 625, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 1, by inserting after line 2 the  
5 following:  
6 "\_\_\_\_. Page 3, by inserting after line 35 the  
7 following:  
8 "Sec. \_\_\_\_ . Section 256.11, Code 1997, is amended  
9 by adding the following new subsection:  
10 NEW SUBSECTION. 9. Unless a waiver has been  
11 obtained under section 256.11A, each school or school  
12 district shall have all of the following:  
13 a. A media center in each attendance center  
14 accessible to students throughout the school day.  
15 b. A qualified school media specialist who shall  
16 meet the licensing standards prescribed by the board  
17 of educational examiners and be responsible for media  
18 center supervision.  
19 c. An articulated sequential elementary-secondary  
20 guidance program for grades kindergarten through  
21 twelve. The guidance counselor shall meet the  
22 licensing standards prescribed by the board of  
23 educational examiners.  
24 In determining the requirements of this subsection  
25 for nonpublic schools, the department shall evaluate  
26 the schools on a school system basis rather than on an  
27 individual school basis.  
28 Sec. \_\_\_\_ . Section 256.11A, subsections 1 and 2,  
29 Code 1997, are amended to read as follows:  
30 1. Schools and school districts ~~unable-to-meet-the~~  
31 ~~standard-adopted-by-the-state-board-requiring-each~~  
32 ~~school-or-school-district-operating-a-kindergarten~~  
33 ~~through-grade-twelve-program-to-provide-an-articulated~~  
34 ~~sequential-elementary-secondary-guidance-program~~ may,  
35 not later than August 1, ~~1995~~ 1997, for the school  
36 year beginning July 1, ~~1995~~ 1997, file a written  
37 request to the department of education that the  
38 department waive the requirement, for established in  
39 section 256.11, subsection 9, paragraph "c", that a  
40 school or school district operating a kindergarten  
41 through grade twelve program, provide an articulated  
42 sequential elementary-secondary guidance program. The  
43 procedures specified in subsection 3 apply to the  
44 request. Not later than August 1, 1996 1998, for the  
45 school year beginning July 1, 1996 1998, the board of  
46 directors of a school district or the authorities in  
47 charge of a nonpublic school may request a one-year  
48 extension of the waiver.  
49 2. Not later than August 1, ~~1995~~ 1997, for the  
50 school year beginning July 1, ~~1995~~ 1997, the board of

S-3546

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Page 2

1 directors of a school district, or authorities in  
2 charge of a nonpublic school, may file a written  
3 request with the department of education that the  
4 department waive ~~the rule adopted by the state board~~  
5 to establish and operate the requirements established  
6 under section 256.11, subsection 9, paragraphs "a" and  
7 "b", for a media services specialist and a media  
8 services program to support the total curriculum for  
9 that district or school center. The procedures  
10 specified in subsection 3 apply to the request. Not  
11 later than August 1, ~~1996~~ 1998, for the school year  
12 beginning July 1, ~~1996~~ 1998, the board of directors of  
13 a school district or the authorities in charge of a  
14 nonpublic school may request an additional one-year  
15 extension of the waiver."

16 2. Page 1, by inserting after line 15 the  
17 following:

18 "\_\_\_\_. Title page, line 5, by inserting after the  
19 word "students," the following: "a requirement that  
20 schools and school districts provide media service  
21 programs and articulated sequential elementary-  
22 secondary guidance programs,"."

23 3. By renumbering as necessary.

By ROBERT DVORSKY  
MARY A. LUNDBY

S-3546 FILED APRIL 16, 1997

## HOUSE FILE 625

S-3718

1 Amend the Senate amendment, S-3357, to House File  
2 625, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 1, by inserting after line 2 the  
5 following:

6 "\_\_\_\_. By striking page 4, line 17 through page 6,  
7 line 4.

8 "\_\_\_\_. By striking page 7, line 16 through page 8,  
9 line 7.

10 "\_\_\_\_. Page 16, by striking lines 4 through 22."

11 2. Page 1, by inserting after line 15 the  
12 following:

13 "\_\_\_\_. Page 22, by striking lines 5 through 10."

14 3. By renumbering as necessary.

By MARY A. LUNDBY

S-3718 FILED APRIL 23, 1997

HOUSE FILE 625

S-3395

- 1 Amend the amendment, S-3357, to House File 625, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 1, by inserting after line 2 the  
5 following:  
6 "\_\_\_\_\_. Page 16, by inserting after line 3 the  
7 following:  
8 "Sec. \_\_\_\_\_. NEW SECTION. 272.12 PERMANENT  
9 PROFESSIONAL LICENSE.  
10 The minimum requirements for the board to award a  
11 permanent professional license to an applicant are as  
12 follows:  
13 1. Possession of a valid practitioner's license.  
14 2. Completion of four years of successful teaching  
15 experience.  
16 3. Possession of a master's degree or a  
17 professional degree beyond a baccalaureate degree."  
18 2. Page 1, by inserting after line 15 the  
19 following:  
20 "\_\_\_\_\_. Title page, line 5, by inserting after the  
21 word "students," the following: "the creation of a  
22 permanent teaching license,"."  
23 3. By renumbering as necessary.

By BILL FINK

S-3395 FILED APRIL 7, 1997

HOUSE FILE 625

S-3357

- 1 Amend House File 625, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 16, by striking line 25 and inserting the  
4 following:  
5 "1. The school year shall begin annually on the  
6 first-day-of July 1 and the regular school calendar  
7 may commence on or after that date, but once  
8 commenced,".  
9 2. Page 16, line 29, by striking the word  
10 "December" and inserting the following: "December-"  
11 3. Page 16, line 32, by striking the word  
12 "School" and inserting the following: "School  
13 school".  
14 4. Page 16, line 33, by striking the word ", and"  
15 and inserting the following: "7-and. School".

By COMMITTEE ON EDUCATION  
DONALD B. REDFERN, Chairperson

S-3357 FILED APRIL 3, 1997

S-3422

1 Amend the amendment, S-3357, to House File 625, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking lines 3 through 15 and  
5 inserting the following:

6 "\_\_\_\_\_. By striking page 16, line 23, through page  
7 17, line 8.

8 \_\_\_\_\_. Page 17, by striking lines 19 and 20.

9 \_\_\_\_\_. By striking page 22, line 16, through page  
10 23, line 5.

11 \_\_\_\_\_. Page 23, line 6, by striking the figure  
12 "257.17,".

13 \_\_\_\_\_. By renumbering as necessary."

By JOHN P. KIBBIE

WILMER RENSINK

NEAL SCHUERER

BILL FINK

ELAINE SZYMONIAK

STEVEN D. HANSEN

JEFF ANGELO

NANCY BOETTGER

MARY LOU FREEMAN

MERLIN E. BARTZ

S-3422 FILED APRIL 8, 1997

S-3/20/97 Education  
S-4/3/97 Do Pass  
S-4/10/97 Unfinished Business Calendar

HOUSE FILE 625  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 177)

(As Amended and Passed by the House, March 20, 1997)

Passed House, Date \_\_\_\_\_ Passed Senate, 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, special educational  
3 programs provided by area education agencies, payment of  
4 claims for nonpublic school pupil transportation, the school  
5 budget review committee, the enrollment of certain students,  
6 and annual audits of school districts.

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

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9

10

House Amendments \_\_\_\_\_

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1 Section 1. Section 11.6, subsection 4, Code 1997, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. The school budget review committee  
4 receives, pursuant to section 11.14, a report of an  
5 examination of a school district that includes an undesignated  
6 deficit in a fund specified in chapter 298A, and the school  
7 budget review committee requests in writing that the auditor  
8 of state cause a complete or partial reaudit of the school  
9 district. If the school district has not contracted with or  
10 employed a certified public accountant to perform an audit for  
11 the fiscal year in which the request is received by the  
12 auditor of state, the auditor may perform an audit required by  
13 subsection 1.

14 Sec. 2. Section 11.14, Code 1997, is amended by adding the  
15 following new unnumbered paragraph after unnumbered paragraph  
16 1:

17 NEW UNNUMBERED PARAGRAPH. If a report of an examination of  
18 a school district includes an undesignated fund deficit in a  
19 fund specified in chapter 298A, the auditor shall, by first  
20 class mail, notify the members of the board of directors of  
21 the school district and the chairperson of the school budget  
22 review committee, as established in section 257.30, that an  
23 audit contains an undesignated fund deficit.

24 Sec. 3. Section 15.103, unnumbered paragraph 1, Code 1997,  
25 is amended to read as follows:

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

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

20 Sec. 4. Section 15E.166, subsection 1, paragraph c, Code  
21 1997, is amended to read as follows:

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

27 Sec. 5. Section 73.18, Code 1997, is amended to read as  
28 follows:

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

31 The director of each agency or department, the  
32 administrator of each area education agency, the president  
33 chief executive officer of each community college, and the  
34 superintendent of each school district releasing a  
35 solicitation for bids or request for proposal under the

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

13 Sec. 6. Section 256.9, subsection 42, Code 1997, is  
14 amended by striking the subsection.

15 Sec. 7. Section 256.11, subsection 5, paragraph h,  
16 unnumbered paragraph 1, Code 1997, is amended to read as  
17 follows:

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

1     Sec. 8. Section 256.11B, Code 1997, is amended to read as  
2 follows:

3     256.11B VOCATIONAL EDUCATION INSTRUCTION -- NONPUBLIC  
4 SCHOOLS.

5     A nonpublic school which provides an educational program  
6 that includes grades nine through twelve shall offer and teach  
7 five units of occupational education subjects, which may  
8 include, but are not limited to, programs, services, and  
9 activities which prepare students for employment in business  
10 or office occupations, trade and industrial occupations,  
11 ~~consumer-and family and consumer~~ sciences ~~or-home-economics~~  
12 occupations, agriculture occupations, marketing occupations,  
13 and health occupations. ~~By July 1, 1997, instruction~~  
14 Instruction shall be competency-based, articulated with  
15 postsecondary programs of study, and may include field,  
16 laboratory, or on-the-job training.

