

REPRINTED

SENATE FILE 2366  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 2196)  
(SUCCESSOR TO SF 2323)

Passed Senate, <sup>(P.488)</sup> Date 3/2/98 Passed House, <sup>(P.1001)</sup> Date 3/26/98  
Vote: Ayes 26 Nays 23 Vote: Ayes 52 Nays 47  
Approved May 8, 1998  
*Steve Pritchard*

A BILL FOR

1 An Act relating to the licensing and employment of practitioners  
2 and the school districts employing them, making  
3 appropriations, and including retroactive applicability and  
4 effective date provisions.

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

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S.F. 2366

REPRIVED

1 Section 1. DEPARTMENT OF EDUCATION. There is appropriated  
2 from the general fund of the state to the department of  
3 education for the fiscal year beginning July 1, 1998, and  
4 ending June 30, 1999, the following amount, or so much thereof  
5 as is necessary, to be used for the purpose designated:

6 1. For frontier school and extended year school planning  
7 grants as provided in section 256.22, if enacted:

8 ..... \$ 500,000

9 2. For beginning teacher induction program grants as  
10 provided in chapter 256E, if enacted:

11 ..... \$ 180,000

12 It is the intent of the general assembly that grants  
13 awarded using moneys appropriated under this section shall  
14 provide support to a minimum of 100 teams of mentors and  
15 beginning teachers.

16 3. For the establishment and implementation of a  
17 practitioner recognition award pilot program as provided in  
18 section 279.59, if enacted:

19 ..... \$ 1,000,000

20 By January 15, 1999, the department of education shall  
21 prepare and submit a proposal for a program for leadership  
22 development of practitioners and school board members to the  
23 chairpersons and ranking members of the house and senate  
24 standing education committees and of the joint subcommittee on  
25 education appropriations.

26 4. To the board of educational examiners, for purposes of  
27 developing and implementing a multi-level voluntary para-  
28 educator licensing system in accordance with section 272.12,  
29 if enacted:

30 ..... \$ 25,000

31 Sec. 2. NEW SECTION. 256.22 FRONTIER SCHOOL AND EXTENDED  
32 YEAR SCHOOL PLANNING GRANT PROGRAM.

33 1. Subject to an appropriation of sufficient funds by the  
34 general assembly, the department shall establish a frontier  
35 school and extended year school planning grant program to

1 provide for the allocation of grants to school districts, or a  
2 collaboration of school districts, to provide technical  
3 assistance for investigating the possibility of converting an  
4 existing school within a district to a frontier school or to  
5 an extended school year. A district that wants to participate  
6 in the program shall submit to the department a written  
7 request for a planning grant by September 1, 1998. The school  
8 district or collaboration of school districts shall agree to  
9 appoint a frontier school planning committee composed of  
10 parents, guardians, teachers, administrators, and individuals  
11 representing business, and the local community. The school  
12 district or collaboration shall also indicate in its request  
13 its intention to use any grant moneys received under this  
14 section to examine, at a minimum, all of the following:

- 15 a. Mission and instructional focus of the school.
- 16 b. Organizational structure and management of the school.
- 17 c. Impact on labor agreements and contracts on the success  
18 of the school.
- 19 d. Roles and responsibilities of all involved  
20 constituencies.
- 21 e. Arrangements for special needs students.
- 22 f. Connection of the school to the district.
- 23 g. Facility and operation costs.
- 24 h. Application of the school within current law and the  
25 need to apply for waivers or exemptions from one or more of  
26 the minimum education standards contained in section 256.11  
27 and rules adopted by the state board of education.
- 28 i. Measurement of results including student achievement  
29 results.

30 2. Grant moneys shall be distributed to qualifying school  
31 districts by the department no later than October 15, 1998.  
32 Grant amounts shall be distributed as determined by the  
33 department. However, a grant awarded to a school district  
34 under the provisions of this section shall not exceed twenty-  
35 five thousand dollars.

1 3. For purposes of this section, "frontier school" means a  
2 school that is nonsectarian in its program, admission  
3 policies, employment practices, and all other operations. The  
4 school is a public school and is part of the state's system of  
5 public education. The primary focus of a frontier school  
6 shall be to provide a comprehensive program of instruction for  
7 at least one grade or age group from five through eighteen  
8 years of age. Frontier schools may be designed to allow  
9 significant autonomy to the schools. However, frontier  
10 schools shall be accountable for significant results.

11 4. By February 15, 1999, a school district or  
12 collaboration of districts receiving moneys under this section  
13 shall submit an interim report to the department describing  
14 the planning activities conducted by the school district or  
15 the collaboration and providing preliminary conclusions. The  
16 school district or collaboration shall submit a final report  
17 by June 1, 1999, to the department. The department shall  
18 summarize the school district reports in a final report to the  
19 chairpersons and ranking members of the house and senate  
20 standing education committees by January 1, 2000.

21 Sec. 3. NEW SECTION. 256.24 MATHEMATICS PILOT PROGRAMS.

22 1. The Iowa mathematics and science coalition shall  
23 administer a two-year mathematics pilot program to help  
24 teachers become aware of possibilities for mathematics  
25 instruction other than traditional approaches and discuss  
26 these approaches with other teachers, employ new problem-  
27 centered approaches, develop routines that create an  
28 environment that promotes problem solving and student  
29 autonomy, and integrate new approaches to teaching mathematics  
30 in the regular mathematics curriculum.

31 2. The Iowa mathematics and science coalition shall locate  
32 the pilot programs in at least three public school districts,  
33 one located in a large school district, one located in a  
34 medium-sized school district, and one located in a small  
35 school district. In the case of a large school district, the



1 district may apply for one or more secondary schools in the  
2 district provided that the middle and elementary schools  
3 within the secondary school attendance area are represented in  
4 the application. Districts participating in this program  
5 shall require all teachers employed by the district who teach  
6 mathematics to participate in the pilot program. However, in  
7 the case of a large district, only teachers employed to teach  
8 mathematics in the secondary schools in the district shall be  
9 required to participate in the pilot program. For purposes of  
10 this section, a large school district is a district with an  
11 actual enrollment of five thousand or more pupils; a medium-  
12 sized school district is a district with an actual enrollment  
13 that is greater than one thousand one hundred ninety-nine  
14 pupils, but less than five thousand pupils; and a small school  
15 district is a district with an actual enrollment of one  
16 thousand one hundred ninety-nine or fewer pupils.

17 3. Funds appropriated for purposes of this section may be  
18 used for administrative costs of the program and shall be used  
19 to provide partial financial assistance to a participating  
20 school district. The portion of the program costs for which a  
21 district does not receive financial assistance pursuant to the  
22 section shall be paid by the district. However, the district  
23 may use phase III funds to pay this portion of the program  
24 costs.

25 4. There is appropriated from the general fund of the  
26 state to the department of education for allocation to the  
27 Iowa mathematics and science coalition for each fiscal year of  
28 the fiscal period beginning July 1, 1998, and ending June 30,  
29 2000, the sum of fifty thousand dollars for the mathematics  
30 pilot program.

31 Sec. 4. NEW SECTION. 256.44 NATIONAL BOARD CERTIFICATION  
32 AWARD.

33 1. A teacher, as defined in section 272.1, who registers  
34 for a national board for professional teaching standards  
35 certificate and is employed by a school district in Iowa shall

1 be eligible for a registration award as provided in subsection  
2 2 and upon achievement of a national board for professional  
3 teaching standards certificate is eligible for an annual award  
4 as provided in subsection 3.

5 2. To receive a partial registration award of one thousand  
6 dollars, the teacher shall submit documentation as required by  
7 the department. A teacher must apply to the department within  
8 one year of registration under this subsection. A teacher  
9 shall receive a final registration award of one thousand  
10 dollars if the teacher notifies the department of the  
11 teacher's certification achievement within one year of  
12 achieving certification and submits any documentation  
13 requested by the department.

14 3. To receive a two thousand dollar annual award for  
15 achieving certification by the national board of professional  
16 teaching standards, a teacher shall apply to the department  
17 within one year of eligibility. Payment for awards shall be  
18 made only upon departmental approval of an application or  
19 recertification of eligibility. A nonrenewable term of  
20 eligibility shall be for five years or for the years the  
21 certificate is valid, whichever time period is shorter. In  
22 order to continue receipt of payments, a recipient shall  
23 annually recertify eligibility.

24 4. A national board for professional teaching standards  
25 certification fund is established in the office of treasurer  
26 of state to be administered by the department. Moneys  
27 appropriated by the general assembly for deposit in the fund  
28 shall be paid as follows:

29 a. Upon receipt of award documentation as provided in  
30 subsection 2.

31 b. On January 15 to teachers whose applications and  
32 recertifications for rewards as provided in subsection 3 are  
33 approved by the department.

34 The treasurer of state shall act as custodian of the fund  
35 and may invest the moneys deposited in the fund. The income

1 from any investment shall be credited to and deposited in the  
2 fund. The director of revenue and finance shall issue  
3 warrants upon the fund pursuant to the order of the department  
4 and such warrants shall be paid from the fund by the treasurer  
5 of state. Notwithstanding section 8.33, unencumbered or  
6 unobligated moneys remaining in the fund on June 30 of the  
7 fiscal year for which the funds were appropriated shall not  
8 revert but shall be available for expenditure for the  
9 following fiscal year for the purposes of this section.

10 5. There is appropriated from the general fund of the  
11 state to the office of treasurer of state for the fiscal year  
12 beginning July 1, 1998, and each succeeding year, the sum of  
13 two hundred fifty thousand dollars for deposit in the national  
14 board for professional teaching standards certification fund  
15 established and administered pursuant to this section.

16 Sec. 5. NEW SECTION. 256D.1 LEGISLATIVE FINDINGS AND  
17 INTENT.

18 The general assembly finds that it is in the best interest  
19 of the state to encourage and fund early education programs  
20 focused on kindergarten through grade three in the public  
21 school districts. The goal of these programs is to improve  
22 student achievement in the basic educational subject matters  
23 of reading, language arts, and mathematics, and to accomplish  
24 proficiency in those subjects by grade four. Toward that  
25 goal, it is the intent of this chapter to establish and fund  
26 an early education improvement program.

27 Sec. 6. NEW SECTION. 256D.2 EARLY EDUCATION IMPROVEMENT  
28 PROGRAM APPROPRIATION.

29 1. There is appropriated from the general fund of the  
30 state to the department of education for the fiscal year  
31 beginning July 1, 1998, and for each succeeding fiscal year,  
32 the sum of nine million dollars for the early education  
33 improvement program.

34 2. For each fiscal year for which moneys are appropriated  
35 in subsection 1, the amount of moneys allocated to school

1 districts shall be in the proportion that the basic enrollment  
2 of a district bears to the sum of the basic enrollments of all  
3 school districts in the state for the budget year. However, a  
4 district shall not receive less than ten thousand dollars in a  
5 fiscal year. The Iowa braille and sight saving school, the  
6 state school for the deaf, and the Price laboratory school at  
7 the university of northern Iowa shall annually certify their  
8 basic enrollments to the department of education by October 1.

9 3. For each year for which an appropriation is made to the  
10 early education improvement program, the department of  
11 education shall notify the department of revenue and finance  
12 of the amount to be paid to each school district based upon  
13 the distribution plan set forth for the appropriation made  
14 pursuant to this section. The allocation to each school  
15 district under this section shall be made in one payment on or  
16 about October 15 of the fiscal year for which the  
17 appropriation is made, taking into consideration the relative  
18 budget and cash position of the state resources.

19 4. Moneys received under this section shall not be  
20 commingled with state aid payments made under section 257.16  
21 to a school district and shall be accounted for by the school  
22 district separately from state aid payments.

23 5. Payments made to school districts under this section  
24 are miscellaneous income for purposes of chapter 257 and are  
25 considered encumbered. Each school district shall maintain a  
26 separate listing within their budgets for payments received  
27 and expenditures made pursuant to this section.

28 6. Moneys received under this section shall not be used  
29 for payment of any collective bargaining agreement or  
30 arbitrator's decision negotiated or awarded under chapter 20.

31 7. For purposes of this chapter, "school district" means a  
32 public school district, the Iowa braille and sight saving  
33 school, the state school for the deaf, and the Price  
34 laboratory school at the university of northern Iowa.

35 Sec. 7. NEW SECTION. 256D.3 EARLY EDUCATION IMPROVEMENT

1 PROGRAM -- REPORTS.

2 1. Progress, as determined by school districts through  
3 appropriate assessments, for children enrolled in kindergarten  
4 through grade three in attaining or surpassing student  
5 achievement goals as established under the accreditation  
6 process in chapter 256, and an accounting of the use of the  
7 moneys received by the school districts in accordance with  
8 this chapter, shall be submitted in an annual report to the  
9 department of education by September 1 in the fiscal year  
10 beginning July 1, 1999, and in each succeeding year. Each  
11 school district shall also certify, in the annual report to  
12 the department, that the school districts used the moneys  
13 received under this chapter to supplement, and not to  
14 supplant, the moneys otherwise received and used by the school  
15 district for kindergarten through grade three education  
16 purposes.

17 2. Progress, as determined individually by the Iowa  
18 braille and sight saving school, the state school for the  
19 deaf, and the Price laboratory school at the university of  
20 northern Iowa, including the progress of children enrolled in  
21 kindergarten through grade three in attaining or surpassing  
22 student achievement goals, and an accounting of the use of the  
23 moneys received by the school districts in accordance with  
24 this chapter, shall be submitted in an annual report to the  
25 state board of regents and the department of education by  
26 September 1 in the fiscal year beginning July 1, 1999, and in  
27 each succeeding year. Each school district shall also  
28 certify, in the annual report to the board of regents and the  
29 department, that the school districts used the moneys received  
30 under this chapter to supplement, and not to supplant, the  
31 moneys otherwise received and used by the school districts for  
32 kindergarten through grade three education purposes.

33 3. The department shall submit, to the chairpersons and  
34 ranking members of the house and senate education committees  
35 by January 1, 2000, a report describing the ways in which the

1 school districts are making use of the moneys received under  
2 this chapter, and including the school districts, if any, that  
3 used moneys received under this chapter to supplant funds the  
4 school district was already receiving for kindergarten through  
5 grade three education purposes.

6 4. The department shall submit, to the chairpersons and  
7 ranking members of the house and senate education committees  
8 by January 1, 2002, a report describing school district  
9 progress on attaining or surpassing student achievement goals.

10 Sec. 8. NEW SECTION. 256D.4 EARLY EDUCATION IMPROVEMENT  
11 PROGRAM EXPENDITURES.

12 School districts shall expend funds received pursuant to  
13 section 256D.2 to support education practices, programs, or  
14 assistance for kindergarten through grade three that may  
15 include, but are not limited to, the following: reducing  
16 adult to student ratios through the hiring of teachers and  
17 adult teaching assistants; reading instruction in phonics;  
18 volunteer coordinator programs; implementation of  
19 instructional programs designed to improve student achievement  
20 in the areas of reading, language arts, and mathematics;  
21 parental involvement programs; and contributions toward  
22 implementation of an extended school day or year program.

23 Sec. 9. NEW SECTION. 256E.1 BEGINNING TEACHER INDUCTION  
24 PROGRAM ESTABLISHED -- GRANTS.

25 If the general assembly appropriates moneys for purposes of  
26 teacher induction, the department of education shall  
27 coordinate a beginning teacher induction program to promote  
28 excellence in teaching, build a supportive environment within  
29 school districts, to increase the retention of promising  
30 beginning teachers, and promote the personal and professional  
31 well-being of teachers. The department of education shall  
32 develop a process for awarding beginning teacher induction  
33 grants to school districts, and shall adopt rules relating to  
34 the equitable distribution of grants to school districts to  
35 reflect diversity geographically and by population.

1     Sec. 10. NEW SECTION. 256E.2 DEFINITIONS.

2     As used in this chapter, unless the context otherwise  
3 requires:

4     1. "Beginning teacher" means an individual serving under  
5 an initial provisional or conditional license, issued by the  
6 board under chapter 272, who is assuming a position as a  
7 classroom teacher.

8     2. "Board of directors" means the board of directors of a  
9 school district or a collaboration of boards of directors of  
10 school districts.

11    3. "Classroom teacher" means an individual who holds a  
12 valid practitioner's license and who is employed by a school  
13 district under sections 279.13 through 279.19 in a school  
14 district in this state or area education agency to provide  
15 instruction to students.

16    4. "Department" means the department of education.

17    5. "Director" means the director of the department of  
18 education.

19    6. "District facilitator" means a licensed professional  
20 pursuant to chapter 272 who is appointed by the board of  
21 directors, or a collaboration of districts, to serve as the  
22 liaison between the board of directors and the department for  
23 the beginning teacher induction program.

24    7. "Mentor" means an individual employed by a school  
25 district or area education agency as a classroom teacher and  
26 who holds a valid license to teach issued under chapter 272.

27     Sec. 11. NEW SECTION. 256E.3 DISTRICT PLAN.

28    1. A board of directors of a school district or the boards  
29 of directors of a collaboration of school districts  
30 participating in the beginning teacher induction program shall  
31 appoint a district facilitator, whose duties shall include,  
32 but are not limited to, overseeing the development of a plan  
33 for meeting the goals of the program as set forth in section  
34 256E.1, and composing a district committee pursuant to  
35 subsection 2.

1 2. The membership of the district committee composed by  
2 the district facilitator shall include, but is not limited to,  
3 licensed practitioners and an area education agency staff  
4 development professional.

5 3. The district committee shall adopt a plan and written  
6 procedures for an induction program consistent with this  
7 chapter. The plan and the written procedures shall, at a  
8 minimum, provide the process for the selection of and the  
9 number of mentors; the mentor training process; the timetable  
10 by which the plan shall be implemented; placement of mentors  
11 and beginning teachers; the minimum amount of contact time  
12 between mentors and beginning teachers; the minimum amount of  
13 release time for mentors and beginning teachers for meetings  
14 for planning, demonstration, observation, feedback, and  
15 workshops; the process for dissolving mentoring partnerships;  
16 and the process for measuring the results of the program. The  
17 district committee shall recommend to the board of directors  
18 or boards of directors of a collaboration the names of  
19 classroom teachers eligible to be mentors.

20 4. The district facilitator shall submit the plan, and the  
21 proposed costs of implementing the plan, to the board of  
22 directors or boards of directors of a collaboration, which  
23 shall consider the plan and, once approved, submit the plan  
24 and a reasonable cost proposal to the department of education,  
25 which shall award grants as equitably as possible based on the  
26 geographic and population diversity of the school districts  
27 submitting plans. Grants may be awarded in subsequent years  
28 based upon the most recent plan on file with the department.

29 5. The district committee is encouraged to work with area  
30 education agencies and postsecondary institutions in the  
31 preparation and implementation of a plan.

32 Sec. 12. NEW SECTION. 256E.4 BEGINNING TEACHER AND  
33 MENTOR SELECTION AND PLACEMENT.

34 1. To be eligible to be a mentor, a licensed practitioner  
35 shall, at a minimum, be employed by a school district as a



1 classroom teacher, have a record of at least five years of  
2 effective practice, have been employed for one full year in  
3 the district on a nonprobationary basis, and demonstrate  
4 professional commitment to the improvement of teaching and  
5 learning, and the development of beginning teachers.

6 2. The district facilitator shall position beginning  
7 teachers in a manner that provides the greatest opportunity to  
8 participate with the largest number of mentors.

9 Sec. 13. NEW SECTION. 256E.5 BEGINNING TEACHER INDUCTION  
10 STATE SUBSIDY -- FUND.

11 1. A teacher who is enrolled as a mentor in an approved  
12 beginning teacher induction program shall be eligible for an  
13 award of five hundred dollars per semester of participation in  
14 the program, which shall be paid from moneys received pursuant  
15 to this section by the school district employing the mentor.

16 2. Moneys received by a school district pursuant to this  
17 chapter shall be expended to provide mentors with awards in  
18 accordance with subsection 1, to implement the plan, to pay  
19 the costs of the employer's share of contributions to federal  
20 social security and the Iowa public employees' retirement  
21 system or a pension and annuity retirement system established  
22 under chapter 294, for such amounts paid by the district.

23 3. Moneys received by a school district under this chapter  
24 are miscellaneous income for purposes of chapter 257 or are  
25 considered encumbered. Each local school district shall  
26 maintain a separate listing within their budget for payments  
27 received and expenditures made pursuant to this section.

28 4. Moneys received for purposes of this chapter shall not  
29 be used for payment of any collective bargaining agreement or  
30 arbitrator's decision negotiated or awarded under chapter 20.

31 5. A beginning teacher induction fund is established in  
32 the office of the treasurer of state to be administered by the  
33 department. Moneys appropriated by the general assembly for  
34 deposit in the fund shall be used to provide funding to school  
35 districts pursuant to the requirements of this section.

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

6 Sec. 14. NEW SECTION. 256E.6 REPORTS.

7 The board of directors of a school district or a  
8 collaboration of school districts implementing an approved  
9 beginning teacher induction program as provided in this  
10 chapter shall submit an assessment of the program's results by  
11 July 1 of the fiscal year succeeding the year in which the  
12 board or the collaboration of districts received moneys under  
13 this chapter. The department shall annually report the  
14 statewide results of the program to the chairpersons and the  
15 ranking members of the house and senate education committees  
16 by January 1.

17 Sec. 15. Section 257.20, subsection 2, Code 1997, is  
18 amended by adding the following new paragraph:

19 NEW PARAGRAPH. c. If the department of education prorates  
20 the amount of the instructional support state aid paid to each  
21 district pursuant to this subsection, the board of directors  
22 shall be authorized to call an election in the manner provided  
23 in section 257.18 to impose an additional instructional  
24 support property tax, or a combination of an additional  
25 instructional support property tax and an additional  
26 instructional support income surtax, in an amount calculated  
27 by the department of management to equal the difference  
28 between what the district would be entitled to receive if the  
29 instructional support levy were fully funded pursuant to  
30 subsection 1, and the amount of the prorated state aid  
31 calculated pursuant to paragraph "b".

32 The additional voter-approved taxing authority pursuant to  
33 this paragraph shall be granted for each budget year in which  
34 a prorated state aid payment is received, for a period not to  
35 exceed the duration of the underlying instructional support

1 program. However, the amount of additional voter-approved  
2 instructional support property tax and voter-approved  
3 additional instructional support income surtax, if imposed,  
4 may be determined by the board of directors in a different  
5 proportion than for the instructional support property tax and  
6 instructional support income surtax imposed for the underlying  
7 instructional support program. Certification procedures  
8 regarding imposition of additional instructional support  
9 property tax or additional voter-approved instructional  
10 support income surtax shall be as provided in sections 257.19  
11 and 257.25. The payments shall be calculated, paid, and  
12 deposited at the same time and in the same manner as provided  
13 in sections 257.21 through 257.26.

14 Sec. 16. NEW SECTION. 268.6 TEACHER INTERNSHIP PILOT  
15 PROGRAM.

16 1. The university of northern Iowa shall design and  
17 implement a teacher internship pilot program to permit the  
18 integration of theoretical and practical learning. The  
19 university shall develop the program in consultation with the  
20 state board of education and the board of educational  
21 examiners.

22 2. The teacher internship pilot program implemented by the  
23 university shall include all of the following:

24 a. Student interns enrolled in the program shall complete  
25 a one-year teaching experience conducted in a collaborating  
26 school district. A student intern shall be an employee of the  
27 participating school district. The amount of money a school  
28 district shall pay to a student intern shall be negotiated by  
29 the school district and the university in consultation with  
30 the department of education.

31 b. Application of the best teaching practices in diverse  
32 settings and in responding to diverse student needs under the  
33 supervision of selected district teachers and university  
34 personnel.

35 c. Seminars and special projects designed to meet student

1 intern needs.

2 d. Collaboration and support from a participating school  
3 district relating to supervision and assessment of the student  
4 intern's performance.

5 e. Collaboration and support from the university in  
6 developing rigorous graduate coursework and in matters  
7 relating to supervision, instruction, and evaluation of the  
8 student intern in conjunction with personnel employed by the  
9 participating school district.

10 3. Student interns who enroll in the program shall receive  
11 graduate credit for successful completion of teacher  
12 internship program coursework. The successful completion of a  
13 one-year teacher internship under the program shall be  
14 recognized as the equivalent of one year of teaching  
15 experience.

16 4. A teacher who is employed by a school district and who  
17 acts as a clinical supervisor for the teacher internship pilot  
18 program shall be eligible for a stipend of one thousand  
19 dollars per semester of participation in the program. The  
20 stipend and the costs of the employer's share of contributions  
21 to federal social security and the Iowa public employees'  
22 retirement system established under chapter 294, for such  
23 amounts by the district, shall be paid from moneys received by  
24 the participating school district from moneys allocated to the  
25 university of northern Iowa pursuant to this section.

26 5. Moneys received by a school district under this section  
27 shall not be commingled with state aid payments made under  
28 section 257.16 to a school district and shall be accounted for  
29 by the school district separately from state aid payments.

30 6. Payments made to school districts under this section  
31 are miscellaneous income for purposes of chapter 257 and are  
32 considered encumbered. A school district shall maintain a  
33 separate budget listing for payments received and expenditures  
34 made pursuant to this section.

35 7. Moneys received by a school district under this section

1 shall not be used for payment of any collective bargaining  
2 agreement or arbitrator's decision negotiated or awarded under  
3 chapter 20.

4 8. Annually on or by January 15, the university of  
5 northern Iowa shall submit a report describing activities  
6 associated with the program to the chairpersons and ranking  
7 members of the standing house and senate education committees.

8 9. a. There is appropriated from the general fund of the  
9 state to the state board of regents for the fiscal year  
10 beginning July 1, 1998, and ending June 30, 1999, the sum of  
11 two hundred twenty thousand dollars for the teacher internship  
12 pilot program at the university of northern Iowa.

13 b. There is appropriated from the general fund of the  
14 state to the state board of regents for each fiscal year of  
15 the fiscal period beginning July 1, 2000, and ending June 30,  
16 2002, the sum of five hundred seventy-five thousand dollars  
17 for the teacher internship pilot program at the university of  
18 northern Iowa.

19 10. This section is repealed on July 1, 2002.

20 Sec. 17. Section 272.1, Code 1997, is amended by adding  
21 the following new subsection:

22 NEW SUBSECTION. 4A. "Para-educator" means a person who is  
23 licensed to assist a teacher in the performance of  
24 instructional tasks to support and assist classroom  
25 instruction and related school activities.

26 Sec. 18. NEW SECTION. 272.12 PARA-EDUCATOR LICENSES.

27 1. The board of educational examiners shall adopt rules  
28 pursuant to chapter 17A relating to a multi-level voluntary  
29 licensing system ranging from para-educator generalist to  
30 para-educator specialist. The rules shall outline the  
31 instructional and other school activity tasks the individuals  
32 licensed under this section may perform. The board shall  
33 determine whether an applicant is qualified to perform the  
34 duties for which a para-educator license is sought.

35 2. Applicants for a para-educator license as a generalist

1 must hold a high school diploma from an accredited secondary  
2 school or a high school equivalency diploma issued in  
3 accordance with chapter 259A. The applicant must also have  
4 completed additional in-service training in at least all of  
5 the following areas:

- 6 a. Behavior management.
- 7 b. Ethical responsibilities and behavior.
- 8 c. Exceptional child and at-risk child behavior.
- 9 d. Collaboration skills and interpersonal relations.
- 10 e. Child and youth development.

11 3. Applicants for a para-educator license as a specialist  
12 must meet the requirements of subsection 2 and additional  
13 requirements as prescribed by rule.

14 4. A public school district, area education agency,  
15 community college, institution of higher education under the  
16 state board of regents, or an accredited private institution  
17 as defined in section 261.9, subsection 1, with a program  
18 approved by the state board of education, may train and  
19 recommend individuals for board licensure.

20 5. Applicants shall be disqualified for any of the  
21 following reasons:

- 22 a. The applicant is less than eighteen years of age.
- 23 b. The applicant has a record of founded child abuse.
- 24 c. The applicant has been convicted of a felony.
- 25 d. The applicant's application is fraudulent.
- 26 e. The applicant's license or certification from another  
27 state is suspended or revoked.
- 28 f. The applicant fails to meet board standards for  
29 application for an initial or renewed license.

30 6. Qualifications or criteria for the granting or  
31 revocation of a license or the determination of an  
32 individual's professional standing shall not include  
33 membership or nonmembership in any teachers' organization.

34 Sec. 19. NEW SECTION. 279.12A EVALUATION CRITERIA AND  
35 PROCEDURES.

1 A board of directors of a school district shall establish  
2 evaluation procedures and evaluation criteria for all  
3 personnel. If an exclusive bargaining representative has been  
4 certified, a school board shall negotiate in good faith with  
5 respect to evaluation procedures pursuant to chapter 20.  
6 However, the determination of the substantive criteria for  
7 evaluations and the standards of performance expected of  
8 district personnel shall be reserved as an exclusive  
9 management right of the school board, and shall not be subject  
10 to mandatory negotiations in accordance with section 20.9.  
11 The determination of the substantive criteria for evaluations  
12 and standards of performance as established by the board is  
13 final. Objections to the use or content of an evaluation in a  
14 teacher termination proceeding shall be brought before the  
15 school board in the hearing held in accordance with section  
16 279.16 and shall not be subject to grievance procedures  
17 negotiated in accordance with section 20.18.

18 Sec. 20. NEW SECTION. 279.14A PRACTITIONER PERFORMANCE  
19 IMPROVEMENT PROGRAM.

20 1. The department of education shall establish and  
21 implement a voluntary practitioner performance improvement  
22 program that shall provide technical assistance to teachers  
23 and administrators from each public school district and area  
24 education agency. The department shall consult with the Iowa  
25 state education association, the Iowa association of school  
26 boards, the school administrators of Iowa, and, as  
27 practicable, other entities providing similar programs, in  
28 developing the program. The program shall do the following:  
29 a. At a minimum, the program shall provide administrators  
30 with training, including but not limited to, seminars and  
31 written materials, relating to the areas of employment  
32 policies and procedures, employment documentation, performance  
33 evaluations, corrective performance techniques, discipline,  
34 termination, and support by qualified individuals for  
35 implementation of the program. Training received by an

1 administrator in accordance with this section shall apply  
2 toward an administrator's evaluator approval renewal. The  
3 program shall not be used to provide consultation or  
4 assistance on specific employment situations.

5 b. The program shall include the establishment and  
6 implementation of a regional system to provide technical  
7 assistance to teachers and administrators who are performing  
8 inadequately.

9 2. The department shall submit an annual report to the  
10 chairpersons and ranking members of the house and senate  
11 standing education committees summarizing program activities  
12 and describing the department's plans for improving or  
13 changing the program.

14 3. There is appropriated from the general fund of the  
15 state to the department of education for each fiscal year the  
16 sum of three hundred thousand dollars for purposes of the  
17 practitioner performance improvement program.

18 Of the funds appropriated, the sum of two hundred thousand  
19 dollars shall be used for purposes of subsection 1, paragraph  
20 "a", and the sum of one hundred thousand dollars shall be used  
21 for purposes of subsection 1, paragraph "b".

22 Sec. 21. Section 279.19, unnumbered paragraph 2, Code  
23 1997, is amended to read as follows:

24 In the case of the termination of a probationary teacher's  
25 contract, the provisions of sections 279.15 and 279.16 shall  
26 apply. However, notwithstanding any provision to the  
27 contrary, the grievance procedures of section 20.18 shall not  
28 apply in the case of the termination of the contract of a  
29 teacher serving a probationary period.

30 Sec. 22. Section 279.46, Code 1997, is amended to read as  
31 follows:

32 279.46 RETIREMENT INCENTIVES -- TAX.

33 The board of directors of a school district may adopt a  
34 program for payment of a monetary bonus, continuation of  
35 health or medical insurance coverage, or other incentives for



1 encouraging its employees to retire before the normal  
2 retirement date as defined in chapter 97B. The program is  
3 available only to employees between ~~fifty-nine~~ fifty-five and  
4 sixty-five years of age who notify the board of directors  
5 prior to ~~March~~ April 1 of the fiscal year that they intend to  
6 retire not later than the next following June 30. However,  
7 the age at which employees shall be designated eligible for  
8 the program, within the age range of fifty-five to sixty-five  
9 years of age, shall be at the discretion of the board. An  
10 employee retiring under this section shall apply for a  
11 retirement allowance under chapter 97B or chapter 294. If the  
12 total estimated accumulated cost to a school district of the  
13 health or medical insurance coverage, bonus, or other  
14 incentives for employees who retire under this section does  
15 not exceed the estimated savings in salaries and benefits for  
16 employees who replace the employees who retire under the  
17 program, the board may include in the district management levy  
18 an amount to pay the costs of the program provided in this  
19 section.

20 Sec. 23. NEW SECTION. 279.59 PRACTITIONER RECOGNITION  
21 AWARD PILOT PROGRAM.

22 1. Subject to an appropriation of sufficient funds by the  
23 general assembly, the department shall design and implement a  
24 practitioner recognition award pilot program for recognizing  
25 superior teaching and learning and rewarding excellence in  
26 teaching practices and results, or for administrative  
27 leadership.

28 2. The practitioner recognition award pilot program  
29 implemented by the department shall include, but shall not be  
30 limited to, all of the following:

31 a. A nomination procedure that permits nominations to be  
32 made by the practitioner, other practitioners, or parents.

33 b. Award distribution to individuals or to nominated teams  
34 of practitioners.

35 c. Award eligibility based upon completion of one full

1 school year in the district as a licensed practitioner, a  
2 satisfactory or higher ranking on a performance evaluation by  
3 the practitioner's administrator or a recommendation from the  
4 board of directors of the district, and certification that the  
5 practitioner improved student achievement in the year of award  
6 eligibility. Eligibility may be for more than one year, if  
7 appropriate.

8 d. Voluntary participation by a nominee.

9 e. Use of objective methods for measuring improvement in  
10 student achievement. Multiple measurement and assessment  
11 tools may be used. However, if a standard, objective method  
12 for measuring improvement in a subject area is unavailable,  
13 the practitioner or the school district may request approval  
14 from the director of education to use an alternative,  
15 objective method for measuring improvement in student  
16 achievement. The director's decision shall be final.

17 3. The department shall determine the minimum criteria  
18 necessary for eligibility in the program, and shall utilize  
19 and distribute to school districts a weighting system for  
20 criteria evaluation that ranks the criteria in the following  
21 order of priority: improvement in student achievement,  
22 practitioner advancement through education or professional  
23 designation achievement, practitioner participation as a  
24 member or leader of a team, initiative in student achievement,  
25 and community involvement.

26 4. To nominate an individual for an award, an individual  
27 shall submit a one-page application and report, on a form  
28 designed and distributed to school districts by the department  
29 of education, to a local school district coordinator who shall  
30 be designated by the board of directors of the school  
31 district. The form shall be completed by the practitioner,  
32 two colleagues, and three parents selected by the  
33 practitioner. The district coordinator shall tabulate the  
34 totals of all nominations according to the minimum criteria  
35 determined by the department under subsection 3. The district

1 may judge a nominee by criteria in addition to the criteria  
2 established by the department.

3 5. The ranked list of nominees shall be submitted to the  
4 board of directors of the school district for review and  
5 approval. The board of directors shall be responsible for  
6 determining the number of awards and the amount of the awards  
7 based upon the moneys received by the school district pursuant  
8 to section 279.60. The board of directors shall also consult  
9 with practitioners to plan appropriate recognition events  
10 within the district for presentation of the awards.

11 Sec. 24. NEW SECTION. 279.60 PRACTITIONER RECOGNITION  
12 AWARD -- FUNDING.

13 1. Subject to an appropriation of sufficient funds by the  
14 general assembly, and the establishment of a practitioner  
15 recognition award pilot program, by September 15, each school  
16 district willing to participate in the practitioner  
17 recognition award pilot program shall notify the department of  
18 education of the intent to participate in the program.

19 2. From the moneys appropriated for purposes of this  
20 program, the amount of moneys allocated to school districts  
21 that have notified the department of the intent to participate  
22 in the program shall be in the proportion that the basic  
23 enrollment of a district bears to the sum of the basic  
24 enrollments of all school districts in the state for the  
25 budget year that are willing to participate in the program.  
26 If the Iowa braille and sight saving school, the state school  
27 for the deaf, and the Price laboratory school at the  
28 university of northern Iowa notify the department of the  
29 intent to participate, they shall annually certify their basic  
30 enrollments to the department of education by October 1.  
31 However, the amount of an award to a school district shall not  
32 exceed the sum of one hundred thousand dollars.

33 3. For each year in which an appropriation is made to the  
34 practitioner recognition award pilot program, the department  
35 of education shall notify the department of revenue and

1 finance of the amount to be paid to each school district based  
2 upon the distribution plan set forth for the appropriation  
3 made pursuant to this section. The allocation to each school  
4 district under this section shall be made in one payment on or  
5 about January 15 of the fiscal year in which the appropriation  
6 is made, taking into consideration the relative budget and  
7 cash position of the state resources.

8 4. Moneys received under this section shall not be  
9 commingled with state aid payments made under sections 257.16  
10 to a school district and shall be accounted for by the local  
11 school district separately from state aid payments.

12 5. Payments made to school districts under this section  
13 are miscellaneous income for purposes of chapter 257 or are  
14 considered encumbered. Each local school district shall  
15 maintain a separate listing within their budget for payments  
16 received and expenditures made pursuant to this section.

17 6. Moneys received under this section shall not be used  
18 for payment of any collective bargaining agreement or  
19 arbitrator's decision negotiated or awarded under chapter 20.

20 7. For purposes of this section, "school district" means a  
21 school district, the Iowa braille and sight saving school, the  
22 state school for the deaf, and the Price laboratory school at  
23 the university of northern Iowa.

24 8. Awards to practitioners under this program shall not be  
25 built into the base pay for the practitioner, but shall be  
26 included in the calculation to determine pension contributions  
27 in the year in which the award is received.

28 Sec. 25. Section 294A.5, Code 1997, is amended to read as  
29 follows:

30 294A.5 MINIMUM SALARY SUPPLEMENT.

31 1. For the school year beginning July 1, ~~1987~~ 1998, and  
32 succeeding school years, the minimum annual salary paid to a  
33 full-time teacher as regular compensation shall be eighteen  
34 twenty-one thousand dollars.

35 2. The minimum salary supplement shall be the sum of the

1 following, as applicable:

2 a. For the school year beginning July 1, ~~1987~~ 1998, for  
3 phase I, each school district and area education agency shall  
4 certify to the department of education by the third Friday in  
5 September the names of all teachers employed by the district  
6 or area education agency whose regular compensation is less  
7 than ~~eighteen~~ twenty-one thousand dollars per year for that  
8 year and the amounts needed as minimum salary supplements.  
9 The minimum salary supplement for each eligible teacher is the  
10 total of the difference between ~~eighteen~~ twenty-one thousand  
11 dollars and the teacher's regular compensation plus the amount  
12 required to pay the employer's share of the federal social  
13 security and Iowa public employees' retirement system, or a  
14 pension and annuity retirement system established under  
15 chapter 294, payments on the additional salary moneys.  
16 However, for purposes of this paragraph, a teacher's regular  
17 compensation for the school year beginning July 1, 1998, shall  
18 not be lower than twenty-one thousand dollars.

19 b. The total minimum salary supplement paid to a school  
20 district under phase I for the school year beginning July 1,  
21 1997.

22 Sec. 26. Section 294A.6, unnumbered paragraph 1, Code  
23 1997, is amended to read as follows:

24 1. For the school year beginning July 1, ~~1987~~ 1998, the  
25 department of education shall notify the department of revenue  
26 and finance of the total minimum salary supplement, as  
27 described in section 294A.5, subsection 2, paragraphs "a" and  
28 "b", to be paid to each school district and area education  
29 agency under phase I and the department of revenue and finance  
30 shall make the payments. For school years after the school  
31 year beginning July 1, ~~1987~~ 1998, if a school district or area  
32 education agency reduces the number of its full-time  
33 equivalent teachers below the number employed during the  
34 school year beginning July 1, ~~1987~~ 1998, the department of  
35 revenue and finance shall reduce the total minimum salary

1 supplement payable to that school district or area education  
2 agency so that the amount paid is equal to the ratio of the  
3 number of full-time equivalent teachers employed in the school  
4 district or area education agency for that school year divided  
5 by the number of full-time equivalent teachers employed in the  
6 school district or area education agency for the school year  
7 beginning July 1, ~~1987~~ 1998, and multiplying that fraction by  
8 the total minimum salary supplement paid to that school  
9 district or area education agency for the school year  
10 beginning July 1, ~~1987~~ 1998.

11 Sec. 27. Section 294A.25, subsection 1, Code Supplement  
12 1997, is amended to read as follows:

13 1. For the fiscal year beginning July 1, ~~1990~~ 1998, and  
14 for each succeeding year, there is appropriated from the  
15 general fund of the state to the department of education the  
16 amount of ~~ninety-two~~ eighty-one million ~~one~~ four hundred  
17 seventy-six thousand ~~eighty-five~~ six hundred ~~sixty-six~~  
18 to be used to improve teacher salaries. ~~For each fiscal year~~  
19 ~~in the fiscal period commencing July 1, 1991, and ending June~~  
20 ~~30, 1993, there is appropriated an amount equal to the amount~~  
21 ~~appropriated for the fiscal year beginning July 1, 1990, plus~~  
22 ~~an amount sufficient to pay the costs of the additional~~  
23 ~~funding provided for school districts and area education~~  
24 ~~agencies under sections 294A.9 and 294A.14. For each fiscal~~  
25 ~~year beginning on or after July 1, 1995, there is appropriated~~  
26 ~~the sum which was appropriated for the previous fiscal year,~~  
27 ~~including supplemental payments.~~ The moneys shall be  
28 distributed as provided in this section.

29 Sec. 28. Section 294A.25, subsection 7, Code Supplement  
30 1997, is amended to read as follows:

31 7. Commencing with the fiscal year beginning July 1, 1990,  
32 the amount of ~~sixty~~ seventy-five thousand dollars for the  
33 ambassador to education program under section ~~256.43~~ 256.45.

34 Sec. 29. CURRENT NATIONAL BOARD CERTIFICATE HOLDERS. In  
35 order to receive payment under section 256.44, as enacted by

1 this Act, a teacher who by July 1, 1998, meets the  
2 qualifications for an award under section 256.44, shall apply  
3 to the department for payment under section 256.44 by June 30,  
4 1999.

5 Sec. 30. INITIAL YEAR.

6 1. The board of directors of a school district, or the  
7 boards of directors of a collaboration, determined to  
8 participate in the beginning teacher induction program in  
9 fiscal year 1998-1999, shall submit the plan required under  
10 section 256E.3, if enacted in this Act, to the department of  
11 education by October 15, 1998.

12 2. By January 15, 1999, the department of education shall  
13 award grants as provided in accordance with section 256E.3, if  
14 enacted in this Act.

15 Sec. 31. APPLICABILITY. Section 19 of this Act, relating  
16 to evaluation criteria, takes effect July 1, 1998, for  
17 collective bargaining agreements or contracts entered into on  
18 or after July 1, 1998, between teachers and the boards of  
19 directors of school districts.

20 Sec. 32. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.  
21 The section of this Act that amends section 279.46, being  
22 deemed of immediate importance, takes effect upon enactment  
23 and applies retroactively to retirement incentive programs in  
24 existence after December 31, 1997.

25 EXPLANATION

26 This bill relates to teachers contracts and the  
27 establishment of evaluation criteria, frontier schools, a  
28 beginning teachers induction program, a practitioner  
29 recognition award pilot program, mathematics pilot programs,  
30 awards to teachers for national board certification, an early  
31 education improvement program, instructional support state  
32 aid, a teacher internship pilot program at the university of  
33 northern Iowa, para-educator licenses, a practitioner  
34 performance improvement program, and an increase in the  
35 minimum teachers' salary.

1 Code section 256.22: Establishes a frontier and extended  
2 year school planning grant program to provide for the  
3 allocation of grants to school districts, or a collaboration  
4 of school districts, ready to investigate the possibility of  
5 converting of an existing school within a district to a  
6 frontier or to an extended school year. The bill defines a  
7 "frontier school" to mean a school that is nonsectarian in its  
8 program, admission policies, employment practices, and all  
9 other operations. The school is a public school and shall not  
10 charge admission or tuition. The primary focus of a frontier  
11 school shall be to provide a comprehensive program of  
12 instruction for at least one grade or age group from five  
13 through 18 years of age. The school district or collaboration  
14 of school districts shall agree to appoint a frontier school  
15 planning committee composed of parents, teachers,  
16 administrators, and individuals representing business, and the  
17 local community. The bill describes the issues a planning  
18 grant must be used to examine.

19 The bill appropriates \$500,000 from the general fund of the  
20 state to the department of education for grant awards, the  
21 amounts of which shall be determined by the department.  
22 However, a grant awarded to a school district under the  
23 provisions of this section shall not exceed \$25,000.

24 Code section 256.24: Appropriates \$50,000 from the general  
25 fund of the state to the department of education for each of  
26 the next two years and directs the Iowa mathematics and  
27 science coalition to administer a two-year mathematics pilot  
28 program to help teachers become aware of possibilities for  
29 mathematics instruction other than traditional approaches.  
30 The pilot programs shall be located in at least three public  
31 schools districts, one located in a large school district, one  
32 located in a medium-sized school district, and one located in  
33 a small school district.

34 Code section 256.44: Provides for a \$2,000 registration  
35 award and an annual payment of \$2,000 for up to five years to



1 each teacher employed by a school district in Iowa who holds a  
2 national board for professional teaching standards  
3 certificate. Individuals must provide certification as  
4 required by the department of education and apply to the  
5 department within one year of achieving certification. The  
6 bill also establishes a national board for professional  
7 teaching standards certification fund to be administered by  
8 the department of education and appropriates \$250,000 annually  
9 to the fund.

10 New Code chapter 256D: Establishes an early education  
11 improvement program, focused on kindergarten through grade  
12 three, with an annual appropriation of \$9 million from the  
13 state general fund to the department of education.

14 The general assembly finds, according to the bill, that it  
15 is in the best interest of the state to encourage and fund  
16 early education programs in public school districts. The bill  
17 defines the goals of an eligible early education improvement  
18 program and lists the components of early education practices  
19 and programs for which state funding may be expended.

20 The bill provides for a per pupil annual distribution of  
21 the funds appropriated, but stipulates that a school district  
22 shall receive no less than \$10,000. The bill defines the term  
23 "school district" to include public school districts, the Iowa  
24 braille and sight saving school, the state school for the  
25 deaf, and the Price laboratory school at the university of  
26 northern Iowa.

27 The bill requires that school districts report to the  
28 appropriate state agencies progress made in attaining or  
29 surpassing student achievement goals. The bill also requires  
30 the department of education to submit to the chairpersons and  
31 ranking members of the house and senate committees on  
32 education reports describing the ways school districts are  
33 using early education moneys, whether any are using the moneys  
34 to supplant other funding, and describing district progress on  
35 attaining or surpassing student achievement goals.

1 New Code chapter 256E: Creates a beginning teacher  
2 induction program to promote excellence in teaching, build a  
3 supportive environment in school districts to increase the  
4 retention of promising beginning teachers, and promote the  
5 personal and professional well-being of teachers. The bill  
6 appropriates \$180,000 for the first year of the program,  
7 fiscal year 1998-1999.

8 The bill directs the department of education to develop a  
9 process to be used in awarding beginning teacher grants.

10 A teacher serving as a mentor under the program is eligible  
11 for an award of \$500 per semester of participation. Moneys  
12 received by a district shall be expended for awards to  
13 mentors, for the costs of the employer's share of  
14 contributions to federal social security and the Iowa public  
15 employees' retirement system or a pension and annuity  
16 retirement system established under chapter 294, for such  
17 amounts paid by the districts.

18 The bill establishes a beginning teacher induction fund in  
19 the office of the treasurer of state to be administered by the  
20 department of education.

21 A school district shall appoint a district facilitator who  
22 acts as a liaison between the board and the department of  
23 education who shall appoint a district committee. The  
24 district committee membership shall include, but is not  
25 limited to, licensed teachers and an area education agency  
26 staff development professional. The district committee must  
27 adopt a plan and written procedures for a mentor program which  
28 shall, at a minimum, address the application, mentor  
29 selection, and mentor training processes; the timetable for  
30 plan implementation; placement; minimum release time;  
31 measurement of results; and dissolving mentoring partnerships.  
32 District committees are encouraged to collaborate with area  
33 education agencies and postsecondary institutions in the  
34 preparation of plans. The district committee shall recommend  
35 to the board of directors the names of classroom teachers

1 eligible to be mentors.

2 The board of directors shall submit the plan and a  
3 reasonable cost proposal to the department, which shall award  
4 grants to school districts, selecting from the school  
5 districts submitting plans based solely upon equitability and  
6 geographic and population diversity.

7 The bill also requires that a licensed teacher, to be  
8 eligible to be a mentor, be employed by a school district as a  
9 classroom teacher, have a record of at least five years of  
10 effective practice, have been employed for one full year in  
11 the district on a nonprobationary basis, and demonstrate  
12 professional commitment to the improvement of teaching and  
13 learning, and the development of beginning teachers.

14 Code section 257.20: Permits school districts receiving a  
15 prorated instructional support state aid payment to call an  
16 election to receive voter-approval for additional taxing  
17 authority to fully fund the instructional support program.

18 The bill provides that the board of directors of a school  
19 district shall be authorized to call an election in the manner  
20 provided in Code section 257.18 to impose an additional voter-  
21 approved instructional support property tax, or a combination  
22 of an additional voter-approved instructional support property  
23 tax and an additional voter-approved instructional support  
24 income surtax, in an amount calculated by the department of  
25 management to equal the difference between what the district  
26 would be entitled to receive if the instructional support levy  
27 were fully funded pursuant to Code section 257.20, subsection  
28 1, and the amount of the prorated state aid calculated  
29 pursuant to Code section 257.20, subsection 2, paragraph "b".

30 The bill provides that the additional voter-approved taxing  
31 authority shall be granted for each budget year in which a  
32 prorated state aid payment is received, for a period not to  
33 exceed the duration of the underlying instructional support  
34 program, and that the amount of additional voter-approved  
35 instructional support property tax and additional voter-

1 approved instructional support income surtax, if imposed, may  
2 be determined by the board of directors in a different  
3 proportion than the underlying instructional support property  
4 tax and income surtax amounts. The bill provides that  
5 certification procedures regarding imposition of the  
6 additional voter-approved tax shall be as provided in Code  
7 sections 257.19 and 257.25, and that the payments shall be  
8 calculated, paid, and deposited as provided in Code sections  
9 257.21 through 257.26.

10 New Code section 268.6: Establishes a teacher internship  
11 pilot program at the university of northern Iowa. The bill  
12 appropriates \$220,000 from the general fund of the state to  
13 the state board of regents to support the program in the 1998-  
14 1999 fiscal year, and \$575,000 for each of the next two years.

15 The bill directs the university to design and implement an  
16 internship pilot program to continue the professional growth  
17 of beginning practitioners. The university must submit the  
18 program to the state board of education for approval.

19 The program, as described in the bill, will provide student  
20 interns with graduate credit for the successful completion of  
21 coursework and requires student interns enrolled in the  
22 program to complete a one-year teaching experience in a  
23 collaborating school district.

24 The university is required to apply the best teaching  
25 practices in diverse settings and in responding to diverse  
26 student needs under the supervision of selected school  
27 district teachers and university personnel; provide seminars  
28 and special projects designed to meet student intern needs;  
29 develop rigorous graduate coursework and to collaborate with  
30 and support participating school districts in matters relating  
31 to supervision, instruction, and evaluation of the student  
32 intern in conjunction with personnel employed by the  
33 participating school district.

34 School districts participating in the program are required  
35 to collaborate with the university and provide support

1 relating to supervision and assessment of the student intern's  
2 performance.

3 From moneys appropriated for purposes of the program, the  
4 university shall pay teachers employed by school districts  
5 participating in the program as clinical supervisors a stipend  
6 of \$1,000 per semester.

7 The bill also requires annual reporting by the university,  
8 to describe the activities associated with the program to the  
9 chairpersons and ranking members of the standing house and  
10 senate education committees.

11 Code section 272.1 and new Code section 272.12: Require  
12 the board of educational examiners to adopt rules relating to  
13 a multi-level voluntary licensing system for para-educators,  
14 which the bill defines as a person who is licensed to assist a  
15 teacher in the performance of instructional tasks to support  
16 and assist classroom instruction and related school  
17 activities. The bill appropriates \$25,000 to the board for  
18 developing and implementing the system.

19 A school district, area education agency, community  
20 college, regents university, or accredited private university,  
21 with programs approved by the state board of education, may  
22 train and recommend individuals for board licensure.

23 The bill lists a number of reasons why an applicant shall  
24 be disqualified from being issued or holding a license.

25 Code section 279.12A: Provides that a school board shall  
26 negotiate with respect to evaluation procedures but the  
27 board's substantive evaluation criteria are final,  
28 notwithstanding the scope of negotiations as provided for in  
29 the collective bargaining chapter, Code chapter 20.  
30 Objections to the use or content of an evaluation in a teacher  
31 termination proceeding is not subject to the grievance  
32 procedures of Code section 20.18.

33 New Code section 279.14A: Provides for the establishment  
34 and implementation, within the department of education, of a  
35 voluntary practitioner performance improvement program to

1 provide technical assistance to teachers and administrators  
2 from each public school district and area education agency.  
3 Administrators will be assisted in the areas of employee  
4 performance evaluation and termination. The department is  
5 also required to consult with the Iowa state education  
6 association, the Iowa association of school boards, the school  
7 administrators of Iowa and others in developing the program.  
8 The bill appropriates \$300,000 for the program.

9 An annual report summarizing program activities and  
10 describing the department's plans for improving or changing  
11 the program is required to be submitted to the chairpersons  
12 and ranking members of the house and senate standing education  
13 committees by the department.

14 Code section 279.19, unnumbered paragraph 2: Denies the  
15 application of the grievance procedures of Code chapter 20,  
16 the public employment relations Act governing collective  
17 bargaining, to a probationary teacher whose contract is  
18 terminated.

19 Code section 279.46: Makes changes affecting the  
20 retirement incentive programs school districts may offer to  
21 employees and pay for through the district management levy.  
22 Currently, districts can pay for the program through the  
23 district management levy if the program is offered to  
24 employees between the ages of 59 and 65 and if the total  
25 estimated accumulated program cost to the school district does  
26 not exceed the estimated savings. Under the bill, the age  
27 limit is reduced to age 55. This provision takes effect upon  
28 enactment and applies retroactively to retirement incentive  
29 programs in existence on December 31, 1997.

30 Code sections 279.59 and 279.60: Provide for the  
31 establishment and implementation of a practitioner recognition  
32 award pilot program for recognizing superior teaching and  
33 learning and rewarding excellence in teaching practices and  
34 results, or for administrative leadership. The bill  
35 appropriates \$1,000,000 to the department of education for the

1 program for fiscal year 1998-1999.

2 The program is to include a nomination procedure that  
3 permits nominations to be made by the practitioner, other  
4 practitioners, or parents; award distribution to individuals  
5 or to nominated teams of practitioners; award eligibility  
6 based upon completion of one full school year in the district  
7 as a licensed practitioner, a satisfactory or higher ranking  
8 on a performance evaluation by the practitioner's  
9 administrator, or a recommendation from the board of directors  
10 of the district; eligibility for more than one year, if  
11 applicable; voluntary participation by a nominee; and use of  
12 objective methods for measuring improvement in student  
13 achievement.

14 The department shall determine the minimum criteria  
15 necessary for eligibility in the program based upon a  
16 weighting system for criteria evaluation.

17 The board of directors of the school district is  
18 responsible for determining the number of awards and the  
19 amount of the awards based upon the moneys received by the  
20 school district.

21 To receive program moneys, a school district must notify  
22 the department of its intent to participate in the program by  
23 September 15. The bill provides for the moneys to be divided  
24 on a per pupil basis among the school districts that have  
25 indicated their intent to participate. The Iowa braille and  
26 sight saving school, the state school for the deaf, and the  
27 Price laboratory school at the university of northern Iowa are  
28 considered school districts under the bill and are therefore  
29 eligible to participate if they notify the department of the  
30 intent to participate.

31 Code sections 294A.5; 294A.6, unnumbered paragraph 1; and  
32 294A.25, subsection 1: Increase the minimum annual teachers'  
33 salary from \$18,000 to \$21,000. The bill also provides for  
34 the payment of a minimum salary supplement to school  
35 districts. The bill also appropriates \$81,476,666 annually to

1 pay for increased teachers' salaries.

2 Code section 294A.25, subsection 7: Increases the amount  
3 of educational excellence moneys to the ambassador to  
4 education program from \$60,000 to \$75,000.

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## SENATE FILE 2366

S-5076

- 1 Amend Senate File 2366 as follows:  
 2 1. Page 23, line 34, by striking the word  
 3 "twenty-one" and inserting the following: "twenty-  
 4 three".  
 5 2. Page 24, line 7, by striking the word "twenty-  
 6 one" and inserting the following: "twenty-three".  
 7 3. Page 24, line 10, by striking the word  
 8 "twenty-one" and inserting the following: "twenty-  
 9 three".  
 10 4. Page 24, line 18, by striking the word  
 11 "twenty-one" and inserting the following: "twenty-  
 12 three".  
 13 5. Page 25, lines 16 and 17, by striking the  
 14 words "eighty-one million one four hundred seventy-six  
 15 thousand eighty-five six hundred sixty-six dollars"  
 16 and inserting the following: "eighty-three million  
 17 one three hundred eighty-one thousand eighty-five  
 18 three hundred thirty-six dollars".

By MIKE CONNOLLY  
 ROBERT E. DVORSKY  
 BILL FINK

S-5076 FILED MARCH 2, 1998  
 LOST

## SENATE FILE 2366

S-5077

- 1 Amend Senate File 2366 as follows:  
 2 1. By striking page 13, line 17, through page 14,  
 3 line 13, and inserting the following:  
 4 "Sec. \_\_\_\_ . Section 257.20, subsection 2,  
 5 paragraphs a and b, Code 1997, are amended by striking  
 6 the paragraphs."  
 7 2. By renumbering as necessary.

By JOHN P. KIBBIE  
 DENNIS H. BLACK  
 ROD HALVORSON  
 TOM FLYNN  
 PATTY JUDGE  
 PATRICIA HARPER  
 ELAINE SZYMONIAK

MARY NEUHAUSER  
 ROBERT E. DVORSKY  
 DICK L. DEARDEN  
 WALLY E. HORN  
 EUGENE S. FRAISE  
 BILL FINK  
 PATRICIA HARPER

S-5077 FILED MARCH 2, 1998  
 LOST

(p. 471)

## SENATE FILE 2366

S-5074

1 Amend Senate File 2366 as follows:

- 2 1. Page 4, line 1, by striking the words "one or  
3 more secondary schools" and inserting the following:  
4 "a secondary school".
- 5 2. Page 4, line 8, by striking the words "schools  
6 in the district" and inserting the following: "school  
7 for which the application was made, and the teachers  
8 employed to teach mathematics in the middle and  
9 elementary schools within the secondary school  
10 attendance area".
- 11 3. Page 14, line 20, by striking the words  
12 "education and" and inserting the following:  
13 "education,".
- 14 4. Page 14, line 21, by inserting after the word  
15 "examiners" the following: ", institutions of higher  
16 learning under the control of the state board of  
17 regents, and as practicable, any other institutions  
18 offering practitioner preparation programs approved by  
19 the state board of education".
- 20 5. Page 19, line 18, by striking the word "two"  
21 and inserting the following: "one".
- 22 6. Page 19, line 20, by striking the word "one"  
23 and inserting the following: "two".

By DONALD B. REDFERN

S-5074 FILED MARCH 2, 1998  
ADOPTED

## SENATE FILE 2366

S-5075

1 Amend Senate File 2366 as follows:

- 2 1. Page 5, line 14, by striking the word "two"  
3 and inserting the following: "ten".
- 4 2. Page 6, line 13, by striking the words "two  
5 hundred fifty" and inserting the following: "six  
6 hundred twenty-five".

By MARY NEUHAUSER

S-5075 FILED MARCH 2, 1998  
LOST

## SENATE FILE 2366

S-5079

- 1 Amend Senate File 2366 as follows:  
2 1. Page 14, by inserting after line 13 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 257A.5, Code 1997, is amended  
5 by adding the following new subsection:  
6 NEW SUBSECTION. 9. Develop a mathematics  
7 instructional practices research pilot program for use  
8 by public school districts to support and encourage an  
9 enthusiastic force of collaborative mathematics  
10 teachers who are well-prepared in content and pedagogy  
11 and knowledgeable in research in the best practices  
12 available for teaching mathematics. The program shall  
13 be developed using current foundation funds, although  
14 the foundation is encouraged to seek additional  
15 private funding sources for the program. The  
16 foundation shall design the program to encompass all  
17 of the mathematics teachers employed by various sized  
18 districts, including large, medium, and small-sized  
19 school districts. For purposes of this section, a  
20 large school district is a district with an actual  
21 enrollment of five thousand or more pupils; a medium-  
22 sized school district is a district with an actual  
23 enrollment that is greater than one thousand one  
24 hundred ninety-nine pupils, but less than five  
25 thousand pupils; and a small school district is a  
26 district with an actual enrollment of one thousand one  
27 hundred ninety-nine or fewer pupils."  
28 2. By renumbering, relettering, and redesignating  
29 as necessary.

By MARY NEUHAUSER

S-5079 FILED MARCH 2, 1998  
LOST

## SENATE FILE 2366

S-5080

- 1 Amend Senate File 2366 as follows:  
2 1. By striking page 16, line 20, through page 17,  
3 line 33.  
4 2. By renumbering as necessary.

By BILL FINK

S-5080 FILED MARCH 2, 1998  
LOST

## SENATE FILE 2366

S-5078

1 Amend Senate File 2366 as follows:

2 1. Page 13, by inserting after line 16 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 257.1, subsection 2, unnumbered  
5 paragraph 2, Code 1997, is amended to read as follows:

6 For the budget year commencing July 1, 1996, and  
7 for each succeeding budget year the regular program  
8 foundation base per pupil is eighty-seven and five-  
9 tenths percent of the regular program state cost per  
10 pupil, except that the regular program foundation base  
11 per pupil for the portion of weighted enrollment that  
12 is additional enrollment because of special education  
13 is ~~seventy-nine~~ eighty-seven and five tenths percent  
14 of the regular program state cost per pupil. For the  
15 budget year commencing July 1, 1991, and for each  
16 succeeding budget year the special education support  
17 services foundation base is ~~seventy-nine~~ eighty-seven  
18 and five-tenths percent of the special education  
19 support services state cost per pupil. The combined  
20 foundation base is the sum of the regular program  
21 foundation base and the special education support  
22 services foundation base."

23 2. By renumbering as necessary.

By PATTY JUDGE  
DENNIS H. BLACK  
TOM FLYNN  
STEVEN D. HANSEN  
WALLY E. HORN  
WILLIAM D. PALMER  
BILL FINK

MARY NEUHAUSER  
ROD HALVORSON  
JOHN P. KIBBIE  
ELAINE SZYMONIAK  
EUGENE S. FRAISE  
ROBERT E. DVORSKY

S-5078 FILED MARCH 2, 1998  
WITHDRAWN

## SENATE FILE 2366

S-5082

1 Amend Senate File 2366 as follows:

2 1. Page 20, by inserting after line 19 the  
3 following:

4 "Sec. \_\_\_\_ . Section 279.51, subsection 1,  
5 unnumbered paragraph 1, Code Supplement 1997, is  
6 amended to read as follows:

7 There is appropriated from the general fund of the  
8 state to the department of education for the fiscal  
9 year beginning July 1, 1997, and each succeeding  
10 fiscal year, the sum of fifteen twenty-seven million  
11 one hundred seventy thousand dollars.

12 Sec. \_\_\_\_ . Section 279.51, subsection 1, paragraph  
13 b, Code Supplement 1997, is amended to read as  
14 follows:

15 b. For the fiscal year beginning July 1, 1997, and  
16 for each succeeding fiscal year, eight twenty million  
17 three hundred twenty thousand dollars of the funds  
18 appropriated shall be allocated to the child  
19 development coordinating council established in  
20 chapter 256A for the purposes set out in subsection 2  
21 of this section and section 256A.3."

22 2. By renumbering as necessary.

By TOM VILSACK

ROD HALVORSON

ROBERT E. DVORSKY

PATTY JUDGE

PATRICK J. DELUHERY

BILL FINK

PATRICIA HARPER

MICHAEL E. GRONSTAL

MIKE CONNOLLY

S-5082 FILED MARCH 2, 1998

LOST

## SENATE FILE 2366

S-5083

1 Amend Senate File 2366 as follows:

2 1. Page 4, line 29, by inserting after the word  
3 "of" the following: "two hundred".

By PATRICIA HARPER

S-5083 FILED MARCH 2, 1998

LOST

(p.471)

## SENATE FILE 2366

S-5081

1 Amend Senate File 2366 as follows:

2 1. Page 1, by striking line 6 and inserting the  
3 following:

4 "1. For extended school year".

5 2. Page 1, line 8, by striking the figure  
6 "500,000" and inserting the following: "2,000,000".

7 3. Page 1, by striking lines 31 and 32 and  
8 inserting the following:

9 "Sec. \_\_\_\_ . NEW SECTION. 256.22 EXTENDED SCHOOL  
10 YEAR GRANT PROGRAM."

11 4. Page 1, lines 34 and 35, by striking the words  
12 "frontier school and extended year school planning"  
13 and inserting the following: "extended school year".

14 5. Page 2, line 4, by striking the words "a  
15 frontier school or to".

16 6. Page 2, line 7, by striking the word  
17 "planning".

18 7. Page 2, line 9, by striking the words "a  
19 frontier school planning" and inserting the following:  
20 "an extended school year".

21 8. Page 2, by striking lines 14 through 29 and  
22 inserting the following: "section to examine or  
23 implement any of the following:

24 a. Measures to increase time for various student  
25 learning opportunities or for teacher planning and  
26 professional development.

27 b. Organizational efforts to use existing time  
28 more efficiently and effectively.

29 c. Efforts to increase schedule flexibility.

30 d. Multi-age student grouping."

31 9. Page 3, by striking lines 1 through 10.

32 10. Page 3, line 14, by striking the word  
33 "planning".

34 11. By renumbering as necessary.

By MIKE CONNOLLY

ELAINE SZYMONIAK

S-5081 FILED MARCH 2, 1998

LOST

SENATE FILE 2366

S-5086

1 Amend Senate File 2366 as follows:

2 1. Page 1, by inserting after line 30 the  
3 following:

4 "5. For competitive alternative education options  
5 grants to school districts pursuant to section  
6 279.51A, if enacted:

7 ..... \$ 4,000,000"

8 2. Page 14, by inserting after line 13 the  
9 following:

10 "Sec. \_\_\_\_ . NEW SECTION. 260C.81 AUTHORITY.

11 The board of directors of a community college is  
12 authorized to establish and operate an areawide  
13 alternative education options school for the purpose  
14 of instructing middle school and secondary school  
15 students who are at-risk, have behavioral disorders,  
16 or who are disruptive in their regular classrooms, in  
17 a setting as conducive as possible to the education of  
18 those students.

19 Sec. \_\_\_\_ . NEW SECTION. 260C.82 BUILDINGS AND  
20 FACILITIES.

21 Existing buildings and facilities, together with  
22 any necessary additions to or alterations to those  
23 buildings and facilities, and any new structures and  
24 facilities, as the board of directors of a community  
25 college shall determine to be suitable and authorize  
26 for purposes of establishing and implementing an  
27 alternative education options school, shall be set  
28 aside as the area on the respective community college  
29 campus constituting the alternative options education  
30 school for purposes of this chapter.

31 Sec. \_\_\_\_ . NEW SECTION. 260C.83 FINANCING.

32 An alternative options education school at each  
33 community college where so established shall  
34 constitute a self-liquidating improvement unit to the  
35 extent funds are not appropriated by the general  
36 assembly and shall qualify for and may be financed in  
37 the same manner as provided for residence halls and  
38 dormitories under the provisions of sections 260C.56  
39 through 260C.70.

40 Sec. \_\_\_\_ . NEW SECTION. 260C.84 PURPOSES.

41 For the purposes of this chapter, the board of  
42 directors of a community college and the board of  
43 directors of any school district in the state of Iowa  
44 may enter into a contract for an alternative education  
45 options school to furnish instruction to the students  
46 of the school district for tuition and other  
47 compensation to be paid by the school district. A  
48 contract shall be in writing and may extend for any  
49 stipulated period not to exceed fifteen years. During  
50 the agreed period, a contract shall be obligatory on

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1 both the school district and the community college.

2 Sec. \_\_\_\_ . NEW SECTION. 260C.85 ALLOCATIONS TO

3 DEBT RETIREMENT FUND.

4 The board of directors of a community college may,  
5 from funds appropriated or otherwise available for the  
6 operation of the community college at which the  
7 alternative education options school is located,  
8 allocate an annual payment to the debt retirement fund  
9 for the buildings, areas, and facilities used by the  
10 community college for the alternative education  
11 options school until the improvement is fully paid.

12 The board of directors of the community college may  
13 pledge the annual allotment together with the tuition  
14 received from school districts and all other income  
15 received from the operation of the alternative  
16 education options school as security for the mortgage,  
17 bonds, or other debt by which the alternative  
18 education options school is financed as authorized.

19 Sec. \_\_\_\_ . NEW SECTION. 260C.86 STATE AID

20 APPLICABLE.

21 If the board of directors of a community college  
22 has established an alternative education options  
23 school, the community college shall receive state aid  
24 pursuant to chapters 256B and 257 for each student  
25 enrolled in the alternative education options school  
26 in the same amount as the public school district in  
27 which the student resides would receive aid for that  
28 student. If the board of a school district terminates  
29 a contract with the community college for attendance  
30 of pupils in an alternative education options school,  
31 the school district shall inform the department of  
32 management of the number of these pupils who are  
33 enrolled in the district on the third Friday of the  
34 following September. The department of management  
35 shall pay to the school district, from funds  
36 appropriated in section 257.16, an amount equal to the  
37 amount of state aid paid for each pupil in that school  
38 district for that school year in payments made as  
39 provided in section 257.16.

40 Sec. \_\_\_\_ . NEW SECTION. 260C.87 DEBT LIMIT

41 PROVISION NOT APPLICABLE.

42 The obligations of any school district on any  
43 contract between it and a community college entered  
44 into pursuant to this chapter shall be payable only  
45 out of current receipts from taxes, tuition, or other  
46 income available each year, and shall not constitute a  
47 debt for the purposes of any statutory or  
48 constitutional provision limiting the obligations the  
49 school district may incur.

50 Sec. \_\_\_\_ . NEW SECTION. 261.55 BEHAVIORAL

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Page 3

1 DISORDERS TEACHER SHORTAGE LOAN PROGRAM.

2 1. A behavioral disorders teacher shortage loan  
3 payment program is established to be administered by  
4 the commission as provided in this section. The  
5 purpose of the loan program is to assist individuals  
6 possessing a baccalaureate degree or higher to obtain  
7 a teaching endorsement in behavioral disorders, or if  
8 the individual is licensed to teach under chapter 272,  
9 to obtain or upgrade the license with a behavioral  
10 disorders endorsement. The endorsement shall be an  
11 authorization to teach children with behavioral  
12 disorders who are enrolled in kindergarten through  
13 grade six or grades seven through twelve.

14 2. The commission shall adopt rules under chapter  
15 17A, in consultation with the state board of  
16 educational examiners, to administer the program. The  
17 rules shall provide that loans not be granted to  
18 teachers for the purpose of improving their knowledge  
19 of subject content or teaching skills in order to  
20 teach courses in subject matter areas for which they  
21 possess approval granted by the state board of  
22 educational examiners.

23 3. The annual amount of a loan to a qualified  
24 student shall be the amount of the student's financial  
25 need for that period, but shall not exceed the  
26 resident tuition rate established for institutions of  
27 higher learning under the control of the state board  
28 of regents. A loan received under this section shall  
29 be used only to pay for coursework offered by  
30 practitioner preparation programs approved by the  
31 board of educational examiners and meeting the  
32 requirements for achievement of a behavioral disorders  
33 endorsement for kindergarten through grade six or  
34 grades seven through twelve as established by the  
35 state board of educational examiners. Loans for part-  
36 time students shall be granted for not more than five  
37 years.

38 4. The commission shall set a final date for  
39 submission of applications each year and shall review  
40 the applications and inform the recipients within a  
41 reasonable time after the deadline.

42 5. There is appropriated from the general fund of  
43 the state to the college student aid commission for  
44 the fiscal year beginning July 1, 1998, and for each  
45 succeeding year, the sum of two hundred thousand  
46 dollars for the behavioral disorders teacher shortage  
47 loan program.

48 Sec. \_\_\_\_ . NEW SECTION. 261.56 PAYMENT OF  
49 BEHAVIORAL DISORDERS TEACHER SHORTAGE LOAN -- FUND.

50 1. Payment of a loan received under the behavioral

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Page 4

1 disorders teacher shortage loan program shall begin  
2 one year after the recipient completes the educational  
3 program for which tuition and fees were received  
4 except as otherwise provided in this section.

5 2. If a recipient submits evidence to the  
6 commission that the recipient was employed as a  
7 teacher of children with behavioral disorders in  
8 kindergarten through grade six or grades seven through  
9 twelve in a public school district or nonpublic school  
10 in this state or at the Iowa braille and sight saving  
11 school or the Iowa school for the deaf during the year  
12 succeeding completion of the educational program, the  
13 recipient may choose to receive either of the  
14 following:

15 a. Cancellation of fifty percent of the amount of  
16 the loan.

17 b. A lump sum payment of one thousand dollars.  
18 However, a recipient choosing the lump sum payment  
19 shall be required to commence payment of the loan  
20 immediately.

21 3. If the recipient continues employment as a  
22 teacher as provided in subsection 2 during the next  
23 succeeding school year and submits evidence to the  
24 commission of the continuation of teaching employment,  
25 the recipient may choose to receive either of the  
26 following:

27 a. Cancellation of the remaining fifty percent of  
28 the total amount of the loan, or the loan amount  
29 remaining, whichever is less.

30 b. A lump sum payment of one thousand dollars.  
31 However, a recipient selecting the lump sum payment  
32 shall be required to commence or continue payment of  
33 the loan immediately.

34 4. There is created a behavioral disorders teacher  
35 shortage loan payment fund for deposit of payments  
36 made by recipients. Payments made by recipients of  
37 the loans shall be used to supplement moneys  
38 appropriated to the guaranteed loan payment program.  
39 Any funds remaining on June 30 of a fiscal year shall  
40 be transferred from the fund created in this section  
41 to the general fund of the state.

42 5. The interest rate collected on a behavioral  
43 disorders teacher shortage loan shall be equal to the  
44 interest rate being collected by an eligible lender  
45 under the guaranteed loan payment program.

46 6. The commission shall prescribe by rule the  
47 terms of repayment."

48 3. Page 20, by inserting after line 19 the  
49 following:

50 "Sec. \_\_\_\_ . NEW SECTION. 279.51A ALTERNATIVE

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Page 5

## 1 EDUCATION OPTIONS GRANT PROGRAM.

2 An alternative education options grant program is  
3 established to be administered by the department of  
4 education. The department shall award moneys for  
5 purposes of this section on a competitive grant basis  
6 and for diversity geographically and by population.  
7 The department of education shall develop grant  
8 criteria, guidelines, and a process to be used in  
9 selecting grant recipients.

10 2. To be eligible for an alternative education  
11 options grant, a school district shall develop a  
12 proposal that includes, but is not limited to, the  
13 following:

14 a. Data supporting a statement of the dimensions  
15 of the at-risk problems in the district.

16 b. A survey of existing programs used by the  
17 district to address the needs of the district's at-  
18 risk student population, including, but not limited  
19 to, students with behavioral disorders or who are  
20 disruptive in class.

21 c. A plan for use of competency-based outcome  
22 methods and measures of program effectiveness.

23 d. Proposals for screening and assessment  
24 mechanisms for identifying students who are at risk,  
25 are disruptive, or otherwise exhibit behavioral  
26 disorders.

27 e. Identification of the methods the district will  
28 use to encourage at-risk students and their parents or  
29 guardians to utilize an alternative education setting.

30 f. Proposals for intensive staff development  
31 efforts to empower teachers and encourage innovative  
32 behavior.

33 g. The estimated costs of the proposal.

34 3. In developing a proposal, a school district is  
35 encouraged to consult with area education agencies and  
36 community colleges and to cooperate with the juvenile  
37 courts, the department of economic development, the  
38 department of workforce development, the department of  
39 human services, and the new Iowa schools development  
40 corporation.

41 4. An alternative education options program is a  
42 comprehensive school transformation program under  
43 section 294A.14.

44 5. A school district desiring to receive grant  
45 moneys under the program may submit a proposal to the  
46 department for approval by December 1. The department  
47 shall review each proposal and award grants for  
48 approved plans by February 15.

49 6. Notwithstanding section 8.33, unencumbered or  
50 unobligated funds remaining on June 30 of the fiscal

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Page 6

1 year for which funds were appropriated for purposes of  
2 this section shall not revert but shall be available  
3 for expenditure for the following fiscal year for the  
4 purposes of this section."

5 4. Page 23, by inserting after line 27 the  
6 following:

7 "Sec. \_\_\_\_ . Section 282.18, Code Supplement 1997,  
8 is amended by adding the following new subsection:  
9 NEW SUBSECTION. 19. If a request under this  
10 section is for transfer to an alternative education  
11 options school, as described in chapter 260C, the  
12 student who is the subject of the request shall not be  
13 included in the basic enrollment of the student's  
14 district of residence, and the alternative education  
15 options school shall report the enrollment of the  
16 student directly to the department of education. The  
17 community college operating the alternative education  
18 options school and the board of directors of the  
19 school district in the community in which the  
20 alternative education options school is located shall  
21 develop a student transfer policy designed to protect  
22 and promote the quality, integrity, and viability of  
23 the education programs conducted at the alternative  
24 education options school and the school district. An  
25 alternative education options school may deny a  
26 request for transfer under the policy. A denial of a  
27 request to transfer under this paragraph is not  
28 subject to appeal under section 290.1."

29 5. By renumbering as necessary.

By TOM VILSACK  
JOHN P. KIBBIE  
ROBERT E. DVORSKY  
PATTY JUDGE

BILL FINK  
PATRICK J. DELUHERY  
MICHAEL E. GRONSTAL  
PATRICIA HARPER

S-5086 FILED MARCH 2, 1998

LOST

## SENATE FILE 2366

S-5087

1 Amend Senate File 2366 as follows:

2 1. Page 1, by inserting after line 30 the  
3 following:

4 "Sec. \_\_\_\_ . Section 256.11, Code 1997, is amended  
5 by adding the following new subsection:

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

9 a. A media center in each attendance center which  
10 shall be accessible to students throughout the school  
11 day.

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

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

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

25 Sec. \_\_\_\_ . Section 256.11A, subsections 1 and 2,  
26 Code 1997, are amended to read as follows:

27 1. ~~Schools and school districts unable to meet the~~  
28 ~~standard adopted by the state board requiring each~~  
29 ~~school or school district operating a kindergarten~~  
30 ~~through grade twelve program to provide an articulated~~  
31 ~~sequential elementary-secondary guidance program~~ may,  
32 not later than August 1, ~~1995~~ 1998, for the school  
33 year beginning July 1, ~~1995~~ 1998, file a written  
34 request to the department of education that the  
35 department waive the requirement, for established in  
36 section 256.11, subsection 9, that a school or school  
37 district operating a kindergarten through grade twelve  
38 program, provide an articulated sequential elementary-  
39 secondary guidance program. The procedures specified  
40 in subsection 3 apply to the request. Not later than  
41 August 1, ~~1996~~ 1999, for the school year beginning  
42 July 1, ~~1996~~ 1999, the board of directors of a school  
43 district or the authorities in charge of a nonpublic  
44 school may request a one-year extension of the waiver.

45 2. Not later than August 1, ~~1995~~ 1998, for the  
46 school year beginning July 1, ~~1995~~ 1998, the board of  
47 directors of a school district, or authorities in  
48 charge of a nonpublic school, may file a written  
49 request with the department of education that the  
50 department waive the ~~rule adopted by the state board~~

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1 to-establish-and-operate requirement for a media  
2 services specialist and a media services program-to  
3 support-the-total-curriculum-for-that-district-or  
4 school center, established under section 256.11,  
5 subsection 9, paragraphs "a" and "b". The procedures  
6 specified in subsection 3 apply to the request. Not  
7 later than August 1, 1996 1999, for the school year  
8 beginning July 1, 1996 1999, the board of directors of  
9 a school district or the authorities in charge of a  
10 nonpublic school may request an additional one-year  
11 extension of the waiver."  
12 2. By renumbering as necessary.

By MIKE CONNOLLY  
ROBERT E. DVORSKY  
PATTY JUDGE

S-5087 FILED MARCH 2, 1998  
LOST

SENATE FILE 2366

S-5084

1 Amend Senate File 2366 as follows:  
2 1. Page 17, by inserting after line 33 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 273.11, subsection 2, paragraph  
5 c, Code 1997, is amended to read as follows:  
6 c. Support for curriculum development,  
7 instruction, and assessment for reading, language  
8 arts, social studies, math, and science, using  
9 research-based methodologies."  
10 2. By renumbering as necessary.

By JOHNIE HAMMOND MARY NEUHAUSER  
ROBERT E. DVORSKY BILL FINK

S-5084 FILED MARCH 2, 1998  
LOST

SENATE FILE 2366

S-5085

1 Amend Senate File 2366 follows:  
2 1. Page 16, by inserting after line 25 the  
3 following:  
4 "Sec. \_\_\_\_ . NEW SECTION. 272.9B PERMANENT  
5 PROFESSIONAL TEACHER LICENSURE.  
6 The board of educational examiners shall adopt  
7 rules relating to the awarding of a permanent  
8 professional license for teachers who have met all of  
9 the following requirements:  
10 1. Hold a master's degree or a professional degree  
11 beyond the baccalaureate degree, from an accredited  
12 college or university with an approved practitioner  
13 preparation program, in the subject to be taught.  
14 2. Have five years of successful teaching  
15 experience in the area to be taught, certified in  
16 writing to the board by the superintendent of the  
17 school district, or by the authorities in charge of an  
18 accredited nonpublic school, in which the teacher is  
19 employed."  
20 2. By renumbering, relettering, or redesignating  
21 as necessary.

By BILL FINK

S-5085 FILED MARCH 2, 1998  
LOST

SENATE FILE 2366

S-5088

1 Amend Senate File 2366 as follows:

2 1. Page 1, by inserting after line 30 the  
3 following:

4 "Sec. \_\_\_\_ . COLLEGE STUDENT AID COMMISSION. There  
5 is appropriated from the general fund of the state to  
6 the college student aid commission for the fiscal year  
7 beginning July 1, 1998, and ending June 30, 1999, the  
8 following amount, or so much thereof as is necessary,  
9 to be used for the purposes designated:

10 For teacher loan payments pursuant to section  
11 261.111:

12 ..... \$ 500,000"

13 2. Page 14, by inserting before line 14 the  
14 following:

15 "Sec. \_\_\_\_ . NEW SECTION. 261.111 TEACHER SHORTAGE  
16 LOAN PAYMENT PROGRAM.

17 1. A teacher shortage loan payment program is  
18 established to be administered by the college student  
19 aid commission as provided in this section. The  
20 purpose of the loan payment program is to attract  
21 Iowa's youth and adults to consider a career in  
22 teaching, to increase the diversity of the state's  
23 teaching profession, and to increase the number of  
24 qualified teachers in areas of the state experiencing  
25 a shortage of teachers. An individual is eligible for  
26 the program if the individual meets all of the  
27 following conditions:

28 a. Is a resident of this state who is enrolled at  
29 an institution of higher learning under the control of  
30 the state board of regents or an accredited private  
31 institution as defined in section 261.9.

32 b. Is enrolled in one or more of the subject areas  
33 determined by the department of education and  
34 recognized by the United States department of  
35 education as experiencing a shortage of teachers.

36 c. Has filed a loan application with the  
37 commission.

38 d. Meets the requirements for a teacher shortage  
39 loan established in this chapter and by administrative  
40 rule.

41 2. A teacher shortage loan shall be awarded for  
42 not more than the equivalent of two years and may be  
43 awarded to an eligible individual under this section  
44 if the student agrees to teach for two years in an  
45 area in this state that the department of education  
46 has determined, and the United States department of  
47 education recognizes, is experiencing a shortage of  
48 teachers. A loan issued in accordance with this  
49 section, and the interest that accrues on the loan,  
50 shall not become due and payable until one year after

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1 the individual graduates. If a recipient submits  
2 evidence to the commission that the recipient was  
3 employed as a teacher in a teacher shortage area for a  
4 school year in accordance with this section, fifty  
5 percent of the principal amount of the loan and any  
6 interest accruing on fifty percent of the principal  
7 amount of the loan are canceled. If the recipient  
8 continues employment as a teacher in a teacher  
9 shortage area as provided in this section during the  
10 next succeeding school year and submits evidence to  
11 the commission of the continuation of teaching  
12 employment, the recipient is not required to commence  
13 repayment during that school year and at the end of  
14 that school year the remaining fifty percent of the  
15 principal amount of the loan, and any interest  
16 accruing on the principal amount of the loan, are  
17 canceled.

18 3. The interest rate on the loan shall be equal to  
19 the interest rate collected by an eligible lender  
20 under the Iowa guaranteed student loan program for the  
21 year in which the loan is made.

22 4. The commission shall prescribe by rule the  
23 terms of repayment. The commission shall set a final  
24 date for submission of applications each year and  
25 shall review the applications and inform the  
26 recipients within a reasonable time after the  
27 deadline.

28 5. The maximum loan a student is eligible to  
29 receive annually is an amount equal to the annual  
30 resident undergraduate tuition rate established for  
31 institutions of higher learning under the control of  
32 the state board of regents. Eligible students may  
33 receive both a tuition grant and a teacher shortage  
34 loan.

35 6. A teacher shortage loan payment fund is  
36 established in the office of the treasurer of state  
37 for deposit of payments made by loan recipients who do  
38 not fulfill the cancellation conditions of the loan  
39 program. Payments made by recipients on the loans  
40 shall be used to supplement moneys appropriated to the  
41 teacher shortage loan payment program.  
42 Notwithstanding section 8.33, moneys deposited in the  
43 teacher shortage loan payment fund shall not revert to  
44 the general fund of the state at the end of any fiscal  
45 year, but shall remain in the teacher shortage loan  
46 payment fund and be continuously available to make  
47 additional loans under the program."

48 3. By renumbering as necessary.

By TOM VILSACK  
JOHN P. KIBBIE  
PATRICK J. DELUHERY

S-5088 FILED MARCH 2, 1998

LOST



## SENATE FILE 2366

S-5089

1 Amend Senate File 2366 as follows:

2 1. Page 13, by inserting after line 16 the  
3 following:

4 "Sec. 100. Section 257.6, subsection 5, Code 1997,  
5 is amended to read as follows:

6 5. WEIGHTED ENROLLMENT. Weighted enrollment is  
7 the budget enrollment plus the district's additional  
8 enrollment because of special education calculated on  
9 December 1 of the base year plus additional pupils  
10 added due to the application of the supplementary  
11 weighting pursuant to sections 257.11 and 257.13.

12 Weighted enrollment for special education support  
13 services costs is equal to the weighted enrollment  
14 minus the additional pupils added due to the  
15 application of the supplementary weighting.

16 Sec. 101. NEW SECTION. 257.13 CLASS SIZE  
17 REDUCTION WEIGHTING PROGRAM.

18 1. There is established a class size reduction  
19 weighting program to provide additional funds for  
20 school districts that develop a class size reduction  
21 plan. To be eligible for supplementary weighting as  
22 provided in this section, a school district shall  
23 submit annually by April 15 of the base year to the  
24 department of education a plan which includes, at a  
25 minimum, the goals of reducing class size in  
26 kindergarten and grades one through three, instituting  
27 professional development to assist teachers in  
28 teaching challenging curricula more effectively, and  
29 engaging parents, teachers, school administrators, and  
30 students in the achievement of the shared goal of  
31 raising student achievement levels. In addition, the  
32 plan shall provide for methods for measuring student  
33 achievement and progress.

34 2. A pupil enrolled in a school district that  
35 meets the requirements of subsection 1, and who is  
36 assigned to a self-contained classroom in which the  
37 student-to-teacher ratio is not more than fifteen  
38 students to one teacher, or the equivalent in a school  
39 that utilizes team teaching methods, and who is  
40 receiving at a minimum the grade-appropriate  
41 educational program provided in accordance with  
42 section 256.11, is assigned a supplementary weighting  
43 of two-tenths, which is in addition to any weighting  
44 received under section 257.6, if the pupil is enrolled  
45 in and attending the following:

46 a. Full-day kindergarten, or a combined  
47 kindergarten and grade one program, in the fiscal year  
48 beginning July 1, 1998, or in a succeeding fiscal  
49 year.

50 b. Full-day kindergarten, a combined kindergarten

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1 and grade one program, or grade one in the fiscal year  
2 beginning July 1, 1999, or in a succeeding fiscal  
3 year.

4 c. Full-day kindergarten, a combined kindergarten  
5 and grade one program, grade one, or grade two in the  
6 fiscal year beginning July 1, 2000, or in a succeeding  
7 fiscal year.

8 d. Full-day kindergarten, a combined kindergarten  
9 and grade one program, grade one, grade two, or grade  
10 three in the fiscal year beginning July 1, 2001, or in  
11 a succeeding fiscal year.

12 3. A school district shall provide a separate  
13 accounting of the pupils eligible for supplemental  
14 weighting in accordance with this section, when  
15 certifying its actual enrollment to the department of  
16 education."

17 2. Page 25, by inserting after line 33 the  
18 following:

19 "Sec. 102. Section 298.2, subsection 2, Code  
20 Supplement 1997, is amended to read as follows:

21 2. If the electors of a school district have  
22 authorized a voter-approved physical plant and  
23 equipment levy not exceeding sixty-seven cents per  
24 thousand dollars of assessed valuation in the district  
25 prior to July 1, 1997, the levy shall continue for the  
26 period authorized under the voter-approved levy, and  
27 the maximum levy that can be authorized by the  
28 electors under the voter-approved levy on or after  
29 July 1, 1997, ~~under this section,~~ is an additional  
30 sixty-seven cents in accordance with subsection 1, or  
31 an additional ninety-two cents in accordance with  
32 subsections 1 and 7, for a period to coincide with the  
33 period for which the initial physical plant and  
34 equipment levy in the district was approved.

35 Sec. 103. Section 298.2, Code Supplement 1997, is  
36 amended by adding the following new subsection:

37 NEW SUBSECTION. 7. Notwithstanding subsection 1,  
38 the voter-approved physical plant and equipment levy  
39 in a school district may exceed the one dollar and  
40 thirty-four cents per thousand dollars of assessed  
41 valuation limit by twenty-five cents if the levy  
42 exceeding one dollar and thirty-four cents per  
43 thousand dollars of assessed valuation is established  
44 by a school district that has developed a class size  
45 reduction plan pursuant to section 257.13. The  
46 revenue from the levy of twenty-five cents above the  
47 limits provided for in subsections 1 and 2 shall be  
48 used for purposes of facilities-related costs  
49 associated with reducing class size in kindergarten  
50 and grades one through three."

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- 1 3. Page 26, by inserting after line 24 the  
 2 following:  
 3 "Sec. \_\_\_\_\_. Sections 100, 101, 102, and 103 of this  
 4 Act, relating to class size reduction, take effect  
 5 July 1, 1998, for computations required for the school  
 6 year beginning July 1, 1999."  
 7 4. By renumbering, relettering, and redesignating  
 8 as necessary.

By TOM VILSACK  
 DENNIS H. BLACK  
 BILL FINK  
 ROBERT E. DVORSKY  
 MIKE CONNOLLY  
 TOM FLYNN  
 ROD HALVORSON

PATRICK J. DELUHERY  
 PATTY JUDGE  
 MARY NEUHAUSER  
 EUGENE S. FRAISE  
 JOHNIE HAMMOND  
 MICHAEL E. GRONSTAL  
 PATRICIA HARPER

S-5089 FILED MARCH 2, 1998  
 LOST

## SENATE FILE 2366

S-5090

- 1 Amend Senate File 2366 as follows:  
 2 1. Page 6, line 32, by striking the words "nine  
 3 million" and inserting the following: "thirteen  
 4 million three hundred twenty thousand".

By ROBERT E. DVORSKY  
 DENNIS H. BLACK  
 ROD HALVORSON  
 PATRICK J. DELUHERY  
 MIKE CONNOLLY  
 WALLY E. HORN  
 DON GETTINGS  
 WILLIAM D. PALMER  
 STEVEN D. HANSEN

ELAINE SZYMONIAK  
 PATRICK J. DELUHERY  
 PATTY JUDGE  
 MARY NEUHAUSER  
 EUGENE S. FRAISE  
 JOHNIE HAMMOND  
 BILL FINK  
 PATRICIA HARPER  
 MICHAEL E. GRONSTAL

S-5090 FILED MARCH 2, 1998  
 LOST

## SENATE FILE 2366

S-5093

1 Amend Senate File 2366 as follows:

- 2 1. Page 1, line 11, by striking the figure  
3 "180,000" and inserting the following: "720,000".  
4 2. Page 1, line 14, by striking the figure "100"  
5 and inserting the following: "200".  
6 3. By striking page 10, line 28, through page 11,  
7 line 4.  
8 4. Page 11, line 5, by striking the words  
9 "district committee" and inserting the following:  
10 "school district or a collaboration of school  
11 districts".  
12 5. Page 11, by striking lines 16 through 23 and  
13 inserting the following: "and the process for  
14 measuring the results of the program.  
15 \_\_\_\_\_. The school district or the collaboration of  
16 school districts shall submit the plan".  
17 6. Page 11, line 29, by striking the words  
18 "district committee" and inserting the following:  
19 "school district, or the collaboration of school  
20 districts,".  
21 7. Page 12, line 13, by striking the words "five  
22 hundred" and inserting the following: "one thousand".  
23 8. By renumbering, relettering, or redesignating  
24 as necessary.

By BILL FINK

S-5093 FILED MARCH 2, 1998

LOST

## SENATE FILE 2366

S-5091

1 Amend Senate File 2366 as follows:

2 1. Page 13, by inserting after line 16 the  
3 following:

4 "Sec. 101. NEW SECTION. 257.13 ON-TIME FUNDING  
5 FOR NEW STUDENTS.

6 1. If a district's actual enrollment for the  
7 budget year, determined under section 257.6, is  
8 greater than its budget enrollment for the budget  
9 year, the district may submit a request to the school  
10 budget review committee for on-time funding for new  
11 students. The school budget review committee shall  
12 consider the relative increase in enrollment on a  
13 district-by-district basis, in determining whether to  
14 approve the request, and shall determine the amount of  
15 additional funding to be provided if the request is  
16 granted. An application for on-time funding must be  
17 received by the department of education by October 1.  
18 Written notice of the committee's decision shall be  
19 given through the department of education to the  
20 school board for a district.

21 2. If the school budget review committee approves  
22 a request for on-time funding for new students, the  
23 funding shall be in an amount equal to the product of  
24 the state cost per pupil for the budget year  
25 multiplied by the difference between the actual  
26 enrollment for the budget year and the budget  
27 enrollment for the budget year. The additional  
28 funding received under this section is miscellaneous  
29 income to the district.

30 3. There is appropriated each fiscal year from the  
31 general fund of the state to the department of  
32 education an amount sufficient to pay additional  
33 funding authorized under this section, which shall be  
34 paid to school districts in a one lump-sum payment  
35 within thirty days of notification by the school  
36 budget review committee of approval for on-time  
37 funding for new students for a budget year.

38 4. If the board of directors of a school district  
39 determines that a need exists for additional funds  
40 exceeding the amount provided in this section, a  
41 request for supplemental aid based upon increased  
42 enrollment may be submitted to the school budget  
43 review committee as provided in section 257.31.

44 5. A school district which is receiving a budget  
45 adjustment for a budget year pursuant to section  
46 257.14 shall receive on-time funding for new students  
47 reduced by the amount of the budget adjustment for  
48 that budget year."

49 2. Page 26, by inserting after line 19 the  
50 following:

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1 "Sec. \_\_\_\_ . EFFECTIVE DATE. Section 101 of this  
2 Act, being deemed of immediate importance, takes  
3 effect upon enactment for the purpose of computations  
4 required for payment of state aid to school districts  
5 for budget years beginning on or after July 1, 1998.  
6 Section 101 of this Act remains in effect until the  
7 repeal of chapter 257 on July 1, 2001."  
8 3. By renumbering as necessary.

By ROBERT E. DVORSKY  
MARY NEUHAUSER

**S-5091 FILED MARCH 2, 1998**

LOST

**SENATE FILE 2366****S-5092**

1 Amend Senate File 2366 as follows:

- 2 1. By striking page 17, line 34, through page 18,  
3 line 17.  
4 2. Page 26, by striking lines 15 through 19.  
5 3. By renumbering as necessary.

By MIKE CONNOLLY  
ROBERT E. DVORSKY  
BILL FINK

**S-5092 FILED MARCH 2, 1998**

LOST

## SENATE FILE 2366

S-5094

1 Amend Senate File 2366 as follows:

2 1. Page 6, by inserting after line 15 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 256B.8, unnumbered paragraph 1,  
5 Code 1997, is amended to read as follows:

6 It is not incumbent upon the school districts to  
7 keep a child requiring special education in regular  
8 instruction when the child cannot sufficiently profit  
9 from the work of the regular classroom, nor to keep a  
10 child requiring special education in the special class  
11 or instruction for children requiring special  
12 education when it is determined by the diagnostic  
13 educational team that the child can no longer benefit  
14 from the instruction or needs more specialized  
15 instruction available in special schools. However,  
16 ~~the school district shall count the child requiring~~  
17 ~~special education in the enrollment as provided in~~  
18 ~~sections 256B.9, 257.6, and 273.9 and shall ensure~~  
19 ~~that appropriate educational provisions are made for~~  
20 ~~the child requiring special education.~~

21 Sec. \_\_\_\_\_. Section 256B.9, subsection 1, Code 1997,  
22 is amended by striking the subsection and inserting in  
23 lieu thereof the following:

24 1. In order to provide funds for the excess costs  
25 of instruction of children requiring special  
26 education, above the costs of instruction of pupils in  
27 a regular curriculum, a special education state cost  
28 per pupil and special education district costs per  
29 pupil shall be established pursuant to sections 257.9  
30 and 257.10.

31 Sec. \_\_\_\_\_. Section 256B.9, subsection 2, Code 1997,  
32 is amended by striking the subsection and inserting in  
33 lieu thereof the following:

34 2. On December 1, 1998, and no later than December  
35 1 every two years thereafter, for the school year  
36 commencing the following July 1, the director of the  
37 department of education shall report to the school  
38 budget review committee the average cost of providing  
39 instruction for children requiring special education,  
40 the numbers of special education students provided  
41 special education instruction from each school  
42 district, and an estimate of the expenditures needed  
43 to provide the appropriate special education services  
44 throughout the state. This information shall be  
45 considered by the department in conducting the review  
46 of the total district cost per pupil range pursuant to  
47 section 257.13. In addition, the school budget review  
48 committee may adjust a school district's total  
49 district cost per pupil, as defined in section 257.10,  
50 when determined warranted by the committee upon the

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1 request of a district pursuant to section 257.31.

2 Sec. \_\_\_\_\_. Section 256B.9, subsection 3, Code 1997,  
3 is amended by striking the subsection.

4 Sec. \_\_\_\_\_. Section 256B.9, subsection 4, Code 1997,  
5 is amended by striking the subsection and inserting in  
6 lieu thereof the following:

7 4. A school district with one or more students  
8 provided special education services during a school  
9 year for which the expenditures totaled more than  
10 seven times the total district cost per pupil, as  
11 defined in section 257.10, may petition the school  
12 budget review committee for reimbursement under  
13 section 257.31.

14 Sec. \_\_\_\_\_. Section 256B.9, subsection 5, Code 1997,  
15 is amended to read as follows:

16 5. The division of special education shall audit  
17 the reports required in section 273.5 to determine  
18 that all children in the area who have been identified  
19 as requiring special education have received the  
20 appropriate special education instructional and  
21 support services, and to verify the proper  
22 identification of pupils in the area who will require  
23 special education instructional services during the  
24 school year in which the report is filed. ~~The~~  
25 ~~division shall certify to the director of the~~  
26 ~~department of management the correct total enrollment~~  
27 ~~of each school district in the state, determined by~~  
28 ~~applying the appropriate pupil weighting index to each~~  
29 ~~child requiring special education, as certified by the~~  
30 ~~directors of special education in each area.~~

31 Sec. \_\_\_\_\_. Section 256B.9, subsection 8, Code 1997,  
32 is amended to read as follows:

33 8. Commencing with the school year beginning July  
34 1, ~~1976~~ 1998, a school district may expend an amount  
35 not to exceed two-sevenths of an amount equal to the  
36 district cost of a school district for the costs of  
37 regular classroom instruction of a child certified  
38 ~~under the special education weighting plan in~~  
39 ~~subsection 17, paragraph "b",~~ as a pupil with  
40 disabilities who is enrolled in a special class, but  
41 who receives part of the pupil's instruction in a  
42 regular classroom. ~~Unencumbered funds generated for~~  
43 ~~special education instructional programs for the~~  
44 ~~school year beginning July 1, 1975, and for the school~~  
45 ~~year beginning July 1, 1976, shall not be expended for~~  
46 ~~such purpose."~~

47 2. Page 13, by inserting after line 16 the  
48 following:

49 "Sec. \_\_\_\_\_. Section 257.1, subsection 2, unnumbered  
50 paragraph 2, Code 1997, is amended to read as follows:

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1 For the budget year commencing July 1, ~~1997~~ 1998,  
2 and for each succeeding budget year the regular  
3 program foundation base per pupil is eighty-seven and  
4 five-tenths percent of the regular program state cost  
5 per pupil, ~~except that the regular program and the~~  
6 ~~foundation base per pupil for the portion of weighted~~  
7 ~~enrollment that is additional enrollment because of~~  
8 special education state cost per pupil is seventy-nine  
9 percent of the regular program special education state  
10 cost per pupil. For the budget year commencing July  
11 1, ~~1991~~ 1998, and for each succeeding budget year, the  
12 special education support services foundation base is  
13 seventy-nine percent of the special education support  
14 services state cost per pupil. The combined  
15 foundation base is the sum of the regular program  
16 foundation base, the special education foundation  
17 base, and the special education support services  
18 foundation base.

19 Sec. \_\_\_\_\_. Section 257.2, Code 1997, is amended by  
20 adding the following new subsections:

21 NEW SUBSECTION. 13. "Total district cost per  
22 pupil" means the sum of the regular program district  
23 cost per pupil and the special education district cost  
24 per pupil, determined pursuant to section 257.10.

25 NEW SUBSECTION. 14. "Total state cost per pupil"  
26 means the sum of the regular state cost per pupil and  
27 the special education state cost per pupil, determined  
28 pursuant to section 257.9.

29 Sec. \_\_\_\_\_. Section 257.4, subsection 1, Code 1997,  
30 is amended to read as follows:

31 1. COMPUTATION OF TAX. A school district shall  
32 cause an additional property tax to be levied each  
33 year. The rate of the additional property tax levy in  
34 a school district shall be determined by the  
35 department of management and shall be calculated to  
36 raise the difference between the combined district  
37 cost for the budget year and the sum of the products  
38 of the regular program foundation base per pupil times  
39 the weighted enrollment in the district, the special  
40 education foundation base per pupil times the budget  
41 enrollment in the district, and the special education  
42 support services foundation base per pupil times the  
43 ~~special education support services weighted~~ enrollment  
44 served in the district.

45 Sec. \_\_\_\_\_. Section 257.6, subsection 5, Code 1997,  
46 is amended to read as follows:

47 5. WEIGHTED ENROLLMENT. Weighted enrollment is  
48 the budget enrollment ~~plus the district's additional~~  
49 ~~enrollment because of special education calculated on~~  
50 ~~December 1 of the base year~~ plus additional pupils

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1 added due to the application of the supplementary  
2 weighting.

3 ~~Weighted-enrollment-for-special-education-support~~  
4 ~~services-costs-is-equal-to-the-weighted-enrollment~~  
5 ~~minus-the-additional-pupils-added-due-to-the~~  
6 ~~application-of-the-supplementary-weighting-~~

7 Sec. \_\_\_\_\_. Section 257.8, subsection 2, Code 1997,  
8 is amended to read as follows:

9 2. ALLOWABLE GROWTH CALCULATION. The department  
10 of management shall calculate the regular program  
11 allowable growth for a budget year by multiplying the  
12 state percent of growth for the budget year by the  
13 regular program state cost per pupil for the base  
14 year, shall calculate the special education allowable  
15 growth for a budget year by multiplying the state  
16 percent of growth for the budget year by the special  
17 education state cost per pupil for the base year, and  
18 shall calculate the special education support services  
19 allowable growth for the budget year by multiplying  
20 the state percent of growth for the budget year by the  
21 special education support services state cost per  
22 pupil for the base year.

23 Sec. \_\_\_\_\_. Section 257.9, Code 1997, is amended by  
24 adding the following new subsection:

25 NEW SUBSECTION. 2A. SPECIAL EDUCATION STATE COST  
26 PER PUPIL FOR 1998-1999.

27 For the budget year beginning July 1, 1998, the  
28 special education state cost per pupil for a budget  
29 year is equal to the sum of the following:

30 a. The statewide special education expenditures  
31 for the budget year beginning July 1, 1997, divided by  
32 the statewide budget enrollment used for the budget  
33 year beginning July 1, 1997.

34 b. A special education allowable growth amount  
35 that is equal to the state percent of growth for the  
36 budget year multiplied by the quotient obtained in  
37 paragraph "a".

38 c. The statewide special education deficits for  
39 the budget year beginning July 1, 1996, divided by the  
40 statewide budget enrollment for the budget year  
41 beginning July 1, 1997.

42 The statewide special education expenditures for  
43 the budget year beginning July 1, 1997, shall be  
44 calculated by multiplying the district cost per pupil  
45 for the budget year beginning July 1, 1997, for each  
46 district by its additional enrollment because of  
47 special education for that budget year and adding  
48 together the products.

49 Sec. \_\_\_\_\_. Section 257.9, Code 1997, is amended by  
50 adding the following new subsection:

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1 NEW SUBSECTION. 2B. SPECIAL EDUCATION STATE COST  
 2 PER PUPIL FOR 1999-2000 AND SUCCEEDING YEARS. For the  
 3 budget year beginning July 1, 1999, and succeeding  
 4 budget years, the special education state cost per  
 5 pupil is the special education state cost per pupil  
 6 for the base year plus the special education allowable  
 7 growth for the budget year.

8 Sec. \_\_\_\_\_. Section 257.9, Code 1997, is amended by  
 9 adding the following new subsection:

10 NEW SUBSECTION. 2C. TOTAL STATE COST PER PUPIL.  
 11 The total state cost per pupil for a budget year is  
 12 the sum of the regular program state cost per pupil  
 13 and the special education state cost per pupil.

14 Sec. \_\_\_\_\_. Section 257.9, subsection 4, Code 1997,  
 15 is amended to read as follows:

16 4. SPECIAL EDUCATION SUPPORT SERVICES STATE COST  
 17 PER PUPIL FOR 1992-1993 ~~AND SUCCEEDING YEARS~~ THROUGH  
 18 1997-1998. For the budget year beginning July 1,  
 19 1992, and ~~succeeding each budget years year thereafter~~  
 20 until June 30, 1998, the special education support  
 21 services state cost per pupil for the budget year is  
 22 the special education support services state cost per  
 23 pupil for the base year plus the special education  
 24 support services allowable growth for the budget year.