17     Sec. 9. Section 256.12, subsection 2, Code 1997, is  
18 amended to read as follows:

19     2. This section does not deprive the respective boards of  
20 public school districts of any of their legal powers,  
21 statutory or otherwise, and in accepting the specially  
22 enrolled students, each of the boards shall prescribe the  
23 terms of the special enrollment, including but not limited to  
24 scheduling of courses and the length of class periods. In  
25 addition, the board of the affected public school district  
26 shall be given notice by the department of its decision to  
27 permit the special enrollment not later than six months prior  
28 to the opening of the affected public school district's school  
29 year, except that the board of the public school district may  
30 waive the notice requirement. School districts and area  
31 education agency boards shall make public school services,  
32 which shall include special education programs and services  
33 and may include health services, services for remedial  
34 education programs, guidance services, and school testing  
35 services, available to children attending accredited nonpublic

1 schools in the same manner and to the same extent that they  
2 are provided to public school students. However, services  
3 that are made available shall be provided on neutral sites, or  
4 in mobile units located off the accredited nonpublic school  
5 premises as determined by the boards of the school districts  
6 and area education agencies providing the services, and not on  
7 accredited nonpublic school property, except for health  
8 services, diagnostic services for speech, hearing, and  
9 psychological purposes, and assistance with physical and  
10 communication needs of students with physical disabilities,  
11 and services of an educational interpreter, which may be  
12 provided on accredited nonpublic school premises, with the  
13 permission of the lawful custodian.

14 Students enrolled in accredited nonpublic schools who  
15 receive services pursuant to this subsection shall be weighted  
16 at the level provided for in section 256B.9, subsection 1.

17 A local school district providing services pursuant to this  
18 subsection shall submit an accounting to the department of  
19 education by August 1 following the school year for the actual  
20 costs of the special education programs and services provided.  
21 The department shall review and approve or modify the  
22 accounting by September 1 and shall notify the department of  
23 revenue and finance of the approved accounting amount. The  
24 department of revenue and finance shall adjust the September  
25 payment to the local school district for the next fiscal year  
26 by the difference between the amount generated by the  
27 weighting for the provision of services to ~~nonpublic-school~~  
28 students attending accredited nonpublic schools, as provided  
29 in this subsection, and the amount of the actual costs as  
30 reflected in the local school district's accounting. Any  
31 amount paid by the department of revenue and finance shall be  
32 deducted monthly from the state foundation aid paid under  
33 section 257.16 during that fiscal year to all school districts  
34 in the state. The portion of the total amount of the approved  
35 accounting amount that shall be deducted from the state aid of

1 a school district shall be the same as the ratio that the  
2 budget enrollment for the budget year of the school district  
3 bears to the total budget enrollment in the state for that  
4 budget year.

5 Sec. 10. Section 256.31, subsection 1, paragraph c, Code  
6 1997, is amended to read as follows:

7 c. A community college president chief executive officer  
8 appointed by an association which represents the largest  
9 number of community college presidents chief executive  
10 officers in the state.

11 Sec. 11. Section 256.45, unnumbered paragraphs 1, 3, and  
12 4, Code 1997, are amended to read as follows:

13 The department of education shall establish within-the  
14 department and administer the position of ambassador to  
15 education. It shall be the function of the ambassador to  
16 education to act as an education liaison to primary and  
17 secondary schools in this state. The ambassador to education  
18 position shall be filled by the educator selected as teacher  
19 of the year by the governor, but only if that person agrees to  
20 fill the ambassador to education position.

21 The ambassador to education shall receive, in lieu of  
22 compensation from the district in which the ambassador is  
23 regularly employed, a salary which-is equal to the amount of  
24 salary received-by the person during-the-previous would have  
25 received from the district in the person's regular position  
26 during the school year for which the person serves as  
27 ambassador, or thirty thousand dollars, whichever amount is  
28 greater. The ambassador shall also be compensated for actual  
29 expenses incurred as a result of the performance of duties  
30 under this section.

31 The district-which department shall grant funds in an  
32 amount equal to the salary and benefits the person selected as  
33 ambassador to education would have received from the district,  
34 or thirty thousand dollars, whichever amount is greater, to  
35 the school district that employs the person selected as the

1 ambassador to education. The department shall also reimburse  
2 the school district for actual expenses incurred as a result  
3 of the performance of duties under this section. The school  
4 district shall grant the person a one-year sabbatical in order  
5 to allow the person to be the ambassador to education, and  
6 during the sabbatical, shall pay the salary and benefits of  
7 the ambassador with funds granted by the department. The  
8 person selected as the ambassador to education shall be  
9 entitled to return to the person's same or a comparable  
10 position without loss of accrued benefits or seniority.

11 Sec. 12. Section 256.82, subsection 1, paragraph b,  
12 subparagraph (2), Code 1997, is amended to read as follows:

13 (2) One member shall be appointed jointly by the  
14 superintendents chief executive officers of the community  
15 colleges created by chapter 260C.

16 Sec. 13. Section 256B.9, subsection 4, Code 1997, is  
17 amended to read as follows:

18 4. On December 1, 1987, and no later than December 1 every  
19 two years thereafter, for the school year commencing the  
20 following July 1, the director of the department of education  
21 shall report to the school budget review committee the average  
22 costs of providing instruction for children requiring special  
23 education in the categories of the weighting plan established  
24 under this section, and for providing services to accredited  
25 nonpublic school students pursuant to section 256.12,  
26 subsection 2, and the director of the department of education  
27 shall make recommendations to the school budget review  
28 committee for needed alterations to make the weighting plan  
29 suitable for subsequent school years. The school budget  
30 review committee shall establish the weighting plan for each  
31 school year and shall report the plan to the director of the  
32 department of education. The school budget review committee  
33 may establish weights to the nearest hundredth. The school  
34 budget review committee shall not alter the weighting assigned  
35 to pupils in a regular curriculum, but it may increase or

1 decrease the weighting assigned to each category of children  
2 requiring special education by not more than two-tenths of the  
3 weighting assigned to pupils in a regular curriculum. The  
4 state board of education shall adopt rules under chapter 17A  
5 to implement the weighting plan for each year and to assist in  
6 identification and proper indexing of each child in the state  
7 who requires special education.

8 Sec. 14. Section 256C.1, Code 1997, is amended to read as  
9 follows:

10 256C.1 FAMILY RESOURCE CENTER DEMONSTRATION PROGRAM  
11 ESTABLISHED.

12 If the general assembly appropriates moneys for the  
13 establishment of family resource centers, the department of  
14 education, in conjunction with the child development  
15 coordinating council, shall establish and coordinate a family  
16 resource center demonstration program to provide comprehensive  
17 child development and child care services, remedial  
18 educational and literacy services, and supportive services to  
19 parents who are recipients of assistance under the family  
20 investment program and other parents in need of services. The  
21 program shall provide for the establishment location of family  
22 resource centers ~~by-the-school-year-commencing-July-17-1994~~  
23 ~~which-shall-be-located~~ in at least three public schools, one  
24 located in a large school district, one located in a medium-  
25 sized school district, and one located in a small school  
26 district. For purposes of this section a large school  
27 district is a district with an actual enrollment of five  
28 thousand or more pupils; a medium-sized school district is a  
29 district with an actual enrollment that is greater than one  
30 thousand one hundred ninety-nine pupils, but less than five  
31 thousand pupils; and a small school district is a district  
32 with an actual enrollment of one thousand one hundred ninety-  
33 nine or fewer pupils.

34 Sec. 15. Section 256C.2, unnumbered paragraph 2, Code  
35 1997, is amended to read as follows:

1 A district applying for a grant under this section shall  
2 agree, for each dollar of grant funds, to provide twenty cents  
3 in matching cash or in-kind resources. ~~Grants may be awarded~~  
4 ~~for four years, beginning July 1, 1994, and ending June 30,~~  
5 ~~1998.~~ Up to ten percent of the moneys appropriated for the  
6 grant program may be used by the council for staffing,  
7 technical assistance, and external evaluation development.  
8 Notwithstanding section 8.33, unencumbered or unobligated  
9 funds remaining on June 30 of the fiscal year for which the  
10 funds were appropriated shall not revert but shall be  
11 available for expenditure for the following fiscal year for  
12 the purposes of this section.

13 Sec. 16. Section 257.31, Code 1997, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 18. The committee may request the auditor  
16 of state to conduct, in accordance with section 11.6, a  
17 complete or partial reaudit of a school district reported to  
18 the committee in accordance with section 11.14 because of an  
19 undesignated fund deficit in a fund specified in chapter 298A.

20 Sec. 17. Section 258.3A, subsections 1 and 3, Code 1997,  
21 are amended to read as follows:

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

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

31 Sec. 18. Section 258.3A, subsection 2, Code 1997, is  
32 amended by striking the subsection.

33 Sec. 19. Section 258.4, subsections 1, 2, 3, 5, 6, and 10,  
34 Code 1997, are amended to read as follows:

35 1. ~~Co-operate~~ Cooperate with the ~~federal board for~~

1 ~~vocational~~ United States department of education in the  
2 administration of the Act of Congress, as specified in section  
3 258.1.

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

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

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

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

22 10. Enforce rules prescribing standards for approval of  
23 vocational education programs ~~in schools, departments, and~~  
24 ~~classes.~~

25 Sec. 20. Section 258.4, Code 1997, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 13. Incorporate in the director's annual  
28 report a full report of all receipts and expenditures under  
29 this chapter.

30 Sec. 21. Section 258.5, Code 1997, is amended to read as  
31 follows:

32 258.5 REIMBURSEMENT FROM FEDERAL AND STATE MONEYS.