25 Sec. \_\_\_\_\_. Section 257.9, Code 1997, is amended by  
 26 adding the following new subsection:

27 NEW SUBSECTION. 4A. SPECIAL EDUCATION SUPPORT  
 28 SERVICES STATE COST PER PUPIL FOR 1998-1999. For the  
 29 budget year beginning July 1, 1998, the special  
 30 education support services state cost per pupil is  
 31 equal to the total of the approved budgets of the area  
 32 education agencies for special education support  
 33 services for the budget year beginning July 1, 1998,  
 34 approved by the state board of education under section  
 35 273.3, subsection 12, divided by the enrollment served  
 36 for the budget year beginning July 1, 1998.

37 Sec. \_\_\_\_\_. Section 257.9, Code 1997, is amended by  
 38 adding the following new subsection:

39 NEW SUBSECTION. 4B. SPECIAL EDUCATION SUPPORT  
 40 SERVICES STATE COST PER PUPIL FOR 1999-2000 AND  
 41 SUCCEEDING YEARS. For the budget year beginning July  
 42 1, 1999, and succeeding budget years, the special  
 43 education support services state cost per pupil is the  
 44 special education support services state cost per  
 45 pupil for the base year plus the special education  
 46 support services allowable growth for the budget year.

47 Sec. \_\_\_\_\_. Section 257.9, subsection 5, Code 1997,  
 48 is amended to read as follows:

49 5. COMBINED STATE COST PER PUPIL. The combined  
 50 state cost per pupil for a budget year is the sum of

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1 the ~~regular-program~~ total state cost per pupil and the  
2 special education support services state cost per  
3 pupil.

4 Sec. \_\_\_\_\_. Section 257.10, Code 1997, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. 2A. SPECIAL EDUCATION DISTRICT  
7 COST PER PUPIL FOR 1998-1999. For the budget year  
8 beginning July 1, 1998, the special education district  
9 cost per pupil for a budget year is equal to the sum  
10 of the following:

11 a. The district special education expenditures for  
12 the budget year beginning July 1, 1997, divided by the  
13 district budget enrollment for the budget year  
14 beginning July 1, 1997.

15 b. The special education allowable growth amount  
16 calculated under section 257.9, subsection 2A.

17 c. The district's special education deficit, if  
18 any, for the budget year beginning July 1, 1996,  
19 divided by the district budget enrollment for the  
20 budget year beginning July 1, 1997.

21 The district special education expenditures for the  
22 budget year beginning July 1, 1997, shall be  
23 calculated by multiplying the district cost per pupil  
24 of the district for the budget year beginning July 1,  
25 1997, by the district's additional enrollment because  
26 of special education for that budget year.

27 Sec. \_\_\_\_\_. Section 257.10, Code 1997, is amended by  
28 adding the following new subsection:

29 NEW SUBSECTION. 2B. SPECIAL EDUCATION DISTRICT  
30 COST PER PUPIL FOR 1999-2000 AND SUCCEEDING YEARS.  
31 For the budget year beginning July 1, 1999, and  
32 succeeding budget years, the special education  
33 district cost per pupil for each school district for a  
34 budget year is the special education district cost per  
35 pupil for the base year plus the allowable growth for  
36 the budget year.

37 Sec. \_\_\_\_\_. Section 257.10, Code 1997, is amended by  
38 adding the following new subsection:

39 NEW SUBSECTION. 2C. TOTAL DISTRICT COST PER  
40 PUPIL. The total district cost per pupil is the sum  
41 of the regular program district cost per pupil, and  
42 the special education district cost per pupil.

43 Sec. \_\_\_\_\_. Section 257.10, subsection 4, Code 1997,  
44 is amended to read as follows:

45 4. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT  
46 COST PER PUPIL FOR 1992-1993 AND-SUCCEEDING-YEARS  
47 THROUGH 1997-1998. For the budget year beginning July  
48 1, 1992, and succeeding each budget years year  
49 thereafter until June 30, 1998, the special education  
50 support services district cost per pupil for the

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1 budget year is the special education support services  
2 district cost per pupil for the base year plus the  
3 special education support services allowable growth  
4 for the budget year.

5 Notwithstanding the special education support  
6 services district cost per pupil for the budget year  
7 beginning July 1, 1991, calculated under subsection 3,  
8 for area education agencies that have fewer than three  
9 and five-tenths public school pupils per square mile,  
10 the special education support services district cost  
11 per pupil for the budget year beginning July 1, 1991,  
12 is one hundred forty-seven dollars.

13 Sec. \_\_\_\_\_. Section 257.10, Code 1997, is amended by  
14 adding the following new subsection:

15 NEW SUBSECTION. 4A. SPECIAL EDUCATION SUPPORT  
16 SERVICES DISTRICT COST PER PUPIL FOR 1998-1999. For  
17 the budget year beginning July 1, 1998, the special  
18 education support services district cost per pupil is  
19 equal to the approved budget of each area education  
20 agency for special education support services for that  
21 year in the area divided by the enrollment served in  
22 the area for that year.

23 Sec. \_\_\_\_\_. Section 257.10, Code 1997, is amended by  
24 adding the following new subsection:

25 NEW SUBSECTION. 4B. SPECIAL EDUCATION SUPPORT  
26 SERVICES DISTRICT COST PER PUPIL FOR 1999-2000 AND  
27 SUCCEEDING YEARS. For the budget year beginning July  
28 1, 1999, and succeeding budget years, the special  
29 education support services district cost per pupil is  
30 the special education support services district cost  
31 per pupil for the base year plus the special education  
32 support services allowable growth for the budget year.

33 Sec. \_\_\_\_\_. Section 257.10, subsection 5, Code 1997,  
34 is amended to read as follows:

35 5. COMBINED DISTRICT COST PER PUPIL. The combined  
36 district cost per pupil for a school district is the  
37 sum of the regular-program total district cost per  
38 pupil and the special education support services  
39 district cost per pupil. Combined district cost per  
40 pupil does not include ~~additional-allowable-growth~~  
41 ~~added-for-school-districts-that-have-a-negative~~  
42 ~~balance-of-funds-raised-for-special-education~~  
43 ~~instruction-programs~~, additional allowable growth  
44 granted by the school budget review committee for a  
45 single school year, or additional allowable growth  
46 added for programs for dropout prevention and for  
47 programs for gifted and talented children.

48 Sec. \_\_\_\_\_. Section 257.10, Code 1997, is amended by  
49 adding the following new subsection:

50 NEW SUBSECTION. 6A. SPECIAL EDUCATION DISTRICT

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1 COST. Special education district cost for a school  
2 district for a budget year is equal to the special  
3 education district cost per pupil for a budget year  
4 multiplied by the budget enrollment for the budget  
5 year.

6 Sec. \_\_\_\_\_. Section 257.10, subsection 7, Code 1997,  
7 is amended to read as follows:

8 7. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT

9 COST. Special education support services district  
10 cost for a school district for a budget year is equal  
11 to the special education support services district  
12 cost per pupil for the budget year multiplied by the  
13 special education support services **weighted** enrollment  
14 **for served in** the district for the budget year. If  
15 the special education support services district cost  
16 for a school district for a budget year is less than  
17 the special education support services district cost  
18 for that district for the base year, the department of  
19 management shall adjust the special education support  
20 services district cost for that district for the  
21 budget year to equal the special education support  
22 services district cost for the base year.

23 Sec. \_\_\_\_\_. Section 257.10, subsection 8, unnumbered  
24 paragraph 1, Code 1997, is amended to read as follows:

25 Combined district cost is the sum of the **regular**  
26 **program total** district cost ~~per-pupil-multiplied-by~~  
27 ~~the-weighted-enrollment~~ and the special education  
28 support services district cost, plus the additional  
29 district cost allocated to the district to fund media  
30 services and educational services provided through the  
31 area education agency.

32 Sec. \_\_\_\_\_. **NEW SECTION.** 257.13 EQUALIZING TOTAL  
33 DISTRICT COST PER PUPIL.

34 1. Total district cost per pupil in each district  
35 shall fall within an acceptable range, the lower limit  
36 of which is the total state cost per pupil, and the  
37 upper limit of which is the total district cost per  
38 pupil of the district with the highest total district  
39 cost per pupil.

40 2. For the budget year beginning July 1, 1998, the  
41 department of management shall increase the total  
42 district cost per pupil of each school district whose  
43 total district cost per pupil is below the total state  
44 cost per pupil, by one percent of the total state cost  
45 per pupil not to exceed the state cost per pupil. For  
46 each succeeding year the total district cost per pupil  
47 shall be increased one percent until the total  
48 district cost per pupil reaches the total state cost  
49 per pupil.

50 3. When all districts with a total district cost

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1 per pupil falling below the total state cost per pupil  
2 have reached the total state cost per pupil, the upper  
3 limit of the acceptable range is subject to review and  
4 recommendation by the director of the department.

5 Sec. \_\_\_\_\_. Section 257.14, Code 1997, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 4. For the budget year commencing  
8 July 1, 1998, and each succeeding budget year, if the  
9 department of management determines that the special  
10 education district cost of a school district for a  
11 budget year is less than the total of the special  
12 education district cost plus any adjustment added  
13 under this section for the base year for that school  
14 district, the department of management shall provide a  
15 budget adjustment for that district for that budget  
16 year that is equal to the difference.

17 Sec. \_\_\_\_\_. Section 257.19, unnumbered paragraph 1,  
18 Code 1997, is amended to read as follows:

19 The additional funding for the instructional  
20 support program for a budget year is limited to an  
21 amount not exceeding ten percent of the total of  
22 regular program district cost for the budget year and  
23 moneys received under section 257.14 as a budget  
24 adjustment for the budget year. Moneys received by a  
25 district for the instructional support program are  
26 miscellaneous income and may be used for any general  
27 fund purpose. However, moneys received by a district  
28 for the instructional support program shall not be  
29 used as, or in a manner which has the effect of,  
30 supplanting funds authorized to be received under  
31 sections 257.41, 257.46, 298.2, and 298.47-~~or-to-cover~~  
32 ~~any-deficiencies-in-funding-for-special-education~~  
33 ~~instructional-services-resulting-from-the-application~~  
34 ~~of-the-special-education-weighting-plan-under-section~~  
35 256B-9."

36 3. Page 14, by inserting after line 13 the  
37 following:

38 "Sec. \_\_\_\_\_. Section 257.31, subsection 14, Code  
39 1997, is amended by striking the subsection.

40 Sec. \_\_\_\_\_. Section 257.31, subsection 5, Code 1997,  
41 is amended by adding the following new paragraph:

42 NEW PARAGRAPH. m. An unusual increase or decrease  
43 in identification of pupils requiring special  
44 education.

45 Sec. \_\_\_\_\_. Section 257.31, Code 1997, is amended by  
46 adding the following new subsection:

47 NEW SUBSECTION. 18. The committee may grant  
48 supplemental aid to a school district for the excess  
49 costs of special education instructional services for  
50 a pupil for which the special education instructional

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1 services costs totaled more than seven times the  
2 district's total district cost per pupil. The  
3 supplemental aid is equal to the difference between  
4 the cost of the special education instructional  
5 services for the pupil for a year and seven times the  
6 district's total district cost per pupil for that  
7 year. There is appropriated from the general fund of  
8 the state to the department of education for the use  
9 of the school budget review an amount sufficient to  
10 pay the supplemental aid under this subsection.  
11 Supplemental aid granted to a district shall be added  
12 to the district's state aid payments made under  
13 section 257.16."

14 4. Page 26, by inserting after line 19 the  
15 following:

16 "Sec. \_\_\_\_ . EFFECTIVE DATE. The provisions of this  
17 Act amending sections 256B.8, 256B.9, 257.1, 257.2,  
18 257.4, 257.6, 257.8 through 257.10, 257.13, 257.14,  
19 257.19, and 257.31, being deemed of immediate  
20 importance, shall take effect immediately upon  
21 enactment for purposes of budget calculations for the  
22 budget year beginning July 1, 1998."

23 5. By renumbering as necessary.

By JOHNIE HAMMOND  
DENNIS H. BLACK  
PATRICK J. DELUHERY  
ROD HALVORSON

JOHN P. KIBBIE  
ROBERT E. DVORSKY  
MARY NEUHAUSER  
PATTY JUDGE

**S-5094 FILED MARCH 2, 1998**

LOST



## SENATE FILE 2366

S-5095

1 Amend Senate File 2366 as follows:

2 1. Page 1, by inserting after line 30 the  
3 following:

4 "Sec. \_\_\_\_ . NEW SECTION. 256.17 TEACHER  
5 INTERNSHIP PROGRAM.

6 1. The state board of education shall establish  
7 and implement a program approval process by July 1,  
8 1999, for a teacher internship program. An internship  
9 program shall, at a minimum, include the following:

10 a. A one-year teaching experience conducted in a  
11 collaborating school district.

12 b. Application of best practices in diverse  
13 settings and diverse student needs under the  
14 mentorship of selected district teachers and  
15 postsecondary personnel.

16 c. Seminars and special projects designed to meet  
17 an intern's needs.

18 d. Support by master teachers.

19 e. Opportunity to complete coursework toward a  
20 master's degree.

21 2. A school district shall be paid a state subsidy  
22 in the amount of four thousand dollars for each intern  
23 enrolled in an approved internship program, which may  
24 in part be used to pay the cost of providing district  
25 teachers as mentors. Not more than five percent of  
26 the total district subsidy for an internship program  
27 may be used for indirect costs.

28 3. A teacher internship fund is established in the  
29 office of the treasurer of state to be administered by  
30 the department. Moneys appropriated by the general  
31 assembly for deposit in the fund shall be paid to  
32 school districts pursuant to the requirements of this  
33 section and shall be expended only to pay for the  
34 costs of the program pursuant to this section,  
35 including the costs of the employer's share of federal  
36 social security and Iowa public employees' retirement  
37 system contributions, or a pension and annuity  
38 retirement system established under chapter 294, for  
39 such amounts paid by the districts.

40 4. There is appropriated from the general fund of  
41 the state to the department of education for the  
42 fiscal year beginning July 1, 1998, and each  
43 succeeding fiscal year, the sum of one million five  
44 hundred thousand dollars for purposes of the teacher  
45 internship program."

46 2. Page 16, by inserting after line 25 the  
47 following:

48 "Sec. \_\_\_\_ . Section 272.2, Code 1997, is amended by  
49 adding the following new subsection:

50 NEW SUBSECTION. 16. In addition to the licensing

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1 authority under subsection 1, establish a license for  
2 practitioners who have completed an approved teacher  
3 internship program as established pursuant to section  
4 256.17."

5 2. By renumbering, relettering, and redesignating  
6 as necessary.

By MIKE CONNOLLY  
PATRICK J. DELUHERY

S-5095 FILED MARCH 2, 1998

LOST

## SENATE FILE 2366

S-5096

1 Amend Senate File 2366 as follows:

2 1. Page 13, by inserting after line 16 the  
3 following:

4 "Sec. \_\_\_\_ . Section 257.1, subsection 2, unnumbered  
5 paragraph 2, Code 1997, is amended to read as follows:

6 For the budget year commencing July 1, ~~1996~~ 1998,  
7 and for each succeeding budget year the regular  
8 program foundation base per pupil is eighty-seven and  
9 five-tenths percent of the regular program state cost  
10 per pupil, except that the regular program foundation  
11 base per pupil for the portion of weighted enrollment  
12 that is additional enrollment because of special  
13 education is ~~seventy-nine~~ eighty-seven and five tenths  
14 percent of the regular program state cost per pupil.  
15 For the budget year commencing July 1, ~~1991~~ 1998, and  
16 for each succeeding budget year the special education  
17 support services foundation base is ~~seventy-nine~~  
18 eighty-seven and five-tenths percent of the special  
19 education support services state cost per pupil. The  
20 combined foundation base is the sum of the regular  
21 program foundation base and the special education  
22 support services foundation base."

23 2. By renumbering as necessary.

By PATTY JUDGE

S-5096 FILED MARCH 2, 1998

LOST

## SENATE FILE 2366

S-5097

1 Amend Senate File 2366 as follows:

2 1. By striking page 23, line 28, through page 25,  
3 line 28, and inserting the following:

4 "Sec. \_\_\_\_ . Section 294A.5, Code 1997, is amended  
5 to read as follows:

6 294A.5 MINIMUM SALARY SUPPLEMENT -- REGULAR,  
7 INDUCTION, AND INTERNSHIP COMPENSATION.

8 1. a. For the school year beginning July 1, 1987  
9 1998, and succeeding school years, the minimum annual  
10 salary paid to a full-time teacher as regular  
11 compensation shall be ~~eighteen~~ twenty-three thousand  
12 dollars.

13 b. For the school year beginning July 1, 1999, and  
14 succeeding school years, the minimum annual salary  
15 paid as regular compensation to a full-time teacher,  
16 who has completed an approved teacher induction  
17 program in accordance with section 256.17, shall be  
18 twenty-five thousand dollars.

19 c. For the school year beginning July 1, 2000, and  
20 succeeding school years, the minimum annual salary  
21 paid as regular compensation to a full-time teacher,  
22 who has completed an approved teacher internship  
23 program in accordance with section 256.17A, shall be  
24 twenty-seven thousand dollars.

25 2. The minimum salary supplement shall be the sum  
26 of the following, as applicable:

27 a. For the school year beginning July 1, 1987  
28 1998, for phase I, each school district and area  
29 education agency shall certify to the department of  
30 education by the third Friday in September the names  
31 of all teachers employed by the district or area  
32 education agency whose regular compensation is less  
33 than ~~eighteen~~ twenty-three thousand dollars per year  
34 for that year and the amounts needed as minimum salary  
35 supplements. The minimum salary supplement for each  
36 eligible teacher is the total of the difference  
37 between ~~eighteen~~ twenty-three thousand dollars and the  
38 teacher's regular compensation plus the amount  
39 required to pay the employer's share of the federal  
40 social security and Iowa public employees' retirement  
41 system, or a pension and annuity retirement system  
42 established under chapter 294, payments on the  
43 additional salary moneys. However, for purposes of  
44 this paragraph, a teacher's regular compensation for  
45 the school year beginning July 1, 1998, shall not be  
46 lower than twenty-three thousand dollars.

47 b. The total minimum salary supplement paid to a  
48 school district under phase I for the school year  
49 beginning July 1, 1997.

50 c. For the school year beginning July 1, 1999, and

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1 each succeeding year, each school district and area  
2 education agency shall certify to the department of  
3 education by the third Friday in September the names  
4 of all teachers, employed by the district or area  
5 education agency, who have completed an approved  
6 teacher induction program in accordance with section  
7 256.17, whose regular compensation is less than  
8 twenty-five thousand dollars per year for that year  
9 and the amounts needed as minimum salary supplements.  
10 The minimum salary supplement for each eligible  
11 teacher is the difference between twenty-five thousand  
12 dollars and the regular compensation of the eligible  
13 teacher minus the product of the number of years the  
14 eligible teacher has taught and five hundred dollars.  
15 The minimum salary supplement as provided in this  
16 paragraph shall not be less than zero. The minimum  
17 salary supplement paid to a school district under this  
18 paragraph shall include an additional amount required  
19 to pay the employer's share of the federal social  
20 security and Iowa public employees' retirement system,  
21 or a pension and annuity retirement system established  
22 under chapter 294, payments on the salary supplement  
23 moneys. However, for purposes of computing the  
24 minimum salary supplement under this paragraph, a  
25 teacher's regular compensation, for the school year  
26 beginning July 1, 1999, if the teacher has completed  
27 an approved teacher internship program, shall be  
28 deemed not to be lower than twenty-three thousand  
29 dollars.

30 d. For the school year beginning July 1, 1999, and  
31 each succeeding year, each school district and area  
32 education agency shall certify to the department of  
33 education by the third Friday in September the names  
34 of all teachers, employed by the district or area  
35 education agency, who have completed an approved  
36 teacher internship program in accordance with section  
37 256.17A, whose regular compensation is less than  
38 twenty-seven thousand dollars per year for that year  
39 and the amounts needed as minimum salary supplements.  
40 The minimum salary supplement for each eligible  
41 teacher is the difference between twenty-seven  
42 thousand dollars and the regular compensation of an  
43 eligible teacher minus the product of the number of  
44 years the eligible teacher has taught and five hundred  
45 dollars. The minimum salary supplement as provided in  
46 this paragraph shall not be less than zero. The  
47 minimum salary supplement paid to a school district  
48 under this paragraph shall include an additional  
49 amount required to pay the employer's share of federal  
50 social security and Iowa public employees' retirement

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1 system, or a pension and annuity retirement system  
2 established under chapter 294, payments on the salary  
3 supplement moneys. However, for purposes of computing  
4 the minimum salary supplement under this paragraph, a  
5 teacher's regular compensation, for the school year  
6 beginning July 1, 1999, if the teacher has completed  
7 an approved teacher internship program, shall be  
8 deemed not to be lower than twenty-three thousand  
9 dollars.

10 3. The board of directors shall report the  
11 salaries of teachers employed on less than a full-time  
12 equivalent basis, and whether or not the teacher has  
13 completed an approved teacher induction or internship  
14 program, and the amount of minimum salary supplement  
15 shall be prorated.

16 Sec. \_\_\_\_. Section 294A.6, unnumbered paragraph 1,  
17 Code 1997, is amended to read as follows:

18 1. For the school year beginning July 1, 1987  
19 1998, the department of education shall notify the  
20 department of revenue and finance of the total minimum  
21 salary supplement, as described in sections 294A.5,  
22 subsection 2, paragraphs "a" and "b", to be paid to  
23 each school district and area education agency under  
24 phase I and the department of revenue and finance  
25 shall make the payments. For school years after the  
26 school year beginning July 1, 1987 1998, if a school  
27 district or area education agency reduces the number  
28 of its full-time equivalent teachers below the number  
29 employed during the school year beginning July 1, 1987  
30 1998, the department of revenue and finance shall  
31 reduce the total minimum salary supplement payable to  
32 that school district or area education agency so that  
33 the amount paid is equal to the ratio of the number of  
34 full-time equivalent teachers employed in the school  
35 district or area education agency for that school year  
36 divided by the number of full-time equivalent teachers  
37 employed in the school district or area education  
38 agency for the school year beginning July 1, 1987  
39 1998, and multiplying that fraction by the total  
40 minimum salary supplement paid to that school district  
41 or area education agency for the school year beginning  
42 July 1, 1987 1998.

43 2. For the school year beginning July 1, 1999, and  
44 each succeeding year, the department of education  
45 shall notify the department of revenue and finance of  
46 the total minimum salary supplement, as described in  
47 section 294A.5, subsection 2, paragraphs "c" and "d",  
48 to be paid to each school district and area education  
49 agency under phase I and the department of revenue and  
50 finance shall make the payments. If, after the school

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1 year ending June 30, 1999, a school district or area  
2 education agency reduces the number of its full-time  
3 equivalent teachers below the number employed during  
4 the previous school year, the department of revenue  
5 and finance shall reduce the total minimum salary  
6 supplement payable to that school district or area  
7 education agency so that the amount paid is equal to  
8 the ratio of the number of full-time equivalent  
9 teachers employed in the school district or area  
10 education agency for that school year divided by the  
11 number of full-time equivalent teachers employed in  
12 the school district or area education agency during  
13 the previous school year, and multiplying that  
14 fraction by the total minimum salary supplement paid  
15 to that school district or area education agency for  
16 the previous school year.

17 Sec. \_\_\_\_ . Section 294A.25, subsection 1, Code  
18 Supplement 1997, is amended to read as follows:

19 1. For the fiscal year beginning July 1, 1990  
20 1998, and for each succeeding year, there is  
21 appropriated from the general fund of the state to the  
22 department of education the amount of ninety-two  
23 eighty-two million one nine hundred ninety-one  
24 thousand eighty-five three hundred thirty-six dollars  
25 to be used to improve teacher salaries. For each  
26 fiscal year in the fiscal period commencing July 1,  
27 1991, and ending June 30, 1993, there is appropriated  
28 an amount equal to the amount appropriated for the  
29 fiscal year beginning July 1, 1990, plus an amount  
30 sufficient to pay the costs of the additional funding  
31 provided for school districts and area education  
32 agencies under sections 294A.9 and 294A.14. For each  
33 fiscal year beginning on or after July 1, 1995, there  
34 is appropriated the sum which was appropriated for the  
35 previous fiscal year, including supplemental payments.  
36 The moneys shall be distributed as provided in this  
37 section."

38 2. By renumbering as necessary.

By PATRICIA HARPER  
BILL FINK  
MIKE CONNOLLY

S-5097 FILED MARCH 2, 1998  
LOST

## SENATE FILE 2366

S-5098

1 Amend Senate File 2366 as follows:

2 1. Page 25, by inserting after line 33 the  
3 following:

4 "Sec. \_\_\_\_ . NEW SECTION. 297A.1 SCHOOL  
5 INFRASTRUCTURE FUND -- APPROPRIATION.

6 1. There is appropriated from the general fund of  
7 the state to the department of education for the  
8 fiscal year beginning July 1, 1998, and ending June  
9 30, 1999, the sum of one hundred million dollars to  
10 establish, maintain, and administer a school  
11 infrastructure fund.

12 2. Moneys appropriated in subsection 1 shall be  
13 allocated to school districts throughout the state on  
14 a per pupil basis. The amount of moneys allocated to  
15 school districts shall be in the proportion that the  
16 basic enrollment of a district bears to the sum of the  
17 basic enrollments of all school districts in the state  
18 for the budget year.

19 3. The department of management shall allocate to  
20 each school district the amount calculated pursuant to  
21 subsection 2 in one payment on or about October 15,  
22 based upon the actual enrollment certified to the  
23 department of education for each school district and  
24 forwarded to the department of management, taking into  
25 consideration the relative budget and cash position of  
26 the state resources. By October 1, prior to the  
27 receipt of funds, school districts shall submit to the  
28 department of education a school infrastructure  
29 progress report. The report shall provide adequate  
30 assurance that the school district has developed or is  
31 developing a school infrastructure plan containing an  
32 analysis of school district infrastructure needs,  
33 priorities, and an estimated timetable for completion  
34 of infrastructure projects or allocation of funds  
35 previously received by the school district pursuant to  
36 subsection 2.

37 4. Moneys received under this section shall not be  
38 commingled with state aid payments made under section  
39 257.16 to a school district, and shall be accounted  
40 for by the school district separately from state aid  
41 payments. Payments made to school districts pursuant  
42 to this section are miscellaneous income for purposes  
43 of chapter 257 or are considered encumbered. Each  
44 school district shall maintain a separate listing  
45 within its budget for payments received and  
46 expenditures made pursuant to this section. Moneys  
47 received under this section shall not be used for  
48 payment of any collective bargaining agreement or  
49 arbitrator's decision negotiated or awarded under  
50 chapter 20.

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1 5. For purposes of this chapter, a "school  
2 district" shall mean a school district as defined in  
3 section 257.2.

4 Sec. \_\_\_\_ . NEW SECTION. 297A.2 SCHOOL  
5 INFRASTRUCTURE EXPENDITURES.

6 1. School districts shall expend funds received  
7 pursuant to section 297A.1 for school infrastructure  
8 needs. For purposes of this chapter, "school  
9 infrastructure" includes the following:

10 a. Activities for which a school district is  
11 authorized to contract indebtedness and issue general  
12 obligation bonds under section 296.1, except those  
13 activities related to a teacher's or superintendent's  
14 home or homes. These activities include the  
15 construction, reconstruction, repair, purchasing, or  
16 remodeling of schoolhouses, stadiums, gyms,  
17 fieldhouses, and bus garages.

18 b. Procurement of school house construction sites  
19 and the making of site improvements.

20 c. Payment or retirement of outstanding bonds  
21 previously issued for school infrastructure purposes,  
22 as defined in this subsection, if it is determined by  
23 the department of education that the school district  
24 has undertaken a serious effort to meet its school  
25 infrastructure needs. In making this determination,  
26 the department shall consider the relative size and  
27 property tax base of the school district, and the  
28 information provided to the department in the school  
29 district's infrastructure progress report pursuant to  
30 section 297A.1.

31 d. Maintenance of schoolhouses and school district  
32 property.

33 e. School improvement technology programs pursuant  
34 to chapter 295, utilized for a school district.

35 2. Funds received by a school district pursuant to  
36 this chapter shall not be expended to add a full-time  
37 equivalent position or otherwise increase staffing."

38 2. By renumbering, relettering, and redesignating  
39 as necessary.

By STEVEN D. HANSEN  
ROD HALVORSON  
JOHNIE HAMMOND  
TOM FLYNN  
ROBERT E. DVORSKY  
BILL FINK  
ELAINE SZYMONIAK  
MIKE CONNOLLY  
MICHAEL E. GRONSTAL

EUGENE S. FRAISE  
PATRICK J. DELUHERY  
PATTY JUDGE  
MARY NEUHAUSER  
DENNIS H. BLACK  
WALLY E. HORN  
ROBERT E. DVORSKY  
PATRICIA HARPER

S-5098 FILED MARCH 2, 1998

LOST



## SENATE FILE 2366

S-5109

1 Amend Senate File 2366 as follows:

2 1. By striking page 4, line 31, through page 6,  
3 line 15 and inserting the following:

4 "Sec. \_\_\_\_ . NEW SECTION. 256.44 TALENTED AND  
5 GIFTED GRANT PROGRAM -- APPROPRIATION -- DISTRIBUTION.

6 1. There is appropriated from the general fund of  
7 the state to the department of education for the  
8 fiscal year beginning July 1, 1998, and for each  
9 succeeding fiscal year, the sum of three hundred  
10 thousand dollars for a talented and gifted grant  
11 program for kindergarten through grade three.

12 2. The department shall establish a talented and  
13 gifted grant program to provide for the awarding of  
14 grant moneys, appropriated pursuant to subsection 1,  
15 to public school districts for purposes of increasing  
16 the numbers or reach of programs for children enrolled  
17 in kindergarten through grade three who are talented  
18 and gifted as defined in section 257.44.

19 3. For each fiscal year for which moneys are  
20 appropriated in subsection 1, the amount of moneys  
21 allocated to individual school districts shall be in  
22 the proportion that the basic enrollment of the  
23 district bears to the sum of the basic enrollments of  
24 all school districts in the state for the budget year.  
25 The Iowa braille and sight saving school, the state  
26 school for the deaf, and the Price laboratory school  
27 at the university of northern Iowa shall annually  
28 certify their basic enrollments to the department of  
29 education by October 1.

30 4. For each year for which an appropriation is  
31 made to the talented and gifted grant program, the  
32 department of education shall notify the department of  
33 revenue and finance of the amount to be paid to each  
34 school district based upon the distribution formula  
35 set forth for the appropriation made pursuant to this  
36 section. The allocation to each school district under  
37 this section shall be made in one payment on or about  
38 October 15 of the fiscal year for which the  
39 appropriation is made, taking into consideration the  
40 relative budget and cash position of the state  
41 resources.

42 5. Moneys received under this section shall not be  
43 commingled with state aid payments made under section  
44 257.16 to a school district and shall be accounted for  
45 by the school district separately from state aid  
46 payments.

47 6. Payments made to school districts under this  
48 section are miscellaneous income for purposes of  
49 chapter 257 and are considered encumbered. Each  
50 school district shall maintain a separate listing

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1 within their budgets for payments received and  
2 expenditures made pursuant to this section.

3 7. Moneys received under this section shall not be  
4 used for payment of any collective bargaining  
5 agreement or arbitrator's decision negotiated or  
6 awarded under chapter 20.

7 8. For purposes of this chapter, "school district"  
8 means a public school district, the Iowa braille and  
9 sight saving school, the state school for the deaf,  
10 and the Price laboratory school at the university of  
11 northern Iowa.

12 9. Moneys received under this section shall  
13 supplement, not supplant, moneys in school district  
14 budgets for talented and gifted programs for students  
15 enrolled in kindergarten through grade three.

16 10. Each school district shall submit an  
17 assessment of their kindergarten through grade three  
18 talented and gifted program results by July 1 of the  
19 fiscal year succeeding the year in which the school  
20 district received moneys under this section. The  
21 department shall annually report the statewide results  
22 of the program to the chairpersons and the ranking  
23 members of the house and senate standing education  
24 committees by January 1.

25 11. School districts shall expend funds received  
26 pursuant to this section to support talented and  
27 gifted programs for children enrolled in kindergarten  
28 through grade three, including, but not limited to,  
29 training for regular classroom teachers in improved  
30 instructional strategies that better support talented  
31 and gifted students."

32 2. By striking page 18, line 18, through page 19,  
33 line 21.

34 3. By renumbering, relettering, and redesignating  
35 as necessary.

By MARY LOU FREEMAN

S-5109 FILED MARCH 2, 1998

LOST

SENATE FILE 2366

S-5110

1 Amend the amendment, S-5109, to Senate File 2366 as  
2 follows:

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

5 "1. Page 6, by inserting after line 15 the  
6 following:".

By MICHAEL E. GRONSTAL  
MARY LOU FREEMAN

S-5110 FILED MARCH 2, 1998

ADOPTED

## SENATE FILE 2366

S-5105

1 Amend Senate File 2366 as follows:

2 1. By striking page 4, line 31, through page 6,  
3 line 15 and inserting the following:

4 "Sec. \_\_\_\_ . NEW SECTION. 256.44 TALENTED AND  
5 GIFTED GRANT PROGRAM -- APPROPRIATION -- DISTRIBUTION.

6 1. There is appropriated from the general fund of  
7 the state to the department of education for the  
8 fiscal year beginning July 1, 1998, and for each  
9 succeeding fiscal year, the sum of five hundred fifty  
10 thousand dollars for the talented and gifted grant  
11 program.

12 2. The department shall establish a talented and  
13 gifted grant program to provide for the awarding of  
14 grant moneys, appropriated pursuant to subsection 1,  
15 to public school districts for purposes of increasing  
16 the numbers or reach of programs for children who are  
17 talented and gifted as defined in section 257.44.

18 3. For each fiscal year for which moneys are  
19 appropriated in subsection 1, the amount of moneys  
20 allocated to individual school districts shall be in  
21 the proportion that the basic enrollment of the  
22 district bears to the sum of the basic enrollments of  
23 all school districts in the state for the budget year.  
24 The Iowa braille and sight saving school, the state  
25 school for the deaf, and the Price laboratory school  
26 at the university of northern Iowa shall annually  
27 certify their basic enrollments to the department of  
28 education by October 1.

29 4. For each year for which an appropriation is  
30 made to the talented and gifted grant program, the  
31 department of education shall notify the department of  
32 revenue and finance of the amount to be paid to each  
33 school district based upon the distribution formula  
34 set forth for the appropriation made pursuant to this  
35 section. The allocation to each school district under  
36 this section shall be made in one payment on or about  
37 October 15 of the fiscal year for which the  
38 appropriation is made, taking into consideration the  
39 relative budget and cash position of the state  
40 resources.

41 5. Moneys received under this section shall not be  
42 commingled with state aid payments made under section  
43 257.16 to a school district and shall be accounted for  
44 by the school district separately from state aid  
45 payments.

46 6. Payments made to school districts under this  
47 section are miscellaneous income for purposes of  
48 chapter 257 and are considered encumbered. Each  
49 school district shall maintain a separate listing  
50 within their budgets for payments received and

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- 1 expenditures made pursuant to this section.  
2 7. Moneys received under this section shall not be  
3 used for payment of any collective bargaining  
4 agreement or arbitrator's decision negotiated or  
5 awarded under chapter 20.  
6 8. For purposes of this chapter, "school district"  
7 means a public school district, the Iowa braille and  
8 sight saving school, the state school for the deaf,  
9 and the Price laboratory school at the university of  
10 northern Iowa.  
11 9. The department shall make recommendations for,  
12 and the state board shall adopt, rules relating to  
13 talented and gifted grant program goals and program  
14 administration."  
15 2. By striking page 18, line 18, through page 19,  
16 line 21.  
17 3. By renumbering, relettering, and redesignating  
18 as necessary.

By MARY LOU FREEMAN

S-5105 FILED MARCH 2, 1998  
WITHDRAWN

## SENATE FILE 2366

S-5108

- 1 Amend the amendment, S-5105, to Senate File 2366 as  
2 follows:  
3 1. Page 1, by striking lines 2 and 3 and  
4 inserting the following:  
5 "1. Page 6, by inserting after line 15 the  
6 following":  
7 2. Page 1, line 9 by striking the words "five  
8 hundred fifty" and inserting the following: "three  
9 hundred".

By MICHAEL E. GRONSTAL

S-5108 FILED MARCH 2, 1998  
RULED OUT OF ORDER

## SENATE FILE 2366

S-5099

- 1 Amend Senate File 2366 as follows:  
2 1. Page 16, line 15, by striking the figure  
3 "2000" and inserting the following: "1999".  
4 2. Page 16, line 16, by striking the figure  
5 "2002" and inserting the following: "2001".  
By DONALD B. REDFERN

S-5099 FILED MARCH 2, 1998  
ADOPTED



1 Section 1. DEPARTMENT OF EDUCATION. There is appropriated  
2 from the general fund of the state to the department of  
3 education for the fiscal year beginning July 1, 1998, and  
4 ending June 30, 1999, the following amount, or so much thereof  
5 as is necessary, to be used for the purpose designated:

6 1. For frontier school and extended year school planning  
7 grants as provided in section 256.22, if enacted:

8 ..... \$ 500,000

9 2. For beginning teacher induction program grants as  
10 provided in chapter 256E, if enacted:

11 ..... \$ 180,000

12 It is the intent of the general assembly that grants  
13 awarded using moneys appropriated under this section shall  
14 provide support to a minimum of 100 teams of mentors and  
15 beginning teachers.

16 3. For the establishment and implementation of a  
17 practitioner recognition award pilot program as provided in  
18 section 279.59, if enacted:

19 ..... \$ 1,000,000

20 By January 15, 1999, the department of education shall  
21 prepare and submit a proposal for a program for leadership  
22 development of practitioners and school board members to the  
23 chairpersons and ranking members of the house and senate  
24 standing education committees and of the joint subcommittee on  
25 education appropriations.

26 4. To the board of educational examiners, for purposes of  
27 developing and implementing a multi-level voluntary para-  
28 educator licensing system in accordance with section 272.12,  
29 if enacted:

30 ..... \$ 25,000

31 Sec. 2. NEW SECTION. 256.22 FRONTIER SCHOOL AND EXTENDED  
32 YEAR SCHOOL PLANNING GRANT PROGRAM.

33 1. Subject to an appropriation of sufficient funds by the  
34 general assembly, the department shall establish a frontier  
35 school and extended year school planning grant program to

1 provide for the allocation of grants to school districts, or a  
2 collaboration of school districts, to provide technical  
3 assistance for investigating the possibility of converting an  
4 existing school within a district to a frontier school or to  
5 an extended school year. A district that wants to participate  
6 in the program shall submit to the department a written  
7 request for a planning grant by September 1, 1998. The school  
8 district or collaboration of school districts shall agree to  
9 appoint a frontier school planning committee composed of  
10 parents, guardians, teachers, administrators, and individuals  
11 representing business, and the local community. The school  
12 district or collaboration shall also indicate in its request  
13 its intention to use any grant moneys received under this  
14 section to examine, at a minimum, all of the following:

- 15 a. Mission and instructional focus of the school.
- 16 b. Organizational structure and management of the school.
- 17 c. Impact on labor agreements and contracts on the success  
18 of the school.
- 19 d. Roles and responsibilities of all involved  
20 constituencies.
- 21 e. Arrangements for special needs students.
- 22 f. Connection of the school to the district.
- 23 g. Facility and operation costs.
- 24 h. Application of the school within current law and the  
25 need to apply for waivers or exemptions from one or more of  
26 the minimum education standards contained in section 256.11  
27 and rules adopted by the state board of education.
- 28 i. Measurement of results including student achievement  
29 results.

30 2. Grant moneys shall be distributed to qualifying school  
31 districts by the department no later than October 15, 1998.  
32 Grant amounts shall be distributed as determined by the  
33 department. However, a grant awarded to a school district  
34 under the provisions of this section shall not exceed twenty-  
35 five thousand dollars.

1 3. For purposes of this section, "frontier school" means a  
2 school that is nonsectarian in its program, admission  
3 policies, employment practices, and all other operations. The  
4 school is a public school and is part of the state's system of  
5 public education. The primary focus of a frontier school  
6 shall be to provide a comprehensive program of instruction for  
7 at least one grade or age group from five through eighteen  
8 years of age. Frontier schools may be designed to allow  
9 significant autonomy to the schools. However, frontier  
10 schools shall be accountable for significant results.

11 4. By February 15, 1999, a school district or  
12 collaboration of districts receiving moneys under this section  
13 shall submit an interim report to the department describing  
14 the planning activities conducted by the school district or  
15 the collaboration and providing preliminary conclusions. The  
16 school district or collaboration shall submit a final report  
17 by June 1, 1999, to the department. The department shall  
18 summarize the school district reports in a final report to the  
19 chairpersons and ranking members of the house and senate  
20 standing education committees by January 1, 2000.

21 Sec. 3. NEW SECTION. 256.24 MATHEMATICS PILOT PROGRAMS.

22 1. The Iowa mathematics and science coalition shall  
23 administer a two-year mathematics pilot program to help  
24 teachers become aware of possibilities for mathematics  
25 instruction other than traditional approaches and discuss  
26 these approaches with other teachers, employ new problem-  
27 centered approaches, develop routines that create an  
28 environment that promotes problem solving and student  
29 autonomy, and integrate new approaches to teaching mathematics  
30 in the regular mathematics curriculum.

31 2. The Iowa mathematics and science coalition shall locate  
32 the pilot programs in at least three public school districts,  
33 one located in a large school district, one located in a  
34 medium-sized school district, and one located in a small  
35 school district. In the case of a large school district, the



1 district may apply for a secondary school in the district  
2 provided that the middle and elementary schools within the  
3 secondary school attendance area are represented in the  
4 application. Districts participating in this program shall  
5 require all teachers employed by the district who teach  
6 mathematics to participate in the pilot program. However, in  
7 the case of a large district, only teachers employed to teach  
8 mathematics in the secondary school for which the application  
9 was made, and the teachers employed to teach mathematics in  
10 the middle and elementary schools within the secondary school  
11 attendance area shall be required to participate in the pilot  
12 program. For purposes of this section, a large school  
13 district is a district with an actual enrollment of five  
14 thousand or more pupils; a medium-sized school district is a  
15 district with an actual enrollment that is greater than one  
16 thousand one hundred ninety-nine pupils, but less than five  
17 thousand pupils; and a small school district is a district  
18 with an actual enrollment of one thousand one hundred ninety-  
19 nine or fewer pupils.

20 3. Funds appropriated for purposes of this section may be  
21 used for administrative costs of the program and shall be used  
22 to provide partial financial assistance to a participating  
23 school district. The portion of the program costs for which a  
24 district does not receive financial assistance pursuant to the  
25 section shall be paid by the district. However, the district  
26 may use phase III funds to pay this portion of the program  
27 costs.

28 4. There is appropriated from the general fund of the  
29 state to the department of education for allocation to the  
30 Iowa mathematics and science coalition for each fiscal year of  
31 the fiscal period beginning July 1, 1998, and ending June 30,  
32 2000, the sum of fifty thousand dollars for the mathematics  
33 pilot program.

34 Sec. 4. NEW SECTION. 256.44 NATIONAL BOARD CERTIFICATION  
35 AWARD.

1 1. A teacher, as defined in section 272.1, who registers  
2 for a national board for professional teaching standards  
3 certificate and is employed by a school district in Iowa shall  
4 be eligible for a registration award as provided in subsection  
5 2 and upon achievement of a national board for professional  
6 teaching standards certificate is eligible for an annual award  
7 as provided in subsection 3.

8 2. To receive a partial registration award of one thousand  
9 dollars, the teacher shall submit documentation as required by  
10 the department. A teacher must apply to the department within  
11 one year of registration under this subsection. A teacher  
12 shall receive a final registration award of one thousand  
13 dollars if the teacher notifies the department of the  
14 teacher's certification achievement within one year of  
15 achieving certification and submits any documentation  
16 requested by the department.

17 3. To receive a two thousand dollar annual award for  
18 achieving certification by the national board of professional  
19 teaching standards, a teacher shall apply to the department  
20 within one year of eligibility. Payment for awards shall be  
21 made only upon departmental approval of an application or  
22 recertification of eligibility. A nonrenewable term of  
23 eligibility shall be for five years or for the years the  
24 certificate is valid, whichever time period is shorter. In  
25 order to continue receipt of payments, a recipient shall  
26 annually recertify eligibility.

27 4. A national board for professional teaching standards  
28 certification fund is established in the office of treasurer  
29 of state to be administered by the department. Moneys  
30 appropriated by the general assembly for deposit in the fund  
31 shall be paid as follows:

32 a. Upon receipt of award documentation as provided in  
33 subsection 2.

34 b. On January 15 to teachers whose applications and  
35 recertifications for rewards as provided in subsection 3 are

1 approved by the department.

2 The treasurer of state shall act as custodian of the fund  
3 and may invest the moneys deposited in the fund. The income  
4 from any investment shall be credited to and deposited in the  
5 fund. The director of revenue and finance shall issue  
6 warrants upon the fund pursuant to the order of the department  
7 and such warrants shall be paid from the fund by the treasurer  
8 of state. Notwithstanding section 8.33, unencumbered or  
9 unobligated moneys remaining in the fund on June 30 of the  
10 fiscal year for which the funds were appropriated shall not  
11 revert but shall be available for expenditure for the  
12 following fiscal year for the purposes of this section.

13 5. There is appropriated from the general fund of the  
14 state to the office of treasurer of state for the fiscal year  
15 beginning July 1, 1998, and each succeeding year, the sum of  
16 two hundred fifty thousand dollars for deposit in the national  
17 board for professional teaching standards certification fund  
18 established and administered pursuant to this section.

19 Sec. 5. NEW SECTION. 256D.1 LEGISLATIVE FINDINGS AND  
20 INTENT.

21 The general assembly finds that it is in the best interest  
22 of the state to encourage and fund early education programs  
23 focused on kindergarten through grade three in the public  
24 school districts. The goal of these programs is to improve  
25 student achievement in the basic educational subject matters  
26 of reading, language arts, and mathematics, and to accomplish  
27 proficiency in those subjects by grade four. Toward that  
28 goal, it is the intent of this chapter to establish and fund  
29 an early education improvement program.

30 Sec. 6. NEW SECTION. 256D.2 EARLY EDUCATION IMPROVEMENT  
31 PROGRAM APPROPRIATION.

32 1. There is appropriated from the general fund of the  
33 state to the department of education for the fiscal year  
34 beginning July 1, 1998, and for each succeeding fiscal year,  
35 the sum of nine million dollars for the early education

1 improvement program.

2     2. For each fiscal year for which moneys are appropriated  
3 in subsection 1, the amount of moneys allocated to school  
4 districts shall be in the proportion that the basic enrollment  
5 of a district bears to the sum of the basic enrollments of all  
6 school districts in the state for the budget year. However, a  
7 district shall not receive less than ten thousand dollars in a  
8 fiscal year. The Iowa braille and sight saving school, the  
9 state school for the deaf, and the Price laboratory school at  
10 the university of northern Iowa shall annually certify their  
11 basic enrollments to the department of education by October 1.

12     3. For each year for which an appropriation is made to the  
13 early education improvement program, the department of  
14 education shall notify the department of revenue and finance  
15 of the amount to be paid to each school district based upon  
16 the distribution plan set forth for the appropriation made  
17 pursuant to this section. The allocation to each school  
18 district under this section shall be made in one payment on or  
19 about October 15 of the fiscal year for which the  
20 appropriation is made, taking into consideration the relative  
21 budget and cash position of the state resources.

22     4. Moneys received under this section shall not be  
23 commingled with state aid payments made under section 257.16  
24 to a school district and shall be accounted for by the school  
25 district separately from state aid payments.

26     5. Payments made to school districts under this section  
27 are miscellaneous income for purposes of chapter 257 and are  
28 considered encumbered. Each school district shall maintain a  
29 separate listing within their budgets for payments received  
30 and expenditures made pursuant to this section.

31     6. Moneys received under this section shall not be used  
32 for payment of any collective bargaining agreement or  
33 arbitrator's decision negotiated or awarded under chapter 20.

34     7. For purposes of this chapter, "school district" means a  
35 public school district, the Iowa braille and sight saving

1 school, the state school for the deaf, and the Price  
2 laboratory school at the university of northern Iowa.

3 Sec. 7. NEW SECTION. 256D.3 EARLY EDUCATION IMPROVEMENT  
4 PROGRAM -- REPORTS.

5 1. Progress, as determined by school districts through  
6 appropriate assessments, for children enrolled in kindergarten  
7 through grade three in attaining or surpassing student  
8 achievement goals as established under the accreditation  
9 process in chapter 256, and an accounting of the use of the  
10 moneys received by the school districts in accordance with  
11 this chapter, shall be submitted in an annual report to the  
12 department of education by September 1 in the fiscal year  
13 beginning July 1, 1999, and in each succeeding year. Each  
14 school district shall also certify, in the annual report to  
15 the department, that the school districts used the moneys  
16 received under this chapter to supplement, and not to  
17 supplant, the moneys otherwise received and used by the school  
18 district for kindergarten through grade three education  
19 purposes.

20 2. Progress, as determined individually by the Iowa  
21 braille and sight saving school, the state school for the  
22 deaf, and the Price laboratory school at the university of  
23 northern Iowa, including the progress of children enrolled in  
24 kindergarten through grade three in attaining or surpassing  
25 student achievement goals, and an accounting of the use of the  
26 moneys received by the school districts in accordance with  
27 this chapter, shall be submitted in an annual report to the  
28 state board of regents and the department of education by  
29 September 1 in the fiscal year beginning July 1, 1999, and in  
30 each succeeding year. Each school district shall also  
31 certify, in the annual report to the board of regents and the  
32 department, that the school districts used the moneys received  
33 under this chapter to supplement, and not to supplant, the  
34 moneys otherwise received and used by the school districts for  
35 kindergarten through grade three education purposes.

1 3. The department shall submit, to the chairpersons and  
2 ranking members of the house and senate education committees  
3 by January 1, 2000, a report describing the ways in which the  
4 school districts are making use of the moneys received under  
5 this chapter, and including the school districts, if any, that  
6 used moneys received under this chapter to supplant funds the  
7 school district was already receiving for kindergarten through  
8 grade three education purposes.

9 4. The department shall submit, to the chairpersons and  
10 ranking members of the house and senate education committees  
11 by January 1, 2002, a report describing school district  
12 progress on attaining or surpassing student achievement goals.

13 Sec. 8. NEW SECTION. 256D.4 EARLY EDUCATION IMPROVEMENT  
14 PROGRAM EXPENDITURES.

15 School districts shall expend funds received pursuant to  
16 section 256D.2 to support education practices, programs, or  
17 assistance for kindergarten through grade three that may  
18 include, but are not limited to, the following: reducing  
19 adult to student ratios through the hiring of teachers and  
20 adult teaching assistants; reading instruction in phonics;  
21 volunteer coordinator programs; implementation of  
22 instructional programs designed to improve student achievement  
23 in the areas of reading, language arts, and mathematics;  
24 parental involvement programs; and contributions toward  
25 implementation of an extended school day or year program.

26 Sec. 9. NEW SECTION. 256E.1 BEGINNING TEACHER INDUCTION  
27 PROGRAM ESTABLISHED -- GRANTS.

28 If the general assembly appropriates moneys for purposes of  
29 teacher induction, the department of education shall  
30 coordinate a beginning teacher induction program to promote  
31 excellence in teaching, build a supportive environment within  
32 school districts, to increase the retention of promising  
33 beginning teachers, and promote the personal and professional  
34 well-being of teachers. The department of education shall  
35 develop a process for awarding beginning teacher induction

1 grants to school districts, and shall adopt rules relating to  
2 the equitable distribution of grants to school districts to  
3 reflect diversity geographically and by population.

4 Sec. 10. NEW SECTION. 256E.2 DEFINITIONS.

5 As used in this chapter, unless the context otherwise  
6 requires:

7 1. "Beginning teacher" means an individual serving under  
8 an initial provisional or conditional license, issued by the  
9 board under chapter 272, who is assuming a position as a  
10 classroom teacher.

11 2. "Board of directors" means the board of directors of a  
12 school district or a collaboration of boards of directors of  
13 school districts.

14 3. "Classroom teacher" means an individual who holds a  
15 valid practitioner's license and who is employed by a school  
16 district under sections 279.13 through 279.19 in a school  
17 district in this state or area education agency to provide  
18 instruction to students.

19 4. "Department" means the department of education.

20 5. "Director" means the director of the department of  
21 education.

22 6. "District facilitator" means a licensed professional  
23 pursuant to chapter 272 who is appointed by the board of  
24 directors, or a collaboration of districts, to serve as the  
25 liaison between the board of directors and the department for  
26 the beginning teacher induction program.

27 7. "Mentor" means an individual employed by a school  
28 district or area education agency as a classroom teacher and  
29 who holds a valid license to teach issued under chapter 272.

30 Sec. 11. NEW SECTION. 256E.3 DISTRICT PLAN.

31 1. A board of directors of a school district or the boards  
32 of directors of a collaboration of school districts  
33 participating in the beginning teacher induction program shall  
34 appoint a district facilitator, whose duties shall include,  
35 but are not limited to, overseeing the development of a plan

1 for meeting the goals of the program as set forth in section  
2 256E.1, and composing a district committee pursuant to  
3 subsection 2.

4 2. The membership of the district committee composed by  
5 the district facilitator shall include, but is not limited to,  
6 licensed practitioners and an area education agency staff  
7 development professional.