33 If a school corporation maintains an approved vocational  
34 ~~school, department, or classes~~ program in accordance with the  
35 rules adopted by the state board, ~~and rules and standards~~

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

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

21 Sec. 22. Section 258.9, Code 1997, is amended to read as  
22 follows:

23 258.9 LOCAL ADVISORY COUNCIL.

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

1 region. The state board shall adopt rules requiring that the  
2 memberships of local advisory councils fairly represent each  
3 sex and minorities residing in the school district. Members  
4 of an advisory council shall serve without compensation.

5 Sec. 23. Section 258.12, Code 1997, is amended to read as  
6 follows:

7 258.12 CUSTODIAN OF FUNDS -- REPORTS.

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

15 Sec. 24. Section 260C.4, subsection 4, paragraphs e and f,  
16 Code 1997, are amended to read as follows:

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

34 f. At any time during the year after notice is given, the  
35 board of directors of the community college may request a

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

14 Sec. 25. Section 260C.5, subsections 1 and 9, Code 1997,  
15 are amended to read as follows:

16 1. Designate a community college as an "area vocational  
17 education school" within the meaning of, and for the purpose  
18 of administering, ~~the Act of Congress designated the~~  
19 "Vocational Education Act of 1963" federal vocational  
20 education legislation. A community college shall not be so  
21 designated by the director of the department of education for  
22 the expenditure of funds under 20 U.S.C. § 35c(a)(5), which  
23 has not been designated and classified as a community college  
24 by the state board.

25 9. Make arrangements with boards of merged areas and local  
26 school districts to permit students attending high school to  
27 participate in vocational-technical programs and advanced  
28 college placement courses and obtain credit for such  
29 participation for application toward the completion of a high  
30 school diploma. ~~The granting of credit is subject to the~~  
31 ~~approval of the director of the department of education.~~

32 Sec. 26. Section 260C.5, subsection 6, Code 1997, is  
33 amended by striking the subsection.

34 Sec. 27. Section 260C.14, subsection 8, Code 1997, is  
35 amended to read as follows:

1 8. Set the salary of the area-superintendent chief  
2 executive officer of the director district. In setting the  
3 salary, the board shall consider the salaries of  
4 administrators of educational institutions in the merged area  
5 and the enrollment of the community college.

6 Sec. 28. Section 260C.35, Code 1997, is amended to read as  
7 follows:

8 260C.35 LIMITATION-ON SALE OF LAND.

9 ~~A-merged-area-shall-not-purchase-land-which-will-increase~~  
10 ~~the-aggregate-of-land-owned-by-the-merged-area, excluding-land~~  
11 ~~acquired-by-donation-or-gift, to-more-than-three-hundred~~  
12 ~~twenty-acres-without-the-approval-of-the-director-of-the~~  
13 ~~department-of-education.--The-limitation-does-not-apply-to-a~~  
14 ~~merged-area-owning-more-than-three-hundred-twenty-acres,~~  
15 ~~excluding-land-acquired-by-donation-or-gift, prior-to-January~~  
16 ~~17-1969.~~

17 ~~With-the-approval-of-the-director-of-the-department-of~~  
18 ~~education, the~~ The board of directors of a merged area at any  
19 time may sell any land in excess of one hundred sixty acres  
20 owned by the merged area, and an election is not necessary in  
21 connection with the sale. The proceeds of the sale may be  
22 used for any of the purposes stated in section 260C.22. This  
23 paragraph section is in addition to any authority under other  
24 provisions of law.

25 Sec. 29. Section 260C.38, unnumbered paragraphs 1 and 3,  
26 Code 1997, are amended to read as follows:

27 ~~The board of directors may, with-the-approval-of-the~~  
28 ~~director-of-the-department-of-education,~~ enter into lease  
29 agreements, with or without purchase options, not to exceed  
30 twenty years in duration, for the leasing or rental of  
31 buildings for use basically as classrooms, laboratories,  
32 shops, libraries, and study halls for community college  
33 purposes, and pay for the leasing or rental with funds  
34 acquired pursuant to section sections 260C.17, section  
35 260C.18, and section 260C.22. ~~However, lease-agreements~~

~~1 extending-for-less-than-ten-years-and-for-less-than-twenty-  
2 five-thousand-dollars-per-year-need-not-be-submitted-to-the  
3 director-of-the-department-of-education-for-approval-~~

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

17 Sec. 30. Section 260C.47, subsection 6, Code 1997, is  
18 amended to read as follows:

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

1 college and shall transmit notice of the action to the  
2 community college by certified mail or restricted certified  
3 mail.

4 Sec. 31. Section 273.2, unnumbered paragraph 3, Code 1997,  
5 is amended to read as follows:

6 The area education agency board shall furnish educational  
7 services and programs as provided in sections 273.1 to 273.9  
8 and chapter 256B to the pupils enrolled in public or nonpublic  
9 schools located within its boundaries which are on the list of  
10 accredited schools pursuant to section 256.11. The programs  
11 and services provided shall be at least commensurate with  
12 programs and services existing on July 1, 1974. The programs  
13 and services provided to pupils enrolled in accredited  
14 nonpublic schools shall be comparable to programs and services  
15 provided to pupils enrolled in public schools within  
16 constitutional guidelines.

17 Sec. 32. Section 273.2, subsection 4, Code 1997, is  
18 amended to read as follows:

19 4. Auxiliary services for ~~nonpublic-school~~ pupils  
20 attending accredited nonpublic schools as provided in section  
21 256.12. However, if auxiliary services are provided their  
22 funding shall be based on the type of service provided.

23 Sec. 33. Section 279.10, subsection 1, Code 1997, is  
24 amended to read as follows:

25 1. The school year shall begin on the first day of July  
26 ~~and each regularly established elementary and secondary school~~  
27 ~~shall begin no sooner than a day during the calendar week in~~  
28 ~~which the first day of September falls but no later than the~~  
29 ~~first Monday in December. However, if the first day of~~  
30 ~~September falls on a Sunday, school may begin on a day during~~  
31 ~~the calendar week which immediately precedes the first day of~~  
32 ~~September.~~ School shall continue for at least one hundred  
33 eighty days, except as provided in subsection 3, and may be  
34 maintained during the entire calendar year. However, if the  
35 board of directors of a district extends the school calendar

1 because inclement weather caused the district to temporarily  
2 close school during the regular school calendar, the district  
3 may excuse a graduating senior who has met district or school  
4 requirements for graduation from attendance during the  
5 extended school calendar. A school corporation may begin  
6 employment of personnel for in-service training and  
7 development purposes before the date to begin elementary and  
8 secondary school.

9 Sec. 34. Section 279.10, subsection 3, unnumbered  
10 paragraph 2, Code 1997, is amended to read as follows:

11 The board shall file a request for approval with the  
12 department not later than ~~November 1~~ March 15 of the preceding  
13 school year. The request shall include a listing of the  
14 savings and goals to be attained under the innovative school  
15 year subject to rules adopted by the department under chapter  
16 17A. The department shall notify the districts of the  
17 approval or denial of pilot programs not later than the next  
18 following ~~January~~ April 15.

19 Sec. 35. Section 279.10, subsection 4, Code 1997, is  
20 amended by striking the subsection.

21 Sec. 36. Section 282.18, subsection 2, unnumbered  
22 paragraph 1, Code 1997, is amended to read as follows:

23 By January 1 of the preceding school year, the parent or  
24 guardian shall send notification to the district of residence,  
25 on forms prescribed by the department of education, that the  
26 parent or guardian intends to enroll the parent's or  
27 guardian's child in a public school in another school  
28 district. If a parent or guardian fails to file a  
29 notification that the parent intends to enroll the parent's or  
30 guardian's child in a public school in another district by the  
31 deadline of January 1 of the previous year, ~~and one of the~~  
32 ~~criteria defined in subsection 16 exists for the failure to~~  
33 ~~meet the deadline or if the request is to enroll a child in~~  
34 ~~kindergarten in a public school in another district,~~ the  
35 parent or guardian shall be permitted to enroll the child in

1 the other district in the same manner as if the deadline had  
2 been met when any of the following circumstances exist:

3 a. One of the criteria defined in subsection 16 exists for  
4 the failure to meet the deadline.

5 b. The request is to enroll a child in kindergarten in a  
6 public school in another district.

7 c. Both the resident or sending school district and the  
8 receiving school district approve the late-filed request.

9 Sec. 37. Section 282.18, subsection 5, Code 1997, is  
10 amended to read as follows:

11 5. Each district shall provide notification to the parent  
12 or guardian relating to the transmission or denial of the  
13 request. A district of residence shall provide for  
14 notification of transmission or denial to a parent or guardian  
15 within three days of board action on the request. A receiving  
16 district shall provide notification to a parent or guardian,  
17 within fifteen days of board action on the request, of whether  
18 the pupil will be enrolled in that district or whether the  
19 request is to be denied. If, within five days of receiving  
20 notification that the receiving district has denied the  
21 request, a parent or guardian who filed a timely request  
22 petitions the resident district to transfer the request to  
23 another receiving district, the request shall be considered  
24 timely filed. The resident district shall transfer the  
25 request to another receiving district within five days after  
26 receiving the parent's or guardian's petition.

27 Sec. 38. Section 282.30, subsection 1, paragraph b,  
28 unnumbered paragraph 2, Code 1997, is amended to read as  
29 follows:

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

1 Sec. 39. Section 282.31, subsection 1, paragraph a, Code  
2 1997, is amended to read as follows:

3 a. A child who lives in a facility pursuant to section  
4 282.30, subsection 1, paragraph "a", and who is not enrolled  
5 in the educational program of the district of residence of the  
6 child, shall receive appropriate educational services. The  
7 area education agency shall submit a proposed program and  
8 budget to the department of education by ~~January~~ February 1  
9 for the next succeeding school year. The department of  
10 education shall review and approve or modify the program and  
11 proposed budget and shall notify the department of revenue and  
12 finance and the area education agency of its action by  
13 February ~~March~~ 1.