8 3. The district committee shall adopt a plan and written  
9 procedures for an induction program consistent with this  
10 chapter. The plan and the written procedures shall, at a  
11 minimum, provide the process for the selection of and the  
12 number of mentors; the mentor training process; the timetable  
13 by which the plan shall be implemented; placement of mentors  
14 and beginning teachers; the minimum amount of contact time  
15 between mentors and beginning teachers; the minimum amount of  
16 release time for mentors and beginning teachers for meetings  
17 for planning, demonstration, observation, feedback, and  
18 workshops; the process for dissolving mentoring partnerships;  
19 and the process for measuring the results of the program. The  
20 district committee shall recommend to the board of directors  
21 or boards of directors of a collaboration the names of  
22 classroom teachers eligible to be mentors.

23 4. The district facilitator shall submit the plan, and the  
24 proposed costs of implementing the plan, to the board of  
25 directors or boards of directors of a collaboration, which  
26 shall consider the plan and, once approved, submit the plan  
27 and a reasonable cost proposal to the department of education,  
28 which shall award grants as equitably as possible based on the  
29 geographic and population diversity of the school districts  
30 submitting plans. Grants may be awarded in subsequent years  
31 based upon the most recent plan on file with the department.

32 5. The district committee is encouraged to work with area  
33 education agencies and postsecondary institutions in the  
34 preparation and implementation of a plan.

35 Sec. 12. NEW SECTION. 256E.4 BEGINNING TEACHER AND



1 MENTOR SELECTION AND PLACEMENT.

2 1. To be eligible to be a mentor, a licensed practitioner  
3 shall, at a minimum, be employed by a school district as a  
4 classroom teacher, have a record of at least five years of  
5 effective practice, have been employed for one full year in  
6 the district on a nonprobationary basis, and demonstrate  
7 professional commitment to the improvement of teaching and  
8 learning, and the development of beginning teachers.

9 2. The district facilitator shall position beginning  
10 teachers in a manner that provides the greatest opportunity to  
11 participate with the largest number of mentors.

12 Sec. 13. NEW SECTION. 256E.5 BEGINNING TEACHER INDUCTION  
13 STATE SUBSIDY -- FUND.

14 1. A teacher who is enrolled as a mentor in an approved  
15 beginning teacher induction program shall be eligible for an  
16 award of five hundred dollars per semester of participation in  
17 the program, which shall be paid from moneys received pursuant  
18 to this section by the school district employing the mentor.

19 2. Moneys received by a school district pursuant to this  
20 chapter shall be expended to provide mentors with awards in  
21 accordance with subsection 1, to implement the plan, to pay  
22 the costs of the employer's share of contributions to federal  
23 social security and the Iowa public employees' retirement  
24 system or a pension and annuity retirement system established  
25 under chapter 294, for such amounts paid by the district.

26 3. Moneys received by a school district under this chapter  
27 are miscellaneous income for purposes of chapter 257 or are  
28 considered encumbered. Each local school district shall  
29 maintain a separate listing within their budget for payments  
30 received and expenditures made pursuant to this section.

31 4. Moneys received for purposes of this chapter shall not  
32 be used for payment of any collective bargaining agreement or  
33 arbitrator's decision negotiated or awarded under chapter 20.

34 5. A beginning teacher induction fund is established in  
35 the office of the treasurer of state to be administered by the

1 department. Moneys appropriated by the general assembly for  
2 deposit in the fund shall be used to provide funding to school  
3 districts pursuant to the requirements of this section.

4 6. Notwithstanding section 8.33, unencumbered or  
5 unobligated funds remaining on June 30 of the fiscal year for  
6 which the funds were appropriated shall not revert but shall  
7 be available for expenditure in the following fiscal year for  
8 the purposes of this section.

9 Sec. 14. NEW SECTION. 256E.6 REPORTS.

10 The board of directors of a school district or a  
11 collaboration of school districts implementing an approved  
12 beginning teacher induction program as provided in this  
13 chapter shall submit an assessment of the program's results by  
14 July 1 of the fiscal year succeeding the year in which the  
15 board or the collaboration of districts received moneys under  
16 this chapter. The department shall annually report the  
17 statewide results of the program to the chairpersons and the  
18 ranking members of the house and senate education committees  
19 by January 1.

20 Sec. 15. Section 257.20, subsection 2, Code 1997, is  
21 amended by adding the following new paragraph:

22 NEW PARAGRAPH. c. If the department of education prorates  
23 the amount of the instructional support state aid paid to each  
24 district pursuant to this subsection, the board of directors  
25 shall be authorized to call an election in the manner provided  
26 in section 257.18 to impose an additional instructional  
27 support property tax, or a combination of an additional  
28 instructional support property tax and an additional  
29 instructional support income surtax, in an amount calculated  
30 by the department of management to equal the difference  
31 between what the district would be entitled to receive if the  
32 instructional support levy were fully funded pursuant to  
33 subsection 1, and the amount of the prorated state aid  
34 calculated pursuant to paragraph "b".

35 The additional voter-approved taxing authority pursuant to

1 this paragraph shall be granted for each budget year in which  
2 a prorated state aid payment is received, for a period not to  
3 exceed the duration of the underlying instructional support  
4 program. However, the amount of additional voter-approved  
5 instructional support property tax and voter-approved  
6 additional instructional support income surtax, if imposed,  
7 may be determined by the board of directors in a different  
8 proportion than for the instructional support property tax and  
9 instructional support income surtax imposed for the underlying  
10 instructional support program. Certification procedures  
11 regarding imposition of additional instructional support  
12 property tax or additional voter-approved instructional  
13 support income surtax shall be as provided in sections 257.19  
14 and 257.25. The payments shall be calculated, paid, and  
15 deposited at the same time and in the same manner as provided  
16 in sections 257.21 through 257.26.

17 Sec. 16. NEW SECTION. 268.6 TEACHER INTERNSHIP PILOT  
18 PROGRAM.

19 1. The university of northern Iowa shall design and  
20 implement a teacher internship pilot program to permit the  
21 integration of theoretical and practical learning. The  
22 university shall develop the program in consultation with the  
23 state board of education, the board of educational examiners,  
24 institutions of higher learning under the control of the state  
25 board of regents, and as practicable, any other institutions  
26 offering practitioner preparation programs approved by the  
27 state board of education.

28 2. The teacher internship pilot program implemented by the  
29 university shall include all of the following:

30 a. Student interns enrolled in the program shall complete  
31 a one-year teaching experience conducted in a collaborating  
32 school district. A student intern shall be an employee of the  
33 participating school district. The amount of money a school  
34 district shall pay to a student intern shall be negotiated by  
35 the school district and the university in consultation with

1 the department of education.

2 b. Application of the best teaching practices in diverse  
3 settings and in responding to diverse student needs under the  
4 supervision of selected district teachers and university  
5 personnel.

6 c. Seminars and special projects designed to meet student  
7 intern needs.

8 d. Collaboration and support from a participating school  
9 district relating to supervision and assessment of the student  
10 intern's performance.

11 e. Collaboration and support from the university in  
12 developing rigorous graduate coursework and in matters  
13 relating to supervision, instruction, and evaluation of the  
14 student intern in conjunction with personnel employed by the  
15 participating school district.

16 3. Student interns who enroll in the program shall receive  
17 graduate credit for successful completion of teacher  
18 internship program coursework. The successful completion of a  
19 one-year teacher internship under the program shall be  
20 recognized as the equivalent of one year of teaching  
21 experience.

22 4. A teacher who is employed by a school district and who  
23 acts as a clinical supervisor for the teacher internship pilot  
24 program shall be eligible for a stipend of one thousand  
25 dollars per semester of participation in the program. The  
26 stipend and the costs of the employer's share of contributions  
27 to federal social security and the Iowa public employees'  
28 retirement system established under chapter 294, for such  
29 amounts by the district, shall be paid from moneys received by  
30 the participating school district from moneys allocated to the  
31 university of northern Iowa pursuant to this section.

32 5. Moneys received by a school district under this section  
33 shall not be commingled with state aid payments made under  
34 section 257.16 to a school district and shall be accounted for  
35 by the school district separately from state aid payments.

1 6. Payments made to school districts under this section  
2 are miscellaneous income for purposes of chapter 257 and are  
3 considered encumbered. A school district shall maintain a  
4 separate budget listing for payments received and expenditures  
5 made pursuant to this section.

6 7. Moneys received by a school district under this section  
7 shall not be used for payment of any collective bargaining  
8 agreement or arbitrator's decision negotiated or awarded under  
9 chapter 20.

10 8. Annually on or by January 15, the university of  
11 northern Iowa shall submit a report describing activities  
12 associated with the program to the chairpersons and ranking  
13 members of the standing house and senate education committees.

14 9. a. There is appropriated from the general fund of the  
15 state to the state board of regents for the fiscal year  
16 beginning July 1, 1998, and ending June 30, 1999, the sum of  
17 two hundred twenty thousand dollars for the teacher internship  
18 pilot program at the university of northern Iowa.

19 b. There is appropriated from the general fund of the  
20 state to the state board of regents for each fiscal year of  
21 the fiscal period beginning July 1, 1999, and ending June 30,  
22 2001, the sum of five hundred seventy-five thousand dollars  
23 for the teacher internship pilot program at the university of  
24 northern Iowa.

25 10. This section is repealed on July 1, 2002.

26 Sec. 17. Section 272.1, Code 1997, is amended by adding  
27 the following new subsection:

28 NEW SUBSECTION. 4A. "Para-educator" means a person who is  
29 licensed to assist a teacher in the performance of  
30 instructional tasks to support and assist classroom  
31 instruction and related school activities.

32 Sec. 18. NEW SECTION. 272.12 PARA-EDUCATOR LICENSES.

33 1. The board of educational examiners shall adopt rules  
34 pursuant to chapter 17A relating to a multi-level voluntary  
35 licensing system ranging from para-educator generalist to

1 para-educator specialist. The rules shall outline the  
2 instructional and other school activity tasks the individuals  
3 licensed under this section may perform. The board shall  
4 determine whether an applicant is qualified to perform the  
5 duties for which a para-educator license is sought.

6 2. Applicants for a para-educator license as a generalist  
7 must hold a high school diploma from an accredited secondary  
8 school or a high school equivalency diploma issued in  
9 accordance with chapter 259A. The applicant must also have  
10 completed additional in-service training in at least all of  
11 the following areas:

- 12 a. Behavior management.
- 13 b. Ethical responsibilities and behavior.
- 14 c. Exceptional child and at-risk child behavior.
- 15 d. Collaboration skills and interpersonal relations.
- 16 e. Child and youth development.

17 3. Applicants for a para-educator license as a specialist  
18 must meet the requirements of subsection 2 and additional  
19 requirements as prescribed by rule.

20 4. A public school district, area education agency,  
21 community college, institution of higher education under the  
22 state board of regents, or an accredited private institution  
23 as defined in section 261.9, subsection 1, with a program  
24 approved by the state board of education, may train and  
25 recommend individuals for board licensure.

26 5. Applicants shall be disqualified for any of the  
27 following reasons:

- 28 a. The applicant is less than eighteen years of age.
- 29 b. The applicant has a record of founded child abuse.
- 30 c. The applicant has been convicted of a felony.
- 31 d. The applicant's application is fraudulent.
- 32 e. The applicant's license or certification from another  
33 state is suspended or revoked.
- 34 f. The applicant fails to meet board standards for  
35 application for an initial or renewed license.

1 6. Qualifications or criteria for the granting or  
2 revocation of a license or the determination of an  
3 individual's professional standing shall not include  
4 membership or nonmembership in any teachers' organization.

5 Sec. 19. NEW SECTION. 279.12A EVALUATION CRITERIA AND  
6 PROCEDURES.

7 A board of directors of a school district shall establish  
8 evaluation procedures and evaluation criteria for all  
9 personnel. If an exclusive bargaining representative has been  
10 certified, a school board shall negotiate in good faith with  
11 respect to evaluation procedures pursuant to chapter 20.

12 However, the determination of the substantive criteria for  
13 evaluations and the standards of performance expected of  
14 district personnel shall be reserved as an exclusive  
15 management right of the school board, and shall not be subject  
16 to mandatory negotiations in accordance with section 20.9.

17 The determination of the substantive criteria for evaluations  
18 and standards of performance as established by the board is  
19 final. Objections to the use or content of an evaluation in a  
20 teacher termination proceeding shall be brought before the  
21 school board in the hearing held in accordance with section  
22 279.16 and shall not be subject to grievance procedures  
23 negotiated in accordance with section 20.18.

24 Sec. 20. NEW SECTION. 279.14A PRACTITIONER PERFORMANCE  
25 IMPROVEMENT PROGRAM.

26 1. The department of education shall establish and  
27 implement a voluntary practitioner performance improvement  
28 program that shall provide technical assistance to teachers  
29 and administrators from each public school district and area  
30 education agency. The department shall consult with the Iowa  
31 state education association, the Iowa association of school  
32 boards, the school administrators of Iowa, and, as  
33 practicable, other entities providing similar programs, in  
34 developing the program. The program shall do the following:

35 a. At a minimum, the program shall provide administrators

1 with training, including but not limited to, seminars and  
2 written materials, relating to the areas of employment  
3 policies and procedures, employment documentation, performance  
4 evaluations, corrective performance techniques, discipline,  
5 termination, and support by qualified individuals for  
6 implementation of the program. Training received by an  
7 administrator in accordance with this section shall apply  
8 toward an administrator's evaluator approval renewal. The  
9 program shall not be used to provide consultation or  
10 assistance on specific employment situations.

11 b. The program shall include the establishment and  
12 implementation of a regional system to provide technical  
13 assistance to teachers and administrators who are performing  
14 inadequately.

15 2. The department shall submit an annual report to the  
16 chairpersons and ranking members of the house and senate  
17 standing education committees summarizing program activities  
18 and describing the department's plans for improving or  
19 changing the program.

20 3. There is appropriated from the general fund of the  
21 state to the department of education for each fiscal year the  
22 sum of three hundred thousand dollars for purposes of the  
23 practitioner performance improvement program.

24 Of the funds appropriated, the sum of one hundred thousand  
25 dollars shall be used for purposes of subsection 1, paragraph  
26 "a", and the sum of two hundred thousand dollars shall be used  
27 for purposes of subsection 1, paragraph "b".

28 Sec. 21. Section 279.19, unnumbered paragraph 2, Code  
29 1997, is amended to read as follows:

30 In the case of the termination of a probationary teacher's  
31 contract, the provisions of sections 279.15 and 279.16 shall  
32 apply. However, notwithstanding any provision to the  
33 contrary, the grievance procedures of section 20.18 shall not  
34 apply in the case of the termination of the contract of a  
35 teacher serving a probationary period.



1 Sec. 22. Section 279.46, Code 1997, is amended to read as  
2 follows:

3 279.46 RETIREMENT INCENTIVES -- TAX.

4 The board of directors of a school district may adopt a  
5 program for payment of a monetary bonus, continuation of  
6 health or medical insurance coverage, or other incentives for  
7 encouraging its employees to retire before the normal  
8 retirement date as defined in chapter 97B. The program is  
9 available only to employees between ~~fifty-nine~~ fifty-five and  
10 sixty-five years of age who notify the board of directors  
11 prior to ~~March~~ April 1 of the fiscal year that they intend to  
12 retire not later than the next following June 30. However,  
13 the age at which employees shall be designated eligible for  
14 the program, within the age range of fifty-five to sixty-five  
15 years of age, shall be at the discretion of the board. An  
16 employee retiring under this section shall apply for a  
17 retirement allowance under chapter 97B or chapter 294. If the  
18 total estimated accumulated cost to a school district of the  
19 health or medical insurance coverage, bonus, or other  
20 incentives for employees who retire under this section does  
21 not exceed the estimated savings in salaries and benefits for  
22 employees who replace the employees who retire under the  
23 program, the board may include in the district management levy  
24 an amount to pay the costs of the program provided in this  
25 section.

26 Sec. 23. NEW SECTION. 279.59 PRACTITIONER RECOGNITION  
27 AWARD PILOT PROGRAM.

28 1. Subject to an appropriation of sufficient funds by the  
29 general assembly, the department shall design and implement a  
30 practitioner recognition award pilot program for recognizing  
31 superior teaching and learning and rewarding excellence in  
32 teaching practices and results, or for administrative  
33 leadership.

34 2. The practitioner recognition award pilot program  
35 implemented by the department shall include, but shall not be

1 limited to, all of the following:

2 a. A nomination procedure that permits nominations to be  
3 made by the practitioner, other practitioners, or parents.

4 b. Award distribution to individuals or to nominated teams  
5 of practitioners.

6 c. Award eligibility based upon completion of one full  
7 school year in the district as a licensed practitioner, a  
8 satisfactory or higher ranking on a performance evaluation by  
9 the practitioner's administrator or a recommendation from the  
10 board of directors of the district, and certification that the  
11 practitioner improved student achievement in the year of award  
12 eligibility. Eligibility may be for more than one year, if  
13 appropriate.

14 d. Voluntary participation by a nominee.

15 e. Use of objective methods for measuring improvement in  
16 student achievement. Multiple measurement and assessment  
17 tools may be used. However, if a standard, objective method  
18 for measuring improvement in a subject area is unavailable,  
19 the practitioner or the school district may request approval  
20 from the director of education to use an alternative,  
21 objective method for measuring improvement in student  
22 achievement. The director's decision shall be final.

23 3. The department shall determine the minimum criteria  
24 necessary for eligibility in the program, and shall utilize  
25 and distribute to school districts a weighting system for  
26 criteria evaluation that ranks the criteria in the following  
27 order of priority: improvement in student achievement,  
28 practitioner advancement through education or professional  
29 designation achievement, practitioner participation as a  
30 member or leader of a team, initiative in student achievement,  
31 and community involvement.

32 4. To nominate an individual for an award, an individual  
33 shall submit a one-page application and report, on a form  
34 designed and distributed to school districts by the department  
35 of education, to a local school district coordinator who shall

1 be designated by the board of directors of the school  
2 district. The form shall be completed by the practitioner,  
3 two colleagues, and three parents selected by the  
4 practitioner. The district coordinator shall tabulate the  
5 totals of all nominations according to the minimum criteria  
6 determined by the department under subsection 3. The district  
7 may judge a nominee by criteria in addition to the criteria  
8 established by the department.

9 5. The ranked list of nominees shall be submitted to the  
10 board of directors of the school district for review and  
11 approval. The board of directors shall be responsible for  
12 determining the number of awards and the amount of the awards  
13 based upon the moneys received by the school district pursuant  
14 to section 279.60. The board of directors shall also consult  
15 with practitioners to plan appropriate recognition events  
16 within the district for presentation of the awards.

17 Sec. 24. NEW SECTION. 279.60 PRACTITIONER RECOGNITION  
18 AWARD -- FUNDING.

19 1. Subject to an appropriation of sufficient funds by the  
20 general assembly, and the establishment of a practitioner  
21 recognition award pilot program, by September 15, each school  
22 district willing to participate in the practitioner  
23 recognition award pilot program shall notify the department of  
24 education of the intent to participate in the program.

25 2. From the moneys appropriated for purposes of this  
26 program, the amount of moneys allocated to school districts  
27 that have notified the department of the intent to participate  
28 in the program shall be in the proportion that the basic  
29 enrollment of a district bears to the sum of the basic  
30 enrollments of all school districts in the state for the  
31 budget year that are willing to participate in the program.  
32 If the Iowa braille and sight saving school, the state school  
33 for the deaf, and the Price laboratory school at the  
34 university of northern Iowa notify the department of the  
35 intent to participate, they shall annually certify their basic

1 enrollments to the department of education by October 1.  
2 However, the amount of an award to a school district shall not  
3 exceed the sum of one hundred thousand dollars.

4 3. For each year in which an appropriation is made to the  
5 practitioner recognition award pilot program, the department  
6 of education shall notify the department of revenue and  
7 finance of the amount to be paid to each school district based  
8 upon the distribution plan set forth for the appropriation  
9 made pursuant to this section. The allocation to each school  
10 district under this section shall be made in one payment on or  
11 about January 15 of the fiscal year in which the appropriation  
12 is made, taking into consideration the relative budget and  
13 cash position of the state resources.

14 4. Moneys received under this section shall not be  
15 commingled with state aid payments made under sections 257.16  
16 to a school district and shall be accounted for by the local  
17 school district separately from state aid payments.

18 5. Payments made to school districts under this section  
19 are miscellaneous income for purposes of chapter 257 or are  
20 considered encumbered. Each local school district shall  
21 maintain a separate listing within their budget for payments  
22 received and expenditures made pursuant to this section.

23 6. Moneys received under this section shall not be used  
24 for payment of any collective bargaining agreement or  
25 arbitrator's decision negotiated or awarded under chapter 20.

26 7. For purposes of this section, "school district" means a  
27 school district, the Iowa braille and sight saving school, the  
28 state school for the deaf, and the Price laboratory school at  
29 the university of northern Iowa.

30 8. Awards to practitioners under this program shall not be  
31 built into the base pay for the practitioner, but shall be  
32 included in the calculation to determine pension contributions  
33 in the year in which the award is received.

34 Sec. 25. Section 294A.5, Code 1997, is amended to read as  
35 follows:

1 294A.5 MINIMUM SALARY SUPPLEMENT.

2 1. For the school year beginning July 1, ~~1987~~ 1998, and  
3 succeeding school years, the minimum annual salary paid to a  
4 full-time teacher as regular compensation shall be eighteen  
5 twenty-one thousand dollars.

6 2. The minimum salary supplement shall be the sum of the  
7 following, as applicable:

8 a. For the school year beginning July 1, ~~1987~~ 1998, for  
9 phase I, each school district and area education agency shall  
10 certify to the department of education by the third Friday in  
11 September the names of all teachers employed by the district  
12 or area education agency whose regular compensation is less  
13 than eighteen twenty-one thousand dollars per year for that  
14 year and the amounts needed as minimum salary supplements.  
15 The minimum salary supplement for each eligible teacher is the  
16 total of the difference between eighteen twenty-one thousand  
17 dollars and the teacher's regular compensation plus the amount  
18 required to pay the employer's share of the federal social  
19 security and Iowa public employees' retirement system, or a  
20 pension and annuity retirement system established under  
21 chapter 294, payments on the additional salary moneys.  
22 However, for purposes of this paragraph, a teacher's regular  
23 compensation for the school year beginning July 1, 1998, shall  
24 not be lower than twenty-one thousand dollars.

25 b. The total minimum salary supplement paid to a school  
26 district under phase I for the school year beginning July 1,  
27 1997.

28 Sec. 26. Section 294A.6, unnumbered paragraph 1, Code  
29 1997, is amended to read as follows:

30 1. For the school year beginning July 1, ~~1987~~ 1998, the  
31 department of education shall notify the department of revenue  
32 and finance of the total minimum salary supplement, as  
33 described in section 294A.5, subsection 2, paragraphs "a" and  
34 "b", to be paid to each school district and area education  
35 agency under phase I and the department of revenue and finance

1 shall make the payments. For school years after the school  
2 year beginning July 1, ~~1987~~ 1998, if a school district or area  
3 education agency reduces the number of its full-time  
4 equivalent teachers below the number employed during the  
5 school year beginning July 1, ~~1987~~ 1998, the department of  
6 revenue and finance shall reduce the total minimum salary  
7 supplement payable to that school district or area education  
8 agency so that the amount paid is equal to the ratio of the  
9 number of full-time equivalent teachers employed in the school  
10 district or area education agency for that school year divided  
11 by the number of full-time equivalent teachers employed in the  
12 school district or area education agency for the school year  
13 beginning July 1, ~~1987~~ 1998, and multiplying that fraction by  
14 the total minimum salary supplement paid to that school  
15 district or area education agency for the school year  
16 beginning July 1, ~~1987~~ 1998.

17 Sec. 27. Section 294A.25, subsection 1, Code Supplement  
18 1997, is amended to read as follows:

19 1. For the fiscal year beginning July 1, ~~1990~~ 1998, and  
20 for each succeeding year, there is appropriated from the  
21 general fund of the state to the department of education the  
22 amount of ~~ninety-two~~ eighty-one million ~~one~~ four hundred  
23 seventy-six thousand ~~eighty-five~~ six hundred ~~sixty-six~~ dollars  
24 to be used to improve teacher salaries. ~~For each fiscal year~~  
25 ~~in the fiscal period commencing July 1, 1991, and ending June~~  
26 ~~30, 1993, there is appropriated an amount equal to the amount~~  
27 ~~appropriated for the fiscal year beginning July 1, 1990, plus~~  
28 ~~an amount sufficient to pay the costs of the additional~~  
29 ~~funding provided for school districts and area education~~  
30 ~~agencies under sections 294A.9 and 294A.14. For each fiscal~~  
31 ~~year beginning on or after July 1, 1995, there is appropriated~~  
32 ~~the sum which was appropriated for the previous fiscal year,~~  
33 ~~including supplemental payments.~~ The moneys shall be  
34 distributed as provided in this section.

35 Sec. 28. Section 294A.25, subsection 7, Code Supplement

1 1997, is amended to read as follows:

2 7. Commencing with the fiscal year beginning July 1, 1990,  
3 the amount of ~~sixty~~ seventy-five thousand dollars for the  
4 ambassador to education program under section ~~256.43~~ 256.45.

5 Sec. 29. CURRENT NATIONAL BOARD CERTIFICATE HOLDERS. In  
6 order to receive payment under section 256.44, as enacted by  
7 this Act, a teacher who by July 1, 1998, meets the  
8 qualifications for an award under section 256.44, shall apply  
9 to the department for payment under section 256.44 by June 30,  
10 1999.

11 Sec. 30. INITIAL YEAR.

12 1. The board of directors of a school district, or the  
13 boards of directors of a collaboration, determined to  
14 participate in the beginning teacher induction program in  
15 fiscal year 1998-1999, shall submit the plan required under  
16 section 256E.3, if enacted in this Act, to the department of  
17 education by October 15, 1998.

18 2. By January 15, 1999, the department of education shall  
19 award grants as provided in accordance with section 256E.3, if  
20 enacted in this Act.

21 Sec. 31. APPLICABILITY. Section 19 of this Act, relating  
22 to evaluation criteria, takes effect July 1, 1998, for  
23 collective bargaining agreements or contracts entered into on  
24 or after July 1, 1998, between teachers and the boards of  
25 directors of school districts.

26 Sec. 32. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.  
27 The section of this Act that amends section 279.46, being  
28 deemed of immediate importance, takes effect upon enactment  
29 and applies retroactively to retirement incentive programs in  
30 existence after December 31, 1997. SF 2366 kh/cc/26

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## SENATE FILE 2366

T-8284

- 1 Amend Senate File 2366 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 8 the  
4 following:  
5 "Of the funds appropriated in this subsection,  
6 \$300,000 shall be used to provide grants in the amount  
7 of \$50,000 each to six school districts for extended  
8 year school pilot projects, and the department of  
9 education shall expend up to \$60,000 to conduct a  
10 study of the effectiveness of extended school years on  
11 student achievement."  
12 2. Page 3, by inserting after line 10 the  
13 following:  
14 "\_\_\_\_. School districts shall expend funds received  
15 for an extended school year pursuant to this section  
16 to, at a minimum, install air conditioning in  
17 attendance centers or finance other infrastructure  
18 needs of the school district related to an extended  
19 school year calendar, and to implement a calendar that  
20 may include, but is not limited to, modification of  
21 the current one-hundred-eighty-day calendar required  
22 pursuant to section 279.10, subsection 1. The  
23 modified calendar shall include a rotation of nine  
24 weeks of attendance and three weeks of nonattendance  
25 until the one-hundred-eighty-day calendar year  
26 requirement is met."  
27 3. By renumbering as necessary.

By RICHARDSON of Warren

H-8284 FILED MARCH 10, 1998

*O/Order 3/26/98 (p. 1001)*

## SENATE FILE 2366

H-8285

- 1 Amend Senate File 2366, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 12, line 21, by inserting after the word  
4 "plan," the following: "to provide for a stipend for  
5 the district facilitator,".

By RICHARDSON of Warren

H-8285 FILED MARCH 10, 1998

*O/Order 3/26/98 (p. 1001)*



SENATE FILE 2366

H-8274

1 Amend Senate File 2366, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 11, line 3, by inserting after the figure  
4 "2." the following: "The board of directors may  
5 contract with a public or private postsecondary  
6 institution with an approved practitioner preparation  
7 program, or with a member of the instructional staff  
8 of an approved practitioner preparation program, to  
9 perform the duties of the district facilitator in  
10 accordance with this chapter."

By RICHARDSON of Warren

H-8274 FILED MARCH 10, 1998

*O/rdn*  
*3/26/98*  
*(p.1001)*

SENATE FILE 2366

457

Amend Senate File 2366, as amended, passed, and reprinted by the Senate, as follows:

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

"Section 1. DEPARTMENT OF EDUCATION. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For frontier school or extended school year grants:

..... \$ 500,000

By September 1, 1998, the department shall establish criteria and a process for the awarding of grants for planning or implementation purposes. Grants shall be equitably distributed geographically among rural and urban areas. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year for the purposes of this subsection.

2. To the board of educational examiners, for purposes of developing and implementing a multi-level voluntary para-educator licensing system in accordance with section 272.12, if enacted:

..... \$ 75,000

3. For deposit in the Iowa empowerment fund if legislation providing for the creation of an Iowa empowerment board, an Iowa empowerment fund, and for appropriation of moneys to be administered by a community empowerment area, is enacted by the Seventy-seventh General Assembly, 1998 Session:

..... \$ 5,200,000

Sec. 2. NEW SECTION. 256.44 NATIONAL BOARD CERTIFICATION AWARD -- APPROPRIATION.

1. A teacher, as defined in section 272.1, who registers for a national board for professional teaching standards certificate and is employed by a school district in Iowa shall be eligible for a registration award as provided in subsection 2, and upon achievement of a national board for professional teaching standards certificate, is eligible for an annual award of ten thousand dollars for each year the certificate is valid as provided in this section.

2. To receive a partial registration award in the amount of one-half of the registration fee charged by the national board for professional teaching standards, the teacher shall apply to the department

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1 of education within one year of registration,  
2 submitting to the department any documentation the  
3 department requires. A teacher shall receive a final  
4 registration award in the amount of the remaining  
5 registration fee charged by the national board if the  
6 teacher notifies the department of the teacher's  
7 certification achievement and submits any  
8 documentation requested by the department.

9 3. To receive a five-year annual award for  
10 achieving certification by the national board of  
11 professional teaching standards, a teacher shall apply  
12 to the department within one year of eligibility.  
13 Payment for awards shall be made only upon  
14 departmental approval of an application or  
15 recertification of eligibility. A nonrenewable term  
16 of eligibility shall be for five years or for the  
17 years the certificate is valid, whichever time period  
18 is shorter. In order to continue receipt of payments,  
19 a recipient shall annually recertify eligibility.

20 4. A national board for professional teaching  
21 standards certification fund is established in the  
22 office of treasurer of state to be administered by the  
23 department. Moneys appropriated by the general  
24 assembly for deposit in the fund shall be paid as  
25 follows:

26 a. Upon receipt of award documentation as provided  
27 in subsection 2.

28 b. On January 15 to teachers whose applications  
29 and recertifications for annual awards as provided in  
30 subsection 3 are approved by the department. The  
31 treasurer of state shall act as custodian of the fund  
32 and may invest the moneys deposited in the fund. The  
33 income from any investment shall be credited to and  
34 deposited in the fund. The director of revenue and  
35 finance shall issue warrants upon the fund pursuant to  
36 the order of the department and such warrants shall be  
37 paid from the fund by the treasurer of state.  
38 Notwithstanding section 8.33, unencumbered or  
39 unobligated moneys remaining in the fund on June 30 of  
40 the fiscal year for which the funds were appropriated  
41 shall not revert but shall be available for subsequent  
42 fiscal years for the purposes of this section.

43 5. An individual shall not qualify for a term of  
44 annual award eligibility unless the individual  
45 applies, certifying eligibility, to the department  
46 prior to June 30, 2001.

47 Sec. 3. Section 256.45, unnumbered paragraphs 1,  
48 3, and 4, Code 1997, are amended to read as follows:

49 The department of education shall establish within  
50 ~~the department~~ and administer the position of

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ambassador to education. It shall be the function of the ambassador to education to act as an education liaison to primary and secondary schools in this state. The ambassador to education position shall be filled by the educator selected as teacher of the year by the governor, but only if that person agrees to fill the ambassador to education position.

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

The ~~district which~~ department shall grant funds in an amount equal to the salary and benefits the person selected as ambassador to education would have received from the district, or thirty thousand dollars, whichever amount is greater, to the school district that employs the person selected as the ambassador to education. The department shall also reimburse the school district for actual expenses incurred as a result of the performance of duties under this section. The school district shall grant the person a one-year sabbatical in order to allow the person to be the ambassador to education, and during the sabbatical, shall pay the salary and benefits of the ambassador with funds granted by the department. The person selected as the ambassador to education shall be entitled to return to the person's same or a comparable position without loss of accrued benefits or seniority.

Sec. 4. NEW SECTION. 256D.1 TITLE.

This chapter shall be known and may be cited as the "Frontier School Act".

Sec. 5. NEW SECTION. 256D.2 PURPOSES.

1. It is the purpose of this chapter to provide a means to revitalize education and continually do all of the following:

- a. Improve student learning.
- b. Increase learning opportunities for students.
- c. Encourage the use of different and innovative teaching methods.
- d. Require the measurement of learning outcomes and create different and innovative methods for measuring outcomes and comparison of those outcomes

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1 with other attendance centers within a school  
2 district.  
3 e. Establish new forms of accountability for  
4 schools.  
5 f. Create new professional opportunities for  
6 teachers, including the opportunity to be responsible  
7 for the learning program at the school site.  
8 g. Create opportunities for community members to  
9 enhance student learning experiences in the community  
10 member's profession.  
11 h. Encourage the development and use of an  
12 innovative or extended school year.

13 2. This chapter does not provide a means to keep  
14 open a school that otherwise would be closed. A  
15 school board bears the burden of proving that  
16 conversion to a frontier school fulfills a purpose  
17 specified in this chapter and independent of the  
18 school's closing.

19 Sec. 6. NEW SECTION. 256D.3 DEFINITIONS.

20 As used in this chapter unless the context  
21 otherwise requires:

22 1. "Department" means the department of education.  
23 2. "Director" means the director of the department  
24 of education.  
25 3. "School board" means the board of directors of  
26 a public school district creating a frontier school  
27 within the district.  
28 4. "State board" means the state board of  
29 education.

30 Sec. 7. NEW SECTION. 256D.4 APPLICABILITY.

31 This section applies only to frontier schools  
32 formed and operated under this chapter.

33 Sec. 8. NEW SECTION. 256D.5 FORMATION OF SCHOOL.

34 1. A school board, upon approval by the state  
35 board, may establish one or more frontier schools as  
36 provided in this chapter.  
37 2. A school board may authorize a licensed  
38 administrator or teacher to operate a frontier school  
39 subject to the approval of the state board. The  
40 school shall be organized and operated as a nonprofit  
41 cooperative association under chapter 498 or nonprofit  
42 corporation under chapter 504A.  
43 3. Before a school district may form and operate a  
44 frontier school, the school board must file an  
45 affidavit with the state board stating its intent to  
46 establish a frontier school. The affidavit shall  
47 state the terms and conditions under which the school  
48 board pledges to establish a frontier school. The  
49 state board shall approve or disapprove a school  
50 board's proposed authorization within sixty days of

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receipt of an affidavit. Failure to obtain state board approval precludes a school board from authorizing the frontier school that was the subject of the affidavit.

4. A school board approved by the state board to organize, establish, and operate a frontier school shall appoint the members of the frontier school board. The frontier school board shall consist of not more than seven members, the majority of which shall be parents or guardians of children enrolled in the frontier school. One member of the school board shall serve as a member of the frontier school board. The provisions of chapters 21 and 22 shall apply to meetings and records of the frontier school board.

5. The granting or renewal of an authorization for a frontier school by a school board shall not be conditioned upon the bargaining unit status of the employees of the school.

Sec. 9. NEW SECTION. 256D.6 CONVERSION OF EXISTING SCHOOLS.

The board of directors of a school district may convert any one of its existing schools to frontier schools or the entire district to a frontier school under this chapter. The conversion must occur at the beginning of an academic year.

Sec. 10. NEW SECTION. 256D.7 CONTRACT.

The school board's authorization for a frontier school shall be in the form of a written contract signed by the school board and the board of directors of the frontier school. The contract for a frontier school shall be in writing and contain, at a minimum, the following:

1. A description of a program that carries out one or more of the purposes enumerated in section 256D.2.

2. Specific outcomes students are to achieve under section 256D.11.

3. Admission policies and procedures.

4. A description of the management and administration of the frontier school.

5. Requirements and procedures for program and financial audits.

6. A plan describing methods for complying with sections 256D.9, 256D.14, 256D.17, and 256D.24.

7. Assurance of the assumption of liability by the frontier school.

8. Types and amounts of insurance coverage to be obtained by the frontier school.

Sec. 11. NEW SECTION. 256D.8 PUBLIC STATUS -- EXEMPTION FROM STATUTES AND RULES.

A frontier school is a public school and is part of

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1 the state's system of public education. Except as  
2 provided in this chapter, a frontier school is exempt  
3 from all statutes and rules applicable to a school, a  
4 school board, or a school district, although it may  
5 elect to comply with one or more provisions of  
6 statutes or rules.

7 Sec. 12. NEW SECTION. 256D.9 REQUIREMENTS.

8 1. A frontier school shall meet all applicable  
9 state and local health and safety requirements.

10 2. A frontier school shall be nonsectarian in its  
11 programs, admission policies, employment practices,  
12 and all other operations. A school board shall not  
13 establish a frontier school or program that is  
14 affiliated with an existing nonpublic school.

15 3. Frontier schools shall not be used as a method  
16 of providing education or generating revenue for  
17 students who are receiving competent private  
18 instruction pursuant to chapter 299A.

19 4. The primary focus of a frontier school shall be  
20 to provide a comprehensive program of instruction for  
21 at least one grade or age group from five through  
22 eighteen years of age. Instruction may be provided to  
23 people younger than five years or older than eighteen  
24 years of age.

25 5. A frontier school shall not charge tuition.

26 6. A frontier school is subject to and shall  
27 comply with chapter 216 and 216A relating to civil and  
28 human rights.

29 7. A frontier school is subject to and shall  
30 comply with sections 275.55A, 279.9A, 280.17B,  
31 280.21B, and 282.4, relating to suspension and  
32 expulsion of a student.

33 8. A frontier school is subject to the same  
34 financial audits, audit procedures, and audit  
35 requirements as a school district. The audit shall be  
36 consistent with the requirements of sections 11.6,  
37 11.14, 11.19, 256.9, subsection 19, and section  
38 279.29, except to the extent deviations are necessary  
39 because of the program at the school. The department,  
40 the auditor of state, or the legislative fiscal bureau  
41 may conduct financial, program, or compliance audits.

42 9. A frontier school is a school district for the  
43 purposes of tort liability under chapter 670.

44 Sec. 13. NEW SECTION. 256D.10 ADMISSION  
45 REQUIREMENTS.

46 1. A frontier school may limit admission to any of  
47 the following:

48 a. Students within an age group or grade level.

49 b. Individuals who are eligible to participate in  
50 an alternative options education program under section

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1 280.19A.

2 c. Residents of a specific geographic area where  
3 the percentage of the population of non-Caucasian  
4 people of that area is greater than the percentage of  
5 the non-Caucasian population in the congressional  
6 district in which the geographic area is located, and  
7 as long as the school reflects the racial and ethnic  
8 diversity of the specific area.

9 2. A frontier school shall enroll an eligible  
10 student who submits a timely application, unless the  
11 number of applications exceeds the capacity of a  
12 program, class, grade level, or building. In this  
13 case, students shall be accepted by lot.

14 3. A frontier school admission shall not be based  
15 on intellectual ability, measures of achievement or  
16 aptitude, or athletic ability.

17 Sec. 14. NEW SECTION. 256D.11 STUDENT  
18 PERFORMANCE.

19 A frontier school shall design its programs to at  
20 least meet any outcomes adopted by the state board for  
21 public school students. In the absence of state board  
22 requirements, the school shall meet the outcomes  
23 contained in the contract with the school board. The  
24 achievement levels of the outcomes contained in the  
25 contract may exceed the achievement levels of any  
26 outcomes adopted by the state board for public school  
27 students.

28 Sec. 15. NEW SECTION. 256D.12 EMPLOYMENT AND  
29 OTHER OPERATING MATTERS.

30 A frontier school shall employ or contract with  
31 necessary teachers, as defined in section 272.1, who  
32 hold a valid license with an endorsement for the type  
33 of service for which the teacher is employed. The  
34 school may employ necessary employees who are not  
35 required to hold teaching licenses to perform duties  
36 other than teaching and may contract for other  
37 services. The school may discharge teachers and  
38 nonlicensed employees.

39 The board of directors of the frontier school also  
40 shall decide matters related to the operation of the  
41 school, including budgeting, curriculum, and operating  
42 procedures.

43 Sec. 16. NEW SECTION. 256D.13 STUDENTS WITH  
44 SPECIAL EDUCATION NEEDS.

45 A frontier school shall comply with chapter 256B  
46 and administrative rules adopted pursuant to that  
47 chapter relating to the education of students with  
48 special education needs, and receive state special  
49 education aid, as though it were a school district.  
50 However, the fiscal responsibility for children

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1 requiring special education shall remain with the  
2 school district creating the frontier school. A child  
3 requiring special education under chapter 256B shall  
4 be included in the weighted enrollment of the district  
5 creating the frontier school and the district shall  
6 pay to the frontier school the special education  
7 district cost per pupil amount generated by the  
8 weighting.

9 Sec. 17. NEW SECTION. 256D.14 LENGTH OF SCHOOL  
10 YEAR.

11 A frontier school shall provide instruction each  
12 year for at least the number of days required by  
13 section 279.10, subsection 1, unless the school  
14 provides instruction throughout the year according to  
15 section 256.20 or 279.10, subsection 3.

16 Sec. 18. NEW SECTION. 256D.15 REPORTS.

17 A frontier school shall report at least annually to  
18 its board of directors, the district school board, the  
19 department, and the state board of education the  
20 information required by the school board, the  
21 department, or the state board. The reports are  
22 public records subject to chapter 22. The department  
23 shall collect and document the progress of the  
24 frontier school toward increasing student's levels of  
25 achievement.

26 Sec. 19. NEW SECTION. 256D.16 REVIEW AND  
27 COMMENT.

28 The department shall review and comment on the  
29 evaluation, by the school district creating the  
30 frontier school, of the performance of a frontier  
31 school before the frontier school's contract is  
32 renewed. The information from the review and comment  
33 shall be reported to the state board in a timely  
34 manner. Annually, the state board shall report trends  
35 or suggestions based on the evaluation of frontier  
36 school contracts to the house and senate education  
37 committees.

38 Sec. 20. NEW SECTION. 256D.17 TRANSPORTATION.

39 1. By July 1 of each year, a frontier school shall  
40 notify the establishing district, the district in  
41 which the school is located, if applicable, and the  
42 department if it will provide transportation for  
43 students enrolled at the school for the fiscal year.

44 2. If a frontier school elects to provide  
45 transportation for students, the transportation shall  
46 be provided by the frontier school within the district  
47 in which the frontier school is located. In addition,  
48 the frontier school shall provide transportation for  
49 all resident pupils attending the frontier school in  
50 accordance with chapter 285, unless otherwise provided

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1 in this chapter.

2 3. For students who reside outside the district in  
3 which the frontier school is located, the frontier  
4 school is not required to provide or pay for  
5 transportation between the student's residence and the  
6 border of the district in which the frontier school is  
7 located. A parent may be reimbursed by the frontier  
8 school for costs of transportation from the student's  
9 residence to the border of the district in which the  
10 frontier school is located if the student is from a  
11 family whose income is at or below the poverty level,  
12 as determined by the most recently revised poverty  
13 income guidelines published by the United States  
14 department of health and human services.

15 4. At the time a student enrolls in a frontier  
16 school, the frontier school shall provide the parent  
17 or guardian with information regarding the  
18 transportation.

19 5. If a frontier school does not elect to provide  
20 transportation, transportation for students enrolled  
21 at the school shall be provided by the district in  
22 which the school is located, in the manner provided in  
23 section 285.1, subsection 15, for a student residing  
24 in the same district in which a nonpublic school  
25 designated for attendance is located. Transportation  
26 may be provided by the district in which the frontier  
27 school is located for a student residing in a  
28 different district, in the same manner provided for in  
29 section 285.1, subsection 16, for students whose  
30 nonpublic school designated for attendance is located  
31 outside the boundary line of the school district of  
32 the student's residence.

33 Sec. 21. NEW SECTION. 256D.18 LEASED SPACE.

34 A frontier school may lease space from a school  
35 board or other public or private nonprofit,  
36 nonsectarian organization. If a frontier school is  
37 unable to lease appropriate space from a school board  
38 or other public or private nonprofit, nonsectarian  
39 organization, the frontier school may lease space from  
40 another nonsectarian organization if the department,  
41 in consultation with the department of management,  
42 approves the lease. If the frontier school is unable  
43 to lease appropriate space from public or private  
44 nonsectarian organizations, the frontier school may  
45 lease space from a sectarian organization if the  
46 leased space is constructed as a school facility and  
47 the department, in consultation with the department of  
48 management, approves the lease.

49 Sec. 22. NEW SECTION. 256D.19 INITIAL COSTS.

50 A school board may establish a frontier school

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1 before the applicant has secured its space, equipment,  
2 facilities, and personnel if the school board  
3 indicates the establishment is necessary for it to  
4 raise working capital. A school board may not  
5 establish a school before the state board of education  
6 has approved the authorization.

7 Sec. 23. NEW SECTION. 256D.20 DISSEMINATION OF  
8 INFORMATION.

9 The school board, the operators, and the department  
10 shall disseminate information to the public on how to  
11 form and operate a frontier school and how to utilize  
12 the offerings of a frontier school. Particular groups  
13 to be targeted include low-income families and  
14 communities and minority students.

15 Sec. 24. NEW SECTION. 256D.21 LEAVE TO TEACH IN  
16 A FRONTIER SCHOOL.

17 If a teacher employed by a school district is  
18 qualified for a vacant teaching position that exists  
19 at a frontier school, and the frontier school has  
20 accepted the teacher for the position, the teacher may  
21 request in writing an extended leave of absence to  
22 teach at the frontier school, and the school district  
23 shall grant the leave for any number of years  
24 requested by the teacher, and must extend the leave at  
25 the teacher's request. The school district may  
26 require that the request for a leave or extension of  
27 leave be made up to ninety days before the teacher  
28 would otherwise have to report for duty. Once  
29 granted, a leave is valid only while the teacher is  
30 employed by the frontier school.

31 This section shall not apply to a school district  
32 experiencing three consecutive years or more of  
33 declining enrollment.

34 Sec. 25. NEW SECTION. 256D.22 COLLECTIVE  
35 BARGAINING.

36 The provisions of chapter 20 shall not apply to the  
37 board of directors of a frontier school or its  
38 employees unless the employees and the frontier school  
39 board agree to abide by the provisions of chapter 20  
40 in the contract established pursuant to section  
41 256D.7.

42 Sec. 26. NEW SECTION. 256D.23 TEACHER AND OTHER  
43 EMPLOYEE RETIREMENT.

44 Teachers in a frontier school shall be public  
45 school teachers for the purposes of retirement under  
46 chapter 97B.

47 Sec. 27. NEW SECTION. 256D.24 CAUSES FOR  
48 NONRENEWAL OR TERMINATION.

49 1. The duration of a frontier school contract with  
50 a school board shall be for five years. The school

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1 board may or may not renew a contract at the end of  
2 the term for any ground listed in subsection 2. A  
3 school board may unilaterally terminate a contract  
4 during the term of the contract for any ground listed  
5 in subsection 2. At least sixty days before not  
6 renewing or terminating a contract, the school board  
7 shall notify the board of directors of the frontier  
8 school of the proposed action in writing. The notice  
9 shall state the grounds for the proposed action in  
10 reasonable detail and that the frontier school's board  
11 of directors may request in writing an informal  
12 hearing before the school board within fourteen days  
13 of receiving notice of nonrenewal or termination of  
14 the contract. Failure by the board of directors to  
15 make a timely written request for a hearing shall be  
16 treated as acquiescence to the proposed action. Upon  
17 receiving a timely written request for a hearing, the  
18 school board shall give reasonable notice to the  
19 frontier school's board of directors of the hearing  
20 date. The school board shall conduct an informal  
21 hearing before taking final action. The school board  
22 shall take final action to renew or not renew a  
23 contract by the last day of classes in the school  
24 year. The frontier school's board of directors may  
25 appeal the school board's decision to the state board.

26 2. A contract may be terminated or not renewed  
27 upon any of the following grounds:  
28 a. Failure to meet the requirements for student  
29 performance contained in the contract.  
30 b. Failure to meet generally accepted standards of  
31 fiscal management.  
32 c. For violations of law or other good cause  
33 shown.

34 3. If a contract is terminated or not renewed, the  
35 school shall be dissolved according to the applicable  
36 provisions of chapter 498 or 504A.

37 Sec. 28. NEW SECTION. 256D.25 STUDENT  
38 ENROLLMENT.

39 If a frontier school contract is not renewed or is  
40 terminated according to section 256D.24, a student who  
41 attended the school may enroll in the resident  
42 district or may submit an application to a nonresident  
43 district according to section 282.18 at any time.  
44 Applications and notices required by section 282.18  
45 shall be processed and provided in a prompt manner.  
46 The application and notice deadlines in section 282.18  
47 do not apply under these circumstances.

48 A student enrolled in a frontier school is  
49 ineligible to participate in dual enrollment under  
50 section 299A.8.

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1 Sec. 29. NEW SECTION. 256D.26 GENERAL AUTHORITY.  
2 The board of directors of a frontier school may sue  
3 and be sued. The board may not levy taxes or issue  
4 bonds.

5 Sec. 30. NEW SECTION. 256D.27 IMMUNITY.

6 1. The state board, members of the state board, a  
7 school board, members of a school board in their  
8 official capacity, and employees of a school board are  
9 immune from civil or criminal liability with respect  
10 to all activities related to a frontier school they  
11 approve or establish.

12 2. The board of directors of the frontier school  
13 shall obtain at least the amount of and types of  
14 insurance required by the contract, according to  
15 section 256D.7.

16 Sec. 31. NEW SECTION. 256D.28 STATE SCHOOL  
17 FOUNDATION AID FOR A FRONTIER SCHOOL.

18 1. A student residing in Iowa who is enrolled in a  
19 frontier school shall be counted, for state school  
20 foundation aid purposes, in the student's district of  
21 residence. A student's residence, for purposes of  
22 this section, shall be as established under section  
23 282.1. The board of directors of the district of  
24 residence shall pay to the frontier school the  
25 district cost per pupil, or the frontier school's cost  
26 per pupil as determined by the department based upon  
27 information supplied by the frontier school, whichever  
28 is lowest, plus any moneys received for the student as  
29 a result of non-English-speaking weighting under  
30 section 280.4, subsection 3, for each school year.  
31 The district of residence shall also transmit the  
32 phase III moneys allocated to the district for the  
33 full-time equivalent attendance of the student to the  
34 frontier school as provided according to any agreement  
35 reached by the frontier school and the school district  
36 of residence.

37 2. If a parent or guardian of a child enrolled in  
38 a frontier school under this chapter moves to a  
39 different school district during the course of either  
40 district's academic year, the child's first district  
41 of residence shall be responsible for payment of the  
42 cost per pupil plus weightings or special education  
43 costs to the frontier school for the balance of the  
44 school year in which the move took place. The new  
45 district of residence shall be responsible for the  
46 payments during the succeeding years.

47 Sec. 32. NEW SECTION. 256D.29 AUTHORIZED  
48 EXPENDITURES.

49 A frontier school is a public school for purposes  
50 of section 257.7.

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1 Sec. 33. NEW SECTION. 256D.30 OTHER AID --  
2 GRANTS -- REVENUE.

3 1. A frontier school is eligible to receive other  
4 aid, grants, and revenue according to Title VII,  
5 subtitle 1, as though it were a school district. The  
6 frontier school may receive aid levied by the school  
7 district for the purposes of the frontier school. For  
8 purposes of receiving federal aid, the actual  
9 enrollment of the frontier school shall be included in  
10 the actual enrollment of the school district, and the  
11 school district shall pay to the frontier school the  
12 federal aid generated by the frontier school's actual  
13 enrollment.

14 2. Except as provided in section 256D.32, a  
15 frontier school may receive money from any source for  
16 facilities needs. In the year-end report to the state  
17 board of education, the frontier school shall report  
18 the total amount of funds received from grants and  
19 other outside sources.

20 Sec. 34. NEW SECTION. 256D.31 USE OF STATE  
21 MONEY.

22 Money received from the state may not be used to  
23 purchase land or buildings. The school may own land  
24 and buildings if obtained through nonstate sources.

25 Sec. 35. NEW SECTION. 256E.1 BEGINNING TEACHER  
26 INDUCTION PROGRAM ESTABLISHED -- GRANTS.

27 If the general assembly appropriates moneys for  
28 purposes of teacher induction, the department of  
29 education shall coordinate a beginning teacher  
30 induction program to promote excellence in teaching,  
31 to build a supportive environment within school  
32 districts, to increase the retention of promising  
33 beginning teachers, and to promote the personal and  
34 professional well-being of teachers. The department  
35 of education shall develop a process for awarding  
36 beginning teacher induction grants to school  
37 districts, and shall adopt rules pursuant to chapter  
38 17A relating to the equitable distribution of grants  
39 to school districts to reflect diversity  
40 geographically and by population.

41 Sec. 36. NEW SECTION. 256E.2 DEFINITIONS.

42 As used in this chapter, unless the context  
43 otherwise requires:

44 1. "Beginning teacher" means an individual serving  
45 under an initial provisional or conditional license,  
46 issued by the board of educational examiners under  
47 chapter 272, who is assuming a position as a classroom  
48 teacher.

49 2. "Board of directors" means the board of  
50 directors of a school district or a collaboration of

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1 boards of directors of school districts.

2 3. "Classroom teacher" means an individual who  
3 holds a valid practitioner's license and who is  
4 employed by a school district under sections 279.13  
5 through 279.19 in a school district or area education  
6 agency in this state to provide instruction to  
7 students.

8 4. "Department" means the department of education.

9 5. "Director" means the director of the department  
10 of education.

11 6. "District facilitator" means a licensed  
12 professional pursuant to chapter 272 who is appointed  
13 by the board of directors, or a collaboration of  
14 districts, to serve as the liaison between the board  
15 of directors and the department for the beginning  
16 teacher induction program.

17 7. "Mentor" means an individual employed by a  
18 school district or area education agency as a  
19 classroom teacher and who holds a valid license to  
20 teach issued under chapter 272.

21 Sec. 37. NEW SECTION. 256E.3 DISTRICT PLAN.

22 1. A board of directors of a school district or  
23 the boards of directors of a collaboration of school  
24 districts participating in the beginning teacher  
25 induction program shall appoint a district  
26 facilitator, whose duties shall include, but are not  
27 limited to, overseeing the development of a plan for  
28 meeting the goals of the program as set forth in  
29 section 256E.1, and composing a district committee  
30 pursuant to subsection 2.

31 2. The membership of the district committee  
32 composed by the district facilitator shall include,  
33 but is not limited to, licensed practitioners and an  
34 area education agency staff development professional.

35 3. The district committee shall adopt a plan and  
36 written procedures for a mentor program consistent  
37 with this chapter. The plan and the written  
38 procedures shall, at a minimum, provide the process  
39 for the selection of and the number of mentors; the  
40 mentor training process; the timetable by which the  
41 plan shall be implemented; placement of mentors and  
42 beginning teachers; the minimum amount of contact time  
43 between mentors and beginning teachers; the minimum  
44 amount of release time for mentors and beginning  
45 teachers for meetings for planning, demonstration,  
46 observation, feedback, and workshops; the process for  
47 dissolving mentoring partnerships; and the process for  
48 measuring the results of the program. The district  
49 committee shall recommend to the board of directors or  
50 boards of directors of a collaboration the names of

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1 classroom teachers eligible to be mentors.

2 4. The district facilitator shall submit the plan,  
3 and the proposed costs of implementing the plan, to  
4 the board of directors or boards of directors of a  
5 collaboration, which shall consider the plan and, once  
6 approved, submit the plan and a reasonable cost  
7 proposal to the department of education, which shall  
8 award grants as equitably as possible based on the  
9 geographic and population diversity of the school  
10 districts submitting plans. Grants may be awarded in  
11 subsequent years based upon the most recent plan on  
12 file with the department.

13 5. The district committee is encouraged to work  
14 with area education agencies and postsecondary  
15 institutions in the preparation and implementation of  
16 a plan.

17 Sec. 38. NEW SECTION. 256E.4 BEGINNING TEACHER  
18 AND MENTOR SELECTION AND PLACEMENT.

19 1. To be eligible to be a mentor, a licensed  
20 practitioner shall, at a minimum, be employed by a  
21 school district as a classroom teacher, have a record  
22 of at least four years of effective practice, have  
23 been employed for one full year in the district on a  
24 nonprobationary basis, and demonstrate professional  
25 commitment to the improvement of teaching and  
26 learning, and the development of beginning teachers.

27 2. The district facilitator shall place beginning  
28 teachers in a manner that provides the greatest  
29 opportunity to participate with the largest number of  
30 mentors.

31 Sec. 39. NEW SECTION. 256E.5 BEGINNING TEACHER  
32 INDUCTION STATE SUBSIDY -- FUND.

33 1. A teacher who is enrolled as a mentor in an  
34 approved beginning teacher induction program shall be  
35 eligible for an award of five hundred dollars per  
36 semester of participation in the program, which shall  
37 be paid from moneys received pursuant to this section  
38 by the school district employing the mentor.

39 2. Moneys received by a school district pursuant  
40 to this chapter shall be expended to provide mentors  
41 with awards in accordance with subsection 1, to  
42 implement the plan, to pay the costs of the employer's  
43 share of contributions to federal social security and  
44 the Iowa public employees' retirement system or a  
45 pension and annuity retirement system established  
46 under chapter 294, for such amounts paid by the  
47 district.

48 3. Moneys received by a school district under this  
49 chapter are miscellaneous income for purposes of  
50 chapter 257 or are considered encumbered. Each local

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1 school district shall maintain a separate listing  
2 within their budget for payments received and  
3 expenditures made pursuant to this section.

4 4. Moneys received for purposes of this chapter  
5 shall not be used for payment of any collective  
6 bargaining agreement or arbitrator's decision  
7 negotiated or awarded under chapter 20.

8 5. A beginning teacher induction fund is  
9 established in the office of the treasurer of state to  
10 be administered by the department. Moneys  
11 appropriated by the general assembly for deposit in  
12 the fund shall be used to provide funding to school  
13 districts pursuant to the requirements of this  
14 section.

15 6. Notwithstanding section 8.33, unencumbered or  
16 unobligated funds remaining on June 30 of the fiscal  
17 year for which the funds were appropriated shall not  
18 revert but shall be available for expenditure in the  
19 following fiscal year for the purposes of this  
20 section.

21 Sec. 40. NEW SECTION. 256E.6 REPORTS.

22 The board of directors of a school district or the  
23 boards of directors of a collaboration of school  
24 districts implementing an approved beginning teacher  
25 induction program as provided in this chapter shall  
26 submit an assessment of the program's results by July  
27 1 of the fiscal year succeeding the year in which the  
28 school district or the collaboration of school  
29 districts received moneys under this chapter. The  
30 department shall annually report the statewide results  
31 of the program to the chairpersons and the ranking  
32 members of the house and senate education committees  
33 by January 1.

34 Sec. 41. NEW SECTION. 256F.1 LEGISLATIVE  
35 FINDINGS AND INTENT.

36 The general assembly finds that early childhood  
37 education programs provide benefits in the areas of  
38 economic development, education, workforce  
39 preparation, health costs, welfare costs, and juvenile  
40 justice. The general assembly further finds that it  
41 is in the best interest of the state to encourage and  
42 equitably fund early childhood education programs in  
43 the public school districts. The goal of these  
44 programs shall be, at a minimum, to produce children  
45 who are self-confident and trusting, intellectually  
46 inquisitive, able to use language to communicate,  
47 physically and mentally healthy, able to relate well  
48 to others, and empathetic to others. Toward that  
49 goal, it is the intent of this chapter to establish  
50 and fund an early childhood education imperatives

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1 program.

2 Sec. 42. NEW SECTION. 256F.2 EARLY CHILDHOOD

3 EDUCATION IMPERATIVES PROGRAM APPROPRIATION.

4 1. There is appropriated from the general fund of  
5 the state to the department of education for the  
6 fiscal year beginning July 1, 1998, and for each  
7 succeeding fiscal year, the sum of ten million dollars  
8 for the early childhood education imperatives program.

9 2. For each fiscal year for which moneys are  
10 appropriated in subsection 1, the amount of moneys  
11 allocated to school districts shall be in the  
12 proportion that the basic enrollment of a district  
13 bears to the sum of the basic enrollments of all  
14 school districts in the state for the budget year.  
15 However, a district shall not receive less than seven  
16 thousand five hundred dollars in a fiscal year.

17 3. For each year for which an appropriation is  
18 made to the early childhood education imperatives  
19 program, the department of education shall notify the  
20 department of revenue and finance of the amount to be  
21 paid to each school district based upon the  
22 distribution plan set forth for the appropriation made  
23 pursuant to this section. The allocation to each  
24 school district under this section shall be made in  
25 one payment on or about October 15 of the fiscal year  
26 for which the appropriation is made, taking into  
27 consideration the relative budget and cash position of  
28 the state resources. Prior to the receipt of moneys,  
29 school districts shall provide to the department of  
30 education adequate assurance that they have developed  
31 or are developing an early childhood education plan as  
32 required by section 256F.3 and that moneys received  
33 under this section will be used in accordance with the  
34 required early childhood education plan.

35 4. Moneys received under this section shall not be  
36 commingled with state aid payments made under sections  
37 257.16 to a school district and shall be accounted for  
38 by the school district separately from state aid  
39 payments.

40 5. Payments made to school districts under this  
41 section are miscellaneous income for purposes of  
42 chapter 257 or are considered encumbered. Each school  
43 district shall maintain a separate listing within  
44 their budgets for payments received and expenditures  
45 made pursuant to this section.

46 6. Moneys received under this section shall not be  
47 used for payment of any collective bargaining  
48 agreement or arbitrator's decision negotiated or  
49 awarded under chapter 20.

50 Sec. 43. NEW SECTION. 256F.3 EARLY CHILDHOOD

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## 1 EDUCATION IMPERATIVES PROGRAM PLANNING.

2 Prior to receiving moneys under this chapter, the  
3 board of directors of a school district shall adopt an  
4 initial early childhood education plan that supports  
5 early childhood education efforts and includes an  
6 evaluation component. The plan shall be developed by  
7 licensed professional staff of the district, including  
8 both teachers and administrators. The plan shall, at  
9 a minimum, focus on preparing children to attain or  
10 surpass student achievement goals identified pursuant  
11 to sections 280.12 and 280.18. The initial plan shall  
12 be amended or adopted anew at least once every five  
13 years. The early childhood education plan shall be  
14 kept on file in the district and a copy of the initial  
15 plan, subsequent amendments to the plan, and copies of  
16 subsequent plans adopted shall be sent to the  
17 appropriate area education agency and the department  
18 of education. Progress as determined by the school  
19 district, but including progress in preparing children  
20 to attain or surpass student achievement goals, shall  
21 be included as part of the annual report submitted to  
22 the department of education in compliance with  
23 sections 280.12 and 280.18.

24 Sec. 44. NEW SECTION. 256F.4 EARLY CHILDHOOD

## 25 EDUCATION IMPERATIVES PROGRAM EXPENDITURES.

26 School districts shall expend funds received  
27 pursuant to section 256F.2 to support reading  
28 instruction in phonics, and other education practices,  
29 programs, or assistance for kindergarten through grade  
30 three that may include, but are not limited to, the  
31 following: reducing adult to student ratios through  
32 the hiring of teachers, former teachers, and para-  
33 educator teaching assistants; talented and gifted  
34 programs; and implementation of instructional programs  
35 designed to improve student achievement in the areas  
36 of reading, language arts, and mathematics.

37 Sec. 45. NEW SECTION. 257.13 ON-TIME FUNDING FOR  
38 NEW STUDENTS.

39 1. If a district's actual enrollment for the  
40 budget year, determined under section 257.6, is  
41 greater than its budget enrollment for the budget  
42 year, the district may submit a request to the school  
43 budget review committee for on-time funding for new  
44 students. The school budget review committee shall  
45 consider the relative increase in enrollment on a  
46 district-by-district basis, in determining whether to  
47 approve the request, and shall determine the amount of  
48 additional funding to be provided if the request is  
49 granted. An application for on-time funding must be  
50 received by the department of education by October 1.

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1 Written notice of the committee's decision shall be  
2 given through the department of education to the  
3 school board for a district.

4 2. If the school budget review committee approves  
5 a request for on-time funding for new students, the  
6 funding shall be in an amount up to the product of  
7 one-third of the state cost per pupil for the budget  
8 year multiplied by the difference between the actual  
9 enrollment for the budget year and the budget  
10 enrollment for the budget year. The additional  
11 funding received under this section is miscellaneous  
12 income to the district.

13 3. There is appropriated each fiscal year from the  
14 general fund of the state to the department of  
15 education up to four million dollars to pay additional  
16 funding authorized under this section, which shall be  
17 paid to school districts in one lump-sum payment  
18 within thirty days of notification by the school  
19 budget review committee of approval for on-time  
20 funding for new students for a budget year. If the  
21 requests approved by the school budget review  
22 committee exceed the appropriation in this subsection,  
23 the payments to school districts receiving approval  
24 for on-time funding shall be prorated such that each  
25 school district approved for on-time funding shall  
26 receive an amount of on-time funding equal to the  
27 percentage that the on-time funding to be provided to  
28 the district bears to the total amount of on-time  
29 funding to be provided to all districts receiving  
30 approval.

31 4. If the board of directors of a school district  
32 determines that a need exists for additional funds  
33 exceeding the amount provided in this section, a  
34 request for supplemental aid based upon increased  
35 enrollment may be submitted to the school budget  
36 review committee as provided in section 257.31.

37 5. A school district which is receiving a budget  
38 adjustment for a budget year pursuant to section  
39 257.14 shall receive on-time funding for new students,  
40 reduced by the amount of the budget adjustment for  
41 that budget year.

42 Sec. 46. Section 272.1, Code 1997, is amended by  
43 adding the following new subsection:

44 NEW SUBSECTION. 4A. "Para-educator" means a  
45 person who is licensed to assist a teacher in the  
46 performance of instructional tasks to support and  
47 assist classroom instruction and related school  
48 activities.

49 Sec. 47. NEW SECTION. 272.12 PARA-EDUCATOR  
50 LICENSES.

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1 1. The board of educational examiners shall adopt  
2 rules pursuant to chapter 17A relating to a multi-  
3 level voluntary licensing system ranging from para-  
4 educator generalist to para-educator specialist. The  
5 rules shall outline the instructional and other school  
6 activity tasks the individuals licensed under this  
7 section may perform. The board shall determine  
8 whether an applicant is qualified to perform the  
9 duties for which a para-educator license is sought.

10 2. Applicants for a para-educator license as a  
11 generalist must hold a high school diploma from an  
12 accredited secondary school or a high school  
13 equivalency diploma issued in accordance with chapter  
14 259A. The applicant must also have completed  
15 additional in-service training in at least all of the  
16 following areas:

17 a. Behavior management.  
18 b. Ethical responsibilities and behavior.  
19 c. Exceptional child and at-risk child behavior.  
20 d. Collaboration skills and interpersonal  
21 relations.

22 e. Child and youth development.

23 3. Applicants for a para-educator license as a  
24 specialist must meet the requirements of subsection 2  
25 and additional requirements as prescribed by rule.

26 4. A public school district, area education  
27 agency, community college, institution of higher  
28 education under the state board of regents, or an  
29 accredited private institution as defined in section  
30 261.9, subsection 1, with a program approved by the  
31 state board of education, may train and recommend  
32 individuals for board licensure.

33 5. Applicants shall be disqualified for any of the  
34 following reasons:

35 a. The applicant is less than eighteen years of  
36 age.

37 b. The applicant has a record of founded child  
38 abuse.

39 c. The applicant has been convicted of a felony.

40 d. The applicant's application is fraudulent.

41 e. The applicant's license or certification from  
42 another state is suspended or revoked.

43 f. The applicant fails to meet board standards for  
44 application for an initial or renewed license.

45 6. Qualifications or criteria for the granting or  
46 revocation of a license or the determination of an  
47 individual's professional standing shall not include  
48 membership or nonmembership in any teachers'  
49 organization.

50 Sec. 48. NEW SECTION. 279.14A PRACTITIONER

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## 1 PERFORMANCE IMPROVEMENT PROGRAM.

2 1. The department of education shall establish and  
3 implement a voluntary practitioner performance  
4 improvement program that shall provide technical  
5 assistance to teachers and administrators from each  
6 public school district and area education agency. The  
7 department shall consult with the Iowa state education  
8 association, the Iowa association of school boards,  
9 the school administrators of Iowa, and, as  
10 practicable, other entities providing similar  
11 programs, in developing the program. The program  
12 shall do the following:

13 a. At a minimum, the program shall provide  
14 administrators with training, including but not  
15 limited to, seminars and written materials, relating  
16 to the areas of employment policies and procedures,  
17 employment documentation, performance evaluations,  
18 corrective performance techniques, discipline,  
19 termination, and support by qualified individuals for  
20 implementation of the program. Training received by  
21 an administrator in accordance with this section shall  
22 apply toward an administrator's evaluator approval  
23 renewal. The program shall not be used to provide  
24 consultation or assistance on specific employment  
25 situations.

26 b. The program shall include the establishment and  
27 implementation of a regional system to provide  
28 technical assistance to teachers and administrators  
29 who are performing inadequately.

30 2. The department shall submit an annual report to  
31 the chairpersons and ranking members of the house and  
32 senate standing education committees summarizing  
33 program activities and describing the department's  
34 plans for improving or changing the program.

35 3. There is appropriated from the general fund of  
36 the state to the department of education for each  
37 fiscal year the sum of three hundred thousand dollars  
38 for purposes of the practitioner performance  
39 improvement program.

40 Of the funds appropriated, the sum of one hundred  
41 thousand dollars shall be used for purposes of  
42 subsection 1, paragraph "a", and the sum of two  
43 hundred thousand dollars shall be used for purposes of  
44 subsection 1, paragraph "b".

45 Sec. 49. Section 279.15, Code 1997, is amended to  
46 read as follows:

47 279.15 NOTICE OF TERMINATION -- REQUEST FOR  
48 HEARING.

49 1. The superintendent or the superintendent's  
50 designee and the board of director's of the school

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1 district shall notify the teacher not later than April  
2 ~~30-that-the-superintendent-will-recommend-in-writing~~  
3 ~~to-the-board-at-a-regular-or-special-meeting-of-the~~  
4 ~~board,-held-not-later-than-May-15,~~ March 15 that the  
5 teacher's continuing contract be terminated effective  
6 at the end of the current school year. However, if  
7 the district is subject to reorganization under  
8 chapter 275, the notification shall not occur until  
9 after the first organizational meeting of the board of  
10 the newly formed district.

11 2. Notification of ~~recommendation-of~~ termination  
12 of a teacher's contract shall be in writing, signed by  
13 the superintendent and the presiding officer of the  
14 board, and shall be personally delivered to the  
15 ~~teacher,-or-mailed-by-certified-mail.~~ The  
16 notification shall be complete when received by the  
17 teacher. The notification and the recommendation to  
18 terminate shall contain a short and plain statement of  
19 the reasons, which shall be for just cause, why the  
20 recommendation is being made. ~~The-notification-shall~~  
21 ~~be-given-at-or-before-the-time-the-recommendation-is~~  
22 ~~given-to-the-board.~~

23 3. As a part of the termination proceedings, the  
24 teacher's complete personnel file of employment by  
25 that board shall be available to the teacher, which  
26 file shall contain a record of all periodic  
27 evaluations between the teacher and appropriate  
28 supervisors.

29 4. Within five days of the receipt of the written  
30 ~~notice that-the-superintendent-is-recommending of~~  
31 termination of the contract, the teacher may request,  
32 in writing to the secretary of the board, a private  
33 hearing with the board an adjudicator selected in  
34 accordance with section 279.17. The private hearing  
35 shall not be subject to chapter 21 and shall be held  
36 no sooner than ten days and no later than twenty days  
37 following the-receipt-of-the-request the selection of  
38 the adjudicator, unless the parties otherwise agree.  
39 The secretary of the board shall notify the teacher in  
40 writing of the date, time, and location of the private  
41 hearing, and at least five ten days before the hearing  
42 shall also furnish to the teacher any documentation  
43 which may be presented to by the superintendent and  
44 the board at the private hearing and a list of persons  
45 who may address the board adjudicator in support of  
46 the superintendent's recommendation at the private  
47 hearing. At least three days before the hearing, the  
48 teacher shall provide any documentation the teacher  
49 expects to present at the private hearing, along with  
50 the names of any persons who may address the board on

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1 behalf of the teacher. This exchange of information  
2 shall be at the time specified unless otherwise  
3 agreed.

4 Sec. 50. Section 279.16, Code 1997, is amended to  
5 read as follows:

6 279.16 PRIVATE HEARING -- DECISION -- RECORD.

7 1. The participants at the private hearing shall  
8 be ~~at-least-a-majority-of-the~~ interested members of  
9 the board, ~~their-legal-representatives,~~ if any, the  
10 superintendent, the superintendent's designated  
11 representatives, if any, the teacher's immediate  
12 supervisor, the teacher, the teacher's  
13 representatives, if any, and the witnesses for the  
14 parties. The evidence at the private hearing shall be  
15 limited to the specific reasons stated in the  
16 superintendent's notice of recommendation of  
17 termination. No participant in the hearing shall be  
18 liable for any damages to any person if any statement  
19 at the hearing is determined to be erroneous as long  
20 as the statement was made in good faith. The  
21 superintendent shall present evidence and argument on  
22 all issues involved and the teacher may cross-examine,  
23 respond and present evidence and argument in the  
24 teacher's behalf relevant to all issues involved.  
25 Evidence may be by stipulation of the parties and  
26 informal settlement may be made by stipulation,  
27 consent, or default or by any other method agreed upon  
28 by the parties in writing. The board shall employ a  
29 certified shorthand reporter to keep a record of the  
30 private hearing. ~~The-proceedings-or-any~~ Any part  
31 ~~thereof~~ of the proceedings shall be transcribed at the  
32 request of either party with the expense of  
33 transcription charged to the requesting party.

34 2. The ~~presiding-officer-of-the-board~~ adjudicator  
35 may administer oaths in the same manner and with like  
36 effect and under the same penalties as in the case of  
37 magistrates exercising criminal or civil jurisdiction.  
38 The board adjudicator shall cause subpoenas to be  
39 issued for ~~such~~ witnesses and the production of ~~such~~  
40 any books and papers ~~as-either~~ the board or the  
41 teacher may designate. The subpoenas shall be signed  
42 by the ~~presiding-officer-of-the-board~~ adjudicator.

43 3. In case a witness is duly subpoenaed and  
44 refuses to attend, or in case a witness appears and  
45 refuses to testify or to produce required books or  
46 papers, the board adjudicator shall, in writing,  
47 report such refusal to the district court of the  
48 county in which the administrative office of the  
49 school district is located, and the court shall  
50 proceed with the person or witness as though the

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1 refusal had occurred in a proceeding legally pending  
2 before the court.

3 The board adjudicator shall not be bound by common  
4 law or statutory rules of evidence or by technical or  
5 formal rules of procedure, but ~~it~~ the adjudicator  
6 shall hold the hearing in such manner as is best  
7 suited to ascertain and conserve the substantial  
8 rights of the parties. Process and procedure under  
9 sections 279.13 to 279.19 shall be as summary as  
10 reasonably may be.

11 4. At the conclusion of the private hearing, the  
12 superintendent and the teacher may file written briefs  
13 and arguments with the board adjudicator within three  
14 days or such other time as may be agreed upon.

15 5. If the teacher fails to timely request a  
16 private hearing or does not appear at the private  
17 hearing, the board may proceed and make a  
18 determination upon the superintendent's  
19 recommendation. If the teacher fails to timely file a  
20 request for a private hearing, the determination shall  
21 be not later than ~~May-31~~ April 15. ~~If the teacher~~  
22 ~~fails to appear at the private hearing, the~~  
23 ~~determination shall be not later than five days after~~  
24 ~~the scheduled date for the private hearing.~~ The board  
25 shall convene in open session and by roll call vote  
26 determine the termination or continuance of the  
27 teacher's contract.

28 ~~6. Within five days after the private hearing, the~~  
29 ~~board shall, in executive session, meet to make a~~  
30 ~~final decision upon the recommendation and the~~  
31 ~~evidence as herein provided.~~ The board adjudicator  
32 shall also consider any written brief and arguments  
33 submitted by the superintendent and the teacher.

34 7. The record for a private hearing shall include  
35 the following:

36 ~~1- a.~~ All pleadings, motions and intermediate  
37 rulings.

38 ~~2- b.~~ All evidence received or considered and all  
39 other submissions.

40 ~~3- c.~~ A statement of all matters officially  
41 noticed.

42 ~~4- d.~~ All questions and offers of proof,  
43 objections and rulings thereon.

44 ~~5- e.~~ All findings and exceptions.

45 ~~6- f.~~ Any decision, opinion, or conclusion by the  
46 board.

47 ~~7- g.~~ Findings of fact shall be based solely on  
48 the evidence in the record and on matters officially  
49 noticed in the record.

50 8. The decision of the board adjudicator shall be

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1 in writing and shall include findings of fact and  
2 conclusions of law, separately stated. Findings of  
3 fact, if set forth in statutory language, shall be  
4 accompanied by a concise and explicit statement of the  
5 underlying facts and supporting the findings. Each  
6 conclusion of law shall be supported by cited  
7 authority or by reasoned opinion.

8 ~~9. When the board has reached a decision, opinion,~~  
9 ~~or conclusion, it shall convene in open meeting and by~~  
10 ~~roll-call vote determine the continuance or~~  
11 ~~discontinuance of the teacher's contract. The record~~  
12 ~~of the private conference and findings of fact and~~  
13 ~~exceptions shall be exempt from the provisions of~~  
14 ~~chapter 22. The secretary of the board adjudicator~~  
15 ~~shall make a decision within thirty days and shall,~~  
16 ~~upon reaching a decision, immediately mail notice of~~  
17 ~~the board's action decision to the teacher, the~~  
18 ~~superintendent, and the secretary of the board.~~

19 10. The record of the private hearing and findings  
20 of fact and exceptions shall be exempt from the  
21 provisions of chapter 22.

22 Sec. 51. Section 279.17, Code 1997, is amended to  
23 read as follows:

24 279.17 ~~APPEAL BY TEACHER TO~~ SELECTION AND  
25 AUTHORITY OF ADJUDICATOR.

26 ~~If the teacher is no longer a probationary teacher,~~  
27 ~~the teacher may, within ten days, appeal the~~  
28 ~~determination of the board to an adjudicator by filing~~  
29 ~~a notice of appeal with the secretary of the board.~~  
30 ~~The notice of appeal shall contain a concise statement~~  
31 ~~of the action which is the subject of the appeal, the~~  
32 ~~particular board action appealed from, the grounds on~~  
33 ~~which relief is sought and the relief sought.~~

34 1. Within five days following receipt by the  
35 secretary of the notice of appeal a teacher's request  
36 for a private hearing by an adjudicator as provided in  
37 section 279.15, the board or the board's legal  
38 representative, if any, and the teacher or the  
39 teacher's representative, if any, may select an  
40 adjudicator who resides within the boundaries of the  
41 merged area in which the school district is located.  
42 If an adjudicator cannot be mutually agreed upon  
43 within the five-day period, the secretary shall notify  
44 the chairperson of the public employment relations  
45 board by transmitting the notice of appeal request for  
46 a private hearing, and the chairperson of the public  
47 employment relations board shall within five days  
48 provide a list of five adjudicators to the parties.  
49 Within three days from receipt of the list of  
50 adjudicators, the parties shall select an adjudicator

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1 by alternately removing a name from the list until  
2 only one name remains. The person whose name remains  
3 shall be the adjudicator. The parties shall determine  
4 by lot which party shall remove the first name from  
5 the list submitted by the chairperson of the public  
6 employment relations board. The secretary of the  
7 board shall inform the chairperson of the public  
8 employee relations board of the name of the  
9 adjudicator selected.

10 ~~If the teacher does not timely request an appeal to~~  
11 ~~an adjudicator the decision, opinion, or conclusion of~~  
12 ~~the board shall become final and binding.~~

13 ~~Within thirty days after filing the notice of~~  
14 ~~appeal, or within further time allowed by the~~  
15 ~~adjudicator, the board shall transmit to the~~  
16 ~~adjudicator the original or a certified copy of the~~  
17 ~~entire record of the private hearing which may be the~~  
18 ~~subject of the petition. --By stipulation of the~~  
19 ~~parties to review the proceedings, the record of the~~  
20 ~~case may be shortened. --The adjudicator may require or~~  
21 ~~permit subsequent corrections or additions to the~~  
22 ~~shortened record.~~

23 ~~The record certified and filed by the board shall~~  
24 ~~be the record upon which the appeal shall be heard and~~  
25 ~~no additional evidence shall be heard by the~~  
26 ~~adjudicator. --In such appeal to the adjudicator,~~  
27 ~~especially when considering the credibility of~~  
28 ~~witnesses, the adjudicator shall give weight to the~~  
29 ~~fact findings of the board, but shall not be bound by~~  
30 ~~them.~~

31 ~~Before the date set for hearing a petition for~~  
32 ~~review of board action, which shall be within ten days~~  
33 ~~after receipt of the record unless otherwise agreed or~~  
34 ~~unless the adjudicator orders additional evidence be~~  
35 ~~taken before the board, application may be made to the~~  
36 ~~adjudicator for leave to present evidence in addition~~  
37 ~~to that found in the record of the case. --If it is~~  
38 ~~shown to the adjudicator that the additional evidence~~  
39 ~~is material and that there were good reasons for~~  
40 ~~failure to present it in the private hearing before~~  
41 ~~the board, the adjudicator may order that the~~  
42 ~~additional evidence be taken before the board upon~~  
43 ~~conditions determined by the adjudicator. --The board~~  
44 ~~may modify its findings and decision in the case by~~  
45 ~~reason of the additional evidence and shall file that~~  
46 ~~evidence and any modifications, new findings, or~~  
47 ~~decisions, with the adjudicator and mail copies of the~~  
48 ~~new findings or decisions to the teacher.~~

49 2. The adjudicator may affirm board action or  
50 remand to the board for further proceedings. --The

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1 ~~adjudicator shall reverse, modify, the~~  
2 ~~superintendent's recommendation to terminate the~~  
3 ~~teacher's contract or grant any appropriate relief~~  
4 ~~from the board action~~ require the board to continue  
5 the teacher's contract if ~~substantial rights of the~~  
6 ~~teacher have been prejudiced because the board action~~  
7 is the adjudicator determines that termination of the  
8 contract would be any of the following:

9 ~~1- a. In A~~ violation of a board rule or policy or  
10 contract; ~~or.~~

11 2- b. Unsupported by a preponderance of the  
12 competent evidence in the record made before the board  
13 adjudicator when that record is viewed as a whole; ~~or.~~

14 3- c. Unreasonable, arbitrary or capricious or  
15 characterized by an abuse of discretion or a clearly  
16 unwarranted exercise of discretion.

17 ~~The adjudicator shall, within fifteen days after~~  
18 ~~the hearing, make a decision and shall give a copy of~~  
19 ~~the decision to the teacher and the secretary of the~~  
20 ~~board. The decision of the adjudicator shall become~~  
21 ~~the final and binding decision of the board unless~~  
22 ~~either party within ten days notifies the secretary of~~  
23 ~~the board that the decision is rejected. The board~~  
24 ~~may reject the decision by majority vote, by roll~~  
25 ~~call, in open meeting and entered into the minutes of~~  
26 ~~the meeting. The board shall immediately notify the~~  
27 ~~teacher of its decision by certified mail. The~~  
28 ~~teacher may reject the adjudicator's decision by~~  
29 ~~notifying the board's secretary in writing within ten~~  
30 ~~days of the filing of such decision.~~

31 3. All costs of the adjudicator shall be shared  
32 equally by the teacher and the board.

33 Sec. 52. Section 279.18, subsection 6, Code 1997,  
34 is amended to read as follows:

35 6. Unsupported by a preponderance of the competent  
36 substantial evidence in the record made before the  
37 board and the adjudicator when that record is viewed  
38 as a whole; or

39 Sec. 53. Section 279.19, unnumbered paragraph 1,  
40 Code 1997, is amended to read as follows:

41 The first ~~two~~ three consecutive years of employment  
42 of a teacher in the same school district are a  
43 probationary period. However, ~~a~~ if the teacher has  
44 successfully completed a probationary period of  
45 employment for another school district located in  
46 Iowa, the probationary period in the current district  
47 of employment shall not exceed one year. A board of  
48 directors may waive the probationary period for any  
49 teacher who previously has served a probationary  
50 period in another school district and the board may

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1 extend the probationary period for an additional year  
2 with the consent of the teacher.

3 Sec. 54. Section 294A.25, subsection 7, Code  
4 Supplement 1997, is amended to read as follows:

5 7. Commencing with the fiscal year beginning July  
6 1, 1990, the amount of ~~sixty~~ seventy-five thousand  
7 dollars for the ambassador to education program under  
8 section ~~256.43~~ 256.45.

9 Sec. 55. Section 294A.25, Code Supplement 1997, is  
10 amended by adding the following new subsections:

11 NEW SUBSECTION. 9A. For the fiscal year beginning  
12 July 1, 1998, and ending June 30, 1999, the amount of  
13 two hundred fifty thousand dollars for deposit in the  
14 national board for professional teaching standards  
15 certification fund from additional funds transferred  
16 from phase I to phase III.

17 NEW SUBSECTION. 9B. For the fiscal year beginning  
18 July 1, 1998, and ending June 30, 1999, the amount of  
19 two hundred forty thousand dollars for beginning  
20 teacher induction program grants as provided in  
21 chapter 256E, from additional funds transferred from  
22 phase I to phase III. It is the intent of the general  
23 assembly that grants awarded from funds appropriated  
24 under this subsection shall provide support to a  
25 minimum of one hundred thirty-three teams of mentors  
26 and beginning teachers.

27 Sec. 56. INITIAL YEAR.

28 1. The board of directors of a school district, or  
29 the boards of directors of a collaboration, determined  
30 to participate in the beginning teacher induction  
31 program in fiscal year 1998-1999, shall submit the  
32 plan required under section 256E.3, as enacted in this  
33 Act, to the department of education by October 15,  
34 1998.

35 2. By January 15, 1999, the department of  
36 education shall award grants as provided in accordance  
37 with section 256E.3, as enacted in this Act.

38 Sec. 57. CURRENT NATIONAL BOARD CERTIFICATE  
39 HOLDERS. In order to receive payment under section  
40 256.44, as enacted by this Act, a teacher who by July  
41 1, 1998, meets the qualifications for an award under  
42 section 256.44 shall apply to the department for  
43 payment under section 256.44 by June 30, 1999.

44 Sec. 58. EFFECTIVE DATE. Section 45 of this Act,  
45 being deemed of immediate importance, takes effect  
46 upon enactment for the purpose of computations  
47 required for payment of state aid to school districts  
48 for budget years beginning on or after July 1, 1998.  
49 Section 45 of this Act remains in effect until the  
50 repeal of chapter 257 on July 1, 2001."

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- 1 2. Title page, line 3, by striking the words
- 2 "retroactive applicability and" and inserting the
- 3 following: "an".
- 4 3. Title page, line 4, by striking the word
- 5 "provisions" and inserting the following:
- 6 "provision".
- 7 4. By renumbering as necessary.

By COMMITTEE ON EDUCATION  
GRIES of Crawford, Chairperson

H-8457 FILED MARCH 17, 1998

**WITHDRAWN**

3/25/98  
(P. 924)

SENATE FILE 2366

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1 Amend Senate File 2366, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Section 1. DEPARTMENT OF EDUCATION. There is  
6 appropriated from the general fund of the state to the  
7 department of education for the fiscal year beginning  
8 July 1, 1998, and ending June 30, 1999, the following  
9 amount, or so much thereof as is necessary, to be used  
10 for the purposes designated:

11 1. For frontier school or extended school year  
12 grants:

13 ..... \$ 500,000

14 By September 1, 1998, the department shall  
15 establish criteria and a process for the awarding of  
16 grants for planning or implementation purposes.  
17 Grants shall be equitably distributed geographically  
18 among rural and urban areas. Notwithstanding section  
19 8.33, unencumbered or unobligated funds remaining on  
20 June 30 of the fiscal year for which the funds were  
21 appropriated shall not revert but shall be available  
22 for expenditure for the following fiscal year for the  
23 purposes of this subsection.

24 2. To the board of educational examiners, for  
25 purposes of developing and implementing a multi-level  
26 voluntary para-educator licensing system in accordance  
27 with section 272.12, if enacted:

28 ..... \$ 75,000

29 3. For deposit in the Iowa empowerment fund if  
30 legislation providing for the creation of an Iowa  
31 empowerment board, an Iowa empowerment fund, and for  
32 the appropriation of moneys to be administered by a  
33 community empowerment area, is enacted by the Seventy-  
34 seventh General Assembly, 1998 Session:

35 ..... \$ 5,200,000

36 Sec. 2. NEW SECTION. 256.44 NATIONAL BOARD  
37 CERTIFICATION AWARD -- APPROPRIATION.

38 1. A teacher, as defined in section 272.1, who  
39 registers for a national board for professional  
40 teaching standards certificate and is employed by a  
41 school district in Iowa shall be eligible for a  
42 registration award as provided in subsection 2, and  
43 upon achievement of a national board for professional  
44 teaching standards certificate, is eligible for an  
45 annual award of ten thousand dollars for each year the  
46 certificate is valid as provided in this section.

47 2. To receive a partial registration award in the  
48 amount of one-half of the registration fee charged by  
49 the national board for professional teaching  
50 standards, the teacher shall apply to the department

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1 of education within one year of registration,  
2 submitting to the department any documentation the  
3 department requires. A teacher shall receive a final  
4 registration award in the amount of the remaining  
5 registration fee charged by the national board if the  
6 teacher notifies the department of the teacher's  
7 certification achievement and submits any  
8 documentation requested by the department.

9 3. To receive a five-year annual award for  
10 achieving certification by the national board of  
11 professional teaching standards, a teacher shall apply  
12 to the department within one year of eligibility.  
13 Payment for awards shall be made only upon  
14 departmental approval of an application or  
15 recertification of eligibility. A nonrenewable term  
16 of eligibility shall be for five years or for the  
17 years the certificate is valid, whichever time period  
18 is shorter. In order to continue receipt of payments,  
19 a recipient shall annually recertify eligibility.

20 4. A national board for professional teaching  
21 standards certification fund is established in the  
22 office of treasurer of state to be administered by the  
23 department. Moneys appropriated by the general  
24 assembly for deposit in the fund shall be paid as  
25 follows:

26 a. Upon receipt of award documentation as provided  
27 in subsection 2.

28 b. On January 15 to teachers whose applications  
29 and recertifications for annual awards as provided in  
30 subsection 3 are approved by the department. The  
31 treasurer of state shall act as custodian of the fund  
32 and may invest the moneys deposited in the fund. The  
33 income from any investment shall be credited to and  
34 deposited in the fund. The director of revenue and  
35 finance shall issue warrants upon the fund pursuant to  
36 the order of the department and such warrants shall be  
37 paid from the fund by the treasurer of state.  
38 Notwithstanding section 8.33, unencumbered or  
39 unobligated moneys remaining in the fund on June 30 of  
40 the fiscal year for which the funds were appropriated  
41 shall not revert but shall be available for subsequent  
42 fiscal years for the purposes of this section.

43 5. An individual shall not qualify for a term of  
44 annual award eligibility unless the individual  
45 applies, certifying eligibility, to the department  
46 prior to June 30, 2001.

47 Sec. 3. Section 256.45, unnumbered paragraphs 1,  
48 3, and 4, Code 1997, are amended to read as follows:

49 The department of education shall establish within  
50 ~~the department~~ and administer the position of

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1 ambassador to education. It shall be the function of  
2 the ambassador to education to act as an education  
3 liaison to primary and secondary schools in this  
4 state. The ambassador to education position shall be  
5 filled by the educator selected as teacher of the year  
6 by the governor, but only if that person agrees to  
7 fill the ambassador to education position.

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

19 The ~~district which~~ department shall grant funds in  
20 an amount equal to the salary and benefits the person  
21 selected as ambassador to education would have  
22 received from the district, or thirty thousand  
23 dollars, whichever amount is greater, to the school  
24 district that employs the person selected as the  
25 ambassador to education. The department shall also  
26 reimburse the school district for actual expenses  
27 incurred as a result of the performance of duties  
28 under this section. The school district shall grant  
29 the person a one-year sabbatical in order to allow the  
30 person to be the ambassador to education, and during  
31 the sabbatical, shall pay the salary and benefits of  
32 the ambassador with funds granted by the department.  
33 The person selected as the ambassador to education  
34 shall be entitled to return to the person's same or a  
35 comparable position without loss of accrued benefits  
36 or seniority.

37 Sec. 4. NEW SECTION. 256D.1 TITLE.

38 This chapter shall be known and may be cited as the  
39 "Frontier School Act".

40 Sec. 5. NEW SECTION. 256D.2 PURPOSES.

41 1. It is the purpose of this chapter to provide a  
42 means to revitalize education and continually do all  
43 of the following:

44 a. Improve student learning.

45 b. Increase learning opportunities for students.

46 c. Encourage the use of different and innovative  
47 teaching methods.

48 d. Require the measurement of learning outcomes  
49 and create different and innovative methods for  
50 measuring outcomes and comparison of those outcomes

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1 with other attendance centers within a school  
2 district.  
3 e. Establish new forms of accountability for  
4 schools.  
5 f. Create new professional opportunities for  
6 teachers, including the opportunity to be responsible  
7 for the learning program at the school site.  
8 g. Create opportunities for community members to  
9 enhance student learning experiences in the community  
10 member's profession.

11 h. Encourage the development and use of an  
12 innovative or extended school year.

13 2. This chapter does not provide a means to keep  
14 open a school that otherwise would be closed. A  
15 school board bears the burden of proving that  
16 conversion to a frontier school fulfills a purpose  
17 specified in this chapter and independent of the  
18 school's closing.

19 Sec. 6. NEW SECTION. 256D.3 DEFINITIONS.

20 As used in this chapter unless the context  
21 otherwise requires:

22 1. "Department" means the department of education.

23 2. "Director" means the director of the department  
24 of education.

25 3. "School board" means the board of directors of  
26 a public school district creating a frontier school  
27 within the district.

28 4. "State board" means the state board of  
29 education.

30 Sec. 7. NEW SECTION. 256D.4 APPLICABILITY.

31 This section applies only to frontier schools  
32 formed and operated under this chapter.

33 Sec. 8. NEW SECTION. 256D.5 FORMATION OF SCHOOL.

34 1. A school board, upon approval by the state  
35 board, may establish one or more frontier schools as  
36 provided in this chapter.

37 2. A school board may authorize a licensed  
38 administrator or teacher to operate a frontier school  
39 subject to the approval of the state board. The  
40 school shall be organized and operated as a nonprofit  
41 cooperative association under chapter 498 or nonprofit  
42 corporation under chapter 504A.

43 3. Before a school district may form and operate a  
44 frontier school, the school board must file an  
45 affidavit with the state board stating its intent to  
46 establish a frontier school. The affidavit shall  
47 state the terms and conditions under which the school  
48 board pledges to establish a frontier school. The  
49 state board shall approve or disapprove a school  
50 board's proposed authorization within sixty days of

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1 receipt of an affidavit. Failure to obtain state  
2 board approval precludes a school board from  
3 authorizing the frontier school that was the subject  
4 of the affidavit.

5 4. A school board approved by the state board to  
6 organize, establish, and operate a frontier school  
7 shall appoint the members of the frontier school  
8 board. The frontier school board shall consist of not  
9 more than seven members, the majority of which shall  
10 be parents or guardians of children enrolled in the  
11 frontier school. One member of the school board shall  
12 serve as a member of the frontier school board. The  
13 provisions of chapters 21 and 22 shall apply to  
14 meetings and records of the frontier school board.

15 5. The granting or renewal of an authorization for  
16 a frontier school by a school board shall not be  
17 conditioned upon the bargaining unit status of the  
18 employees of the school.

19 Sec. 9. NEW SECTION. 256D.6 CONVERSION OF  
20 EXISTING SCHOOLS.

21 The board of directors of a school district may  
22 convert any one of its existing schools to frontier  
23 schools or the entire district to a frontier school  
24 under this chapter. The conversion must occur at the  
25 beginning of an academic year.

26 Sec. 10. NEW SECTION. 256D.7 CONTRACT.

27 The school board's authorization for a frontier  
28 school shall be in the form of a written contract  
29 signed by the school board and the board of directors  
30 of the frontier school. The contract for a frontier  
31 school shall be in writing and contain, at a minimum,  
32 the following:

33 1. A description of a program that carries out one  
34 or more of the purposes enumerated in section 256D.2.

35 2. Specific outcomes students are to achieve under  
36 section 256D.11.

37 3. Admission policies and procedures.

38 4. A description of the management and  
39 administration of the frontier school.

40 5. Requirements and procedures for program and  
41 financial audits.

42 6. A plan describing methods for complying with  
43 sections 256D.9, 256D.14, 256D.17, and 256D.24.

44 7. Assurance of the assumption of liability by the  
45 frontier school.

46 8. Types and amounts of insurance coverage to be  
47 obtained by the frontier school.

48 Sec. 11. NEW SECTION. 256D.8 PUBLIC STATUS --  
49 EXEMPTION FROM STATUTES AND RULES.

50 A frontier school is a public school and is part of

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1 the state's system of public education. Except as  
2 provided in this chapter, a frontier school is exempt  
3 from all statutes and rules applicable to a school, a  
4 school board, or a school district, although it may  
5 elect to comply with one or more provisions of  
6 statutes or rules.

7 Sec. 12. NEW SECTION. 256D.9 REQUIREMENTS.

8 1. A frontier school shall meet all applicable  
9 state and local health and safety requirements.

10 2. A frontier school shall be nonsectarian in its  
11 programs, admission policies, employment practices,  
12 and all other operations. A school board shall not  
13 establish a frontier school or program that is  
14 affiliated with an existing nonpublic school.

15 3. Frontier schools shall not be used as a method  
16 of providing education or generating revenue for  
17 students who are receiving competent private  
18 instruction pursuant to chapter 299A.

19 4. The primary focus of a frontier school shall be  
20 to provide a comprehensive program of instruction for  
21 at least one grade or age group from five through  
22 eighteen years of age. Instruction may be provided to  
23 people younger than five years or older than eighteen  
24 years of age.

25 5. A frontier school shall not charge tuition.

26 6. A frontier school is subject to and shall  
27 comply with chapter 216 and 216A relating to civil and  
28 human rights.

29 7. A frontier school is subject to and shall  
30 comply with sections 275.55A, 279.9A, 280.17B,  
31 280.21B, and 282.4, relating to suspension and  
32 expulsion of a student.

33 8. A frontier school is subject to the same  
34 financial audits, audit procedures, and audit  
35 requirements as a school district. The audit shall be  
36 consistent with the requirements of sections 11.6,  
37 11.14, 11.19, 256.9, subsection 19, and section  
38 279.29, except to the extent deviations are necessary  
39 because of the program at the school. The department,  
40 the auditor of state, or the legislative fiscal bureau  
41 may conduct financial, program, or compliance audits.

42 9. A frontier school is a school district for the  
43 purposes of tort liability under chapter 670.

44 Sec. 13. NEW SECTION. 256D.10 ADMISSION  
45 REQUIREMENTS.

46 1. A frontier school may limit admission to any of  
47 the following:

48 a. Students within an age group or grade level.

49 b. Individuals who are eligible to participate in  
50 an alternative options education program under section

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1 280.19A.

2 c. Residents of a specific geographic area where  
3 the percentage of the population of non-Caucasian  
4 people of that area is greater than the percentage of  
5 the non-Caucasian population in the congressional  
6 district in which the geographic area is located, and  
7 as long as the school reflects the racial and ethnic  
8 diversity of the specific area.

9 2. A frontier school shall enroll an eligible  
10 student who submits a timely application, unless the  
11 number of applications exceeds the capacity of a  
12 program, class, grade level, or building. In this  
13 case, students shall be accepted by lot.

14 3. A frontier school admission shall not be based  
15 on intellectual ability, measures of achievement or  
16 aptitude, or athletic ability.

17 Sec. 14. NEW SECTION. 256D.11 STUDENT  
18 PERFORMANCE.

19 A frontier school shall design its programs to at  
20 least meet any outcomes adopted by the state board for  
21 public school students. In the absence of state board  
22 requirements, the school shall meet the outcomes  
23 contained in the contract with the school board. The  
24 achievement levels of the outcomes contained in the  
25 contract may exceed the achievement levels of any  
26 outcomes adopted by the state board for public school  
27 students.

28 Sec. 15. NEW SECTION. 256D.12 EMPLOYMENT AND  
29 OTHER OPERATING MATTERS.

30 A frontier school shall employ or contract with  
31 necessary teachers, as defined in section 272.1, who  
32 hold a valid license with an endorsement for the type  
33 of service for which the teacher is employed. The  
34 school may employ necessary employees who are not  
35 required to hold teaching licenses to perform duties  
36 other than teaching and may contract for other  
37 services. The school may discharge teachers and  
38 nonlicensed employees.

39 The board of directors of the frontier school also  
40 shall decide matters related to the operation of the  
41 school, including budgeting, curriculum, and operating  
42 procedures.

43 Sec. 16. NEW SECTION. 256D.13 STUDENTS WITH  
44 SPECIAL EDUCATION NEEDS.

45 A frontier school shall comply with chapter 256B  
46 and administrative rules adopted pursuant to that  
47 chapter relating to the education of students with  
48 special education needs, and receive state special  
49 education aid, as though it were a school district.  
50 However, the fiscal responsibility for children

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1 requiring special education shall remain with the  
2 school district creating the frontier school. A child  
3 requiring special education under chapter 256B shall  
4 be included in the weighted enrollment of the district  
5 creating the frontier school and the district shall  
6 pay to the frontier school the special education  
7 district cost per pupil amount generated by the  
8 weighting.

9 Sec. 17. NEW SECTION. 256D.14 LENGTH OF SCHOOL  
10 YEAR.

11 A frontier school shall provide instruction each  
12 year for at least the number of days required by  
13 section 279.10, subsection 1, unless the school  
14 provides instruction throughout the year according to  
15 section 256.20 or 279.10, subsection 3.

16 Sec. 18. NEW SECTION. 256D.15 REPORTS.

17 A frontier school shall report at least annually to  
18 its board of directors, the district school board, the  
19 department, and the state board of education the  
20 information required by the school board, the  
21 department, or the state board. The reports are  
22 public records subject to chapter 22. The department  
23 shall collect and document the progress of the  
24 frontier school toward increasing student's levels of  
25 achievement.

26 Sec. 19. NEW SECTION. 256D.16 REVIEW AND  
27 COMMENT.

28 The department shall review and comment on the  
29 evaluation, by the school district creating the  
30 frontier school, of the performance of a frontier  
31 school before the frontier school's contract is  
32 renewed. The information from the review and comment  
33 shall be reported to the state board in a timely  
34 manner. Annually, the state board shall report trends  
35 or suggestions based on the evaluation of frontier  
36 school contracts to the house and senate education  
37 committees.

38 Sec. 20. NEW SECTION. 256D.17 TRANSPORTATION.

39 1. By July 1 of each year, a frontier school shall  
40 notify the establishing district, the district in  
41 which the school is located, if applicable, and the  
42 department if it will provide transportation for  
43 students enrolled at the school for the fiscal year.

44 2. If a frontier school elects to provide  
45 transportation for students, the transportation shall  
46 be provided by the frontier school within the district  
47 in which the frontier school is located. In addition,  
48 the frontier school shall provide transportation for  
49 all resident pupils attending the frontier school in  
50 accordance with chapter 285, unless otherwise provided

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1 in this chapter.

2 3. For students who reside outside the district in  
3 which the frontier school is located, the frontier  
4 school is not required to provide or pay for  
5 transportation between the student's residence and the  
6 border of the district in which the frontier school is  
7 located. A parent may be reimbursed by the frontier  
8 school for costs of transportation from the student's  
9 residence to the border of the district in which the  
10 frontier school is located if the student is from a  
11 family whose income is at or below the poverty level,  
12 as determined by the most recently revised poverty  
13 income guidelines published by the United States  
14 department of health and human services.

15 4. At the time a student enrolls in a frontier  
16 school, the frontier school shall provide the parent  
17 or guardian with information regarding the  
18 transportation.

19 5. If a frontier school does not elect to provide  
20 transportation, transportation for students enrolled  
21 at the school shall be provided by the district in  
22 which the school is located, in the manner provided in  
23 section 285.1, subsection 15, for a student residing  
24 in the same district in which a nonpublic school  
25 designated for attendance is located. Transportation  
26 may be provided by the district in which the frontier  
27 school is located for a student residing in a  
28 different district, in the same manner provided for in  
29 section 285.1, subsection 16, for students whose  
30 nonpublic school designated for attendance is located  
31 outside the boundary line of the school district of  
32 the student's residence.

33 Sec. 21. NEW SECTION. 256D.18 LEASED SPACE.

34 A frontier school may lease space from a school  
35 board or other public or private nonprofit,  
36 nonsectarian organization. If a frontier school is  
37 unable to lease appropriate space from a school board  
38 or other public or private nonprofit, nonsectarian  
39 organization, the frontier school may lease space from  
40 another nonsectarian organization if the department,  
41 in consultation with the department of management,  
42 approves the lease. If the frontier school is unable  
43 to lease appropriate space from public or private  
44 nonsectarian organizations, the frontier school may  
45 lease space from a sectarian organization if the  
46 leased space is constructed as a school facility and  
47 the department, in consultation with the department of  
48 management, approves the lease.

49 Sec. 22. NEW SECTION. 256D.19 INITIAL COSTS.

50 A school board may establish a frontier school

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1 before the applicant has secured its space, equipment,  
2 facilities, and personnel if the school board  
3 indicates the establishment is necessary for it to  
4 raise working capital. A school board may not  
5 establish a school before the state board of education  
6 has approved the authorization.

7 Sec. 23. NEW SECTION. 256D.20 DISSEMINATION OF  
8 INFORMATION.

9 The school board, the operators, and the department  
10 shall disseminate information to the public on how to  
11 form and operate a frontier school and how to utilize  
12 the offerings of a frontier school. Particular groups  
13 to be targeted include low-income families and  
14 communities and minority students.

15 Sec. 24. NEW SECTION. 256D.21 LEAVE TO TEACH IN  
16 A FRONTIER SCHOOL.

17 If a teacher employed by a school district is  
18 qualified for a vacant teaching position that exists  
19 at a frontier school, and the frontier school has  
20 accepted the teacher for the position, the teacher may  
21 request in writing an extended leave of absence to  
22 teach at the frontier school, and the school district  
23 shall grant the leave for any number of years  
24 requested by the teacher, and must extend the leave at  
25 the teacher's request. The school district may  
26 require that the request for a leave or extension of  
27 leave be made up to ninety days before the teacher  
28 would otherwise have to report for duty. Once  
29 granted, a leave is valid only while the teacher is  
30 employed by the frontier school.