14 PARAGRAPH DIVIDED. The department of revenue and finance  
15 shall pay the approved budget amount for an area education  
16 agency in monthly installments beginning September 15 and  
17 ending June 15 of the next succeeding school year. The  
18 installments shall be as nearly equal as possible as  
19 determined by the department of management, taking into  
20 consideration the relative budget and cash position of the  
21 state's resources. The department of revenue and finance  
22 shall transfer the approved budget amount for an area  
23 education agency from the moneys appropriated under section  
24 257.16 and make the payment to the area education agency.

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

1 for the next school year. Any amount paid by the department  
2 of revenue and finance shall be deducted monthly from the  
3 state foundation aid paid under section 257.16 to all school  
4 districts in the state during the subsequent fiscal year. The  
5 portion of the total amount of the approved budget that shall  
6 be deducted from the state aid of a school district shall be  
7 the same as the ratio that the budget enrollment for the  
8 budget year of the school district bears to the total budget  
9 enrollment in the state for that budget year in which the  
10 deduction is made.

11 Sec. 40. Section 285.2, unnumbered paragraph 5, Code 1997,  
12 is amended to read as follows:

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

1 district or with a private contractor under section 285.5 to  
2 transport the pupil from the pupil's residence or from  
3 designated school bus collection locations to the school  
4 located within the boundary lines of the contiguous public  
5 school district, subject to the approval of the area education  
6 agency of the pupil's residence. The public school district  
7 of the pupil's residence may utilize the reimbursement  
8 provisions of section 285.1, subsection 3.

9 Sec. 41. Section 285.3, Code 1997, is amended by striking  
10 the section and inserting in lieu thereof the following:

11 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL STUDENT  
12 TRANSPORTATION.

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

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

1 school and its location. The district shall submit claims for  
2 reimbursement to the department of education on behalf of the  
3 parent or guardian if the parent or guardian meets the  
4 requirements of this section.

5 Sec. 42. Section 294A.14, subsection 2, unnumbered  
6 paragraph 6, Code 1997, is amended to read as follows:

7 Any summer school program, for which the teacher's salary  
8 is paid or supplemented under a supplemental pay plan, shall  
9 be open to ~~nonpublic-school~~ students attending accredited  
10 nonpublic schools in the manner provided in section 256.12.

11 Sec. 43. Section 294A.25, subsection 5, Code 1997, is  
12 amended to read as follows:

13 5. Commencing with the fiscal year beginning July 1, 1990,  
14 the amount of ~~sixty~~ seventy-five thousand dollars for the  
15 ambassador to education program under section 256.43.

16 Sec. 44. Section 299.4, Code 1997, is amended to read as  
17 follows:

18 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

19 The parent, guardian, or legal custodian of a child who is  
20 of compulsory attendance age, who places the child under  
21 competent private instruction under either section 299A.2 or  
22 299A.3, not in an accredited school or a home school  
23 assistance program operated by a public or accredited  
24 nonpublic school, shall furnish a report in duplicate on forms  
25 provided by the public school district, to the district by the  
26 ~~earliest-starting-date-specified-in-section-279-10, subsection~~  
27 ± September 1 of the school year in which the child is placed  
28 under private instruction. The secretary shall retain and  
29 file one copy and forward the other copy to the district's  
30 area education agency. The report shall state the name and  
31 age of the child, the period of time during which the child  
32 has been or will be under competent private instruction for  
33 the year, an outline of the course of study, texts used, and  
34 the name and address of the instructor. The parent, guardian,  
35 or legal custodian of a child, who is placing the child under

1 competent private instruction, for the first time, shall also  
2 provide the district with evidence that the child has had the  
3 immunizations required under section 139.9. The term "outline  
4 of course of study" shall include subjects covered, lesson  
5 plans, and time spent on the areas of study.

6 Sec. 45. Sections 257.17, 258.6, 258.10, and 258.13, Code  
7 1997, are repealed.

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## HOUSE FILE 625

H-1260

1 Amend House File 625 as follows:

2 1. Page 18, by inserting after line 34 the  
3 following:

4 "Sec. \_\_\_\_ . Section 282.30, subsection 1, Code  
5 1997, is amended by adding the following new  
6 paragraph:

7 NEW PARAGRAPH. c. (1) In lieu of the educational  
8 programs provided for under paragraph "b", a facility  
9 specified in paragraph "a", which is a publicly funded  
10 facility or which is a nonprofit corporation organized  
11 under chapter 504A and exempt from taxation pursuant  
12 to section 501(c) of the Internal Revenue Code, may  
13 submit a plan and proposed budget for the education of  
14 a child living in the facility to the department of  
15 education by January 1 annually. The department of  
16 education shall notify the facility of its approval or  
17 denial of the plan in writing by February 1.  
18 Notification, if the plan is denied, shall identify  
19 any areas of noncompliance with the education  
20 standards provided in section 256.11, and shall  
21 contain recommendations for corrective action  
22 necessary for compliance.

23 (2) Notwithstanding section 282.31, if the plan is  
24 approved, the department of education shall direct the  
25 department of revenue and finance to pay the approved  
26 budget amount provided for in the plan to the facility  
27 in monthly installments beginning September 15 and  
28 ending June 15 of the next succeeding school year.  
29 The installments shall be as nearly equal as possible  
30 as determined by the department of management, taking  
31 into consideration the relative budget and cash  
32 position of the state's resources. The department of  
33 revenue and finance shall transfer the approved budget  
34 amount for the facility from the moneys appropriated  
35 under section 257.16 and make the payments to the  
36 facility. The facility shall submit an accounting for  
37 the actual cost of the plan to the department of  
38 education by August 1 of the following school year.  
39 The department shall review and approve or modify all  
40 expenditures incurred in compliance with rules adopted  
41 by the state board of education pursuant to section  
42 256.7, subsection 10, and shall notify the department  
43 of revenue and finance of the approved accounting  
44 amount. The approved accounting amount shall be  
45 compared with any amounts paid by the department of  
46 revenue and finance to the facility and any  
47 differences added to or subtracted from the October  
48 payment made under this paragraph for the next school  
49 year. Any amount paid by the department of revenue  
50 and finance shall be deducted monthly from the state

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Page 2

1 foundation aid paid under section 257.16 to all school  
2 districts in the state during the subsequent fiscal  
3 year. The portion of the total amount of the approved  
4 budget that shall be deducted from the state aid of a  
5 school district shall be the same as the ratio that  
6 the budget enrollment for the budget year of the  
7 school district bears to the total budget enrollment  
8 in the state for that budget year in which the  
9 deduction is made. Not more than ten percent of the  
10 moneys received under this paragraph shall be used for  
11 administrative costs.

12 (3) A facility may appeal a decision by the  
13 department of education to deny the plan submitted  
14 pursuant to this paragraph, to the state board of  
15 education. The decision of the state board is final."

16 2. By renumbering as necessary.

By RANTS of Woodbury

H-1260 FILED MARCH 19, 1997

*Not Hermone*  
*3/20/97*  
*(P. 711)*

## HOUSE FILE 625

H-1254

1 Amend House File 625 as follows:

2 1. Page 18, by inserting after line 34 the  
3 following:

4 "Sec. \_\_\_\_ . Section 282.30, subsection 1, Code  
5 1997, is amended by adding the following new  
6 paragraph:

7 NEW PARAGRAPH. c. (1) In lieu of the educational  
8 programs provided for under paragraph "b", a facility  
9 specified in paragraph "a" may submit a plan and  
10 proposed budget for the education of a child living in  
11 the facility to the department of education by January  
12 1 annually. The department of education shall notify  
13 the facility of its approval or denial of the plan in  
14 writing by February 1. Notification, if the plan is  
15 denied, shall identify any areas of noncompliance with  
16 the education standards provided in section 256.11,  
17 and shall contain recommendations for corrective  
18 action necessary for compliance.

19 (2) Notwithstanding section 282.31, if the plan is  
20 approved, the department of education shall direct the  
21 department of revenue and finance to pay the approved  
22 budget amount provided for in the plan to the facility  
23 in monthly installments beginning September 15 and  
24 ending June 15 of the next succeeding school year.  
25 The installments shall be as nearly equal as possible  
26 as determined by the department of management, taking  
27 into consideration the relative budget and cash  
28 position of the state's resources. The department of  
29 revenue and finance shall transfer the approved budget  
30 amount for the facility from the moneys appropriated  
31 under section 257.16 and make the payments to the  
32 facility. The facility shall submit an accounting for  
33 the actual cost of the plan to the department of  
34 education by August 1 of the following school year.  
35 The department shall review and approve or modify all  
36 expenditures incurred in compliance with rules adopted  
37 by the state board of education pursuant to section  
38 256.7, subsection 10, and shall notify the department  
39 of revenue and finance of the approved accounting  
40 amount. The approved accounting amount shall be  
41 compared with any amounts paid by the department of  
42 revenue and finance to the facility and any  
43 differences added to or subtracted from the October  
44 payment made under this paragraph for the next school  
45 year. Any amount paid by the department of revenue  
46 and finance shall be deducted monthly from the state  
47 foundation aid paid under section 257.16 to all school  
48 districts in the state during the subsequent fiscal  
49 year. The portion of the total amount of the approved  
50 budget that shall be deducted from the state aid of a

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Page 2

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

6 (3) A facility may appeal a decision by the  
7 department of education to deny the plan submitted  
8 pursuant to this paragraph, to the state board of  
9 education. The decision of the state board is final."  
10 2. By renumbering as necessary.

By RANTS of Woodbury

H-1254 FILED MARCH 19, 1997

*Withdrawn*  
*3.20-97 (p.709)*

HOUSE FILE 625

H-1239

1 Amend House File 625 as follows:

2 1. Page 16, by striking lines 25 through 28 and  
3 inserting the following: "and each regularly  
4 established elementary and secondary school shall  
5 begin no sooner than a day during the calendar week in  
6 which ~~the first day of September~~ August 25 falls, but  
7 no later than the first Monday in December. However,  
8 ~~if the first day of~~".