31 This section shall not apply to a school district  
32 experiencing three consecutive years or more of  
33 declining enrollment.

34 Sec. 25. NEW SECTION. 256D.22 COLLECTIVE  
35 BARGAINING.

36 The provisions of chapter 20 shall not apply to the  
37 board of directors of a frontier school or its  
38 employees unless the employees and the frontier school  
39 board agree to abide by the provisions of chapter 20  
40 in the contract established pursuant to section  
41 256D.7.

42 Sec. 26. NEW SECTION. 256D.23 TEACHER AND OTHER  
43 EMPLOYEE RETIREMENT.

44 Teachers in a frontier school shall be public  
45 school teachers for the purposes of retirement under  
46 chapter 97B.

47 Sec. 27. NEW SECTION. 256D.24 CAUSES FOR  
48 NONRENEWAL OR TERMINATION.

49 1. The duration of a frontier school contract with  
50 a school board shall be for five years. The school

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1 board may or may not renew a contract at the end of  
2 the term for any ground listed in subsection 2. A  
3 school board may unilaterally terminate a contract  
4 during the term of the contract for any ground listed  
5 in subsection 2. At least sixty days before not  
6 renewing or terminating a contract, the school board  
7 shall notify the board of directors of the frontier  
8 school of the proposed action in writing. The notice  
9 shall state the grounds for the proposed action in  
10 reasonable detail and that the frontier school's board  
11 of directors may request in writing an informal  
12 hearing before the school board within fourteen days  
13 of receiving notice of nonrenewal or termination of  
14 the contract. Failure by the board of directors to  
15 make a timely written request for a hearing shall be  
16 treated as acquiescence to the proposed action. Upon  
17 receiving a timely written request for a hearing, the  
18 school board shall give reasonable notice to the  
19 frontier school's board of directors of the hearing  
20 date. The school board shall conduct an informal  
21 hearing before taking final action. The school board  
22 shall take final action to renew or not renew a  
23 contract by the last day of classes in the school  
24 year. The frontier school's board of directors may  
25 appeal the school board's decision to the state board.

26 2. A contract may be terminated or not renewed  
27 upon any of the following grounds:

28 a. Failure to meet the requirements for student  
29 performance contained in the contract.

30 b. Failure to meet generally accepted standards of  
31 fiscal management.

32 c. For violations of law or other good cause  
33 shown.

34 3. If a contract is terminated or not renewed, the  
35 school shall be dissolved according to the applicable  
36 provisions of chapter 498 or 504A.

37 Sec. 28. NEW SECTION. 256D.25 STUDENT  
38 ENROLLMENT.

39 If a frontier school contract is not renewed or is  
40 terminated according to section 256D.24, a student who  
41 attended the school may enroll in the resident  
42 district or may submit an application to a nonresident  
43 district according to section 282.18 at any time.  
44 Applications and notices required by section 282.18  
45 shall be processed and provided in a prompt manner.  
46 The application and notice deadlines in section 282.18  
47 do not apply under these circumstances.

48 A student enrolled in a frontier school is  
49 ineligible to participate in dual enrollment under  
50 section 299A.8.

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1 Sec. 29. NEW SECTION. 256D.26 GENERAL AUTHORITY.  
2 The board of directors of a frontier school may sue  
3 and be sued. The board may not levy taxes or issue  
4 bonds.

5 Sec. 30. NEW SECTION. 256D.27 IMMUNITY.

6 1. The state board, members of the state board, a  
7 school board, members of a school board in their  
8 official capacity, and employees of a school board are  
9 immune from civil or criminal liability with respect  
10 to all activities related to a frontier school they  
11 approve or establish.

12 2. The board of directors of the frontier school  
13 shall obtain at least the amount of and types of  
14 insurance required by the contract, according to  
15 section 256D.7.

16 Sec. 31. NEW SECTION. 256D.28 STATE SCHOOL  
17 FOUNDATION AID FOR A FRONTIER SCHOOL.

18 1. A student residing in Iowa who is enrolled in a  
19 frontier school shall be counted, for state school  
20 foundation aid purposes, in the student's district of  
21 residence. A student's residence, for purposes of  
22 this section, shall be as established under section  
23 282.1. The board of directors of the district of  
24 residence shall pay to the frontier school the  
25 district cost per pupil, or the frontier school's cost  
26 per pupil as determined by the department based upon  
27 information supplied by the frontier school, whichever  
28 is lowest, plus any moneys received for the student as  
29 a result of non-English-speaking weighting under  
30 section 280.4, subsection 3, for each school year.  
31 The district of residence shall also transmit the  
32 phase III moneys allocated to the district for the  
33 full-time equivalent attendance of the student to the  
34 frontier school as provided according to any agreement  
35 reached by the frontier school and the school district  
36 of residence.

37 2. If a parent or guardian of a child enrolled in  
38 a frontier school under this chapter moves to a  
39 different school district during the course of either  
40 district's academic year, the child's first district  
41 of residence shall be responsible for payment of the  
42 cost per pupil plus weightings or special education  
43 costs to the frontier school for the balance of the  
44 school year in which the move took place. The new  
45 district of residence shall be responsible for the  
46 payments during the succeeding years.

47 Sec. 32. NEW SECTION. 256D.29 AUTHORIZED  
48 EXPENDITURES.

49 A frontier school is a public school for purposes  
50 of section 257.7.

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1 Sec. 33. NEW SECTION. 256D.30 OTHER AID --  
2 GRANTS -- REVENUE.

3 1. A frontier school is eligible to receive other  
4 aid, grants, and revenue according to Title VII,  
5 subtitle 1, as though it were a school district. The  
6 frontier school may receive aid levied by the school  
7 district for the purposes of the frontier school. For  
8 purposes of receiving federal aid, the actual  
9 enrollment of the frontier school shall be included in  
10 the actual enrollment of the school district, and the  
11 school district shall pay to the frontier school the  
12 federal aid generated by the frontier school's actual  
13 enrollment.

14 2. Except as provided in section 256D.32, a  
15 frontier school may receive money from any source for  
16 facilities needs. In the year-end report to the state  
17 board of education, the frontier school shall report  
18 the total amount of funds received from grants and  
19 other outside sources.

20 Sec. 34. NEW SECTION. 256D.31 USE OF STATE  
21 MONEY.

22 Money received from the state may not be used to  
23 purchase land or buildings. The school may own land  
24 and buildings if obtained through nonstate sources.

25 Sec. 35. NEW SECTION. 256E.1 BEGINNING TEACHER  
26 INDUCTION PROGRAM ESTABLISHED -- GRANTS.

27 If the general assembly appropriates moneys for  
28 purposes of teacher induction, the department of  
29 education shall coordinate a beginning teacher  
30 induction program to promote excellence in teaching,  
31 to build a supportive environment within school  
32 districts, to increase the retention of promising  
33 beginning teachers, and to promote the personal and  
34 professional well-being of teachers. The department  
35 of education shall develop a process for awarding  
36 beginning teacher induction grants to school  
37 districts, and shall adopt rules pursuant to chapter  
38 17A relating to the equitable distribution of grants  
39 to school districts to reflect diversity  
40 geographically and by population.

41 Sec. 36. NEW SECTION. 256E.2 DEFINITIONS.

42 As used in this chapter, unless the context  
43 otherwise requires:

44 1. "Beginning teacher" means an individual serving  
45 under an initial provisional or conditional license,  
46 issued by the board of educational examiners under  
47 chapter 272, who is assuming a position as a classroom  
48 teacher.

49 2. "Board of directors" means the board of  
50 directors of a school district or a collaboration of

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1 boards of directors of school districts.

2 3. "Classroom teacher" means an individual who  
3 holds a valid practitioner's license and who is  
4 employed by a school district under sections 279.13  
5 through 279.19 in a school district or area education  
6 agency in this state to provide instruction to  
7 students.

8 4. "Department" means the department of education.

9 5. "Director" means the director of the department  
10 of education.

11 6. "District facilitator" means a licensed  
12 professional pursuant to chapter 272 who is appointed  
13 by the board of directors, or a collaboration of  
14 districts, to serve as the liaison between the board  
15 of directors and the department for the beginning  
16 teacher induction program.

17 7. "Mentor" means an individual employed by a  
18 school district or area education agency as a  
19 classroom teacher and who holds a valid license to  
20 teach issued under chapter 272.

21 Sec. 37. NEW SECTION. 256E.3 DISTRICT PLAN.

22 1. A board of directors of a school district or  
23 the boards of directors of a collaboration of school  
24 districts participating in the beginning teacher  
25 induction program shall appoint a district  
26 facilitator, whose duties shall include, but are not  
27 limited to, overseeing the development of a plan for  
28 meeting the goals of the program as set forth in  
29 section 256E.1, and composing a district committee  
30 pursuant to subsection 2.

31 2. The membership of the district committee  
32 composed by the district facilitator shall include,  
33 but is not limited to, licensed practitioners and an  
34 area education agency staff development professional.

35 3. The district committee shall adopt a plan and  
36 written procedures for a mentor program consistent  
37 with this chapter. The plan and the written  
38 procedures shall, at a minimum, provide the process  
39 for the selection of and the number of mentors; the  
40 mentor training process; the timetable by which the  
41 plan shall be implemented; placement of mentors and  
42 beginning teachers; the minimum amount of contact time  
43 between mentors and beginning teachers; the minimum  
44 amount of release time for mentors and beginning  
45 teachers for meetings for planning, demonstration,  
46 observation, feedback, and workshops; the process for  
47 dissolving mentoring partnerships; and the process for  
48 measuring the results of the program. The district  
49 committee shall recommend to the board of directors or  
50 boards of directors of a collaboration the names of

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1 classroom teachers eligible to be mentors.

2 4. The district facilitator shall submit the plan,  
3 and the proposed costs of implementing the plan, to  
4 the board of directors or boards of directors of a  
5 collaboration, which shall consider the plan and, once  
6 approved, submit the plan and a reasonable cost  
7 proposal to the department of education, which shall  
8 award grants as equitably as possible based on the  
9 geographic and population diversity of the school  
10 districts submitting plans. Grants may be awarded in  
11 subsequent years based upon the most recent plan on  
12 file with the department.

13 5. The district committee is encouraged to work  
14 with area education agencies and postsecondary  
15 institutions in the preparation and implementation of  
16 a plan.

17 Sec. 38. NEW SECTION. 256E.4 BEGINNING TEACHER  
18 AND MENTOR SELECTION AND PLACEMENT.

19 1. To be eligible to be a mentor, a licensed  
20 practitioner shall, at a minimum, be employed by a  
21 school district as a classroom teacher, have a record  
22 of at least four years of effective practice, have  
23 been employed for one full year in the district on a  
24 nonprobationary basis, and demonstrate professional  
25 commitment to the improvement of teaching and  
26 learning, and the development of beginning teachers.

27 2. The district facilitator shall place beginning  
28 teachers in a manner that provides the greatest  
29 opportunity to participate with the largest number of  
30 mentors.

31 Sec. 39. NEW SECTION. 256E.5 BEGINNING TEACHER  
32 INDUCTION STATE SUBSIDY -- FUND.

33 1. A teacher who is enrolled as a mentor in an  
34 approved beginning teacher induction program shall be  
35 eligible for an award of five hundred dollars per  
36 semester of participation in the program, which shall  
37 be paid from moneys received pursuant to this section  
38 by the school district employing the mentor.

39 2. Moneys received by a school district pursuant  
40 to this chapter shall be expended to provide mentors  
41 with awards in accordance with subsection 1, to  
42 implement the plan, to pay the costs of the employer's  
43 share of contributions to federal social security and  
44 the Iowa public employees' retirement system or a  
45 pension and annuity retirement system established  
46 under chapter 294, for such amounts paid by the  
47 district.

48 3. Moneys received by a school district under this  
49 chapter are miscellaneous income for purposes of  
50 chapter 257 or are considered encumbered. Each local

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1 school district shall maintain a separate listing  
2 within their budget for payments received and  
3 expenditures made pursuant to this section.

4 4. Moneys received for purposes of this chapter  
5 shall not be used for payment of any collective  
6 bargaining agreement or arbitrator's decision  
7 negotiated or awarded under chapter 20.

8 5. A beginning teacher induction fund is  
9 established in the office of the treasurer of state to  
10 be administered by the department. Moneys  
11 appropriated by the general assembly for deposit in  
12 the fund shall be used to provide funding to school  
13 districts pursuant to the requirements of this  
14 section.

15 6. Notwithstanding section 8.33, unencumbered or  
16 unobligated funds remaining on June 30 of the fiscal  
17 year for which the funds were appropriated shall not  
18 revert but shall be available for expenditure in the  
19 following fiscal year for the purposes of this  
20 section.

21 Sec. 40. NEW SECTION. 256E.6 REPORTS.

22 The board of directors of a school district or the  
23 boards of directors of a collaboration of school  
24 districts implementing an approved beginning teacher  
25 induction program as provided in this chapter shall  
26 submit an assessment of the program's results by July  
27 1 of the fiscal year succeeding the year in which the  
28 school district or the collaboration of school  
29 districts received moneys under this chapter. The  
30 department shall annually report the statewide results  
31 of the program to the chairpersons and the ranking  
32 members of the house and senate education committees  
33 by January 1.

34 Sec. 41. NEW SECTION. 256F.1 LEGISLATIVE  
35 FINDINGS AND INTENT.

36 The general assembly finds that early childhood  
37 education programs provide benefits in the areas of  
38 economic development, education, workforce  
39 preparation, health costs, welfare costs, and juvenile  
40 justice. The general assembly further finds that it  
41 is in the best interest of the state to encourage and  
42 equitably fund early childhood education programs in  
43 the public school districts. The goal of these  
44 programs shall be, at a minimum, to produce children  
45 who are self-confident and trusting, intellectually  
46 inquisitive, able to use language to communicate,  
47 physically and mentally healthy, able to relate well  
48 to others, and empathetic to others. Toward that  
49 goal, it is the intent of this chapter to establish  
50 and fund an early childhood education imperatives

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1 program.

2 Sec. 42. NEW SECTION. 256F.2 EARLY CHILDHOOD  
3 EDUCATION IMPERATIVES PROGRAM APPROPRIATION.

4 1. There is appropriated from the general fund of  
5 the state to the department of education for the  
6 fiscal year beginning July 1, 1998, and for each  
7 succeeding fiscal year, the sum of ten million dollars  
8 for the early childhood education imperatives program.

9 2. For each fiscal year for which moneys are  
10 appropriated in subsection 1, the amount of moneys  
11 allocated to school districts shall be in the  
12 proportion that the basic enrollment of a district  
13 bears to the sum of the basic enrollments of all  
14 school districts in the state for the budget year.  
15 However, a district shall not receive less than seven  
16 thousand five hundred dollars in a fiscal year.

17 3. For each year for which an appropriation is  
18 made to the early childhood education imperatives  
19 program, the department of education shall notify the  
20 department of revenue and finance of the amount to be  
21 paid to each school district based upon the  
22 distribution plan set forth for the appropriation made  
23 pursuant to this section. The allocation to each  
24 school district under this section shall be made in  
25 one payment on or about October 15 of the fiscal year  
26 for which the appropriation is made, taking into  
27 consideration the relative budget and cash position of  
28 the state resources. Prior to the receipt of moneys,  
29 school districts shall provide to the department of  
30 education adequate assurance that they have developed  
31 or are developing an early childhood education plan as  
32 required by section 256F.3 and that moneys received  
33 under this section will be used in accordance with the  
34 required early childhood education plan.

35 4. Moneys received under this section shall not be  
36 commingled with state aid payments made under sections  
37 257.16 to a school district and shall be accounted for  
38 by the school district separately from state aid  
39 payments.

40 5. Payments made to school districts under this  
41 section are miscellaneous income for purposes of  
42 chapter 257 or are considered encumbered. Each school  
43 district shall maintain a separate listing within  
44 their budgets for payments received and expenditures  
45 made pursuant to this section.

46 6. Moneys received under this section shall not be  
47 used for payment of any collective bargaining  
48 agreement or arbitrator's decision negotiated or  
49 awarded under chapter 20.

50 Sec. 43. NEW SECTION. 256F.3 EARLY CHILDHOOD

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## 1 EDUCATION IMPERATIVES PROGRAM PLANNING.

2 Prior to receiving moneys under this chapter, the  
3 board of directors of a school district shall adopt an  
4 initial early childhood education plan that supports  
5 early childhood education efforts and includes an  
6 evaluation component. The plan shall be developed by  
7 licensed professional staff of the district, including  
8 both teachers and administrators. The plan shall, at  
9 a minimum, focus on preparing children to attain or  
10 surpass student achievement goals identified pursuant  
11 to sections 280.12 and 280.18. The initial plan shall  
12 be amended or adopted anew at least once every five  
13 years. The early childhood education plan shall be  
14 kept on file in the district and a copy of the initial  
15 plan, subsequent amendments to the plan, and copies of  
16 subsequent plans adopted shall be sent to the  
17 appropriate area education agency and the department  
18 of education. Progress as determined by the school  
19 district, but including progress in preparing children  
20 to attain or surpass student achievement goals, shall  
21 be included as part of the annual report submitted to  
22 the department of education in compliance with  
23 sections 280.12 and 280.18.

24 Sec. 44. NEW SECTION. 256F.4 EARLY CHILDHOOD  
25 EDUCATION IMPERATIVES PROGRAM EXPENDITURES.

26 School districts shall expend funds received  
27 pursuant to section 256F.2 to support reading  
28 instruction in phonics, and other education practices,  
29 programs, or assistance for kindergarten through grade  
30 three that may include, but are not limited to, the  
31 following: reducing adult to student ratios through  
32 the hiring of teachers, former teachers, and para-  
33 educator teaching assistants; talented and gifted  
34 programs; and implementation of instructional programs  
35 designed to improve student achievement in the areas  
36 of reading, language arts, and mathematics.

37 Sec. 45. NEW SECTION. 257.13 ON-TIME FUNDING FOR  
38 NEW STUDENTS.

39 1. If a district's actual enrollment for the  
40 budget year, determined under section 257.6, is  
41 greater than its budget enrollment for the budget  
42 year, the district may submit a request to the school  
43 budget review committee for on-time funding for new  
44 students. The school budget review committee shall  
45 consider the relative increase in enrollment on a  
46 district-by-district basis, in determining whether to  
47 approve the request, and shall determine the amount of  
48 additional funding to be provided if the request is  
49 granted. An application for on-time funding must be  
50 received by the department of education by October 1.

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1 Written notice of the committee's decision shall be  
2 given through the department of education to the  
3 school board for a district.

4 2. If the school budget review committee approves  
5 a request for on-time funding for new students, the  
6 funding shall be in an amount up to the product of  
7 one-third of the state cost per pupil for the budget  
8 year multiplied by the difference between the actual  
9 enrollment for the budget year and the budget  
10 enrollment for the budget year. The additional  
11 funding received under this section is miscellaneous  
12 income to the district.

13 3. Moneys appropriated by the general assembly for  
14 purposes of this section shall be paid to school  
15 districts in one lump-sum payment within thirty days  
16 of notification by the school budget review committee  
17 of approval for on-time funding for new students for a  
18 budget year. If the requests approved by the school  
19 budget review committee exceed the appropriation made  
20 for purposes of this section, the payments to school  
21 districts receiving approval for on-time funding shall  
22 be prorated such that each school district approved  
23 for on-time funding shall receive an amount of on-time  
24 funding equal to the percentage that the on-time  
25 funding to be provided to the district bears to the  
26 total amount of on-time funding to be provided to all  
27 districts receiving approval.

28 4. If the board of directors of a school district  
29 determines that a need exists for additional funds  
30 exceeding the amount provided in this section, a  
31 request for supplemental aid based upon increased  
32 enrollment may be submitted to the school budget  
33 review committee as provided in section 257.31.

34 5. A school district which is receiving a budget  
35 adjustment for a budget year pursuant to section  
36 257.14 shall receive on-time funding for new students,  
37 reduced by the amount of the budget adjustment for  
38 that budget year.

39 Sec. 46. Section 272.1, Code 1997, is amended by  
40 adding the following new subsection:

41 NEW SUBSECTION. 4A. "Para-educator" means a  
42 person who is licensed to assist a teacher in the  
43 performance of instructional tasks to support and  
44 assist classroom instruction and related school  
45 activities.

46 Sec. 47. NEW SECTION. 272.12 PARA-EDUCATOR  
47 LICENSES.

48 1. The board of educational examiners shall adopt  
49 rules pursuant to chapter 17A relating to a multi-  
50 level voluntary licensing system ranging from para-

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1 educator generalist to para-educator specialist. The  
2 rules shall outline the instructional and other school  
3 activity tasks the individuals licensed under this  
4 section may perform. The board shall determine  
5 whether an applicant is qualified to perform the  
6 duties for which a para-educator license is sought.

7 2. Applicants for a para-educator license as a  
8 generalist must hold a high school diploma from an  
9 accredited secondary school or a high school  
10 equivalency diploma issued in accordance with chapter  
11 259A. The applicant must also have completed  
12 additional in-service training in at least all of the  
13 following areas:

- 14 a. Behavior management.
- 15 b. Ethical responsibilities and behavior.
- 16 c. Exceptional child and at-risk child behavior.
- 17 d. Collaboration skills and interpersonal  
18 relations.
- 19 e. Child and youth development.

20 3. Applicants for a para-educator license as a  
21 specialist must meet the requirements of subsection 2  
22 and additional requirements as prescribed by rule.

23 4. A public school district, area education  
24 agency, community college, institution of higher  
25 education under the state board of regents, or an  
26 accredited private institution as defined in section  
27 261.9, subsection 1, with a program approved by the  
28 state board of education, may train and recommend  
29 individuals for board licensure.

30 5. Applicants shall be disqualified for any of the  
31 following reasons:

- 32 a. The applicant is less than eighteen years of  
33 age.
- 34 b. The applicant has a record of founded child  
35 abuse.
- 36 c. The applicant has been convicted of a felony.
- 37 d. The applicant's application is fraudulent.
- 38 e. The applicant's license or certification from  
39 another state is suspended or revoked.
- 40 f. The applicant fails to meet board standards for  
41 application for an initial or renewed license.

42 6. Qualifications or criteria for the granting or  
43 revocation of a license or the determination of an  
44 individual's professional standing shall not include  
45 membership or nonmembership in any teachers'  
46 organization.

47 Sec. 48. NEW SECTION. 279.14A PRACTITIONER  
48 PERFORMANCE IMPROVEMENT PROGRAM.

49 1. The department of education shall establish and  
50 implement a voluntary practitioner performance

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1 improvement program that shall provide technical  
2 assistance to teachers and administrators from each  
3 public school district and area education agency. The  
4 department shall consult with the Iowa state education  
5 association, the Iowa association of school boards,  
6 the school administrators of Iowa, and, as  
7 practicable, other entities providing similar  
8 programs, in developing the program. The program  
9 shall do the following:

10 a. At a minimum, the program shall provide  
11 administrators with training, including but not  
12 limited to, seminars and written materials, relating  
13 to the areas of employment policies and procedures,  
14 employment documentation, performance evaluations,  
15 corrective performance techniques, discipline,  
16 termination, and support by qualified individuals for  
17 implementation of the program. Training received by  
18 an administrator in accordance with this section shall  
19 apply toward an administrator's evaluator approval  
20 renewal. The program shall not be used to provide  
21 consultation or assistance on specific employment  
22 situations.

23 b. The program shall include the establishment and  
24 implementation of a regional system to provide  
25 technical assistance to teachers and administrators  
26 who are performing inadequately.

27 2. The department shall submit an annual report to  
28 the chairpersons and ranking members of the house and  
29 senate standing education committees summarizing  
30 program activities and describing the department's  
31 plans for improving or changing the program.

32 3. There is appropriated from the general fund of  
33 the state to the department of education for each  
34 fiscal year the sum of three hundred thousand dollars  
35 for purposes of the practitioner performance  
36 improvement program.

37 Of the funds appropriated, the sum of one hundred  
38 thousand dollars shall be used for purposes of  
39 subsection 1, paragraph "a", and the sum of two  
40 hundred thousand dollars shall be used for purposes of  
41 subsection 1, paragraph "b".

42 Sec. 49. Section 279.15, Code 1997, is amended to  
43 read as follows:

44 279.15 NOTICE OF TERMINATION -- REQUEST FOR  
45 HEARING.

46 1. The superintendent or the superintendent's  
47 designee and the board of director's of the school  
48 district shall notify the teacher not later than April  
49 ~~30 that the superintendent will recommend in writing~~  
50 ~~to the board at a regular or special meeting of the~~

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1 ~~board, held not later than May 15,~~ March 15 that the  
2 teacher's continuing contract be terminated effective  
3 at the end of the current school year. However, if  
4 the district is subject to reorganization under  
5 chapter 275, the notification shall not occur until  
6 after the first organizational meeting of the board of  
7 the newly formed district.

8 2. Notification of ~~recommendation of~~ termination  
9 of a teacher's contract shall be in writing, signed by  
10 the superintendent and the presiding officer of the  
11 board, and shall be personally delivered to the  
12 ~~teacher, or mailed by certified mail.~~ The  
13 notification shall be complete when received by the  
14 teacher. The notification and the recommendation to  
15 terminate shall contain a short and plain statement of  
16 the reasons, which shall be for just cause, why the  
17 recommendation is being made. ~~The notification shall~~  
18 ~~be given at or before the time the recommendation is~~  
19 ~~given to the board.~~

20 3. As a part of the termination proceedings, the  
21 teacher's complete personnel file of employment by  
22 that board shall be available to the teacher, which  
23 file shall contain a record of all periodic  
24 evaluations between the teacher and appropriate  
25 supervisors.

26 4. Within five days of the receipt of the written  
27 ~~notice that the superintendent is recommending of~~  
28 termination of the contract, the teacher may request,  
29 in writing to the secretary of the board, a private  
30 hearing with the board an adjudicator selected in  
31 accordance with section 279.17. The private hearing  
32 shall not be subject to chapter 21 and shall be held  
33 no sooner than ten days and no later than twenty days  
34 following ~~the receipt of the request~~ the selection of  
35 the adjudicator, unless the parties otherwise agree.  
36 The secretary of the board shall notify the teacher in  
37 writing of the date, time, and location of the private  
38 hearing, and at least five ten days before the hearing  
39 shall also furnish to the teacher any documentation  
40 which may be presented to by the superintendent and  
41 the board at the private hearing and a list of persons  
42 who may address the ~~board~~ adjudicator in support of  
43 the superintendent's recommendation at the private  
44 hearing. At least three days before the hearing, the  
45 teacher shall provide any documentation the teacher  
46 expects to present at the private hearing, along with  
47 the names of any persons who may address the board on  
48 behalf of the teacher. This exchange of information  
49 shall be at the time specified unless otherwise  
50 agreed.

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1 Sec. 50. Section 279.16, Code 1997, is amended to  
2 read as follows:

3 279.16 PRIVATE HEARING -- DECISION -- RECORD.

4 1. The participants at the private hearing shall  
5 be ~~at-least-a-majority-of-the~~ interested members of  
6 the board, ~~their-legal-representatives,~~ if any, the  
7 superintendent, the superintendent's designated  
8 representatives, if any, the teacher's immediate  
9 supervisor, the teacher, the teacher's  
10 representatives, if any, and the witnesses for the  
11 parties. The evidence at the private hearing shall be  
12 limited to the specific reasons stated in the  
13 superintendent's notice of recommendation of  
14 termination. No participant in the hearing shall be  
15 liable for any damages to any person if any statement  
16 at the hearing is determined to be erroneous as long  
17 as the statement was made in good faith. The  
18 superintendent shall present evidence and argument on  
19 all issues involved and the teacher may cross-examine,  
20 respond and present evidence and argument in the  
21 teacher's behalf relevant to all issues involved.  
22 Evidence may be by stipulation of the parties and  
23 informal settlement may be made by stipulation,  
24 consent, or default or by any other method agreed upon  
25 by the parties in writing. The board shall employ a  
26 certified shorthand reporter to keep a record of the  
27 private hearing. ~~The-proceedings-or-any~~ Any part  
28 ~~thereof of the proceedings~~ shall be transcribed at the  
29 request of either party with the expense of  
30 transcription charged to the requesting party.

31 2. The ~~presiding-officer-of-the-board~~ adjudicator  
32 may administer oaths in the same manner and with like  
33 effect and under the same penalties as in the case of  
34 magistrates exercising criminal or civil jurisdiction.  
35 The ~~board~~ adjudicator shall cause subpoenas to be  
36 issued for ~~such~~ witnesses and the production of ~~such~~  
37 any books and papers ~~as-either~~ the board or the  
38 teacher may designate. The subpoenas shall be signed  
39 by the ~~presiding-officer-of-the-board~~ adjudicator.

40 3. In case a witness is duly subpoenaed and  
41 refuses to attend, or in case a witness appears and  
42 refuses to testify or to produce required books or  
43 papers, the ~~board~~ adjudicator shall, in writing,  
44 report such refusal to the district court of the  
45 county in which the administrative office of the  
46 school district is located, and the court shall  
47 proceed with the person or witness as though the  
48 refusal had occurred in a proceeding legally pending  
49 before the court.

50 The ~~board~~ adjudicator shall not be bound by common

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1 law or statutory rules of evidence or by technical or  
2 formal rules of procedure, but it the adjudicator  
3 shall hold the hearing in such manner as is best  
4 suited to ascertain and conserve the substantial  
5 rights of the parties. Process and procedure under  
6 sections 279.13 to 279.19 shall be as summary as  
7 reasonably may be.

8 4. At the conclusion of the private hearing, the  
9 superintendent and the teacher may file written briefs  
10 and arguments with the board adjudicator within three  
11 days or such other time as may be agreed upon.

12 5. If the teacher fails to timely request a  
13 private hearing or does not appear at the private  
14 hearing, the board may proceed and make a  
15 determination upon the superintendent's  
16 recommendation. If the teacher fails to timely file a  
17 request for a private hearing, the determination shall  
18 be not later than ~~May-31~~ April 15. ~~If the teacher~~  
19 ~~fails to appear at the private hearing, the~~  
20 ~~determination shall be not later than five days after~~  
21 ~~the scheduled date for the private hearing.~~ The board  
22 shall convene in open session and by roll call vote  
23 determine the termination or continuance of the  
24 teacher's contract.

25 6. ~~Within five days after the private hearing, the~~  
26 ~~board shall, in executive session, meet to make a~~  
27 ~~final decision upon the recommendation and the~~  
28 ~~evidence as herein provided.~~ The board adjudicator  
29 shall also consider any written brief and arguments  
30 submitted by the superintendent and the teacher.

31 7. The record for a private hearing shall include  
32 the following:

33 ~~1-~~ a. All pleadings, motions and intermediate  
34 rulings.

35 ~~2-~~ b. All evidence received or considered and all  
36 other submissions.

37 ~~3-~~ c. A statement of all matters officially  
38 noticed.

39 ~~4-~~ d. All questions and offers of proof,  
40 objections and rulings thereon.

41 ~~5-~~ e. All findings and exceptions.

42 ~~6-~~ f. Any decision, opinion, or conclusion by the  
43 board.

44 ~~7-~~ g. Findings of fact shall be based solely on  
45 the evidence in the record and on matters officially  
46 noticed in the record.

47 8. The decision of the board adjudicator shall be  
48 in writing and shall include findings of fact and  
49 conclusions of law, separately stated. Findings of  
50 fact, if set forth in statutory language, shall be

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1 accompanied by a concise and explicit statement of the  
2 underlying facts and supporting the findings. Each  
3 conclusion of law shall be supported by cited  
4 authority or by reasoned opinion.

5 ~~9. When the board has reached a decision, opinion,~~  
6 ~~or conclusion, it shall convene in open meeting and by~~  
7 ~~roll call vote determine the continuance or~~  
8 ~~discontinuance of the teacher's contract. The record~~  
9 ~~of the private conference and findings of fact and~~  
10 ~~exceptions shall be exempt from the provisions of~~  
11 ~~chapter 22. The secretary of the board adjudicator~~  
12 shall make a decision within thirty days and shall,  
13 upon reaching a decision, immediately mail notice of  
14 the board's action decision to the teacher, the  
15 superintendent, and the secretary of the board.

16 10. The record of the private hearing and findings  
17 of fact and exceptions shall be exempt from the  
18 provisions of chapter 22.

19 Sec. 51. Section 279.17, Code 1997, is amended to  
20 read as follows:

21 279.17 ~~APPEAL BY TEACHER TO~~ SELECTION AND  
22 AUTHORITY OF ADJUDICATOR.

23 ~~If the teacher is no longer a probationary teacher,~~  
24 ~~the teacher may, within ten days, appeal the~~  
25 ~~determination of the board to an adjudicator by filing~~  
26 ~~a notice of appeal with the secretary of the board.~~  
27 ~~The notice of appeal shall contain a concise statement~~  
28 ~~of the action which is the subject of the appeal, the~~  
29 ~~particular board action appealed from, the grounds on~~  
30 ~~which relief is sought and the relief sought.~~

31 1. Within five days following receipt by the  
32 secretary of the notice of appeal a teacher's request  
33 for a private hearing by an adjudicator as provided in  
34 section 279.15, the board or the board's legal  
35 representative, if any, and the teacher or the  
36 teacher's representative, if any, may select an  
37 adjudicator who resides within the boundaries of the  
38 merged area in which the school district is located.  
39 If an adjudicator cannot be mutually agreed upon  
40 within the five-day period, the secretary shall notify  
41 the chairperson of the public employment relations  
42 board by transmitting the notice of appeal request for  
43 a private hearing, and the chairperson of the public  
44 employment relations board shall within five days  
45 provide a list of five adjudicators to the parties.  
46 Within three days from receipt of the list of  
47 adjudicators, the parties shall select an adjudicator  
48 by alternately removing a name from the list until  
49 only one name remains. The person whose name remains  
50 shall be the adjudicator. The parties shall determine

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1 by lot which party shall remove the first name from  
2 the list submitted by the chairperson of the public  
3 employment relations board. The secretary of the  
4 board shall inform the chairperson of the public  
5 employee relations board of the name of the  
6 adjudicator selected.

7 ~~If the teacher does not timely request an appeal to~~  
8 ~~an adjudicator the decision, opinion, or conclusion of~~  
9 ~~the board shall become final and binding.~~

10 ~~Within thirty days after filing the notice of~~  
11 ~~appeal, or within further time allowed by the~~  
12 ~~adjudicator, the board shall transmit to the~~  
13 ~~adjudicator the original or a certified copy of the~~  
14 ~~entire record of the private hearing which may be the~~  
15 ~~subject of the petition. By stipulation of the~~  
16 ~~parties to review the proceedings, the record of the~~  
17 ~~case may be shortened. The adjudicator may require or~~  
18 ~~permit subsequent corrections or additions to the~~  
19 ~~shortened record.~~

20 ~~The record certified and filed by the board shall~~  
21 ~~be the record upon which the appeal shall be heard and~~  
22 ~~no additional evidence shall be heard by the~~  
23 ~~adjudicator. In such appeal to the adjudicator,~~  
24 ~~especially when considering the credibility of~~  
25 ~~witnesses, the adjudicator shall give weight to the~~  
26 ~~fact findings of the board, but shall not be bound by~~  
27 ~~them.~~

28 ~~Before the date set for hearing a petition for~~  
29 ~~review of board action, which shall be within ten days~~  
30 ~~after receipt of the record unless otherwise agreed or~~  
31 ~~unless the adjudicator orders additional evidence be~~  
32 ~~taken before the board, application may be made to the~~  
33 ~~adjudicator for leave to present evidence in addition~~  
34 ~~to that found in the record of the case. If it is~~  
35 ~~shown to the adjudicator that the additional evidence~~  
36 ~~is material and that there were good reasons for~~  
37 ~~failure to present it in the private hearing before~~  
38 ~~the board, the adjudicator may order that the~~  
39 ~~additional evidence be taken before the board upon~~  
40 ~~conditions determined by the adjudicator. The board~~  
41 ~~may modify its findings and decision in the case by~~  
42 ~~reason of the additional evidence and shall file that~~  
43 ~~evidence and any modifications, new findings, or~~  
44 ~~decisions, with the adjudicator and mail copies of the~~  
45 ~~new findings or decisions to the teacher.~~

46 2. The adjudicator may affirm board action or  
47 remand to the board for further proceedings. The  
48 adjudicator shall reverse, modify, the  
49 superintendent's recommendation to terminate the  
50 teacher's contract or grant any appropriate relief

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1 ~~from the board action~~ require the board to continue  
2 ~~the teacher's contract~~ if ~~substantial rights of the~~  
3 ~~teacher have been prejudiced because the board action~~  
4 ~~is~~ the adjudicator determines that termination of the  
5 ~~contract would be any of the following:~~

6 ~~1- a.~~ In A violation of a board rule or policy or  
7 ~~contract, or.~~

8 ~~2- b.~~ Unsupported by a preponderance of the  
9 competent evidence in the record made before the board  
10 ~~adjudicator~~ when that record is viewed as a whole; ~~or.~~

11 ~~3- c.~~ Unreasonable, arbitrary or capricious or  
12 characterized by an abuse of discretion or a clearly  
13 unwarranted exercise of discretion.

14 ~~The adjudicator shall, within fifteen days after~~  
15 ~~the hearing, make a decision and shall give a copy of~~  
16 ~~the decision to the teacher and the secretary of the~~  
17 ~~board. The decision of the adjudicator shall become~~  
18 ~~the final and binding decision of the board unless~~  
19 ~~either party within ten days notifies the secretary of~~  
20 ~~the board that the decision is rejected. The board~~  
21 ~~may reject the decision by majority vote, by roll~~  
22 ~~call, in open meeting and entered into the minutes of~~  
23 ~~the meeting. The board shall immediately notify the~~  
24 ~~teacher of its decision by certified mail. The~~  
25 ~~teacher may reject the adjudicator's decision by~~  
26 ~~notifying the board's secretary in writing within ten~~  
27 ~~days of the filing of such decision.~~

28 3. All costs of the adjudicator shall be shared  
29 equally by the teacher and the board.

30 Sec. 52. Section 279.18, unnumbered paragraph 2,  
31 Code 1997, is amended to read as follows:

32 In proceedings for judicial review of the  
33 adjudicator's decision, the court shall not hear any  
34 further evidence but shall hear the case upon the  
35 certified record. In such judicial review, especially  
36 when considering the credibility of witnesses, the  
37 court shall give weight to the fact findings of the  
38 board, adjudicator, but shall not be bound by them.  
39 The court may affirm the adjudicator's decision or  
40 remand to the adjudicator ~~or the board~~ for further  
41 proceedings upon conditions determined by the court.  
42 The court shall reverse, modify, or grant any other  
43 appropriate relief from ~~the board decision or the~~  
44 adjudicator's decision equitable or legal and  
45 including declaratory relief if substantial rights of  
46 the petitioner have been prejudiced because the action  
47 is:

48 Sec. 53. Section 279.18, subsection 6, Code 1997,  
49 is amended to read as follows:

50 6. Unsupported by a ~~preponderance of the competent~~

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1 substantial evidence in the record made before the  
2 board and the adjudicator when that record is viewed  
3 as a whole; or

4 Sec. 54. Section 279.19, unnumbered paragraph 1,  
5 Code 1997, is amended to read as follows:

6 The first two three consecutive years of employment  
7 of a teacher in the same school district are a  
8 probationary period. However, a if the teacher has  
9 successfully completed a probationary period of  
10 employment for another school district located in  
11 Iowa, the probationary period in the current district  
12 of employment shall not exceed one year. A board of  
13 directors may waive the probationary period for any  
14 teacher who previously has served a probationary  
15 period in another school district and the board may  
16 extend the probationary period for an additional year  
17 with the consent of the teacher.

18 Sec. 55. Section 294A.25, subsection 7, Code  
19 Supplement 1997, is amended to read as follows:

20 7. Commencing with the fiscal year beginning July  
21 1, 1990, the amount of sixty seventy-five thousand  
22 dollars for the ambassador to education program under  
23 section ~~256.43~~ 256.45.

24 Sec. 56. Section 294A.25, Code Supplement 1997, is  
25 amended by adding the following new subsections:

26 NEW SUBSECTION. 9A. For the fiscal year beginning  
27 July 1, 1998, and ending June 30, 1999, the amount of  
28 two hundred fifty thousand dollars for deposit in the  
29 national board for professional teaching standards  
30 certification fund from additional funds transferred  
31 from phase I to phase III.

32 NEW SUBSECTION. 9B. For the fiscal year beginning  
33 July 1, 1998, and ending June 30, 1999, the amount of  
34 two hundred forty thousand dollars for beginning  
35 teacher induction program grants as provided in  
36 chapter 256E, from additional funds transferred from  
37 phase I to phase III. It is the intent of the general  
38 assembly that grants awarded from funds appropriated  
39 under this subsection shall provide support to a  
40 minimum of one hundred thirty-three teams of mentors  
41 and beginning teachers.

42 Sec. 57. INITIAL YEAR.

43 1. The board of directors of a school district, or  
44 the boards of directors of a collaboration, determined  
45 to participate in the beginning teacher induction  
46 program in fiscal year 1998-1999, shall submit the  
47 plan required under section 256E.3, as enacted in this  
48 Act, to the department of education by October 15,  
49 1998.

50 2. By January 15, 1999, the department of

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1 education shall award grants as provided in accordance  
2 with section 256E.3, as enacted in this Act.

3 Sec. 58. CURRENT NATIONAL BOARD CERTIFICATE  
4 HOLDERS. In order to receive payment under section  
5 256.44, as enacted by this Act, a teacher who by July  
6 1, 1998, meets the qualifications for an award under  
7 section 256.44 shall apply to the department for  
8 payment under section 256.44 by June 30, 1999.

9 Sec. 59. CONTINGENT APPROPRIATION -- TAXABLE  
10 VALUATION INCREASE. For the fiscal year beginning  
11 July 1, 1998, and ending June 30, 1999, if the actual  
12 taxable valuation of real property located in this  
13 state, based upon January 1, 1997, assessments, which  
14 is used in the computation of property taxes payable  
15 in the fiscal year beginning July 1, 1998, increases  
16 from the estimate of such taxable valuation, there is  
17 appropriated from the general fund of the state the  
18 lesser of \$4,000,000 or the amount of the reduction in  
19 state foundation aid under section 257.1 as a result  
20 of such increase in taxable valuation to be used to  
21 fund section 257.13, as enacted by this Act, and the  
22 moneys shall be allocated as provided in section  
23 257.13, subsection 2, as enacted by this Act.

24 Sec. 60. CONTINGENT APPROPRIATION -- PHASE III.  
25 If the amount appropriated in section 59 is less than  
26 \$4,000,000 for the fiscal year beginning July 1, 1998,  
27 and ending June 30, 1999, in addition to the  
28 allocations provided for in section 294A.25, there is  
29 allocated from the moneys appropriated pursuant to  
30 section 294A.25, subsection 1, to the department of  
31 education, from phase III moneys, an amount equal to  
32 the difference of \$4,000,000 and the amount  
33 appropriated in section 59 of this Act, for the fiscal  
34 year beginning July 1, 1998, and ending June 30, 1999,  
35 to be used and allocated as specified in section 59 of  
36 this Act.

37 Sec. 61. EFFECTIVE DATE. Section 45 of this Act,  
38 being deemed of immediate importance, takes effect  
39 upon enactment for the purpose of computations  
40 required for payment of state aid to school districts  
41 for budget years beginning on or after July 1, 1998.  
42 Section 45 of this Act remains in effect until the  
43 repeal of chapter 257 on July 1, 2001."

44 2. Title page, line 3, by striking the words  
45 "retroactive applicability and" and inserting the  
46 following: "an".

47 3. Title page, line 4, by striking the word  
48 "provisions" and inserting the following:  
49 "provision".

50 4. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS  
MILLAGE of Scott, Chairperson

H-8501 FILED MARCH 19, 1998

WITHDRAWN

WITHDRAWN

3/25/98

SENATE FILE 2366

H-8616

1 Amend Senate File 2366, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Section 1. DEPARTMENT OF EDUCATION. There is  
6 appropriated from the general fund of the state to the  
7 department of education for the fiscal year beginning  
8 July 1, 1998, and ending June 30, 1999, the following  
9 amount, or so much thereof as is necessary, to be used  
10 for the purposes designated:

11 1. For frontier school or extended school year  
12 grants:

13 ..... \$ 1,500,000

14 By September 1, 1998, the department shall  
15 establish criteria and a process for the awarding of  
16 grants for planning or implementation purposes.  
17 Grants shall be equitably distributed geographically  
18 among rural and urban areas. Notwithstanding section  
19 8.33, unencumbered or unobligated funds remaining on  
20 June 30 of the fiscal year for which the funds were  
21 appropriated shall not revert but shall be available  
22 for expenditure for the following fiscal year for the  
23 purposes of this subsection.

24 2. To the board of educational examiners, for  
25 purposes of developing and implementing a multi-level  
26 voluntary para-educator licensing system in accordance  
27 with section 272.12, if enacted:

28 ..... \$ 75,000

29 3. For deposit in the Iowa empowerment fund if  
30 legislation providing for the creation of an Iowa  
31 empowerment board, an Iowa empowerment fund, and for  
32 the appropriation of moneys to be administered by a  
33 community empowerment area, is enacted by the Seventy-  
34 seventh General Assembly, 1998 Session:

35 ..... \$ 5,200,000

36 4. For deposit in the national board for  
37 professional teaching standards certification fund in  
38 accordance with section 256.44, if enacted:

39 ..... \$ 250,000

40 5. For beginning teacher induction program grants  
41 as provided in chapter 256E, if enacted:

42 ..... \$ 240,000

43 It is the intent of the general assembly that  
44 grants awarded from funds appropriated under this  
45 subsection shall provide support to a minimum of one  
46 hundred thirty-three teams of mentors and beginning  
47 teachers.

48 6. For purposes of the practitioner performance  
49 improvement program as provided in section 279.14A, if  
50 enacted:

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1 ..... \$ 300,000  
 2 7. For the establishment and implementation of an  
 3 instructional leadership pilot program as provided in  
 4 sections 279.59 through 279.61, if enacted:

5 ..... \$ 1,000,000

6 By January 15, 1999, the department of education  
 7 shall prepare and submit a proposal for a program for  
 8 leadership development of practitioners and school  
 9 board members to the chairpersons and ranking members  
 10 of the house and senate standing education committees  
 11 and of the joint subcommittee on education  
 12 appropriations.

13 Sec. 2. NEW SECTION. 256.17A TEACHER INTERNSHIP  
 14 PILOT PROGRAM.

15 1. If the general assembly appropriates moneys for  
 16 a teacher internship pilot program, the state board of  
 17 education shall, by July 1, 1999, establish and  
 18 implement a competitive pilot program approval process  
 19 open to Iowa colleges and universities with master's  
 20 programs in practitioner preparation approved by the  
 21 state board.

22 2. To be eligible to receive a grant under this  
 23 section, an eligible institution shall submit to the  
 24 department of education a plan for an internship  
 25 program that, at a minimum, includes the following:

26 a. Student interns enrolled in the program shall  
 27 complete a one-year teaching experience conducted in a  
 28 collaborating school district. A student intern shall  
 29 be an employee of the participating school district.  
 30 The amount of money a school district shall pay to a  
 31 student intern shall be negotiated by the school  
 32 district and the eligible institution in consultation  
 33 with the department of education.

34 b. Application of the best teaching practices in  
 35 diverse settings and in responding to diverse student  
 36 needs under the supervision of selected district  
 37 teachers and personnel employed by the eligible  
 38 institution.

39 c. Seminars and special projects designed to meet  
 40 student intern needs.

41 d. Collaboration and support from a participating  
 42 school district relating to supervision and assessment  
 43 of the student intern's performance.

44 e. Collaboration and support from the eligible  
 45 institution in developing rigorous graduate coursework  
 46 and in matters relating to supervision, instruction,  
 47 and evaluation of the student intern in conjunction  
 48 with personnel employed by the participating school  
 49 district.

50 3. Student interns who enroll in the program shall

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1 receive graduate credit for successful completion of  
2 teacher internship program coursework. The successful  
3 completion of a one-year teacher internship under the  
4 program shall be recognized as the equivalent of one  
5 year of teaching experience.

6 4. A teacher who is employed by a school district  
7 and who acts as a clinical supervisor for the teacher  
8 internship pilot program shall be eligible for a  
9 stipend of one thousand dollars per semester of  
10 participation in the program. The stipend and the  
11 costs of the employer's share of contributions to  
12 federal social security and the Iowa public employees'  
13 retirement system established under chapter 294, for  
14 such amounts by the district, shall be paid from  
15 moneys received by the participating school district  
16 from moneys appropriated to the department of  
17 education pursuant to this section.

18 5. Moneys received by a school district under this  
19 section shall not be commingled with state aid  
20 payments made under section 257.16 to a school  
21 district and shall be accounted for by the school  
22 district separately from state aid payments.

23 6. Payments made to school districts under this  
24 section are miscellaneous income for purposes of  
25 chapter 257 and are considered encumbered. A school  
26 district shall maintain a separate budget listing for  
27 payments received and expenditures made pursuant to  
28 this section.

29 7. Moneys received by a school district under this  
30 section shall not be used for payment of any  
31 collective bargaining agreement or arbitrator's  
32 decision negotiated or awarded under chapter 20.

33 8. Annually on or by January 15, the eligible  
34 institution shall submit a report describing  
35 activities associated with the program to the  
36 department of education, which shall summarize the  
37 reports received and submit the summary to the  
38 chairpersons and ranking members of the standing house  
39 and senate education committees.

40 9. a. There is appropriated from the general fund  
41 of the state to the department of education for the  
42 fiscal year beginning July 1, 1998, and ending June  
43 30, 1999, the sum of two hundred twenty thousand  
44 dollars for the teacher internship pilot program.

45 b. There is appropriated from the general fund of  
46 the state to the department of education for each  
47 fiscal year of the fiscal period beginning July 1,  
48 1999, and ending June 30, 2001, the sum of five  
49 hundred seventy-five thousand dollars for the teacher  
50 internship pilot program.

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1 Sec. 3. NEW SECTION. 256.22 FRONTIER SCHOOL AND  
2 EXTENDED YEAR SCHOOL GRANT PROGRAM.

3 1. Subject to an appropriation of sufficient funds  
4 by the general assembly, the department shall  
5 establish a frontier school and extended year school  
6 grant program to provide for the allocation of grants  
7 to school districts, or a collaboration of school  
8 districts, to provide technical assistance for  
9 conversion of an existing school to a frontier school  
10 or to an extended school year calendar, or for  
11 investigating the possibility of converting an  
12 existing school within a district to a frontier school  
13 calendar or to an extended school year calendar. A  
14 district that wants to participate in the program  
15 shall submit to the department a written request for a  
16 grant by September 1, 1998. The school district or  
17 collaboration of school districts shall agree to  
18 appoint a planning committee composed of parents,  
19 guardians, teachers, administrators, and individuals  
20 representing business, and the local community. The  
21 school district or collaboration shall also indicate  
22 in its request its intention to use any grant moneys  
23 received under this section to examine, at a minimum,  
24 all of the following:

- 25 a. Mission and instructional focus of the school.
- 26 b. Organizational structure and management of the  
27 school.
- 28 c. Impact of labor agreements and contracts on the  
29 success of the school.
- 30 d. Roles and responsibilities of all involved  
31 constituencies.
- 32 e. Arrangements for special needs students.
- 33 f. Connection of the school to the district.
- 34 g. Facility and operation costs.
- 35 h. Measurement of results including student  
36 achievement results.

37 2. Grant moneys shall be distributed to qualifying  
38 school districts by the department no later than  
39 October 15, 1998. Grant amounts shall be distributed  
40 as determined by the department. Not more than  
41 fifteen of the grants awarded per year in accordance  
42 with this section shall be used for purposes of  
43 frontier school planning or conversion.

44 3. For purposes of this section, "frontier school"  
45 means a school that is nonsectarian in its program,  
46 admission policies, employment practices, and all  
47 other operations. The school is a public school and  
48 is part of the state's system of public education.  
49 The primary focus of a frontier school shall be to  
50 provide a comprehensive program of instruction for at

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1 least one grade or age group from five through  
2 eighteen years of age. Frontier schools may be  
3 designed to allow significant autonomy to the schools.  
4 However, frontier schools shall be accountable for  
5 significant results.

6 4. By February 15, 1999, a school district or  
7 collaboration of districts receiving moneys under this  
8 section shall submit an interim report to the  
9 department describing the planning activities  
10 conducted by the school district or the collaboration  
11 and providing preliminary conclusions. The school  
12 district or collaboration shall submit a final report  
13 by June 1, 1999, to the department. The department  
14 shall summarize the school district reports in a final  
15 report to the chairpersons and ranking members of the  
16 house and senate standing education committees by  
17 January 1, 2000.

18 5. Except as provided in this subsection, frontier  
19 schools are exempt from all statutes and rules  
20 applicable to a school, a school board, or a school  
21 district, although a frontier school may elect to  
22 comply with one or more provisions of statute or rule.  
23 However, the frontier school shall be organized and  
24 operated as a nonprofit cooperative association under  
25 chapter 498 or nonprofit corporation under chapter  
26 504A; the provisions of chapters 21 and 22 shall apply  
27 to meetings and records of the frontier school board;  
28 and frontier schools are subject to and shall comply  
29 with chapters 216 and 216A relating to civil and human  
30 rights, and sections 275.55A, 279.9A, 280.17B,  
31 280.21B, and 282.4, relating to suspension and  
32 expulsion of a student. The frontier school shall  
33 employ or contract with necessary teachers, as defined  
34 in section 272.1, who hold a valid license with an  
35 endorsement for the type of service for which the  
36 teacher is employed. Frontier schools are subject to  
37 the same financial audits, audit procedures, and audit  
38 requirements as a school district. The audits shall  
39 be consistent with the requirements of sections 11.6,  
40 11.14, 11.19, 256.9, subsection 19, and section  
41 279.29, except to the extent deviations are necessary  
42 because of the program at the school. The department,  
43 auditor of state, or the legislative fiscal bureau may  
44 conduct financial, program, or compliance audits. The  
45 provisions of chapter 20 shall not apply to the board  
46 of directors of a frontier school or its employees.