9 2. Page 17, by striking lines 18 and 19.

10 3. By striking page 22, line 15 through page 23,  
11 line 4.

12 4. Page 23, line 5, by striking the figure  
13 "257.17,".

14 5. By renumbering as necessary.

By COHOON of Des Moines

H-1239 FILED MARCH 18, 1997

*Lost 3/20/97 (p.709)*

HOUSE FILE 625

H-1203

1 Amend House File 625 as follows:

2 1. Page 1, by striking lines 3 through 8 and  
3 inserting the following:

4 "NEW PARAGRAPH. d. The school budget review  
5 committee receives, pursuant to section 11.14, a  
6 report of an examination of a school district that  
7 includes an undesignated deficit in a fund specified  
8 in chapter 298A, and the school budget review  
9 committee requests in writing that the auditor of  
10 state cause a complete or partial reaudit of the  
11 school district. If the school".

12 2. Page 9, line 18, by striking the words  
13 "statutory fund" and inserting the following: "fund  
14 specified in chapter 298A".

By GRIES of Crawford

H-1203 FILED MARCH 17, 1997

*adopted 3/20/97*  
*(p.709)*

Gries, Ch  
Rants  
Wise

HSB 177

Succeeded By  
SF (HF) 1625

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, special educational  
3 programs provided by area education agencies, dual enrollment,  
4 payment of claims for nonpublic school pupil transportation,  
5 the school budget review committee, the enrollment of certain  
6 students, and annual audits of school districts.

7 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 1997, 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. Differences in certified  
26 enrollment shall be reported to the department of management.

27 Sec. 2. Section 15.103, unnumbered paragraph 1, Code 1997,  
28 is amended to read as follows:

29 The Iowa economic development board is created, consisting  
30 of eleven voting members appointed by the governor and seven  
31 ex officio nonvoting members. The ex officio nonvoting  
32 members are four legislative members; one president, or the  
33 president's designee, of the University of Northern Iowa, the  
34 University of Iowa, or Iowa State University of science and  
35 technology designated by the state board of regents on a

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

23 Sec. 3. Section 15E.166, subsection 1, paragraph c, Code  
24 1997, is amended to read as follows:

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

30 Sec. 4. Section 19A.3, subsection 24, unnumbered paragraph  
31 2, Code 1997, is amended to read as follows:

32 The director of the department of personnel shall negotiate  
33 agreements an agreement with the director of the department  
34 for the blind ~~and with the director of the department of~~  
35 education concerning the applicability of the merit system to

1 the professional employees of ~~their-respective-agencies~~ the  
2 department for the blind.

3 Sec. 5. Section 73.18, Code 1997, is amended to read as  
4 follows:

5 73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF  
6 TARGETED SMALL BUSINESSES.

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

24 Sec. 6. Section 256.9, subsection 42, Code 1997, is  
25 amended by striking the subsection.

26 Sec. 7. Section 256.10, Code 1997, is amended to read as  
27 follows:

28 256.10 EMPLOYMENT OF PROFESSIONAL STAFF.

29 The salary of the director shall be fixed by the governor  
30 within a range established by the general assembly.  
31 Appointments to the professional staff of the department shall  
32 be without reference to political party affiliation, religious  
33 affiliation, sex, or marital status, but shall be based solely  
34 upon fitness, ability, and proper qualifications for the  
35 particular position. The professional staff shall serve at

1 the discretion of the director. A member of the professional  
2 staff shall not be dismissed for cause without ~~at least ninety~~  
3 ~~days' notice, except in cases of conviction of a felony or~~  
4 ~~cases involving moral turpitude. In cases of procedure for~~  
5 ~~dismissal, the accused has the same right to notice and~~  
6 ~~hearing as teachers in the public school systems as provided~~  
7 ~~in section 279.27 to the extent that it is applicable~~  
8 appropriate due process procedures including a hearing.

9 Sec. 8. Section 256.11, subsection 5, paragraph h,  
10 unnumbered paragraph 1, Code 1997, is amended to read as  
11 follows:

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

30 Sec. 9. Section 256.11B, Code 1997, is amended to read as  
31 follows:

32 256.11B VOCATIONAL EDUCATION INSTRUCTION -- NONPUBLIC  
33 SCHOOLS.

34 A nonpublic school which provides an educational program  
35 that includes grades nine through twelve shall offer and teach

1 five units of occupational education subjects, which may  
2 include, but are not limited to, programs, services, and  
3 activities which prepare students for employment in business  
4 or office occupations, trade and industrial occupations,  
5 consumer-and family and consumer sciences or-home-economics  
6 occupations, agriculture occupations, marketing occupations,  
7 and health occupations. ~~By July 17, 1993, instruction~~  
8 Instruction shall be competency-based, articulated with  
9 postsecondary programs of study, and may include field,  
10 laboratory, or on-the-job training.

11 Sec. 10. Section 256.12, subsection 2, Code 1997, is  
12 amended to read as follows:

13 2. This section does not deprive the respective boards of  
14 public school districts of any of their legal powers,  
15 statutory or otherwise, and in accepting the specially  
16 enrolled students, each of the boards shall prescribe the  
17 terms of the special enrollment, including but not limited to  
18 scheduling of courses and the length of class periods. In  
19 addition, the board of the affected public school district  
20 shall be given notice by the department of its decision to  
21 permit the special enrollment not later than six months prior  
22 to the opening of the affected public school district's school  
23 year, except that the board of the public school district may  
24 waive the notice requirement. School districts and area  
25 education agency boards shall make public school services,  
26 which shall include special education programs and services  
27 and may include health services, services for remedial  
28 education programs, guidance services, and school testing  
29 services, available to children attending accredited nonpublic  
30 schools in the same manner and to the same extent that they  
31 are provided to public school students. However, services  
32 that are made available shall be provided on neutral sites, or  
33 in mobile units located off the accredited nonpublic school  
34 premises as determined by the boards of the school districts  
35 and area education agencies providing the services, and not on

1 accredited nonpublic school property, except for health  
2 services, diagnostic services for speech, hearing, and  
3 psychological purposes, and assistance with physical and  
4 communication needs of students with physical disabilities,  
5 and services of an educational interpreter, which may be  
6 provided on accredited nonpublic school premises, with the  
7 permission of the lawful custodian.

8 Students enrolled in accredited nonpublic schools who  
9 receive services pursuant to this subsection shall be weighted  
10 at the level provided for in section 256B.9, subsection 1.

11 A local school district providing services pursuant to this  
12 subsection shall submit an accounting to the department of  
13 education by August 1 following the school year for the actual  
14 costs of the special education programs and services provided.  
15 The department shall review and approve or modify the  
16 accounting by September 1 and shall notify the department of  
17 revenue and finance of the approved accounting amount. The  
18 department of revenue and finance shall adjust the September  
19 payment to the local school district for the next fiscal year  
20 by the difference between the amount generated by the  
21 weighting for the provision of services to ~~nonpublic-school~~  
22 students attending accredited nonpublic schools, as provided  
23 in this subsection, and the amount of the actual costs as  
24 reflected in the local school district's accounting. Any  
25 amount paid by the department of revenue and finance shall be  
26 deducted monthly from the state foundation aid paid under  
27 section 257.16 during that fiscal year to all school districts  
28 in the state. The portion of the total amount of the approved  
29 accounting amount that shall be deducted from the state aid of  
30 a school district shall be the same as the ratio that the  
31 budget enrollment for the budget year of the school district  
32 bears to the total budget enrollment in the state for that  
33 budget year.

34 Sec. 11. Section 256.31, subsection 1, paragraph c, Code  
35 1997, is amended to read as follows:

1 c. A community college president chief executive officer  
2 appointed by an association which represents the largest  
3 number of community college presidents chief executive  
4 officers in the state.

5 Sec. 12. Section 256.45, unnumbered paragraphs 1, 3, and  
6 4, Code 1997, are amended to read as follows:

7 The department of education shall establish within-the  
8 department and administer the position of ambassador to  
9 education. It shall be the function of the ambassador to  
10 education to act as an education liaison to primary and  
11 secondary schools in this state. The ambassador to education  
12 position shall be filled by the educator selected as teacher  
13 of the year by the governor, but only if that person agrees to  
14 fill the ambassador to education position.

15 The ambassador to education shall receive, in lieu of  
16 compensation from the district in which the ambassador is  
17 regularly employed, a salary which-is equal to the amount of  
18 salary received-by the person during-the-previous would have  
19 received from the district in the person's regular position  
20 during the school year for which the person serves as  
21 ambassador, or thirty thousand dollars, whichever amount is  
22 greater. The ambassador shall also be compensated for actual  
23 expenses incurred as a result of the performance of duties  
24 under this section.

25 The district-which department shall grant funds in an  
26 amount equal to the salary and benefits the person selected as  
27 ambassador to education would have received from the district,  
28 or thirty thousand dollars, whichever amount is greater, to  
29 the school district that employs the person selected as the  
30 ambassador to-education. The department shall also reimburse  
31 the school district for actual expenses incurred as a result  
32 of the performance of duties under this section. The school  
33 district shall grant the person a one-year sabbatical in order  
34 to allow the person to be the ambassador to education, and  
35 during the sabbatical, shall pay the salary and benefits of

1 the ambassador with funds granted by the department. The  
2 person selected as the ambassador to education shall be  
3 entitled to return to the person's same or a comparable  
4 position without loss of accrued benefits or seniority.

5 Sec. 13. Section 256.82, subsection 1, paragraph b,  
6 subparagraph (2), Code 1997, is amended to read as follows:

7 (2) One member shall be appointed jointly by the  
8 superintendents chief executive officers of the community  
9 colleges created by chapter 260C.

10 Sec. 14. Section 256B.9, subsection 4, Code 1997, is  
11 amended to read as follows:

12 4. On December 1, 1987, and no later than December 1 every  
13 two years thereafter, for the school year commencing the  
14 following July 1, the director of the department of education  
15 shall report to the school budget review committee the average  
16 costs of providing instruction for children requiring special  
17 education in the categories of the weighting plan established  
18 under this section, and for providing services to accredited  
19 nonpublic school students pursuant to section 256.12,  
20 subsection 2, and the director of the department of education  
21 shall make recommendations to the school budget review  
22 committee for needed alterations to make the weighting plan  
23 suitable for subsequent school years. The school budget  
24 review committee shall establish the weighting plan for each  
25 school year and shall report the plan to the director of the  
26 department of education. The school budget review committee  
27 may establish weights to the nearest hundredth. The school  
28 budget review committee shall not alter the weighting assigned  
29 to pupils in a regular curriculum, but it may increase or  
30 decrease the weighting assigned to each category of children  
31 requiring special education by not more than two-tenths of the  
32 weighting assigned to pupils in a regular curriculum. The  
33 state board of education shall adopt rules under chapter 17A  
34 to implement the weighting plan for each year and to assist in  
35 identification and proper indexing of each child in the state

1 who requires special education.

2 Sec. 15. Section 256C.1, Code 1997, is amended to read as  
3 follows:

4 256C.1 FAMILY RESOURCE CENTER DEMONSTRATION PROGRAM  
5 ESTABLISHED.

6 If the general assembly appropriates moneys for the  
7 establishment of family resource centers, the department of  
8 education, in conjunction with the child development  
9 coordinating council, shall establish and coordinate a family  
10 resource center demonstration program to provide comprehensive  
11 child development and child care services, remedial  
12 educational and literacy services, and supportive services to  
13 parents who are recipients of assistance under the family  
14 investment program and other parents in need of services. The  
15 program shall provide for the establishment location of family  
16 resource centers ~~by-the-school-year-commencing-July-17-1994,~~  
17 ~~which-shall-be-located~~ in at least three public schools, one  
18 located in a large school district, one located in a medium-  
19 sized school district, and one located in a small school  
20 district. For purposes of this section a large school  
21 district is a district with an actual enrollment of five  
22 thousand or more pupils; a medium-sized school district is a  
23 district with an actual enrollment that is greater than one  
24 thousand one hundred ninety-nine pupils, but less than five  
25 thousand pupils; and a small school district is a district  
26 with an actual enrollment of one thousand one hundred ninety-  
27 nine or fewer pupils.

28 Sec. 16. Section 256C.2, unnumbered paragraph 2, Code  
29 1997, is amended to read as follows:

30 A district applying for a grant under this section shall  
31 agree, for each dollar of grant funds, to provide twenty cents  
32 in matching cash or in-kind resources. ~~Grants-may-be-awarded~~  
33 ~~for-four-years,-beginning-July-17-1994,-and-ending-June-30-~~  
34 ~~1998.~~ Up to ten percent of the moneys appropriated for the  
35 grant program may be used by the council for staffing,

1 technical assistance, and external evaluation development.  
2 Notwithstanding section 8.33, unencumbered or unobligated  
3 funds remaining on June 30 of the fiscal year for which the  
4 funds were appropriated shall not revert but shall be  
5 available for expenditure for the following fiscal year for  
6 the purposes of this section.

7 Sec. 17. Section 257.6, subsection 1, paragraph f, Code  
8 1997, is amended to read as follows:

9 f. Resident pupils receiving competent private instruction  
10 under dual enrollment pursuant to chapter 299A shall be  
11 counted as ~~one-tenth~~ two-tenths of one pupil.

12 Sec. 18. Section 257.31, Code 1997, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 18. The committee may require a school  
15 district to utilize the auditor of state to conduct an audit  
16 of accounts pursuant to section 11.6.

17 Sec. 19. Section 258.3A, subsections 1 and 3, Code 1997,  
18 are amended to read as follows:

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

22 3. ~~Adopt rules prescribing standards for approval of~~  
23 ~~schools,-departments,-and-classes,-area-vocational-technical~~  
24 ~~high-schools-and~~ vocational ~~programs,-and-community-colleges~~  
25 ~~with-vocational-programs,-and-practitioner-preparation~~  
26 ~~schools,-departments,-and-classes,~~ applying for federal and  
27 state moneys under this chapter.

28 Sec. 20. Section 258.3A, subsection 2, Code 1997, is  
29 amended by striking the subsection.

30 Sec. 21. Section 258.4, subsections 1, 2, 3, 5, 6, and 10,  
31 Code 1997, are amended to read as follows:

32 1. ~~Co-operate~~ Cooperate with the ~~federal-board-for~~  
33 ~~vocational~~ United States department of education in the  
34 administration of the Act of Congress, as specified in section  
35 258.1.

1 2. Provide for making studies and investigations relating  
2 to ~~pre~~vocational and vocational training education in  
3 ~~agricultural, industrial~~ agriculture, trades and industry,  
4 marketing, business and office, health, and commercial  
5 ~~subjects, and home-economics~~ family and consumer sciences.

6 3. Promote and aid in the establishment ~~in local~~  
7 ~~communities and public schools~~ of departments and classes  
8 giving programs providing instruction in subjects listed in  
9 subsection 2.

10 5. Make recommendations to the board of educational  
11 examiners relating to the enforcement of rules prescribing  
12 standards for teachers ~~of subjects~~ in programs listed in  
13 subsection 2 in accredited schools, departments, and classes.

14 6. ~~Co-operate~~ Cooperate in the maintenance of practitioner  
15 ~~preparation schools, departments, and classes, supported and~~  
16 ~~controlled by the public,~~ programs for the training  
17 preparation of teachers and supervisors of subjects programs  
18 listed in subsection 2.

19 10. Enforce rules prescribing standards for approval of  
20 vocational education programs ~~in schools, departments, and~~  
21 ~~classes.~~

22 Sec. 22. Section 258.4, Code 1997, is amended by adding  
23 the following new subsection:

24 NEW SUBSECTION. 13. Incorporate in the director's annual  
25 report a full report of all receipts and expenditures under  
26 this chapter.

27 Sec. 23. Section 258.5, Code 1997, is amended to read as  
28 follows:

29 258.5 REIMBURSEMENT FROM FEDERAL AND STATE MONEYS.

30 If a school corporation maintains an approved vocational  
31 ~~school, department, or classes~~ program in accordance with the  
32 rules adopted by the state board, ~~and rules and standards~~  
33 ~~adopted by the board of educational examiners, and the state~~  
34 ~~plan for vocational education, adopted by the board for~~  
35 ~~vocational education and approved by the United States~~

1 ~~department-of-education~~, the director of the department of  
2 education shall reimburse the school corporation at the end of  
3 the fiscal year for its expenditures for salaries and  
4 authorized travel of vocational teachers from federal and  
5 state funds. However, a school corporation shall not receive  
6 from federal and state funds a larger amount than one-half the  
7 sum which has been expended by the school corporation for that  
8 particular type of program. If federal and state funds are  
9 not sufficient to make the reimbursement to the extent  
10 provided in this section, the director shall prorate the  
11 respective amounts available to the corporations entitled to  
12 reimbursement.

13 ~~The-director-may-use-federal-funds-to-reimburse-approved~~  
14 ~~practitioner-preparation-schools,-departments,-or-classes-for~~  
15 ~~the-training-of-teachers-of-agriculture,-home-economics,~~  
16 ~~trades-and-industrial-education,-distributive-education,-and~~  
17 ~~for-the-training-of-guidance-counselors.~~

18 Sec. 24. Section 258.9, Code 1997, is amended to read as  
19 follows:

20 258.9 LOCAL ADVISORY COUNCIL.

21 The board of directors of a school district that maintains  
22 a ~~school,-department,-or-class-receiving-federal-or-state~~  
23 ~~funds-under-this-chapter~~ vocational program shall, ~~as-a~~  
24 ~~condition-of-approval-by-the-state-board,~~ appoint a local  
25 advisory council for vocational education composed of public  
26 members with emphasis on persons representing business,  
27 agriculture, industry, and labor. The local advisory council  
28 shall give advice and assistance to the board of directors in  
29 the establishment and maintenance of ~~schools,-departments,-and~~  
30 ~~classes~~ vocational programs that receive federal or state  
31 funds under this chapter. Local advisory councils may be  
32 organized according to program area, school, community, or  
33 region. The state board shall adopt rules requiring that the  
34 memberships of local advisory councils fairly represent each  
35 sex and minorities residing in the school district. Members

1 of an advisory council shall serve without compensation.

2 Sec. 25. Section 258.12, Code 1997, is amended to read as  
3 follows:

4 258.12 CUSTODIAN OF FUNDS -- REPORTS.

5 The treasurer of state shall be custodian of the funds paid  
6 to the state from the appropriations made under ~~said~~ the Act  
7 of Congress as provided in section 258.1, and shall disburse  
8 the ~~same~~ funds on vouchers audited as provided by law. The  
9 treasurer of state shall report the receipts and disbursements  
10 ~~of-said-funds~~ to the general assembly at each ~~biennial~~ regular  
11 session.

12 Sec. 26. Section 260C.4, subsection 4, paragraphs e and f,  
13 Code 1997, are amended to read as follows:

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

31 f. At any time during the year after notice is given, the  
32 board of directors of the community college may request a  
33 public hearing before the director of the department of  
34 education, by mailing a written request to the director by  
35 registered or certified mail. The director shall promptly set

1 a time and place for the public hearing, which shall be either  
2 in Des Moines or in the affected merged area. At least thirty  
3 days' notice of the time and place of the hearing shall be  
4 given by registered or certified mail addressed to the  
5 superintendent chief executive officer of the community  
6 college. At least ten days before the hearing, notice of the  
7 time and place of the hearing and the reasons for removal  
8 shall also be published by the department in a newspaper of  
9 general circulation in the merged area where the community  
10 college is located.