47 Sec. 4. NEW SECTION. 256.44 NATIONAL BOARD  
48 CERTIFICATION AWARD -- APPROPRIATION.

49 1. A teacher, as defined in section 272.1, who  
50 registers for a national board for professional

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1 teaching standards certificate and is employed by a  
2 school district in Iowa shall be eligible for a  
3 registration award as provided in subsection 2, and  
4 upon achievement of a national board for professional  
5 teaching standards certificate, is eligible for an  
6 annual award of ten thousand dollars for each year the  
7 certificate is valid as provided in this section.

8 2. To receive a partial registration award in the  
9 amount of one-half of the registration fee charged by  
10 the national board for professional teaching  
11 standards, the teacher shall apply to the department  
12 of education within one year of registration,  
13 submitting to the department any documentation the  
14 department requires. A teacher shall receive a final  
15 registration award in the amount of the remaining  
16 registration fee charged by the national board if the  
17 teacher notifies the department of the teacher's  
18 certification achievement and submits any  
19 documentation requested by the department.

20 3. To receive a five-year annual award for  
21 achieving certification by the national board of  
22 professional teaching standards, a teacher shall apply  
23 to the department within one year of eligibility.  
24 Payment for awards shall be made only upon  
25 departmental approval of an application or  
26 recertification of eligibility. A nonrenewable term  
27 of eligibility shall be for five years or for the  
28 years the certificate is valid, whichever time period  
29 is shorter. In order to continue receipt of payments,  
30 a recipient shall annually recertify eligibility.

31 4. A national board for professional teaching  
32 standards certification fund is established in the  
33 office of treasurer of state to be administered by the  
34 department. Moneys appropriated by the general  
35 assembly for deposit in the fund shall be paid as  
36 follows:

37 a. Upon receipt of award documentation as provided  
38 in subsection 2.

39 b. On January 15 to teachers whose applications  
40 and recertifications for annual awards as provided in  
41 subsection 3 are approved by the department. The  
42 treasurer of state shall act as custodian of the fund  
43 and may invest the moneys deposited in the fund. The  
44 income from any investment shall be credited to and  
45 deposited in the fund. The director of revenue and  
46 finance shall issue warrants upon the fund pursuant to  
47 the order of the department and such warrants shall be  
48 paid from the fund by the treasurer of state.  
49 Notwithstanding section 8.33, unencumbered or  
50 unobligated moneys remaining in the fund on June 30 of

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1 the fiscal year for which the funds were appropriated  
2 shall not revert but shall be available for subsequent  
3 fiscal years for the purposes of this section.

4 5. An individual shall not qualify for a term of  
5 annual award eligibility unless the individual  
6 applies, certifying eligibility, to the department  
7 prior to June 30, 2003.

8 Sec. 5. Section 256.45, unnumbered paragraphs 1,  
9 3, and 4, Code 1997, are amended to read as follows:

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

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

30 ~~The district which~~ department shall grant funds in  
31 an amount equal to the salary and benefits the person  
32 selected as ambassador to education would have  
33 received from the district, or thirty thousand  
34 dollars, whichever amount is greater, to the school  
35 district that employs the person selected as the  
36 ambassador to education. The department shall also  
37 reimburse the school district for actual expenses  
38 incurred as a result of the performance of duties  
39 under this section. The school district shall grant  
40 the person a one-year sabbatical in order to allow the  
41 person to be the ambassador to education, and during  
42 the sabbatical, shall pay the salary and benefits of  
43 the ambassador with funds granted by the department.  
44 The person selected as the ambassador to education  
45 shall be entitled to return to the person's same or a  
46 comparable position without loss of accrued benefits  
47 or seniority.

48 Sec. 6. NEW SECTION. 256E.1 BEGINNING TEACHER  
49 INDUCTION PROGRAM ESTABLISHED -- GRANTS.

50 If the general assembly appropriates moneys for

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1 purposes of teacher induction, the department of  
2 education shall coordinate a beginning teacher  
3 induction program to promote excellence in teaching,  
4 to build a supportive environment within school  
5 districts, to increase the retention of promising  
6 beginning teachers, and to promote the personal and  
7 professional well-being of teachers. The department  
8 of education shall develop a process for awarding  
9 beginning teacher induction grants to school  
10 districts, and shall adopt rules pursuant to chapter  
11 17A relating to the equitable distribution of grants  
12 to school districts to reflect diversity  
13 geographically and by population.

14 Sec. 7. NEW SECTION. 256E.2 DEFINITIONS.

15 As used in this chapter, unless the context  
16 otherwise requires:

17 1. "Beginning teacher" means an individual serving  
18 under an initial provisional or conditional license,  
19 issued by the board of educational examiners under  
20 chapter 272, who is assuming a position as a classroom  
21 teacher.

22 2. "Board of directors" means the board of  
23 directors of a school district or a collaboration of  
24 boards of directors of school districts.

25 3. "Classroom teacher" means an individual who  
26 holds a valid practitioner's license and who is  
27 employed by a school district under sections 279.13  
28 through 279.19 in a school district or area education  
29 agency in this state to provide instruction to  
30 students.

31 4. "Department" means the department of education.

32 5. "Director" means the director of the department  
33 of education.

34 6. "District facilitator" means a licensed  
35 professional pursuant to chapter 272 who is appointed  
36 by the board of directors, or a collaboration of  
37 districts, to serve as the liaison between the board  
38 of directors and the department for the beginning  
39 teacher induction program.

40 7. "Mentor" means an individual employed by a  
41 school district or area education agency as a  
42 classroom teacher and who holds a valid license to  
43 teach issued under chapter 272.

44 Sec. 8. NEW SECTION. 256E.3 DISTRICT PLAN.

45 1. A board of directors of a school district or  
46 the boards of directors of a collaboration of school  
47 districts participating in the beginning teacher  
48 induction program shall appoint a district  
49 facilitator, whose duties shall include, but are not  
50 limited to, overseeing the development of a plan for

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1 meeting the goals of the program as set forth in  
2 section 256E.1, and composing a district committee  
3 pursuant to subsection 2.

4 2. The membership of the district committee  
5 composed by the district facilitator shall include,  
6 but is not limited to, licensed practitioners and an  
7 area education agency staff development professional.

8 3. The district committee shall adopt a plan and  
9 written procedures for a mentor program consistent  
10 with this chapter. The plan and the written  
11 procedures shall, at a minimum, provide the process  
12 for the selection of and the number of mentors; the  
13 mentor training process; the timetable by which the  
14 plan shall be implemented; placement of mentors and  
15 beginning teachers; the minimum amount of contact time  
16 between mentors and beginning teachers; the minimum  
17 amount of release time for mentors and beginning  
18 teachers for meetings for planning, demonstration,  
19 observation, feedback, and workshops; the process for  
20 dissolving mentoring partnerships; and the process for  
21 measuring the results of the program. The district  
22 committee shall recommend to the board of directors or  
23 boards of directors of a collaboration the names of  
24 classroom teachers eligible to be mentors.

25 4. The district facilitator shall submit the plan,  
26 and the proposed costs of implementing the plan, to  
27 the board of directors or boards of directors of a  
28 collaboration, which shall consider the plan and, once  
29 approved, submit the plan and a reasonable cost  
30 proposal to the department of education, which shall  
31 award grants as equitably as possible based on the  
32 geographic and population diversity of the school  
33 districts submitting plans. Grants may be awarded in  
34 subsequent years based upon the most recent plan on  
35 file with the department.

36 5. The district committee is encouraged to work  
37 with area education agencies and postsecondary  
38 institutions in the preparation and implementation of  
39 a plan.

40 Sec. 9. NEW SECTION. 256E.4 BEGINNING TEACHER  
41 AND MENTOR SELECTION AND PLACEMENT.

42 1. To be eligible to be a mentor, a licensed  
43 practitioner shall, at a minimum, be employed by a  
44 school district as a classroom teacher, have a record  
45 of at least four years of effective practice, have  
46 been employed for one full year in the district on a  
47 nonprobationary basis, and demonstrate professional  
48 commitment to the improvement of teaching and  
49 learning, and the development of beginning teachers.

50 2. The district facilitator shall place beginning

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1 teachers in a manner that provides the greatest  
2 opportunity to participate with the largest number of  
3 mentors.

4 Sec. 10. NEW SECTION. 256E.5 BEGINNING TEACHER  
5 INDUCTION STATE SUBSIDY -- FUND.

6 1. A teacher who is enrolled as a mentor in an  
7 approved beginning teacher induction program shall be  
8 eligible for an award of five hundred dollars per  
9 semester of participation in the program, which shall  
10 be paid from moneys received pursuant to this section  
11 by the school district employing the mentor.

12 2. Moneys received by a school district pursuant  
13 to this chapter shall be expended to provide mentors  
14 with awards in accordance with subsection 1, to  
15 implement the plan, to pay the costs of the employer's  
16 share of contributions to federal social security and  
17 the Iowa public employees' retirement system or a  
18 pension and annuity retirement system established  
19 under chapter 294, for such amounts paid by the  
20 district.

21 3. Moneys received by a school district under this  
22 chapter are miscellaneous income for purposes of  
23 chapter 257 or are considered encumbered. Each local  
24 school district shall maintain a separate listing  
25 within their budget for payments received and  
26 expenditures made pursuant to this section.

27 4. Moneys received for purposes of this chapter  
28 shall not be used for payment of any collective  
29 bargaining agreement or arbitrator's decision  
30 negotiated or awarded under chapter 20.

31 5. A beginning teacher induction fund is  
32 established in the office of the treasurer of state to  
33 be administered by the department. Moneys  
34 appropriated by the general assembly for deposit in  
35 the fund shall be used to provide funding to school  
36 districts pursuant to the requirements of this  
37 section.

38 6. Notwithstanding section 8.33, unencumbered or  
39 unobligated funds remaining on June 30 of the fiscal  
40 year for which the funds were appropriated shall not  
41 revert but shall be available for expenditure in the  
42 following fiscal year for the purposes of this  
43 section.

44 Sec. 11. NEW SECTION. 256E.6 REPORTS.

45 The board of directors of a school district or the  
46 boards of directors of a collaboration of school  
47 districts implementing an approved beginning teacher  
48 induction program as provided in this chapter shall  
49 submit an assessment of the program's results by July  
50 1 of the fiscal year succeeding the year in which the

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1 school district or the collaboration of school  
2 districts received moneys under this chapter. The  
3 department shall annually report the statewide results  
4 of the program to the chairpersons and the ranking  
5 members of the house and senate education committees  
6 by January 1.

7 Sec. 12. NEW SECTION. 256F.1 LEGISLATIVE  
8 FINDINGS AND INTENT.

9 The general assembly finds that it is in the best  
10 interest of the state to encourage and fund early  
11 education programs focused on kindergarten through  
12 grade three in the public school districts. The goal  
13 of these programs is to improve student achievement in  
14 the basic educational subject matters of reading,  
15 language arts, and mathematics, and to accomplish  
16 proficiency in those subjects by grade four. Toward  
17 that goal, it is the intent of this chapter to  
18 establish and fund an early childhood education  
19 imperatives program.

20 Sec. 13. NEW SECTION. 256F.2 EARLY CHILDHOOD  
21 EDUCATION IMPERATIVES PROGRAM APPROPRIATION.

22 1. There is appropriated from the general fund of  
23 the state to the department of education for the  
24 fiscal year beginning July 1, 1998, and for each  
25 succeeding fiscal year, the sum of nine million  
26 dollars for the early childhood education imperatives  
27 program.

28 2. For each fiscal year for which moneys are  
29 appropriated in subsection 1, the amount of moneys  
30 allocated to school districts shall be in the  
31 proportion that the basic enrollment of a district  
32 bears to the sum of the basic enrollments of all  
33 school districts in the state for the budget year.  
34 However, a district shall not receive less than seven  
35 thousand five hundred dollars in a fiscal year.

36 3. For each year for which an appropriation is  
37 made to the early childhood education imperatives  
38 program, the department of education shall notify the  
39 department of revenue and finance of the amount to be  
40 paid to each school district based upon the  
41 distribution plan set forth for the appropriation made  
42 pursuant to this section. The allocation to each  
43 school district under this section shall be made in  
44 one payment on or about October 15 of the fiscal year  
45 for which the appropriation is made, taking into  
46 consideration the relative budget and cash position of  
47 the state resources. Prior to the receipt of moneys,  
48 school districts shall provide to the department of  
49 education adequate assurance that they have developed  
50 or are developing an early childhood education plan as

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1 required by section 256F.3 and that moneys received  
2 under this section will be used in accordance with the  
3 required early childhood education plan.

4 4. Moneys received under this section shall not be  
5 commingled with state aid payments made under sections  
6 257.16 to a school district and shall be accounted for  
7 by the school district separately from state aid  
8 payments.

9 5. Payments made to school districts under this  
10 section are miscellaneous income for purposes of  
11 chapter 257 or are considered encumbered. Each school  
12 district shall maintain a separate listing within  
13 their budgets for payments received and expenditures  
14 made pursuant to this section.

15 6. Moneys received under this section shall not be  
16 used for payment of any collective bargaining  
17 agreement or arbitrator's decision negotiated or  
18 awarded under chapter 20.

19 Sec. 14. NEW SECTION. 256F.3 EARLY CHILDHOOD  
20 EDUCATION IMPERATIVES PROGRAM -- REPORTS.

21 1. Progress, as determined by school districts  
22 through appropriate assessments, for children enrolled  
23 in kindergarten through grade three in attaining or  
24 surpassing student achievement goals as established  
25 under the accreditation process in chapter 256, and an  
26 accounting of the use of the moneys received by the  
27 school districts in accordance with this chapter,  
28 shall be submitted in an annual report to the  
29 department of education by September 1 in the fiscal  
30 year beginning July 1, 1999, and in each succeeding  
31 year. Each school district shall also certify, in the  
32 annual report to the department, that the school  
33 districts used the moneys received under this chapter  
34 to supplement, and not to supplant, the moneys  
35 otherwise received and used by the school district for  
36 kindergarten through grade three education purposes.

37 2. The department shall submit, to the  
38 chairpersons and ranking members of the house and  
39 senate education committees by January 1, 2000, a  
40 report describing the ways in which the school  
41 districts are making use of the moneys received under  
42 this chapter, and including the school districts, if  
43 any, that used moneys received under this chapter to  
44 supplant funds the school district was already  
45 receiving for kindergarten through grade three  
46 education purposes.

47 3. The department shall submit, to the  
48 chairpersons and ranking members of the house and  
49 senate education committees by January 1, 2002, a  
50 report describing school district progress on

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1 attaining or surpassing student achievement goals.  
2 Sec. 15. NEW SECTION. 256F.4 EARLY CHILDHOOD  
3 EDUCATION IMPERATIVES PROGRAM EXPENDITURES.  
4 School districts shall expend funds received  
5 pursuant to section 256F.2 to support reading  
6 instruction in phonics, and other education practices,  
7 programs, or assistance for kindergarten through grade  
8 three that may include, but are not limited to, the  
9 following: reducing adult to student ratios through  
10 the hiring of teachers, former teachers, and para-  
11 educator teaching assistants; talented and gifted  
12 programs; and implementation of instructional programs  
13 designed to improve student achievement in the areas  
14 of reading, language arts, and mathematics.  
15 Sec. 16. NEW SECTION. 256F.5 REPEAL.  
16 This chapter is repealed effective July 1, 2001,  
17 except that section 256F.3 is not repealed until  
18 January 1, 2002.  
19 Sec. 17. NEW SECTION. 257.13 ON-TIME FUNDING FOR  
20 INCREASED ENROLLMENT.  
21 1. If a district's actual enrollment for the  
22 budget year, determined under section 257.6, is  
23 greater than its budget enrollment for the budget  
24 year, the district may submit a request to the school  
25 budget review committee for on-time funding for  
26 increased enrollment. The school budget review  
27 committee shall consider the relative increase in  
28 enrollment on a district-by-district basis, in  
29 determining whether to approve the request, and shall  
30 determine the amount of additional funding to be  
31 provided if the request is granted. An application  
32 for on-time funding must be received by the department  
33 of education by October 1. Written notice of the  
34 committee's decision shall be given through the  
35 department of education to the school board for a  
36 district.  
37 2. If the school budget review committee approves  
38 a request for on-time funding for increased  
39 enrollment, the funding shall be in an amount up to  
40 the product of one-third of the state cost per pupil  
41 for the budget year multiplied by the difference  
42 between the actual enrollment for the budget year and  
43 the budget enrollment for the budget year. The  
44 additional funding received under this section is  
45 miscellaneous income to the district.  
46 3. Moneys appropriated by the general assembly for  
47 purposes of this section shall be paid to school  
48 districts in one lump sum within thirty days of  
49 notification by the school budget review committee of  
50 approval for on-time funding for increased enrollment

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1 for a budget year. If the requests approved by the  
2 school budget review committee exceed the  
3 appropriation made for purposes of this section, the  
4 payments to school districts receiving approval for  
5 on-time funding shall be prorated such that each  
6 school district approved for on-time funding shall  
7 receive an amount of on-time funding equal to the  
8 percentage that the on-time funding to be provided to  
9 the district bears to the total amount of on-time  
10 funding to be provided to all districts receiving  
11 approval.

12 4. If the board of directors of a school district  
13 determines that a need exists for additional funds  
14 exceeding the amount provided in this section, a  
15 request for supplemental aid based upon increased  
16 enrollment may be submitted to the school budget  
17 review committee as provided in section 257.31.

18 5. A school district which is receiving a budget  
19 adjustment for a budget year pursuant to section  
20 257.14 shall receive on-time funding for increased  
21 enrollment, reduced by the amount of the budget  
22 adjustment for that budget year.

23 6. There is appropriated from the general fund of  
24 the state to the department of education for the  
25 fiscal year beginning July 1, 1999, and for each  
26 succeeding fiscal year, the sum of four million  
27 dollars or as much thereof as is necessary to pay  
28 additional funding authorized under this section.

29 Sec. 18. Section 257.14, Code Supplement 1997, is  
30 amended to read as follows:

31 257.14 BUDGET ADJUSTMENT.

32 1. For the budget years commencing July 1, 1997,  
33 and July 1, 1998, and July 1, 1999, if the department  
34 of management determines that the regular program  
35 district cost of a school district for a budget year  
36 is less than the total of the regular program district  
37 cost plus any adjustment added under this section for  
38 the base year for that school district, the department  
39 of management shall provide a budget adjustment for  
40 that district for that budget year that is equal to  
41 the difference.

42 2. For the budget year beginning July 1, ~~1995~~  
43 1999, if the department of management determines that  
44 the regular program district cost plus the budget  
45 adjustment computed under subsection 1 of a school  
46 district is less than one hundred one percent of the  
47 total of the regular program district cost plus any  
48 adjustment added under this section for the base year  
49 for that school district, the department of management  
50 shall provide an additional budget adjustment for that

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1 budget year that is equal to the difference.

2 Sec. 19. Section 272.1, Code 1997, is amended by  
3 adding the following new subsection:

4 NEW SUBSECTION. 4A. "Para-educator" means a  
5 person who is licensed to assist a teacher in the  
6 performance of instructional tasks to support and  
7 assist classroom instruction and related school  
8 activities.

9 Sec. 20. NEW SECTION. 272.12 PARA-EDUCATOR  
10 LICENSES.

11 1. The board of educational examiners shall adopt  
12 rules pursuant to chapter 17A relating to a multi-  
13 level voluntary licensing system ranging from para-  
14 educator generalist to para-educator specialist. The  
15 rules shall outline the instructional and other school  
16 activity tasks the individuals licensed under this  
17 section may perform. The board shall determine  
18 whether an applicant is qualified to perform the  
19 duties for which a para-educator license is sought.

20 2. Applicants for a para-educator license as a  
21 generalist must hold a high school diploma from an  
22 accredited secondary school or a high school  
23 equivalency diploma issued in accordance with chapter  
24 259A. The applicant must also have completed  
25 additional in-service training in at least all of the  
26 following areas:

- 27 a. Behavior management.  
28 b. Ethical responsibilities and behavior.  
29 c. Exceptional child and at-risk child behavior.  
30 d. Collaboration skills and interpersonal  
31 relations.  
32 e. Child and youth development.

33 3. Applicants for a para-educator license as a  
34 specialist must meet the requirements of subsection 2  
35 and additional requirements as prescribed by rule.

36 4. A public school district, area education  
37 agency, community college, institution of higher  
38 education under the state board of regents, or an  
39 accredited private institution as defined in section  
40 261.9, subsection 1, with a program approved by the  
41 state board of education, may train and recommend  
42 individuals for board licensure.

43 5. Applicants shall be disqualified for any of the  
44 following reasons:

- 45 a. The applicant is less than eighteen years of  
46 age.  
47 b. The applicant has a record of founded child  
48 abuse.  
49 c. The applicant has been convicted of a felony.  
50 d. The applicant's application is fraudulent.

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1 e. The applicant's license or certification from  
2 another state is suspended or revoked.

3 f. The applicant fails to meet board standards for  
4 application for an initial or renewed license.

5 6. Qualifications or criteria for the granting or  
6 revocation of a license or the determination of an  
7 individual's professional standing shall not include  
8 membership or nonmembership in any teachers'  
9 organization.

10 Sec. 21. Section 279.14, Code 1997, is amended to  
11 read as follows:

12 279.14 EVALUATION CRITERIA AND PROCEDURES.

13 1. The board shall establish evaluation criteria  
14 and shall implement evaluation procedures. If an  
15 exclusive bargaining representative has been  
16 certified, the board shall negotiate in good faith  
17 with respect to evaluation procedures pursuant to  
18 chapter 20.

19 2. Notwithstanding chapter 20, any challenge to an  
20 evaluation raised after the service of the notice of  
21 intent to recommend termination of a teacher's  
22 continuing contract in accordance with section 279.15  
23 shall be brought only in the hearing before the school  
24 board held in accordance with section 279.16.

25 Sec. 22. NEW SECTION. 279.14A PRACTITIONER  
26 PERFORMANCE IMPROVEMENT PROGRAM.

27 1. The department of education shall establish and  
28 implement a voluntary practitioner performance  
29 improvement program that shall provide technical  
30 assistance to teachers and administrators from each  
31 public school district and area education agency.  
32 Individuals under contract with a school district may  
33 receive technical assistance in accordance with this  
34 subsection. The department shall consult with the  
35 Iowa state education association, the Iowa association  
36 of school boards, the school administrators of Iowa,  
37 the professional educators of Iowa, and, as  
38 practicable, other entities providing similar  
39 programs, in developing the program. At a minimum,  
40 the program shall provide administrators with  
41 training, including but not limited to, seminars and  
42 written materials, relating to the areas of employment  
43 policies and procedures, employment documentation,  
44 performance evaluations, corrective performance  
45 techniques, discipline, termination, and support by  
46 qualified individuals for implementation of the  
47 program. Training received by an administrator in  
48 accordance with this section shall apply toward an  
49 administrator's evaluator approval renewal.

50 2. The department shall submit an annual report to

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1 the chairpersons and ranking members of the house and  
2 senate standing education committees summarizing  
3 program activities and describing the department's  
4 plans for improving or changing the program.

5 Sec. 23. Section 279.19, unnumbered paragraph 1,  
6 Code 1997, are amended to read as follows:

7 The first ~~two~~ three consecutive years of employment  
8 of a teacher in the same school district are a  
9 probationary period. However, a if the teacher has  
10 successfully completed a probationary period of  
11 employment for another school district located in  
12 Iowa, the probationary period in the current district  
13 of employment shall not exceed one year. A board of  
14 directors may waive the probationary period for any  
15 teacher who previously has served a probationary  
16 period in another school district and the board may  
17 extend the probationary period for an additional year  
18 with the consent of the teacher.

19 Sec. 24. Section 279.46, Code 1997, is amended to  
20 read as follows:

21 279.46 RETIREMENT INCENTIVES -- TAX.

22 The board of directors of a school district may  
23 adopt a program for payment of a monetary bonus,  
24 continuation of health or medical insurance coverage,  
25 or other incentives for encouraging its employees to  
26 retire before the normal retirement date as defined in  
27 chapter 97B. The program is available only to  
28 employees between ~~fifty-nine~~ fifty-five and sixty-five  
29 years of age who notify the board of directors prior  
30 to ~~March~~ April 1 of the fiscal year that they intend  
31 to retire not later than the next following June 30.

32 However, the age at which employees shall be  
33 designated eligible for the program, within the age  
34 range of fifty-five to sixty-five years of age, shall  
35 be at the discretion of the board. An employee  
36 retiring under this section shall apply for a  
37 retirement allowance under chapter 97B or chapter 294.  
38 If The board may include in the district management  
39 levy an amount to pay the total estimated accumulated  
40 cost to a the school district of the health or medical  
41 insurance coverage, bonus, or other incentives for  
42 employees who retire under this section does-not  
43 exceed-the-estimated-savings-in-salaries-and-benefits  
44 for-employees-who-replace-the-employees-who-retire  
45 under-the-program,-the-board-may-include-in-the  
46 district-management-levy-an-amount-to-pay-the-costs-of  
47 the-program-provided-in-this-section.

48 Sec. 25. NEW SECTION. 279.59 STATEMENT OF  
49 PURPOSE.

50 The purpose of the instructional leadership pilot

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1 program is to recognize and reward teachers and  
2 administrators for outstanding leadership,  
3 performance, and service. The program is intended to  
4 encourage and reinforce masterful teaching and  
5 leadership, and provide extensive professional and  
6 financial recognition to teachers and administrators  
7 who are achieving outstanding results in their work  
8 with students.

9 Sec. 26. NEW SECTION. 279.60 INSTRUCTIONAL  
10 LEADERSHIP PILOT PROGRAM.

11 1. Subject to an appropriation of sufficient funds  
12 by the general assembly, the department shall  
13 establish and implement an instructional leadership  
14 pilot program to be administered in cooperation with  
15 school districts in the state. The instructional  
16 leadership pilot program shall include, but not be  
17 limited to, all of the following:

18 a. A nomination procedure that permits nominations  
19 to be made by a practitioner or other individuals.

20 b. Award distribution to individual practitioners  
21 or to nominated teams of practitioners.

22 c. Award eligibility based upon a satisfactory or  
23 higher ranking on a performance evaluation by the  
24 practitioner's administrator or a recommendation from  
25 the board of directors of the school district, and  
26 certification by the school district that the  
27 practitioner improved student achievement in the  
28 school year of award eligibility. To receive an award  
29 a practitioner must have successfully completed at  
30 least three consecutive years of service under  
31 contract with a school district in this state.

32 d. Voluntary participation by a nominee.

33 e. Use of objective methods for measuring  
34 improvement in student achievement. Multiple  
35 measurement and assessment tools may be used to  
36 measure student achievement. However, the  
37 practitioner or the school district may request  
38 approval from the director of the department of  
39 education to use an alternative method for measuring  
40 improvement in student achievement. The director's  
41 decision shall be final.

42 2. The department shall develop and distribute to  
43 school districts a weighting system for criteria  
44 evaluation to be used by districts in making awards to  
45 practitioners that ranks the criteria in the following  
46 order of priority: improvement in student  
47 achievement, practitioner participation as a member or  
48 leader of a team, initiative to improve student  
49 achievement and student change, practitioner  
50 advancement through education or professional

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1 designation achievement, and community involvement.  
2 In addition to the criteria established in accordance  
3 with this section, a school district may provide  
4 additional weighted criteria for evaluation,  
5 including, but not limited to, classroom or school  
6 environment and objective measures of teaching skill.  
7 3. To nominate a practitioner or team of  
8 practitioners for an award, an individual shall submit  
9 an application and report, on a form designed and  
10 distributed to school districts by the department of  
11 education, to a local school district coordinator  
12 designated by the board of directors of the school  
13 district. The form shall be completed by the  
14 practitioner, one colleague, one administrator, and  
15 three parents selected by the practitioner, and shall  
16 be forwarded to the local school district coordinator.  
17 4. The local school district coordinator shall  
18 submit the forms to the department, which shall  
19 tabulate and rank for each school district the  
20 applications received according to the minimum  
21 criteria established in accordance with subsection 2.  
22 5. The board of directors shall also consult with  
23 practitioners to plan appropriate recognition events  
24 within the school district for presentation of the  
25 awards.  
26 6. Applications submitted under this section shall  
27 be considered confidential personnel records under  
28 section 22.7.

29 For purposes of this section, "practitioner" means  
30 the same as defined in section 272.1.

31 Sec. 27. NEW SECTION. 279.61 INSTRUCTIONAL  
32 LEADERSHIP PILOT PROGRAM -- FUNDING.

33 1. Subject to an appropriation of sufficient funds  
34 by the general assembly, and the establishment of an  
35 instructional leadership pilot program, by September  
36 15, each school district willing to participate in the  
37 instructional leadership pilot program shall notify  
38 the department of education of the intent to  
39 participate in the program.

40 2. From the moneys appropriated for purposes of  
41 this program, the amount of moneys allocated to school  
42 districts that have notified the department of the  
43 intent to participate in the program shall be in the  
44 proportion that the basic enrollment of a district  
45 bears to the sum of the basic enrollments of all  
46 school districts in the state for the budget year that  
47 are willing to participate in the program. However,  
48 the amount of an award to a school district shall not  
49 exceed the sum of one hundred thousand dollars.

50 3. For each year in which an appropriation is made

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1 to the instructional leadership pilot program, the  
2 department of education shall notify the department of  
3 revenue and finance of the amount to be paid to each  
4 school district based upon the distribution plan set  
5 forth for the appropriation made pursuant to this  
6 section. The allocation to each school district under  
7 this section shall be made in one payment on or about  
8 January 15 of the fiscal year in which the  
9 appropriation is made, taking into consideration the  
10 relative budget and cash position of the state  
11 resources.

12 4. Moneys received under this section shall not be  
13 commingled with state aid payments made under sections  
14 257.16 to a school district and shall be accounted for  
15 by the local school district separately from state aid  
16 payments.

17 5. Payments made to school districts under this  
18 section are miscellaneous income for purposes of  
19 chapter 257 or are considered encumbered. Each local  
20 school district shall maintain a separate listing  
21 within their budget for payments received and  
22 expenditures made pursuant to this section.

23 6. Moneys received under this section shall not be  
24 used for payment of any collective bargaining  
25 agreement or arbitrator's decision negotiated or  
26 awarded under chapter 20.

27 7. Awards to practitioners under this program  
28 shall not be built into the base pay for the  
29 practitioner, but shall be included in the calculation  
30 to determine pension contributions in the year in  
31 which the award is received.

32 Sec. 28. NEW SECTION. 279.62 FUTURE REPEAL.

33 This section and sections 279.59 through 279.61 are  
34 repealed effective July 1, 2003.

35 Sec. 29. Section 280.18, unnumbered paragraph 2,  
36 Code 1997, is amended to read as follows:

37 In order to achieve the goal of improving student  
38 achievement and performance on a statewide basis, the  
39 board of directors of each school district shall adopt  
40 goals that will improve student achievement at each  
41 grade level in the skills listed in this section and  
42 other skills deemed important by the board. ~~Not-later~~  
43 ~~than July 1, 1989, the~~ At a minimum, each board shall  
44 adopt a goal of addressing the educational inequities  
45 among Iowa's minority students and develop plans for  
46 improving minority student academic performance. The  
47 board of each district shall transmit to the  
48 department of education its plans for achieving the  
49 goals it has adopted and the periodic assessment that  
50 will be used to determine whether its goals have been

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1 achieved. The committee appointed by the board under  
2 section 280.12 shall advise the board concerning the  
3 development of goals, the assessment process to be  
4 used, and the measurements to be used.

5 Sec. 30. Section 294A.5, Code 1997, is amended to  
6 read as follows:

7 294A.5 MINIMUM SALARY SUPPLEMENT.

8 1. For the school year beginning July 1, ~~1987~~  
9 1998, and succeeding school years, the minimum annual  
10 salary paid to a full-time teacher as regular  
11 compensation shall be eighteen twenty-three thousand  
12 dollars.

13 2. The minimum salary supplement shall be the sum  
14 of the following, as applicable:

15 a. For the school year beginning July 1, ~~1987~~  
16 1998, for phase I, each school district and area  
17 education agency shall certify to the department of  
18 education by the third Friday in September the names  
19 of all teachers employed by the district or area  
20 education agency whose regular compensation is less  
21 than eighteen twenty-three thousand dollars per year  
22 for that year and the amounts needed as minimum salary  
23 supplements. The minimum salary supplement for each  
24 eligible teacher is the total of the difference  
25 between eighteen twenty-three thousand dollars and the  
26 teacher's regular compensation plus the amount  
27 required to pay the employer's share of the federal  
28 social security and Iowa public employees' retirement  
29 system, or a pension and annuity retirement system  
30 established under chapter 294, payments on the  
31 additional salary moneys. However, for purposes of  
32 this paragraph, a teacher's regular compensation for  
33 the school year beginning July 1, 1998, shall not be  
34 lower than eighteen thousand dollars.

35 b. The total minimum salary supplement paid to a  
36 school district under phase I for the school year  
37 beginning July 1, 1997.

38 3. The board of directors shall report the  
39 salaries of teachers employed on less than a full-time  
40 equivalent basis, and the amount of minimum salary  
41 supplement shall be prorated.

42 Sec. 31. Section 294A.6, unnumbered paragraph 1,  
43 Code 1997, is amended to read as follows:

44 For the school year beginning July 1, ~~1987~~ 1998,  
45 the department of education shall notify the  
46 department of revenue and finance of the total minimum  
47 salary supplement, as described in section 294A.5,  
48 subsection 2, paragraphs "a" and "b", to be paid to  
49 each school district and area education agency under  
50 phase I and the department of revenue and finance

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1 shall make the payments. For school years after the  
2 school year beginning July 1, ~~1987~~ 1998, if a school  
3 district or area education agency reduces the number  
4 of its full-time equivalent teachers below the number  
5 employed during the school year beginning July 1, ~~1987~~  
6 1998, the department of revenue and finance shall  
7 reduce the total minimum salary supplement payable to  
8 that school district or area education agency so that  
9 the amount paid is equal to the ratio of the number of  
10 full-time equivalent teachers employed in the school  
11 district or area education agency for that school year  
12 divided by the number of full-time equivalent teachers  
13 employed in the school district or area education  
14 agency for the school year beginning July 1, ~~1987~~  
15 1998, and multiplying that fraction by the total  
16 minimum salary supplement paid to that school district  
17 or area education agency for the school year beginning  
18 July 1, ~~1987~~ 1998.

19 Sec. 32. Section 294A.25, subsection 1, Code  
20 Supplement 1997, is amended to read as follows:

21 1. For the fiscal year beginning July 1, ~~1990~~  
22 1998, and for each succeeding year, there is  
23 appropriated from the general fund of the state to the  
24 department of education the amount of ~~ninety-two~~  
25 eighty-two million one eight hundred ninety-one  
26 thousand eighty-five three hundred thirty-six dollars  
27 to be used to improve teacher salaries. ~~For each~~  
28 ~~fiscal year in the fiscal period commencing July 1,~~  
29 ~~1991, and ending June 30, 1993, there is appropriated~~  
30 ~~an amount equal to the amount appropriated for the~~  
31 ~~fiscal year beginning July 1, 1990, plus an amount~~  
32 ~~sufficient to pay the costs of the additional funding~~  
33 ~~provided for school districts and area education~~  
34 ~~agencies under sections 294A.9 and 294A.14. For each~~  
35 ~~fiscal year beginning on or after July 1, 1995, there~~  
36 ~~is appropriated the sum which was appropriated for the~~  
37 ~~previous fiscal year, including supplemental payments.~~  
38 The moneys shall be distributed as provided in this  
39 section.

40 Sec. 33. Section 294A.25, subsection 7, Code  
41 Supplement 1997, is amended to read as follows:

42 7. Commencing with the fiscal year beginning July  
43 1, 1990, the amount of ~~sixty~~ sixty-seven thousand  
44 dollars for the ambassador to education program under  
45 section ~~256.43~~ 256.45.

46 Sec. 34. Section 669.14, Code 1997, is amended by  
47 adding the following new subsection:

48 NEW SUBSECTION. 14. Any claim arising in respect  
49 to technical assistance provided by the department of  
50 education pursuant to section 279.14A.

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1 Sec. 35. CURRENT NATIONAL BOARD CERTIFICATE  
 2 HOLDERS. In order to receive payment under section  
 3 256.44, as enacted by this Act, a teacher who by July  
 4 1, 1998, meets the qualifications for an award under  
 5 section 256.44 shall apply to the department for  
 6 payment under section 256.44 by June 30, 1999.

7 Sec. 36. CONTINGENT APPROPRIATION -- TAXABLE  
 8 VALUATION INCREASE. For the fiscal year beginning  
 9 July 1, 1998, and ending June 30, 1999, if the actual  
 10 taxable valuation of real property located in this  
 11 state, based upon January 1, 1997, assessments, which  
 12 is used in the computation of property taxes payable  
 13 in the fiscal year beginning July 1, 1998, increases  
 14 from the estimate of such taxable valuation, there is  
 15 appropriated from the general fund of the state the  
 16 lesser of \$4,000,000 or the amount of the reduction in  
 17 state foundation aid under section 257.1 as a result  
 18 of such increase in taxable valuation to be used to  
 19 fund section 257.13, as enacted by this Act, and the  
 20 moneys shall be allocated as provided in section  
 21 257.13, subsection 2, as enacted by this Act.

22 Sec. 37. EMERGENCY RULES. The department may  
 23 adopt emergency rules as necessary for the  
 24 administration of chapter 256E and section 279.60, if  
 25 enacted.

26 Sec. 38. EFFECTIVE DATE AND RETROACTIVE  
 27 APPLICABILITY. The section of this Act that amends  
 28 section 279.46, being deemed of immediate importance,  
 29 takes effect upon enactment and applies retroactively  
 30 to retirement incentive programs in existence after  
 31 December 31, 1997.

32 Sec. 39. EFFECTIVE DATE. Section 17 of this Act,  
 33 relating to on-time funding for increased enrollment,  
 34 being deemed of immediate importance, takes effect  
 35 upon enactment for the purpose of computations  
 36 required for payment of state aid to school districts  
 37 for budget years beginning on or after July 1, 1998.  
 38 Section 17 of this Act remains in effect until the  
 39 repeal of chapter 257 on July 1, 2001."

40 2. By renumbering as necessary.

By GRIES of Crawford

H-8616 FILED MARCH 24, 1998

*not Sermon - Motion to Suspend Rules - Motion Prevalled*  
*3/26/98 (P. 1000)*

*adopted*  
*3/26/98*  
*(P. 1001)*

SENATE FILE 2366

H-8648

1 Amend the amendment, H-8616, to Senate File 2366,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 2, by inserting after line 12 the  
 5 following:  
 6 "Sec. \_\_\_\_ . DEPARTMENT OF HUMAN SERVICES. There is  
 7 appropriated from the general fund of the state to the  
 8 department of human services for the fiscal year  
 9 beginning July 1, 1998, and ending June 30, 1999, the  
 10 following amount, or so much thereof as is necessary,  
 11 to be transferred for child and family services to be  
 12 used to provide school-based supervision of children  
 13 adjudicated under chapter 232:

14 ..... **WMA** 3,000,000"  
 15 2. By renumbering as necessary.

By FOEGE of Linn	KINZER of Scott
BRAND of Tama	MASCHER of Johnson
BUKTA of Clinton	THOMAS of Clayton
COHOON of Des Moines	WARNSTADT of Woodbury
FALCK of Fayette	WISE of Lee

H-8648 FILED MARCH 24, 1998  
*Not Hermore - Motion to Suspend lost 3/26/98 (P. 988)*

SENATE FILE 2366

H-8649

1 Amend the amendment, H-8616, to Senate File 2366,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, by striking lines 24 through 28.  
 5 2. By striking page 15, line 2, through page 16,  
 6 line 9.  
 7 3. By renumbering as necessary.

By BUKTA of Clinton	KINZER of Scott
BRAND of Tama	MASCHER of Johnson
COHOON of Des Moines	THOMAS of Clayton
FALCK of Fayette	WARNSTADT of Woodbury
FOEGE of Linn	WISE of Lee

H-8649 FILED MARCH 24, 1998

*Lost 3/26/98  
 (P. 986)*

SENATE FILE 2366

H-8646

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

- 4 1. Page 1, by striking lines 11 through 23.
- 5 2. By striking page 4, line 1, through page 5,
- 6 line 46.
- 7 3. By renumbering as necessary.

By MASCHER of Johnson

BRAND of Tama  
 BUKTA of Clinton  
 COHOON of Des Moines  
 FALCK of Fayette

FOEGE of Linn  
 KINZER of Scott  
 THOMAS of Clayton  
 WARNSTADT of Woodbury  
 WISE of Lee

H-8646 FILED MARCH 24, 1998

**WITHDRAWN** 3-25-98 (p.949)  
 SENATE FILE 2366

H-8647

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

- 4 1. Page 15, by inserting after line 1 the
- 5 following:
- 6 "Sec. \_\_\_\_ . Section 257.20, subsection 2,
- 7 paragraphs a and b, Code 1997, are amended by striking
- 8 the paragraphs."
- 9 2. By renumbering as necessary.

By COHOON of Des Moines

MERTZ of Kossuth  
 BRAND of Tama  
 BUKTA of Clinton  
 FALCK of Fayette  
 FOEGE of Linn

KINZER of Scott  
 MASCHER of Johnson  
 THOMAS of Clayton  
 WARNSTADT of Woodbury  
 WISE of Lee

H-8647 FILED MARCH 24, 1998

*Lost 3/25/98  
 (p.960)*

SENATE FILE 2366

H-8651

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 2, by inserting after line 12 the  
5 following:

6 "Sec. \_\_\_\_ . COLLEGE STUDENT AID COMMISSION. There  
7 is appropriated from the general fund of the state to  
8 the college student aid commission for the fiscal year  
9 beginning July 1, 1998, and ending June 30, 1999, the  
10 following amount, or so much thereof as is necessary,  
11 to be used for the purpose designated:

12 For purposes of providing forgivable loans under  
13 the practitioner shortage loan payment program  
14 established in section 261.111, if enacted:

15 ..... \$ 300,000"

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

18 "Sec. \_\_\_\_ . NEW SECTION. 261.111 PRACTITIONER  
19 SHORTAGE LOAN PAYMENT PROGRAM.

20 1. A practitioner shortage loan payment program is  
21 established to be administered by the college student  
22 aid commission as provided in this section. The  
23 purpose of the loan payment program is to increase the  
24 number of qualified teachers and administrators in  
25 areas of the state experiencing a shortage of teachers  
26 or administrators. An individual is eligible for the  
27 program if the individual meets all of the following  
28 conditions:

29 a. Is a resident of this state who is enrolled at  
30 an institution of higher learning under the control of  
31 the state board of regents or an accredited private  
32 institution as defined in section 261.9.

33 b. Is enrolled in one or more of the subject areas  
34 determined by the department of education as  
35 experiencing a shortage of practitioners.

36 c. Has filed a loan application with the  
37 commission.

38 d. Meets the requirements for a practitioner  
39 shortage loan established in this chapter and by  
40 administrative rule.

41 2. A practitioner shortage loan shall be awarded  
42 for not more than the equivalent of two years and may  
43 be awarded to an eligible individual under this  
44 section if the individual agrees to serve as an  
45 administrator for two years, or agrees to teach for  
46 two years, in an area in this state that the  
47 department of education has determined is experiencing  
48 a shortage of practitioners. A loan awarded in  
49 accordance with this section, and the interest that  
50 accrues on the loan, shall not become due and payable

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1 until one year after the individual graduates. If a  
2 loan recipient submits evidence to the commission that  
3 the recipient was employed as a practitioner in a  
4 practitioner shortage area for a school year in  
5 accordance with this section, fifty percent of the  
6 principal amount of the loan and any interest accruing  
7 on fifty percent of the principal amount of the loan  
8 shall be canceled. If the recipient continues  
9 employment as a practitioner in a practitioner  
10 shortage area as provided in this section during the  
11 next succeeding school year and submits evidence to  
12 the commission of the continuation of employment as a  
13 practitioner as agreed to in accordance with this  
14 subsection, the recipient is not required to commence  
15 repayment during that school year and at the end of  
16 that school year the remaining principal amount of the  
17 loan, and any interest accruing on the principal  
18 amount of the loan, are canceled.

19 3. The interest rate on the loan shall be equal to  
20 the interest rate collected by an eligible lender  
21 under the Iowa guaranteed student loan program for the  
22 year in which the loan is made.

23 4. The commission shall prescribe by rule the  
24 terms of repayment. The commission shall set a final  
25 date for submission of applications each year and  
26 shall review the applications and inform the  
27 recipients within a reasonable time after the  
28 deadline.

29 5. The maximum loan a student is eligible to  
30 receive annually is an amount equal to the tuition  
31 rate established by institutions of higher learning  
32 under the control of the state board of regents as  
33 follows:

34 a. The annual resident undergraduate tuition rate  
35 if the individual is enrolled in an approved  
36 undergraduate practitioner preparation program.

37 b. The annual resident graduate tuition rate if  
38 the individual is enrolled in an approved graduate  
39 practitioner preparation program.

40 6. Eligible students may receive both a tuition  
41 grant under this chapter and a practitioner shortage  
42 loan.

43 7. A practitioner shortage loan payment fund is  
44 established in the office of the treasurer of state  
45 for deposit of payments made by loan recipients who do  
46 not fulfill the cancellation conditions of the loan  
47 program. Payments made by recipients on the loans  
48 shall be used to supplement moneys appropriated to the  
49 practitioner shortage loan payment program.

50 Notwithstanding section 8.33, moneys deposited in the

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- 1 practitioner shortage loan payment fund shall not
- 2 revert to the general fund of the state at the end of
- 3 a fiscal year, but shall remain in the practitioner
- 4 shortage loan payment fund and be continuously
- 5 available to make additional loans under the program."
- 6 3. By renumbering as necessary.

By MASCHER of Johnson

H-8651 FILED MARCH 24, 1998

*Not German 3/26/98 (p. 992)*

SENATE FILE 2366

H-8652

- 1 Amend the amendment, H-8616, to Senate File 2366,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 22, by inserting after line 45 the
- 5 following:
- 6 "Sec. \_\_\_\_ . Section 295.2, subsection 1, paragraph
- 7 c, Code Supplement 1997, is amended to read as
- 8 follows:
- 9 c. There is appropriated from the general fund of
- 10 the state to the department of education for each the
- 11 fiscal year of-the-fiscal-period beginning July 1,
- 12 1997, and ending-June-30,-2001 for each succeeding
- 13 fiscal year, the sum of thirty million dollars for the
- 14 school improvement technology program."
- 15 2. Page 23, by inserting before line 1 the
- 16 following:
- 17 "Sec. \_\_\_\_ . Section 295.5, Code 1997, is repealed."
- 18 3. By renumbering as necessary.

By FALCK of Fayette

H-8652 FILED MARCH 24, 1998

*Not German 3/26/98*  
*Motion to Suspend 3/26/98 (p. 984)*  
*Rules Lost*

## SENATE FILE 2366

H-8650

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

C 4 1. Page 11, line 25, by striking the word "nine"  
5 and inserting the following: "thirty".

A 6 2. Page 12, line 31, by inserting after the word  
7 "year." the following: "The report submitted by the  
8 school district shall also include the district-wide  
9 progress made in attaining student achievement goals  
10 on the academic and other core indicators adopted by  
11 rule by the department of education in accordance with  
12 1998 Iowa Acts, House File 2272, if enacted."

B 13 3. Page 13, lines 5 and 6, by striking the words  
14 "reading instruction in phonics, and other".

A 15 4. Page 13, by striking lines 9 through 12 and  
16 inserting the following: "following: class-size  
17 reduction, reading recovery instruction, and  
18 implementation of instructional programs".

By WISE of Lee

BRAND of Tama

BUKTA of Clinton

COHOON of Des Moines

FALCK of Fayette

FOEGE of Linn

KINZER of Scott

MASCHER of Johnson

THOMAS of Clayton

WARNSTADT of Woodbury

H-8650 FILED MARCH 24, 1998

A. Lost 3/25/98 (p. 955)

B. Lost 3/25/98 (p. 956)

C. W/Drawn 3/24/98 (p. 955)



H-8654

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 2, line 13, through page 3,  
5 line 50, and inserting the following:

6 "Sec. \_\_\_\_ . NEW SECTION. 256.17A TEACHER  
7 INTERNSHIP PILOT PROGRAM.

8 1. If the general assembly appropriates moneys for  
9 the establishment and ongoing administration of a  
10 teacher internship pilot program, the state board of  
11 education shall establish and implement a competitive  
12 pilot program approval process for a teacher  
13 internship pilot program open to all Iowa colleges and  
14 universities with master's programs in practitioner  
15 preparation approved by the state board. An  
16 internship program shall, at a minimum, include the  
17 following:

18 a. A one-year teaching experience conducted in a  
19 collaborating school district.

20 b. Application of best practices in diverse  
21 settings and diverse student needs under the  
22 mentorship of selected district teachers and  
23 postsecondary personnel.

24 c. Seminars and special projects designed to meet  
25 an intern's needs.

26 d. Support by master teachers.

27 e. Opportunity to attain coursework toward a  
28 master's degree.

29 2. The amount of grant awarded to an institution  
30 operating an approved teacher internship pilot program  
31 shall be based upon the number of pilot program  
32 participants at the institution, times the number of  
33 credit hours generated up to a maximum of twelve  
34 credit hours per participant, times two hundred  
35 dollars. **WITIV**

36 3. Intern participants in a teacher internship  
37 pilot program shall pay not more than two hundred  
38 dollars per credit hour to the institution operating a  
39 pilot program in accordance with this section.

40 4. a. There is appropriated from the general fund  
41 of the state to the department of education for the  
42 fiscal year beginning July 1, 1998, and ending June  
43 30, 1999, the sum of two hundred twenty thousand  
44 dollars for teacher internship pilot program grants.

45 b. There is appropriated from the general fund of  
46 the state to the department of education for each  
47 fiscal year of the fiscal period beginning July 1,  
48 2000, and ending June 30, 2002, the sum of five  
49 hundred seventy-five thousand dollars for teacher  
50 internship pilot program grants."

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1 2. By renumbering as necessary.

By FALCK of Fayette

H-8654 FILED MARCH 24, 1998

**WITHDRAWN**

3/24/98 (p.952)

SENATE FILE 2366

H-8653

1 Amend the amendment, H-8616, to Senate File 2366,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 22, by inserting after line 45 the  
 5 following:  
 6 "Sec. \_\_\_\_ . Section 295.4, subsection 1, Code 1997,  
 7 is amended to read as follows:  
 8 1. School districts, as defined in section 295.2,  
 9 subsection 8, shall expend funds received pursuant to  
 10 section 295.2 for the acquisition, lease, lease-  
 11 purchase, installation, and maintenance of  
 12 instructional technology equipment, including hardware  
 13 and software, materials and supplies related to  
 14 instructional technology, and staff development and  
 15 training related to instructional technology, and  
 16 shall establish priorities for the use of the funds.  
 17 ~~However, funds~~ Funds received by a school district  
 18 pursuant to section 295.2 shall not be expended to add  
 19 a full-time equivalent position or otherwise increase  
 20 staffing, unless the position added is that of  
 21 computer systems analyst."  
 22 2. By renumbering as necessary.

By FALCK of Fayette

H-8653 FILED MARCH 24, 1998

**WITHDRAWN**

3/26/98  
(p. 984)

MI

## SENATE FILE 2366

H-8659

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 14, line 28, by inserting after the word  
5 "section" the following: "and section 285.17. One-  
6 half of the amount appropriated under this subsection  
7 shall be used for purposes of this section and the  
8 remaining half shall be used for purposes of providing  
9 transportation assistance to public school districts  
10 as provided in section 285.17".  
11 2. Page 21, by inserting after line 4 the  
12 following:  
13 "Sec. \_\_\_\_ . NEW SECTION. 285.17 TRANSPORTATION  
14 ASSISTANCE AID TO DISTRICTS.  
15 1. Subject to an appropriation of sufficient funds  
16 by the general assembly, the department shall pay  
17 transportation assistance aid to school districts  
18 whose average transportation costs per pupil exceed  
19 one hundred twenty-five percent of the state average  
20 transportation costs per pupil determined under  
21 subsection 2.  
22 2. A district's average transportation costs per  
23 pupil shall be determined by dividing the district's  
24 actual cost for all children transported in all school  
25 buses for a school year pursuant to section 285.8, by  
26 the district's actual enrollment for the school year,  
27 as defined in section 257.6. The state average  
28 transportation costs per pupil shall be determined by  
29 dividing the total actual costs for all children  
30 transported in all districts for a school year, by the  
31 total of all districts' actual enrollments for the  
32 school year.  
33 3. A school district shall annually certify its  
34 actual cost for all children transported in all school  
35 buses by July 15 after each school year on forms  
36 prescribed by the department of education.  
37 4. If a school district's average transportation  
38 costs per pupil are greater than one hundred twenty-  
39 five percent of the state average transportation costs  
40 per pupil, the department of education shall pay  
41 transportation assistance aid equal to the amount of  
42 the difference multiplied by the district's actual  
43 enrollment for the school year. However, if the funds  
44 appropriated for purposes of this section are  
45 insufficient to pay transportation assistance aid as  
46 provided in this section, the payments to school  
47 districts determined by the department of education to  
48 be eligible for transportation assistance as provided  
49 in this section shall be prorated such that each  
50 school district eligible for assistance aid under this  
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1 section shall receive an amount of transportation  
 2 assistance aid equal to the percentage that the  
 3 transportation assistance aid to be provided to the  
 4 district bears to the total amount of transportation  
 5 assistance aid to be provided to all school districts  
 6 determined by the department of education to be  
 7 eligible for transportation assistance aid in  
 8 accordance with this section.