11 Sec. 27. Section 260C.5, subsections 1 and 9, Code 1997,  
12 are amended to read as follows:

13 1. Designate a community college as an "area vocational  
14 education school" within the meaning of, and for the purpose  
15 of administering, ~~the Act of Congress designated the~~  
16 "Vocational-Education-Act-of-1963" federal vocational  
17 education legislation. A community college shall not be so  
18 designated by the director of the department of education for  
19 the expenditure of funds under 20 U.S.C. § 35c(a)(5), which  
20 has not been designated and classified as a community college  
21 by the state board.

22 9. Make arrangements with boards of merged areas and local  
23 school districts to permit students attending high school to  
24 participate in vocational-technical programs and advanced  
25 college placement courses and obtain credit for such  
26 participation for application toward the completion of a high  
27 school diploma. ~~The granting of credit is subject to the~~  
28 ~~approval of the director of the department of education.~~

29 Sec. 28. Section 260C.5, subsection 6, Code 1997, is  
30 amended by striking the subsection.

31 Sec. 29. Section 260C.14, subsection 8, Code 1997, is  
32 amended to read as follows:

33 8. Set the salary of the area-superintendent chief  
34 executive officer of the director district. In setting the  
35 salary, the board shall consider the salaries of

1 administrators of educational institutions in the merged area  
2 and the enrollment of the community college.

3 Sec. 30. Section 260C.35, Code 1997, is amended to read as  
4 follows:

5 260C.35 LIMITATION-ON SALE OF LAND.

6 ~~A merged area shall not purchase land which will increase~~  
7 ~~the aggregate of land owned by the merged area, excluding land~~  
8 ~~acquired by donation or gift, to more than three hundred~~  
9 ~~twenty acres without the approval of the director of the~~  
10 ~~department of education. The limitation does not apply to a~~  
11 ~~merged area owning more than three hundred twenty acres,~~  
12 ~~excluding land acquired by donation or gift, prior to January~~  
13 ~~17, 1969.~~

14 ~~With the approval of the director of the department of~~  
15 ~~education, the~~ The board of directors of a merged area at any  
16 time may sell any land in excess of one hundred sixty acres  
17 owned by the merged area, and an election is not necessary in  
18 connection with the sale. The proceeds of the sale may be  
19 used for any of the purposes stated in section 260C.22. This  
20 paragraph section is in addition to any authority under other  
21 provisions of law.

22 Sec. 31. Section 260C.38, unnumbered paragraphs 1 and 3,  
23 Code 1997, are amended to read as follows:

24 The board of directors may, ~~with the approval of the~~  
25 ~~director of the department of education,~~ enter into lease  
26 agreements, with or without purchase options, not to exceed  
27 twenty years in duration, for the leasing or rental of  
28 buildings for use basically as classrooms, laboratories,  
29 shops, libraries, and study halls for community college  
30 purposes, and pay for the leasing or rental with funds  
31 acquired pursuant to section sections 260C.17, section  
32 260C.18, and section 260C.22. ~~However, lease agreements~~  
33 ~~extending for less than ten years and for less than twenty-~~  
34 ~~five thousand dollars per year need not be submitted to the~~  
35 ~~director of the department of education for approval.~~

1 Before entering into a lease agreement with a purchase  
2 option for a building to be constructed, or placed, upon real  
3 estate owned by the community college, the board shall first  
4 adopt plans and specifications for the proposed building which  
5 it considers suitable for the intended use, and the board  
6 shall also adopt the proposed terms of the lease agreement and  
7 purchase option. ~~Upon-obtaining-the-approval-of-the-director~~  
8 ~~of-the-department-of-education,-if-approval-of-the-director-is~~  
9 ~~required,-the~~ The board shall invite bids, by advertisement  
10 published once each week for two consecutive weeks in the  
11 county where the building is to be located. The lease  
12 agreement shall be awarded to the lowest responsible bidder,  
13 or the board may reject all bids and readvertise for new bids.

14 Sec. 32. Section 260C.47, subsection 6, Code 1997, is  
15 amended to read as follows:

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

1 Sec. 33. Section 273.2, unnumbered paragraph 3, Code 1997,  
2 is amended to read as follows:

3 The area education agency board shall furnish educational  
4 services and programs as provided in sections 273.1 to 273.9  
5 and chapter 256B to the pupils enrolled in public or nonpublic  
6 schools located within its boundaries which are on the list of  
7 accredited schools pursuant to section 256.11. The programs  
8 and services provided shall be at least commensurate with  
9 programs and services existing on July 1, 1974. The programs  
10 and services provided to pupils enrolled in accredited  
11 nonpublic schools shall be comparable to programs and services  
12 provided to pupils enrolled in public schools within  
13 constitutional guidelines.

14 Sec. 34. 273.2, subsection 4, Code 1997, is amended to  
15 read as follows:

16 4. Auxiliary services for ~~nonpublic-school~~ pupils  
17 attending accredited nonpublic schools as provided in section  
18 256.12. However, if auxiliary services are provided their  
19 funding shall be based on the type of service provided.

20 Sec. 35. Section 279.10, subsection 1, Code 1997, is  
21 amended to read as follows:

22 1. The school year shall begin on the first day of July  
23 ~~and each regularly established elementary and secondary school~~  
24 ~~shall begin no sooner than a day during the calendar week in~~  
25 ~~which the first day of September falls but no later than the~~  
26 ~~first Monday in December. However, if the first day of~~  
27 ~~September falls on a Sunday, school may begin on a day during~~  
28 ~~the calendar week which immediately precedes the first day of~~  
29 ~~September.~~ School shall continue for at least one hundred  
30 eighty days, except as provided in subsection 3, and may be  
31 maintained during the entire calendar year. However, if the  
32 board of directors of a district extends the school calendar  
33 because inclement weather caused the district to temporarily  
34 close school during the regular school calendar, the district  
35 may excuse a graduating senior who has met district or school

1 requirements for graduation from attendance during the  
2 extended school calendar. A school corporation may begin  
3 employment of personnel for in-service training and  
4 development purposes before the date to begin elementary and  
5 secondary school.

6 Sec. 36. Section 279.10, subsection 3, unnumbered  
7 paragraph 2, Code 1997, is amended to read as follows:

8 The board shall file a request for approval with the  
9 department not later than ~~November-1~~ March 15 of the preceding  
10 school year. The request shall include a listing of the  
11 savings and goals to be attained under the innovative school  
12 year subject to rules adopted by the department under chapter  
13 17A. The department shall notify the districts of the  
14 approval or denial of pilot programs not later than the next  
15 following ~~January~~ April 15.

16 Sec. 37. Section 279.10, subsection 4, Code 1997, is  
17 amended by striking the subsection.

18 Sec. 38. Section 282.18, subsection 2, unnumbered  
19 paragraph 1, Code 1997, is amended to read as follows:

20 By January 1 of the preceding school year, the parent or  
21 guardian shall send notification to the district of residence,  
22 on forms prescribed by the department of education, that the  
23 parent or guardian intends to enroll the parent's or  
24 guardian's child in a public school in another school  
25 district. If a parent or guardian fails to file a  
26 notification that the parent intends to enroll the parent's or  
27 guardian's child in a public school in another district by the  
28 deadline of January 1 of the previous year, ~~and one of the~~  
29 ~~criteria defined in subsection 16 exists for the failure to~~  
30 ~~meet the deadline or if the request is to enroll a child in~~  
31 ~~kindergarten in a public school in another district,~~ the  
32 parent or guardian shall be permitted to enroll the child in  
33 the other district in the same manner as if the deadline had  
34 been met when any of the following circumstances exist:

35 a. One of the criteria defined in subsection 16 exists for

1 the failure to meet the deadline.

2 b. The request is to enroll a child in kindergarten in a  
3 public school in another district.

4 c. Both the resident or sending school district and the  
5 receiving school district approve the late-filed request.

6 Sec. 39. Section 282.18, subsection 5, Code 1997, is  
7 amended to read as follows:

8 5. Each district shall provide notification to the parent  
9 or guardian relating to the transmission or denial of the  
10 request. A district of residence shall provide for  
11 notification of transmission or denial to a parent or guardian  
12 within three days of board action on the request. A receiving  
13 district shall provide notification to a parent or guardian,  
14 within fifteen days of board action on the request, of whether  
15 the pupil will be enrolled in that district or whether the  
16 request is to be denied. If, within five days of receiving  
17 notification that the receiving district has denied the  
18 request, a parent or guardian who filed a timely request  
19 petitions the resident district to transfer the request to  
20 another receiving district, the request shall be considered  
21 timely filed. The resident district shall transfer the  
22 request to another receiving district within five days after  
23 receiving the parent's or guardian's petition.

24 Sec. 40. Section 282.30, subsection 1, paragraph b,  
25 unnumbered paragraph 2, Code 1997, is amended to read as  
26 follows:

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

33 Sec. 41. Section 282.31, subsection 1, paragraph a, Code  
34 1997, is amended to read as follows:

35 a. A child who lives in a facility pursuant to section

1 282.30, subsection 1, paragraph "a", and who is not enrolled  
2 in the educational program of the district of residence of the  
3 child, shall receive appropriate educational services. The  
4 area education agency shall submit a proposed program and  
5 budget to the department of education by ~~January~~ February 1  
6 for the next succeeding school year. The department of  
7 education shall review and approve or modify the program and  
8 proposed budget and shall notify the department of revenue and  
9 finance and the area education agency of its action by  
10 ~~February~~ March 1.

11 PARAGRAPH DIVIDED. The department of revenue and finance  
12 shall pay the approved budget amount for an area education  
13 agency in monthly installments beginning September 15 and  
14 ending June 15 of the next succeeding school year. The  
15 installments shall be as nearly equal as possible as  
16 determined by the department of management, taking into  
17 consideration the relative budget and cash position of the  
18 state's resources. The department of revenue and finance  
19 shall transfer the approved budget amount for an area  
20 education agency from the moneys appropriated under section  
21 257.16 and make the payment to the area education agency.

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

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

8 Sec. 42. Section 285.2, unnumbered paragraph 5, Code 1997,  
9 is amended to read as follows:

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

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

6 Sec. 43. Section 285.3, Code 1997, is amended by striking  
7 the section and inserting in lieu thereof the following:

8 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC SCHOOL STUDENT  
9 TRANSPORTATION.

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

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

1 requirements of this section.

2 Sec. 44. Section 294A.14, subsection 2, unnumbered  
3 paragraph 6, Code 1997, is amended to read as follows:

4 Any summer school program, for which the teacher's salary  
5 is paid or supplemented under a supplemental pay plan, shall  
6 be open to ~~nonpublic-school~~ students attending accredited  
7 nonpublic schools in the manner provided in section 256.12.

8 Sec. 45. Section 294A.25, subsection 5, Code 1997, is  
9 amended to read as follows:

10 5. Commencing with the fiscal year beginning July 1, 1990,  
11 the amount of ~~sixty~~ seventy-five thousand dollars for the  
12 ambassador to education program under section 256.43.

13 Sec. 46. Section 299.4, Code 1997, is amended to read as  
14 follows:

15 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

16 The parent, guardian, or legal custodian of a child who is  
17 of compulsory attendance age, who places the child under  
18 competent private instruction under either section 299A.2 or  
19 299A.3, not in an accredited school or a home school  
20 assistance program operated by a public or accredited  
21 nonpublic school, shall furnish a report in duplicate on forms  
22 provided by the public school district, to the district by the  
23 ~~earliest-starting-date-specified-in-section-279.107-subsection~~  
24 ± September 1 of the school year in which the child is placed  
25 under private instruction. The secretary shall retain and  
26 file one copy and forward the other copy to the district's  
27 area education agency. The report shall state the name and  
28 age of the child, the period of time during which the child  
29 has been or will be under competent private instruction for  
30 the year, an outline of the course of study, texts used, and  
31 the name and address of the instructor. The parent, guardian,  
32 or legal custodian of a child, who is placing the child under  
33 competent private instruction, for the first time, shall also  
34 provide the district with evidence that the child has had the  
35 immunizations required under section 139.9. The term "outline

1 of course of study" shall include subjects covered, lesson  
2 plans, and time spent on the areas of study.

3 Sec. 47. Section 299A.8, Code 1997, is amended to read as  
4 follows:

5 299A.8 DUAL ENROLLMENT.

6 If a parent, guardian, or legal custodian of a child who is  
7 receiving competent private instruction under this chapter  
8 submits a request, the child shall also be registered in a  
9 public school for dual enrollment purposes. If the child is  
10 enrolled in a public school district for dual enrollment  
11 purposes, the child shall be permitted to participate in any  
12 academic activities in the district and shall also be  
13 permitted to participate on the same basis as public school  
14 children in any extracurricular activities available to  
15 children in the child's grade or group, and the parent,  
16 guardian, or legal custodian shall not be required to pay the  
17 costs of any annual evaluation under this chapter. If the  
18 child is enrolled for dual enrollment purposes, the child  
19 shall be included in the public school's basic actual  
20 enrollment under section 257.6, subsection 1, paragraph "a",  
21 if the child participates in three or more academic courses.  
22 For purposes of this paragraph, "academic course" means a  
23 course offered by a school district in accordance with section  
24 256.11, subsection 5, or a class that meets the requirements  
25 of section 256.11, subsection 3 or 4. Other resident pupils  
26 receiving competent private instruction under dual enrollment  
27 pursuant to this chapter shall be counted as provided in  
28 section 257.6, subsection 1, paragraph "f".

29 Sec. 48. Sections 257.17, 258.6, 258.10, and 258.13, Code  
30 1997, are repealed.

31 EXPLANATION

32 This bill makes the following statutory revisions relating  
33 to the department of education, vocational education,  
34 community colleges, special area education agency programs,  
35 dual enrollment, and payment of claims for nonpublic school

1 pupil transportation.

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

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

14 Code sections 19A.3(24), unnumbered paragraph 2, and  
15 256.10: Strike provisions related to personnel procedures  
16 affecting the professional staff of the department of  
17 education. Code section 256.10 currently gives the  
18 professional staff of the department the same rights to notice  
19 and hearing in cases of dismissal as teachers. Code section  
20 19A.3(24), unnumbered paragraph 2, currently directs the  
21 department of personnel to negotiate an agreement with the  
22 director of the department for the blind and the director of  
23 the department of education concerning the applicability of  
24 the merit system to the professional staff for each  
25 department. Without these provisions relative to the  
26 department of education, no agreement will be needed. Under  
27 the bill, the department of personnel will direct the  
28 personnel matters of the department of education's  
29 professional staff.

30 Code section 256.9(42): Eliminates a provision directing  
31 the director of the department of education to develop an  
32 application and review process for approval of administrative  
33 and program sharing agreements between two or more community  
34 colleges or a community college and a state university. That  
35 responsibility is provided for in more detail in section

1 260C.46.

2 Code sections 256.11(5)(h), unnumbered paragraph 1,  
3 256.11B, and 258.4(2): Update language by striking references  
4 to home economics occupations.

5 Code sections 256.12(2), 256B.9(4), 273.2, unnumbered  
6 paragraph 3, and 273.2, subsection 4, and 294A.14(2),  
7 unnumbered paragraph 6: Provide that special education  
8 services are available only to children attending accredited  
9 nonpublic schools in the same manner and to the same extent  
10 that they are provided to public school students.

11 Code section 256.45, unnumbered paragraphs 1, 3, and 4:  
12 Places responsibility for administration of the ambassador to  
13 education position with the department of education, but  
14 eliminates language requiring that the position be established  
15 within the department. Provides that the ambassador receive a  
16 salary in an amount that the person would have received from  
17 the school district during the year in which the person acts  
18 as ambassador, or \$30,000, whichever is greater. Under the  
19 bill, the department grants funds to the school district in  
20 that amount, and the school district pays the ambassador's  
21 salary and benefits.

22 Code sections 256C.1 and 256C.2, unnumbered paragraph 2:  
23 Strike a reference to the date by which the department of  
24 education shall establish family resource centers and  
25 eliminate the dates between which the family resource center  
26 grants will be awarded. Currently, the grants are to end on  
27 June 30, 1998.

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

34 Code section 257.31: Permits the school budget review  
35 committee to request an audit of the accounts of a school

1 district or area education agency.

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

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

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

15 Code sections 258.4(13) and 258.13: Amend the provision  
16 currently codified in section 258.13, establishing a duty of  
17 the 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 Code section 258.5, unnumbered paragraph 2: Eliminates a  
24 reference in the vocational education chapter to the  
25 disbursement of federal funds as reimbursement for  
26 practitioner preparation programs.

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

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

1 practice of providing the report annually, rather than  
2 biennially.

3 Code section 260C.5(1): Reference to the federal  
4 "Vocational Education Act of 1963" in the community colleges  
5 chapter is replaced with a general reference to federal  
6 vocational education legislation.

7 Code section 260C.5(9): Strikes language giving the  
8 director of the department of education the authority to grant  
9 credit to high school students who participate in community  
10 college programs, leaving the granting of credit to the  
11 discretion of the community college boards and the school  
12 district boards.

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

19 Code sections 279.10(1), (3), and (4), 257.17, and 299.4:  
20 Remove provisions that prohibit school districts from  
21 beginning school calendars before the calendar week in which  
22 the first day of September falls, or later than the first  
23 Monday in December, and which penalize the school that begins  
24 before the date specified by reducing state aid.

25 Code section 282.18(2), unnumbered paragraph 1: Allows the  
26 approval of applications for open enrollment that were filed  
27 late without "good cause" if both the sending and receiving  
28 district approve the late-filed request.

29 Code section 282.18(5): Provides that when a request for  
30 open enrollment is filed in a timely manner, but denied by a  
31 receiving district, the parent or guardian who filed the  
32 request may, within five days of receiving the denial  
33 notification, petition the resident district to transfer the  
34 request to another receiving district, and the request shall  
35 still be considered timely filed.

1 Code sections 282.30(1)(b), unnumbered paragraph 2, and  
2 282.31(1)(a): The deadline by which shelter care homes and  
3 juvenile detention homes must request educational services of  
4 an area education agency is moved from December 1 to January  
5 1; by which an area education agency must submit for approval  
6 a proposed special program and budget to the department of  
7 education is revised from January 1 to February 1; and by  
8 which the department of education must review and approve the  
9 program and budget is changed from February 1 to March 1.

10 Code sections 285.2 and 285.3: Section 285.3 currently  
11 specifies the amount of the base parental reimbursement for  
12 nonpublic school student transportation by using the basic  
13 formula established in section 285.1, subsection 3, pertaining  
14 to transportation when necessary to implement a whole grade  
15 sharing agreement or where transportation by school bus is  
16 impracticable or not available, except that section 285.3  
17 limits the number of students used in the calculation to all  
18 elementary students and two high school students, and section  
19 285.1, subsection 3, provides a limitation of three elementary  
20 students and one high school student. The bill eliminates the  
21 different limitation provided in section 285.3.

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

33 The bill amends section 285.2 to require districts to  
34 submit claims for reimbursement by January 31 and July 15, and  
35 removes the deadline by which the department is required to

1 certify the amount of the claims to the department of revenue  
2 and finance.

3 Code section 294A.25(5): Increases from \$60,000 to \$75,000  
4 the amount of educational excellence program moneys allocated  
5 to the department of education for purposes of the ambassador  
6 to education program.

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