9 5. Transportation assistance aid received by a  
 10 school district pursuant to this section is  
 11 miscellaneous income for purposes of chapter 257."

12 3. Page 23, line 19, by striking the word and  
 13 figure "section 257.13" and inserting the following:  
 14 "sections 257.13 and 285.17,".

15 4. Page 23, line 21, by inserting after the word  
 16 and figure "subsection 2" the following: "and section  
 17 285.17, subsection 4".

18 5. By renumbering as necessary.

By WEIGEL of Chickasaw

MERTZ of Kossuth

KOENIGS of Mitchell

MAY of Worth

SCHERRMAN of Dubuque

OSTERHAUS of Jackson

H-8659 FILED MARCH 24, 1998

*out of order 3/25/98 (p. 959)*

SENATE FILE 2366

SENATE FILE 2366

H-8667

1 Amend the amendment, H-8616, to Senate File 2366 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by inserting after line 13 the  
5 following:

6 "Of the funds appropriated in this subsection,  
7 \$300,000 shall be used to provide grants in the amount  
8 of \$50,000 each to six school districts for extended  
9 year school pilot projects, and the department of  
10 education shall expend up to \$60,000 to conduct a  
11 study of the effectiveness of extended school years on  
12 student achievement."

13 2. Page 4, by inserting after line 36 the  
14 following:

15 " . School districts shall expend funds received  
16 for an extended school year pursuant to this section  
17 to, at a minimum, install air conditioning in  
18 attendance centers or finance other infrastructure  
19 needs of the school district related to an extended  
20 school year calendar, and to implement a calendar that  
21 may include, but is not limited to, modification of  
22 the current one-hundred-eighty-day calendar required  
23 pursuant to section 279.10, subsection 1. The  
24 modified calendar shall include a rotation of nine  
25 weeks of attendance and three weeks of nonattendance  
26 until the one-hundred-eighty-day calendar year  
27 requirement is met."

28 3. By renumbering as necessary.

By RICHARDSON of Warren

H-8667 FILED MARCH 25, 1998

**WITHDRAWN**

SENATE FILE 2366

H-8668

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 9, line 3, by inserting after the figure  
5 "2." the following: "The board of directors may  
6 contract with a public or private postsecondary  
7 institution with an approved practitioner preparation  
8 program, or with a member of the instructional staff  
9 of an approved practitioner preparation program, to  
10 perform the duties of the district facilitator in  
11 accordance with this chapter."

By RICHARDSON of Warren

H-8668 FILED MARCH 25, 1998

*Adopted*

*3/26/98*

*(p. 496)*

## SENATE FILE 2366

H-8665

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

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4 1. Page 17, by striking lines 38 and 39 and  
5 inserting the following: "If the total estimated  
6 accumulated".

A 7 2. Page 17, by striking lines 42 through 47 and  
8 inserting the following: "employees who retire under  
9 this section does not exceed the estimated savings in  
10 salaries and benefits for employees who replace the  
11 employees who retire under the program, the board may  
12 include in the district management levy an amount to  
13 pay the costs of the program provided in this  
14 section."

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15 3. Page 19, by inserting after line 28 the  
16 following:

B 17 "7. A teacher receiving a national board  
18 certification registration or annual award under  
19 section 256.44 shall be ineligible for an award under  
20 the instructional leadership pilot program as  
21 established in this section."

22 4. By renumbering as necessary.

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By BRUNKHORST of Bremer

H-8665 FILED MARCH 25, 1998

A. Lost 3/26/98 (p. 981)

B. Adopted 3/26/98 (p. 981)

## SENATE FILE 2366

H-8674

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 5, by inserting after line 46 the  
5 following:

6 "Sec. \_\_\_\_ . NEW SECTION. 256.39A SCHOOL-TO-WORK  
7 AND CAREER PATHWAYS -- ASSESSMENT AND APPROPRIATION.

8 1. A school district that assigns a weighting  
9 under section 257.11, subsection 8, shall establish  
10 clearly defined, measurable standards and shall  
11 annually use measurement instruments to assess the  
12 development of student employability skills. The  
13 school district shall provide the results of this  
14 assessment to the department of education upon  
15 request.

16 2. There is appropriated for the fiscal year  
17 beginning July 1, 1998, and each subsequent fiscal  
18 year from the general fund of the state ten million  
19 dollars, or so much thereof as is necessary, to the  
20 department of management to pay the supplementary aid  
21 pursuant to section 257.11, subsection 8. State aid  
22 paid under this section shall be paid in monthly  
23 installments beginning on September 15 of a budget  
24 year and ending on or about June 15 of the budget year  
25 as determined by the department of management, taking  
26 into consideration the relative budget and cash  
27 position of the state resources. All moneys received  
28 by a school district from the state under this chapter  
29 shall be deposited in the general fund of the school  
30 district and may be used for any school general fund  
31 purpose.

32 3. If the amount appropriated under subsection 2  
33 is insufficient to make the aid payments under  
34 subsection 2 and section 257.11, subsection 8, the  
35 director of the department of management shall prorate  
36 the payments on the basis of the amount appropriated."

37 2. Page 13, by inserting after line 18 the  
38 following:

39 "Sec. \_\_\_\_ . Section 257.11, unnumbered paragraph 1,  
40 Code 1997, is amended to read as follows:

41 In order to provide additional funds for school  
42 districts that offer school-to-work or career pathways  
43 programs as provided in section 256.38 or 256.39, or  
44 which send their resident pupils to another school  
45 district or to a community college for classes, which  
46 jointly employ and share the services of teachers  
47 under section 280.15, which use the services of a  
48 teacher employed by another school district, or which  
49 jointly employ and share the services of a school  
50 superintendent under section 280.15 or 273.7A, a

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1 supplementary weighting plan for determining  
2 enrollment is adopted as follows:

3 Sec. \_\_\_\_\_. Section 257.11, Code 1997, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 8. SCHOOL-TO-WORK OR CAREER  
6 PATHWAYS PROGRAMS. For the budget year commencing  
7 July 1, 1998, and for each succeeding budget year,  
8 resident pupils enrolled in grades nine through twelve  
9 within the district who are participating in a school-  
10 to-work program which meets the objectives identified  
11 in section 256.38, subsection 2, or which meets  
12 requirements identified in section 256.39, subsection  
13 2, shall be assigned an additional weighting of two-  
14 tenths of one pupil, subject to the provisions of  
15 section 256.39A, subsection 3."

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

18 "Sec. \_\_\_\_\_. Section 257.16, unnumbered paragraph 1,  
19 Code 1997, is amended to read as follows:

20 There is appropriated each year from the general  
21 fund of the state an amount necessary to pay the  
22 foundation aid and supplementary aid under section  
23 257.4, subsection 2, except as limited in section  
24 256.39A."

25 4. Page 23, by inserting after line 21 the  
26 following:

27 "Sec. 101. INITIAL YEAR ENROLLMENT CERTIFICATION  
28 -- INITIAL YEAR EXEMPTION. For the fiscal year  
29 beginning July 1, 1998, and ending June 30, 1999, to  
30 qualify for funding under section 257.11, subsection  
31 8, a school district shall certify to the department  
32 of education, by June 30, 1998, the number of pupils  
33 who were counted in the basic enrollment of the school  
34 district on the third Friday of September of the 1997-  
35 1998 school year who were participating in a school-  
36 to-work program as identified in section 256.38, or a  
37 career pathways program as identified in section  
38 256.39. The department of education shall promptly  
39 forward the information on additional enrollment  
40 because of school-to-work or career pathways program  
41 participation to the department of management. For  
42 the fiscal year beginning July 1, 1998, and ending  
43 June 30, 1999, the department of management shall pay  
44 supplementary aid as provided in section 256.39A and  
45 section 257.11, subsection 8, on the basis of this  
46 additional enrollment. Notwithstanding section  
47 256.39A, subsection 1, a school district is exempt  
48 from the requirements of section 256.39A relating to  
49 measurement instruments and assessment results for the  
50 fiscal year beginning July 1, 1998, and ending June

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Page 3

1 30, 1999."

2 5. Page 23, by inserting after line 39 the

3 following:

4 "Sec. \_\_\_\_ . EFFECTIVE DATE. Section 101 of this  
5 Act, relating to initial year enrollment  
6 certification, being deemed of immediate importance,  
7 takes effect upon enactment."

8 6. By renumbering as necessary.

By FALCK of Fayette  
BRAND of Tama  
BUKTA of Clinton  
COHOON of Des Moines  
FOEGE of Linn

KINZER of Scott  
MASCHER of Johnson  
THOMAS of Clayton  
WARNSTADT of Woodbury  
WISE of Lee

H-8674 FILED MARCH 25, 1998

*Not Germone - Motion to Suspend Rules lost  
3/26/98 (p. 995)*

## SENATE FILE 2366

H-8669

- 1 Amend the amendment, H-8616, to Senate File 2366,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 10, line 15, by inserting after the word
- 5 "plan," the following: "to provide for a stipend for
- 6 the district facilitator, and".

By RICHARDSON of Warren

H-8669 FILED MARCH 25, 1998

*Adopted*  
*3/26/98 (P. 996)*

## SENATE FILE 2366

H-8670

- 1 Amend the amendment, H-8616, to Senate File 2366 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 15, line 36, by striking the words "A
- 5 public school district," and inserting the following:
- 6 "An".

By RICHARDSON of Warren

H-8670 FILED MARCH 25, 1998

*Lost 3/26/98 (P. 980)*

## SENATE FILE 2366

H-8673

- 1 Amend the amendment, H-8616, to Senate File 2366,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 21, line 5 through page 22,
- 5 line 18.
- 6 2. Page 22, by inserting after line 39 the
- 7 following:
- 8 "Sec. \_\_\_\_ . Section 294A.25, Code Supplement 1997,
- 9 is amended by adding the following new subsection:
- 10 NEW SUBSECTION. 2A. For the fiscal year beginning
- 11 July 1, 1998, and ending June 30, 1999, a supplemental
- 12 allocation amount of two million four hundred thousand
- 13 dollars for phase II distribution as provided in
- 14 section 294A.9."
- 15 3. By renumbering as necessary.

By GRUNDBERG of Polk

H-8673 FILED MARCH 25, 1998

*Lost*  
*3/26/98*  
*(P. 983)*

## SENATE FILE 2366

H-8675

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 15, by inserting after line 1 the  
5 following:

6 "Sec. \_\_\_\_ . NEW SECTION. 257.51 SMALLER CLASS  
7 SIZE INFRASTRUCTURE PROGRAM.

8 1. A smaller class size infrastructure program  
9 that provides additional funding for school districts  
10 is established. A board of directors that wishes to  
11 consider participating in the smaller class size  
12 infrastructure program shall hold a public hearing on  
13 the question of participation. The board shall set  
14 forth its proposal, including the method that will be  
15 used to fund the program, in a resolution and shall  
16 publish the notice of the time and place of a public  
17 hearing on the resolution. Notice of the time and  
18 place of the public hearing shall be published not  
19 less than ten nor more than twenty days before the  
20 public hearing in a newspaper which is a newspaper of  
21 general circulation in the school district. At the  
22 hearing, or no later than thirty days after the date  
23 of the hearing, the board shall take action to adopt a  
24 resolution to participate in the smaller class size  
25 infrastructure program for a period not exceeding five  
26 years or to direct the county commissioner of  
27 elections to submit the question of participation in  
28 the program for a period not exceeding ten years to  
29 the registered voters of the school district at the  
30 next regular school election or at a special election.  
31 If the board submits the question at an election and a  
32 majority of those voting on the question favors  
33 participation in the program, the board shall adopt a  
34 resolution to participate and certify the results of  
35 the election to the department of management.

36 2. If the board does not provide for an election  
37 and adopts a resolution to participate in the smaller  
38 class size infrastructure program, the district shall  
39 participate in the smaller class size infrastructure  
40 program unless within twenty-eight days following the  
41 action of the board, the secretary of the board  
42 receives a petition containing the required number of  
43 signatures, asking that an election be called to  
44 approve or disapprove the action of the board in  
45 adopting the smaller class size infrastructure  
46 program. The petition must be signed by eligible  
47 electors equal in number to not less than one hundred  
48 or thirty percent of the number of voters at the last  
49 preceding regular school election, whichever is  
50 greater. The board shall either rescind its action or

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**WITHDRAWN**

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Page 2

1 direct the county commissioner of elections to submit  
2 the question to the registered voters of the school  
3 district at the next following regular school election  
4 or a special election. If a majority of those voting  
5 on the question at the election favors disapproval of  
6 the action of the board, the district shall not  
7 participate in the smaller class size infrastructure  
8 program. If a majority of those voting on the  
9 question favors approval of the action, the board  
10 shall certify the results of the election to the  
11 department of management and the district shall  
12 participate in the program.

13 At the expiration of the twenty-eight day period,  
14 if no petition is filed, the board shall certify its  
15 action to the department of management and the  
16 district shall participate in the program.

17 3. Participation in a smaller class size  
18 infrastructure program is not affected by a change in  
19 the boundaries of the school district, except as  
20 otherwise provided in this section. If each school  
21 district involved in a school reorganization under  
22 chapter 275 has approved a smaller class size  
23 infrastructure program, and if the voters have not  
24 voted upon the question of participation in the  
25 program in the reorganized district, the smaller class  
26 size infrastructure program shall be in effect for the  
27 reorganized district that has been approved for the  
28 least amount and the shortest time in any of the  
29 districts.

30 Sec.     . NEW SECTION. 257.52 SMALLER CLASS SIZE  
31 INFRASTRUCTURE FUNDING.

32 1. The additional funding for the smaller class  
33 size infrastructure program for a budget year is  
34 limited to an amount not exceeding ten percent of the  
35 total of regular program district cost for the budget  
36 year and moneys received under section 257.14 as a  
37 budget adjustment for the budget year. Moneys  
38 received by a district for the smaller class size  
39 infrastructure program are miscellaneous income and  
40 may be used for any general fund purpose. However,  
41 moneys received by a district for the smaller class  
42 size infrastructure program shall be expended solely  
43 for smaller class size infrastructure needs.

44 2. Certification of a board's intent to  
45 participate for a budget year, the method of funding,  
46 and the amount to be raised shall be made to the  
47 department of management not later than April 15 of  
48 the base year. Funding for the smaller class size  
49 infrastructure program shall be obtained from smaller  
50 class size infrastructure state aid and from local

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MWA FUNDING

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1 funding using either a smaller class size  
2 infrastructure income surtax or a combination of a  
3 smaller class size infrastructure property tax and a  
4 smaller class size infrastructure income surtax as  
5 determined by the board of directors.

6 3. The smaller class size infrastructure income  
7 surtax shall fund at least sixty percent of the local  
8 funding costs of the program. Subject to the  
9 limitation specified in section 298.14, for each  
10 budget year the board shall determine the percent of  
11 income surtax that will be imposed, expressed as full  
12 percentage points, not to exceed twenty percent.

13 4. For purposes of sections 257.51 through 257.60,  
14 "smaller class size infrastructure", means those  
15 activities for which a school district is authorized  
16 to contract indebtedness and issue general obligation  
17 bonds under section 296.1, except those activities  
18 related to a teacher's or superintendent's home or  
19 homes. The activities include the construction,  
20 reconstruction, repair, purchasing, or remodeling of  
21 schoolhouses, stadiums, gyms, fieldhouses, and bus  
22 garages, and the procurement of schoolhouse  
23 construction sites and the making of site  
24 improvements. Additionally, "school infrastructure"  
25 includes the payment or retirement of outstanding  
26 bonds previously issued for school infrastructure  
27 purposes as described in this subsection, and the  
28 maintenance of schoolhouses and school district  
29 property.

30 Sec. \_\_\_\_ . NEW SECTION. 257.53 SMALLER CLASS SIZE  
31 INFRASTRUCTURE STATE AID APPROPRIATION.

32 1. In order to determine the amount of smaller  
33 class size infrastructure state aid and the amount of  
34 local funding for the smaller class size  
35 infrastructure program for a district, the department  
36 of management shall divide the total assessed  
37 valuation in the state by the total budget enrollment  
38 for the budget year in the state to determine a state  
39 assessed valuation per pupil and shall divide the  
40 assessed valuation in each district by the district's  
41 budget enrollment for the budget year to determine the  
42 district assessed valuation per pupil. The department  
43 of management shall multiply the ratio of the state's  
44 valuation per pupil to the district's valuation per  
45 pupil by twenty-five hundredths and subtract that  
46 result from one to determine the portion of the  
47 smaller class size infrastructure program budget that  
48 is local funding. The remaining portion of the budget  
49 shall be funded by smaller class size infrastructure  
50 state aid.

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1 2. Notwithstanding section 8.57, subsection 5,  
2 paragraph "c", there is appropriated for each fiscal  
3 year from the rebuild Iowa infrastructure fund to the  
4 department of education, the sum of twenty million  
5 dollars to pay smaller class size infrastructure state  
6 aid as determined under subsection 1.

7 3. If the amount appropriated under subsection 2  
8 is insufficient to pay the amount of smaller class  
9 size infrastructure state aid determined under  
10 subsection 1, the department of education shall  
11 prorate the amount of the smaller class size  
12 infrastructure state aid provided to each district.

13 4. Smaller class size infrastructure state aid  
14 shall be paid at the same time and in the same manner  
15 as foundation aid is paid under section 257.16.

16 Sec. \_\_\_\_\_. NEW SECTION. 257.54 COMPUTATION OF  
17 SMALLER CLASS SIZE INFRASTRUCTURE AMOUNT.

18 1. The department of management shall establish  
19 the amount of smaller class size infrastructure  
20 property tax to be levied and the amount of smaller  
21 class size infrastructure income surtax to be imposed  
22 by a district in accordance with the decision of the  
23 board under section 257.52 for each school year for  
24 which the smaller class size infrastructure program is  
25 authorized. The department of management shall  
26 determine these amounts based upon the most recent  
27 figures available for the district's valuation of  
28 taxable property, individual state income tax paid,  
29 and budget enrollment in the district, and shall  
30 certify to the district's county auditor the amount of  
31 smaller class size infrastructure property tax if a  
32 smaller class size infrastructure property tax is to  
33 be imposed, and to the director of revenue and finance  
34 the amount of smaller class size infrastructure income  
35 surtax to be imposed.

36 2. The smaller class size infrastructure income  
37 surtax shall be imposed on the state individual income  
38 tax for the calendar year during which the school's  
39 budget year begins, or for a taxpayer's fiscal year  
40 ending during the second half of that calendar year  
41 and after the date the board adopts a resolution to  
42 participate in the program or the first half of the  
43 succeeding calendar year, and shall be imposed on all  
44 individuals residing in the school district on the  
45 last day of the applicable tax year. As used in this  
46 section, "state individual income tax" means the taxes  
47 computed under section 422.5, less the credits allowed  
48 in sections 422.11A, 422.11B, 422.12, and 422.12B.

49 Sec. \_\_\_\_\_. NEW SECTION. 257.55 STATUTES  
50 APPLICABLE.

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1 The director of revenue and finance shall  
2 administer the smaller class size infrastructure  
3 income surtax imposed under this chapter, and sections  
4 422.20, 422.22 to 422.31, 422.68, and 422.72 to 422.75  
5 shall apply with respect to administration of the  
6 smaller class size infrastructure income surtax.

7 Sec. \_\_\_\_ . NEW SECTION. 257.56 FORM AND TIME OF  
8 RETURN.

9 The smaller class size infrastructure income surtax  
10 shall be made a part of the Iowa individual income tax  
11 return subject to the conditions and restrictions set  
12 forth in section 422.21.

13 Sec. \_\_\_\_ . NEW SECTION. 257.57 DEPOSIT OF SMALLER  
14 CLASS SIZE INFRASTRUCTURE INCOME SURTAX.

15 1. The director of revenue and finance shall  
16 deposit all moneys received as smaller class size  
17 infrastructure income surtax to the credit of each  
18 district from which the moneys are received, in the  
19 school district income surtax fund which is  
20 established in section 298.14.

21 2. The director of revenue and finance shall  
22 deposit smaller class size infrastructure income  
23 surtax moneys received on or before November 1 of the  
24 year following the close of the school budget year for  
25 which the surtax is imposed to the credit of each  
26 district from which the moneys are received in the  
27 school district income surtax fund.

28 3. Smaller class size infrastructure income surtax  
29 moneys received or refunded after November 1 of the  
30 year following the close of the school budget year for  
31 which the surtax is imposed shall be deposited in or  
32 withdrawn from the general fund of the state and shall  
33 be considered part of the cost of administering the  
34 smaller class size infrastructure income surtax. **TW**

35 Sec. \_\_\_\_ . NEW SECTION. 257.58 SMALLER CLASS SIZE  
36 INFRASTRUCTURE INCOME SURTAX CERTIFICATION.

37 On or before October 20 each year, the director of  
38 revenue and finance shall make an accounting of the  
39 smaller class size infrastructure income surtax  
40 collected under this chapter applicable to tax returns  
41 for the last preceding calendar year, or for a  
42 taxpayer's fiscal year ending during the second half  
43 of that calendar year and after the date the board  
44 adopts a resolution to participate in the program, or  
45 the first half of the succeeding calendar year, from  
46 taxpayers in each school district in the state which  
47 has approved the smaller class size infrastructure  
48 program, and shall certify to the department of  
49 management and the department of education the amount  
50 of total smaller class size infrastructure income

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1 surtax credited from the taxpayers of each school  
2 district.

3 Sec. \_\_\_\_ . NEW SECTION. 257.59 SMALLER CLASS SIZE  
4 INFRASTRUCTURE INCOME SURTAX DISTRIBUTION.

5 The director of revenue and finance shall draw  
6 warrants in payment of the amount of smaller class  
7 size infrastructure surtax in the manner provided in  
8 section 298.14.

9 Sec. \_\_\_\_ . NEW SECTION. 257.60 CONTINUATION OF  
10 SMALLER CLASS SIZE INFRASTRUCTURE PROGRAM.

11 1. At the expiration of the period for which the  
12 smaller class size infrastructure program was adopted,  
13 the program may be extended for a period of not  
14 exceeding five or ten years in the manner provided in  
15 section 257.51.

16 2. If the voters do not approve adoption of the  
17 smaller class size infrastructure program, the board  
18 shall wait at least one hundred twenty days following  
19 the election before taking action to adopt the program  
20 or resubmit the proposition."

21 2. By renumbering as necessary.

By WARNSTADT of Woodbury  
BRAND of Tama  
BUKTA of Clinton  
COHOON of Des Moines  
FALCK of Fayette

FOEGE of Linn  
KINZER of Scott  
MASCHER of Johnson  
THOMAS of Clayton  
WISE of Lee

H-8675 FILED MARCH 25, 1998

**WITHDRAWN**

3/26/98 (p.971)



SENATE FILE 2366

H-8678

1 Amend the amendment, H-8616, to Senate File 2366 as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 23, by inserting after line 25 the  
 5 following:  
 6 "Sec. \_\_\_\_ . APPLICABILITY. Section 279.19, as  
 7 amended by this Act, shall not apply to a teacher  
 8 employed by a school district prior to July 1, 1998.  
 9 Section 279.19, Code 1997, shall remain applicable to  
 10 a teacher employed by a school district prior to July  
 11 1, 1998."  
 12 2. By renumbering as necessary.

By RANTS of Woodbury

H-8678 FILED MARCH 25, 1998

*Adopted 3-26-98 (p. 985)*

SENATE FILE 2366

H-8680

1 Amend the amendment, H-8616, to Senate File 2366 as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 2, line 16, by striking the words "state  
 5 board" and inserting the following: "department".  
 6 2. Page 2, line 17, by striking the word and  
 7 figures "July 1, 1999" and inserting the following:  
 8 "November 1, 1998".  
 9 3. Page 4, line 13, by striking the words  
 10 "calendar or" and inserting the following: "or".

A

11 4. Page 13, by inserting after line 18 the  
 12 following:  
 13 "Sec. \_\_\_\_ . Section 257.1, subsection 2, unnumbered  
 14 paragraph 3, Code 1997, is amended to read as follows:  
 15 For the budget year commencing July 1, ~~1995~~ 1999,  
 16 the department of management shall add the amount of  
 17 the additional budget adjustment computed in section  
 18 257.14, subsection 2, to the combined foundation  
 19 base."  
 20 5. Page 23, line 24, by striking the word and  
 21 figure "section 279.60" and inserting the following:  
 22 "sections 256.17A and 279.60".  
 23 6. By renumbering as necessary.

B

By BRUNKHORST of Bremer

H-8680 FILED MARCH 25, 1998

*A. adopted 3/25/98 (p. 952)*  
*B. adopted 3/25/98 (p. 957)*

## SENATE FILE 2366

H-8677

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 2, by inserting after line 12 the  
5 following:

6 "Sec. 101. Section 256.16, Code 1997, is amended  
7 to read as follows:

8 256.16 SPECIFIC CRITERIA FOR TEACHER PRACTITIONER  
9 PREPARATION AND-CERTAIN-EDUCATORS.

10 1. Pursuant to section 256.7, subsection 5, the  
11 state board shall adopt rules requiring all higher  
12 education institutions providing practitioner  
13 preparation to include-in-the-professional-education  
14 program, preparation demonstrate that each student who  
15 graduates from the practitioner preparation program  
16 successfully completed the following:

17 a. Preparation that contributes to education of  
18 students with disabilities and students who are gifted  
19 and talented, which-must-be-successfully-completed  
20 before-graduation-from-the-practitioner-preparation  
21 program.

22 b. Preparation for recognizing at-risk students,  
23 and for understanding and ameliorating the behavior of  
24 at-risk students. For purposes of this section, "at-  
25 risk students" shall include students who are "at-  
26 risk" as defined under administrative rules adopted by  
27 the state board of education, or who are at risk of  
28 becoming a substance abuser, or who have been  
29 identified as a substance abuser.

30 c. Preparation for accelerating the achievement of  
31 students through the use of learning techniques that  
32 shall include, but are not limited to, reading  
33 instruction in phonics.

34 2. A person initially applying for a license shall  
35 successfully complete a professional education program  
36 containing the subject matter specified in this  
37 section, before the initial action by the board of  
38 educational examiners takes place.

39 2. Page 23, by inserting after line 25 the  
40 following:

41 "Sec. \_\_\_\_ . EFFECTIVE DATE. Section 101 of this  
42 Act, relating to preparation for recognizing at-risk  
43 students and for accelerating the achievement growth  
44 of students through the use of learning techniques,  
45 takes effect July 1, 1999."

By THOMSON of Linn

H-8677 FILED MARCH 25, 1998

Adopted  
3/25/98

(p. 951)

## SENATE FILE 2366

H-8685

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 15, by inserting after line 1 the  
5 following:

6 "Sec. \_\_\_\_ . NEW SECTION. 257.51 SMALLER CLASS  
7 SIZE INFRASTRUCTURE PROGRAM.

8 1. A smaller class size infrastructure program  
9 that provides additional funding for school districts  
10 is established. A board of directors that wishes to  
11 consider participating in the smaller class size  
12 infrastructure program shall hold a public hearing on  
13 the question of participation. The board shall set  
14 forth its proposal, including the method that will be  
15 used to fund the program, in a resolution and shall  
16 publish the notice of the time and place of a public  
17 hearing on the resolution. Notice of the time and  
18 place of the public hearing shall be published not  
19 less than ten nor more than twenty days before the  
20 public hearing in a newspaper which is a newspaper of  
21 general circulation in the school district. At the  
22 hearing, or no later than thirty days after the date  
23 of the hearing, the board shall take action to adopt a  
24 resolution to participate in the smaller class size  
25 infrastructure program for a period not exceeding five  
26 years or to direct the county commissioner of  
27 elections to submit the question of participation in  
28 the program for a period not exceeding ten years to  
29 the registered voters of the school district at the  
30 next regular school election or at a special election.  
31 If the board submits the question at an election and a  
32 majority of those voting on the question favors  
33 participation in the program, the board shall adopt a  
34 resolution to participate and certify the results of  
35 the election to the department of management.

36 2. If the board does not provide for an election  
37 and adopts a resolution to participate in the smaller  
38 class size infrastructure program, the district shall  
39 participate in the smaller class size infrastructure  
40 program unless within twenty-eight days following the  
41 action of the board, the secretary of the board  
42 receives a petition containing the required number of  
43 signatures, asking that an election be called to  
44 approve or disapprove the action of the board in  
45 adopting the smaller class size infrastructure  
46 program. The petition must be signed by eligible  
47 electors equal in number to not less than one hundred  
48 or thirty percent of the number of voters at the last  
49 preceding regular school election, whichever is  
50 greater. The board shall either rescind its action or

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1 direct the county commissioner of elections to submit  
2 the question to the registered voters of the school  
3 district at the next following regular school election  
4 or a special election. If a majority of those voting  
5 on the question at the election favors disapproval of  
6 the action of the board, the district shall not  
7 participate in the smaller class size infrastructure  
8 program. If a majority of those voting on the  
9 question favors approval of the action, the board  
10 shall certify the results of the election to the  
11 department of management and the district shall  
12 participate in the program.

13 At the expiration of the twenty-eight day period,  
14 if no petition is filed, the board shall certify its  
15 action to the department of management and the  
16 district shall participate in the program.

17 3. Participation in a smaller class size  
18 infrastructure program is not affected by a change in  
19 the boundaries of the school district, except as  
20 otherwise provided in this section. If each school  
21 district involved in a school reorganization under  
22 chapter 275 has approved a smaller class size  
23 infrastructure program, and if the voters have not  
24 voted upon the question of participation in the  
25 program in the reorganized district, the smaller class  
26 size infrastructure program shall be in effect for the  
27 reorganized district that has been approved for the  
28 least amount and the shortest time in any of the  
29 districts.

30 Sec. \_\_\_\_ . NEW SECTION. 257.52 SMALLER CLASS SIZE  
31 INFRASTRUCTURE FUNDING.

32 1. The additional funding for the smaller class  
33 size infrastructure program for a budget year is  
34 limited to an amount not exceeding ten percent of the  
35 total of regular program district cost for the budget  
36 year and moneys received under section 257.14 as a  
37 budget adjustment for the budget year. Moneys  
38 received by a district for the smaller class size  
39 infrastructure program are miscellaneous income and  
40 may be used for any general fund purpose. However,  
41 moneys received by a district for the smaller class  
42 size infrastructure program shall be expended solely  
43 for smaller class size infrastructure needs.

44 2. Certification of a board's intent to  
45 participate for a budget year, the method of funding,  
46 and the amount to be raised shall be made to the  
47 department of management not later than April 15 of  
48 the base year. Funding for the smaller class size  
49 infrastructure program shall be obtained from smaller  
50 class size infrastructure state aid and from local

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1 funding using either a smaller class size  
2 infrastructure income surtax or a combination of a  
3 smaller class size infrastructure property tax and a  
4 smaller class size infrastructure income surtax as  
5 determined by the board of directors.

6 3. The smaller class size infrastructure income  
7 surtax shall fund at least sixty percent of the local  
8 funding costs of the program. Subject to the  
9 limitation specified in section 298.14, for each  
10 budget year the board shall determine the percent of  
11 income surtax that will be imposed, expressed as full  
12 percentage points, not to exceed twenty percent.

13 4. For purposes of sections 257.51 through 257.60,  
14 "smaller class size infrastructure", means those  
15 activities for which a school district is authorized  
16 to contract indebtedness and issue general obligation  
17 bonds under section 296.1, except those activities  
18 related to a teacher's or superintendent's home or  
19 homes. The activities include the construction,  
20 reconstruction, repair, purchasing, or remodeling of  
21 schoolhouses, and the procurement of schoolhouse  
22 construction sites and the making of site  
23 improvements. Additionally, "school infrastructure"  
24 includes the payment or retirement of outstanding  
25 bonds previously issued for school infrastructure  
26 purposes as described in this subsection, and the  
27 maintenance of schoolhouses and school district  
28 property.

29 Sec. \_\_\_\_. NEW SECTION. 257.53 SMALLER CLASS SIZE  
30 INFRASTRUCTURE STATE AID APPROPRIATION.

31 1. In order to determine the amount of smaller  
32 class size infrastructure state aid and the amount of  
33 local funding for the smaller class size  
34 infrastructure program for a district, the department  
35 of management shall divide the total assessed  
36 valuation in the state by the total budget enrollment  
37 for the budget year in the state to determine a state  
38 assessed valuation per pupil and shall divide the  
39 assessed valuation in each district by the district's  
40 budget enrollment for the budget year to determine the  
41 district assessed valuation per pupil. The department  
42 of management shall multiply the ratio of the state's  
43 valuation per pupil to the district's valuation per  
44 pupil by twenty-five hundredths and subtract that  
45 result from one to determine the portion of the  
46 smaller class size infrastructure program budget that  
47 is local funding. The remaining portion of the budget  
48 shall be funded by smaller class size infrastructure  
49 state aid.

50 2. There is appropriated for each fiscal year from

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1 the rebuild Iowa infrastructure fund to the department  
2 of education, the sum of twenty million dollars to pay  
3 smaller class size infrastructure state aid as  
4 determined under subsection 1.

5 3. If the amount appropriated under subsection 2  
6 is insufficient to pay the amount of smaller class  
7 size infrastructure state aid determined under  
8 subsection 1, the department of education shall  
9 prorate the amount of the smaller class size  
10 infrastructure state aid provided to each district.

11 4. Smaller class size infrastructure state aid  
12 shall be paid at the same time and in the same manner  
13 as foundation aid is paid under section 257.16.

14 Sec. \_\_\_\_ . NEW SECTION. 257.54 COMPUTATION OF  
15 SMALLER CLASS SIZE INFRASTRUCTURE AMOUNT.

16 1. The department of management shall establish  
17 the amount of smaller class size infrastructure  
18 property tax to be levied and the amount of smaller  
19 class size infrastructure income surtax to be imposed  
20 by a district in accordance with the decision of the  
21 board under section 257.52 for each school year for  
22 which the smaller class size infrastructure program is  
23 authorized. The department of management shall  
24 determine these amounts based upon the most recent  
25 figures available for the district's valuation of  
26 taxable property, individual state income tax paid,  
27 and budget enrollment in the district, and shall  
28 certify to the district's county auditor the amount of  
29 smaller class size infrastructure property tax if a  
30 smaller class size infrastructure property tax is to  
31 be imposed, and to the director of revenue and finance  
32 the amount of smaller class size infrastructure income  
33 surtax to be imposed.

34 2. The smaller class size infrastructure income  
35 surtax shall be imposed on the state individual income  
36 tax for the calendar year during which the school's  
37 budget year begins, or for a taxpayer's fiscal year  
38 ending during the second half of that calendar year  
39 and after the date the board adopts a resolution to  
40 participate in the program or the first half of the  
41 succeeding calendar year, and shall be imposed on all  
42 individuals residing in the school district on the  
43 last day of the applicable tax year. As used in this  
44 section, "state individual income tax" means the taxes  
45 computed under section 422.5, less the credits allowed  
46 in sections 422.11A, 422.11B, 422.12, and 422.12B.

47 Sec. \_\_\_\_ . NEW SECTION. 257.55 STATUTES  
48 APPLICABLE.

49 The director of revenue and finance shall  
50 administer the smaller class size infrastructure

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1 income surtax imposed under this chapter, and sections  
2 422.20, 422.22 to 422.31, 422.68, and 422.72 to 422.75  
3 shall apply with respect to administration of the  
4 smaller class size infrastructure income surtax.

5 Sec. \_\_\_\_ . NEW SECTION. 257.56 FORM AND TIME OF  
6 RETURN.

7 The smaller class size infrastructure income surtax  
8 shall be made a part of the Iowa individual income tax  
9 return subject to the conditions and restrictions set  
10 forth in section 422.21.

11 Sec. \_\_\_\_ . NEW SECTION. 257.57 DEPOSIT OF SMALLER  
12 CLASS SIZE INFRASTRUCTURE INCOME SURTAX.

13 1. The director of revenue and finance shall  
14 deposit all moneys received as smaller class size  
15 infrastructure income surtax to the credit of each  
16 district from which the moneys are received, in the  
17 school district income surtax fund which is  
18 established in section 298.14.

19 2. The director of revenue and finance shall  
20 deposit smaller class size infrastructure income  
21 surtax moneys received on or before November 1 of the  
22 year following the close of the school budget year for  
23 which the surtax is imposed to the credit of each  
24 district from which the moneys are received in the  
25 school district income surtax fund.

26 3. Smaller class size infrastructure income surtax  
27 moneys received or refunded after November 1 of the  
28 year following the close of the school budget year for  
29 which the surtax is imposed shall be deposited in or  
30 withdrawn from the general fund of the state and shall  
31 be considered part of the cost of administering the  
32 smaller class size infrastructure income surtax.

33 Sec. \_\_\_\_ . NEW SECTION. 257.58 SMALLER CLASS SIZE  
34 INFRASTRUCTURE INCOME SURTAX CERTIFICATION.

35 On or before October 20 each year, the director of  
36 revenue and finance shall make an accounting of the  
37 smaller class size infrastructure income surtax  
38 collected under this chapter applicable to tax returns  
39 for the last preceding calendar year, or for a  
40 taxpayer's fiscal year ending during the second half  
41 of that calendar year and after the date the board  
42 adopts a resolution to participate in the program, or  
43 the first half of the succeeding calendar year, from  
44 taxpayers in each school district in the state which  
45 has approved the smaller class size infrastructure  
46 program, and shall certify to the department of  
47 management and the department of education the amount  
48 of total smaller class size infrastructure income  
49 surtax credited from the taxpayers of each school  
50 district.

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1 Sec. \_\_\_\_ . NEW SECTION. 257.59 SMALLER CLASS SIZE  
 2 INFRASTRUCTURE INCOME SURTAX DISTRIBUTION.  
 3 The director of revenue and finance shall draw  
 4 warrants in payment of the amount of smaller class  
 5 size infrastructure surtax in the manner provided in  
 6 section 298.14.

7 Sec. \_\_\_\_ . NEW SECTION. 257.60 CONTINUATION OF  
 8 SMALLER CLASS SIZE INFRASTRUCTURE PROGRAM.

9 1. At the expiration of the period for which the  
 10 smaller class size infrastructure program was adopted,  
 11 the program may be extended for a period of not  
 12 exceeding five or ten years in the manner provided in  
 13 section 257.51.

14 2. If the voters do not approve adoption of the  
 15 smaller class size infrastructure program, the board  
 16 shall wait at least one hundred twenty days following  
 17 the election before taking action to adopt the program  
 18 or resubmit the proposition."

19 2. By renumbering as necessary.

By WARNSTADT of Woodbury  
 BRAND of Tama  
 BUKTA of Clinton  
 COHOON of Des Moines  
 FALCK of Fayette

FOEGE of Linn  
 KINZER of Scott  
 MASCHER of Johnson  
 THOMAS of Clayton  
 WISE of Lee

H-8685 FILED MARCH 25, 1998

*Not Serrano 3/26/98 (p. 978)*

**SENATE FILE 2366**

H-8687

1 Amend the amendment, H-8616, to Senate File 2366,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:

4 1. Page 2, line 28, by inserting after the word  
 5 "district." the following: "A student intern shall  
 6 have graduated from an approved practitioner  
 7 preparation program offered by an institution of  
 8 higher education under the state board of regents or  
 9 an accredited private institution as defined in  
 10 section 261.9."

By RICHARDSON of Warren

H-8687 FILED MARCH 25, 1998

*Adopted  
3/26/98  
(p. 992)*



SENATE FILE 2366

H-8688

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 21, line 5, through page 22,  
5 line 18 and inserting the following:

6 "Sec. \_\_\_\_\_. Section 294A.1, unnumbered paragraph 1,  
7 Code 1997, is amended to read as follows:

8 The purpose of this chapter is to promote  
9 excellence in education. In order to maintain and  
10 advance the educational excellence in the state of  
11 Iowa, this chapter establishes the Iowa educational  
12 excellence program. The program shall consist of  
13 three two major phases addressing the following:

A 14 Sec. \_\_\_\_\_. Section 294A.10, subsections 1 and 2,  
15 Code 1997, are amended by striking the subsections."

16 2. Page 22, by inserting after line 39 the  
17 following:

18 "Sec. \_\_\_\_\_. Section 294A.25, Code Supplement 1997,  
19 is amended by adding the following new subsection:  
20 NEW SUBSECTION. 2A. For the fiscal year beginning  
21 July 1, 1998, and ending June 30, 1999, a supplemental  
22 allocation amount of fourteen million four hundred  
23 thousand dollars for phase II distribution as provided  
24 in section 294A.9."

25 3. Page 22, by inserting after line 50 the  
26 following:

27 "Sec. 101. Section 422.12, subsection 2, Code  
28 1997, is amended by striking the subsection.

29 Sec. 102. Sections 294A.4 through 294A.6, Code  
30 1997, are repealed.

B 31 Sec. \_\_\_\_\_. DIRECTIONS TO CODE EDITOR. With the  
32 enactment of section 102 of this Act, the Iowa Code  
33 editor shall revise references in the Code to phase I,  
34 phase II, and phase III of the educational excellence  
35 program established in chapter 294A to instead refer  
36 to phase I as the retention of quality teachers, and  
37 phase II as the enhancement of the quality and  
38 effectiveness of teachers through the utilization of  
39 performance pay. The references revised by the Code  
40 editor pursuant to this section shall take effect July  
41 1, 1998. The reference changes considered by the Code  
42 editor shall include but are not limited to the  
43 following: sections 256.18, 258.17, 282.18, 294A.1,  
44 294A.3, 294A.10, 294A.12 through 294A.16, 294A.18  
45 through 294A.20, 294A.22, 294A.23, and 294A.25.

46 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. Section 101  
47 of this Act, relating to section 422.12, subsection 2,  
48 applies retroactively to January 1, 1997, for tax  
49 years beginning on or after January 1, 1997."

50 4. By renumbering as necessary.

By CONNORS of Polk

H-8688 FILED MARCH 25, 1998

A. W/D 3/26/98 (p.996)

B. W/D 3-26-98 (p.984)

SENATE FILE 2366

H-8681

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 2, by inserting after line 12 the  
5 following:

6 "Sec. \_\_\_\_ . STATE BOARD OF REGENTS. There is  
7 appropriated from the general fund of the state to the  
8 state board of regents for the fiscal year beginning  
9 July 1, 1998, and ending June 30, 1999, the following  
10 amount, or so much thereof as is necessary, to be used  
11 for the purposes designated:

12 For purposes of practitioner preparation program  
13 reform at the institutions of higher learning under  
14 the control of the state board of regents, including  
15 but not limited to, implementation of instructional  
16 technology improvements:

17 ..... \$ 1,500,000"

18 2. By renumbering as necessary.

By MASCHER of Johnson  
WISE of Lee

H-8681 FILED MARCH 25, 1998

*W/D 3/26/98 (p.992)*

SENATE FILE 2366

H-8682

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 7, by inserting after line 3 the  
5 following:

6 " \_\_\_\_ . For purposes of this section, and in  
7 addition to the definition provided in subsection 1,  
8 "teacher" also means a counselor who is a practitioner  
9 as defined in section 272.1. For purposes of this  
10 section, "national board for professional teaching  
11 standards" means the national board for professional  
12 teaching standards or the national board for certified  
13 counselors, inc."

14 2. By renumbering as necessary.

By MASCHER of Johnson

H-8682 FILED MARCH 25, 1998

*Last  
3/26/98  
(p.996)*

SENATE FILE 2366

H-8690

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by striking lines 11 through 28.

5 2. By striking page 1, line 36 through page 7,  
6 line 7 and inserting the following:

7 "\_\_\_\_. For support of public school district  
8 improvements in educational practices and programs for  
9 students enrolled in grades four through 12:

10 ..... \$ 5,585,000

11 a. From the moneys appropriated in this  
12 subsection, the amount of moneys allocated to school  
13 districts shall be in the proportion that the basic  
14 enrollment of a district bears to the sum of the basic  
15 enrollments of all school districts in the state for  
16 the budget year.

17 b. The department of education shall notify the  
18 department of revenue and finance of the amount to be  
19 paid to each school district based upon the  
20 distribution plan set forth for the appropriation made  
21 pursuant to this subsection. The allocation to each  
22 school district under this subsection shall be made in  
23 one payment on or about October 15 of the fiscal year,  
24 taking into consideration the relative budget and cash  
25 position of the state resources. However, a district  
26 shall not receive less than seven thousand five  
27 hundred dollars.

28 c. Moneys received under this subsection shall not  
29 be commingled with state aid payments made under  
30 section 257.16 to a school district and shall be  
31 accounted for by the local school district separately  
32 from state aid payments.

33 \_\_\_\_\_. Payments made to school districts under this  
34 subsection are miscellaneous income for purposes of  
35 chapter 257 or are considered encumbered. Each local  
36 school district shall maintain a separate listing  
37 within the district's budget for payments received and  
38 expenditures made pursuant to this subsection.

39 \_\_\_\_\_. Moneys received under this subsection shall  
40 not be used for payment of any collective bargaining  
41 agreement or arbitrator's decision negotiated or  
42 awarded under chapter 20."

43 3. By striking page 7, line 48, through page 11,  
44 line 6.

45 4. By striking page 15, line 2, through page 16,  
46 line 9.

47 5. By striking page 16, line 10, through page 17,  
48 line 4.

49 6. By striking page 17, line 5, through page 20,  
50 line 34.

H-8690

H-8690

Page 2

- 1 7. By striking page 21, line 5, through page 22,
- 2 line 39.
- 3 8. By striking page 22, line 46, through page 23,
- 4 line 6.
- 5 9. Page 23, by striking lines 22 through 31.
- 6 10. By renumbering as necessary.

By GARMAN of Story

H-8690 FILED MARCH 25, 1998

*Loos + 3/28/98 (p.950)*

SENATE FILE 2366

H-8691

- 1 Amend the amendment, H-8616, to Senate File 2366,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 15, by inserting after line 1 the
- 5 following:
- 6 "Sec. \_\_\_\_ . Section 257.20, subsection 2, paragraph
- 7 a, Code 1997, is amended to read as follows:
- 8 a. However, for the fiscal year beginning July 1,
- 9 1998, moneys appropriated under this subsection shall
- 10 not exceed the amount of moneys appropriated as
- 11 instructional support state aid for the budget year
- 12 which commenced on July 1, 1992. For the fiscal year
- 13 beginning July 1, 1999, and for each succeeding fiscal
- 14 year, moneys appropriated under this subsection shall
- 15 not exceed the sum of sixteen million seven hundred
- 16 ninety-eight thousand two hundred twenty-seven
- 17 dollars."
- 18 2. By renumbering as necessary.

By GRUNDBERG of Polk  
JACOBS of Polk  
METCALF of Polk

H-8691 FILED MARCH 25, 1998

*3/26/98 (p.978) Not Gervase - Motion to Suspend Rules - Motion Prevailed*

*3/26/98 Adapted (p.980)*

## SENATE FILE 2366

H-8692

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 2, line 13, through page 3,  
5 line 50, and inserting the following:

6 "Sec. \_\_\_\_ . NEW SECTION. 256.17A TEACHER  
7 INTERNSHIP PILOT PROGRAM.

8 1. If the general assembly appropriates moneys for  
9 the establishment and ongoing administration of a  
10 teacher internship pilot program, the state board of  
11 education shall establish and implement a competitive  
12 pilot program approval process for a teacher  
13 internship pilot program open to all Iowa colleges and  
14 universities with master's programs in practitioner  
15 preparation approved by the state board. An  
16 internship program shall, at a minimum, include the  
17 following:

18 a. A one-year teaching experience conducted in a  
19 collaborating school district.

20 b. Application of best practices in diverse  
21 settings and diverse student needs under the  
22 mentorship of selected district teachers and  
23 postsecondary personnel.

24 c. Seminars and special projects designed to meet  
25 an intern's needs.

26 d. Support by master teachers.

27 e. Opportunity to attain coursework toward a  
28 master's degree.

29 2. The amount of grant awarded to an institution  
30 operating an approved teacher internship pilot program  
31 shall be based upon the number of pilot program  
32 participants at the institution, times the number of  
33 credit hours generated up to a maximum of twelve  
34 credit hours per participant, times two hundred  
35 dollars.

36 3. Intern participants in a teacher internship  
37 pilot program shall pay not more than two hundred  
38 dollars per credit hour to the institution operating a  
39 pilot program in accordance with this section.

40 4. a. There is appropriated from the general fund  
41 of the state to the department of education for the  
42 fiscal year beginning July 1, 1998, and ending June  
43 30, 1999, the sum of two hundred twenty thousand  
44 dollars for teacher internship pilot program grants.

45 b. There is appropriated from the general fund of  
46 the state to the department of education for each  
47 fiscal year of the fiscal period beginning July 1,  
48 1999, and ending June 30, 2001, the sum of five  
49 hundred seventy-five thousand dollars for teacher  
50 internship pilot program grants."

H-8692

-1-

H-8692

Page 2

1 2. By renumbering as necessary.

By FALCK of Fayette

H-8692 FILED MARCH 25, 1998

**WITHDRAWN** 3/25/98 (p.953)

SENATE FILE 2366

H-8693

1 Amend the amendment, H-8616, to Senate File 2366 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by inserting after line 13 the  
5 following:

6 "Of the funds appropriated in this subsection,  
7 \$300,000 shall be used to provide grants in the amount  
8 of \$50,000 each to six school districts for extended  
9 year school pilot projects, and the department of  
10 education shall expend up to \$60,000 to contract with  
11 an accredited private postsecondary institution or an  
12 institution of higher learning under the control of  
13 the state board of regents to conduct a study of the  
14 effectiveness of extended school years on student  
15 achievement."

16 2. Page 4, by inserting after line 36 the  
17 following:

18 "\_\_\_\_. School districts shall expend funds received  
19 for an extended school year pursuant to this section  
20 to, at a minimum, install air conditioning in  
21 attendance centers or finance other infrastructure  
22 needs of the school district related to an extended  
23 school year calendar, and to implement a calendar that  
24 may include, but is not limited to, modification of  
25 the current one-hundred-eighty-day calendar required  
26 pursuant to section 279.10, subsection 1. The  
27 modified calendar shall include a rotation of nine  
28 weeks of attendance and three weeks of nonattendance  
29 until the one-hundred-eighty-day calendar year  
30 requirement is met."

31 3. By renumbering as necessary.

By RICHARDSON of Warren

H-8693 FILED MARCH 25, 1998

A. Lost 3/26/98 (p.986)

B. w/D 3/26/98 (p.992)

SENATE FILE 2366

H-8694

1 Amend the amendment, H-8616, to Senate File 2366 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 2, by striking lines 2 through 12.

5 2. By striking page 17, line 48, through page 20,  
6 line 34.

7 3. Page 23, line 24, by striking the words "and  
8 section 279.60".

9 4. By renumbering as necessary.

By SCHRADER of Marion

H-8694 FILED MARCH 25, 1998

A. Lost 3/26/98 (p.988)

B. U/O 3/26/98 "

## SENATE FILE 2366

H-8689

- 1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:
- 4 1. Page 1, line 11, by striking the words  
5 "frontier school or".
  - 6 2. Page 4, line 1, by striking the words  
7 "FRONTIER SCHOOL AND".
  - 8 3. Page 4, by striking line 5 and inserting the  
9 following: "establish an extended year school".
  - 10 4. Page 4, by striking lines 8 through 13 and  
11 inserting the following: "districts, to provide  
12 assistance for conversion of an existing school to an  
13 extended school year calendar. A".
  - 14 5. Page 4, by striking lines 40 through 43 and  
15 inserting the following: "as determined by the  
16 department."
  - 17 6. By striking page 4, line 44, through page 5,  
18 line 5.
  - 19 7. Page 5, line 9, by striking the word  
20 "planning".
  - 21 8. Page 5, by striking lines 18 through 46.
  - 22 9. By renumbering as necessary.

By WISE of Lee

H-8689 FILED MARCH 25, 1998

Lost  
3/25/98  
(p. 949)

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## SENATE FILE 2366

H-8695

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 21, by inserting after line 41 the  
5 following:

6 "4. Notwithstanding subsections 2 and 3, for the  
7 fiscal year beginning July 1, 1999, and each  
8 succeeding year, the total minimum salary supplement  
9 paid to a school district under phase I for the school  
10 year shall be reduced by the amount of five hundred  
11 dollars per teacher per year until the total minimum  
12 salary supplement amount equals the amount paid to the  
13 school district for the school year beginning July 1,  
14 1997, and ending June 30, 1998. This subsection shall  
15 not be construed to permit a negative impact on a  
16 teacher's annual salary as specified in a teacher's  
17 contract pursuant to the salary schedule adopted by  
18 the board of directors or negotiated under chapter 20,  
19 or to otherwise control a teacher's placement on a  
20 salary schedule adopted by the board of directors or  
21 negotiated under chapter 20."

22 2. Page 21, by striking lines 47 and 48 and  
23 inserting the following: "salary supplement, in  
24 accordance with section 294A.5, to be paid to".

25 3. By renumbering as necessary.

By GRUNDBERG of Polk

H-8695 FILED MARCH 25, 1998

**WITHDRAWN**

3/26/98

(P. 981)



## SENATE FILE 2366

H-8697

- 1 Amend the amendment, H-8616, to Senate File 2366 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 5, line 23, by inserting after the word  
5 "However," the following: "a frontier school shall  
6 meet all applicable state and local health and safety  
7 requirements;"

8 2. By renumbering as necessary.

By BRUNKHORST of Bremer

H-8697 FILED MARCH 25, 1998

*Adopted 3-25-98  
(P.953)*

## SENATE FILE 2366

H-8708

- 1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 13, by inserting after line 18 the  
5 following:  
6 "Sec. \_\_\_\_ . Section 257.1, subsection 2, unnumbered  
7 paragraph 3, Code 1997, is amended to read as follows:  
8 For the budget year years commencing July 1, 1995  
9 1998, and July 1, 1999, the department of management  
10 shall add the amount of the additional budget  
11 adjustment computed in section 257.14, subsection 2,  
12 to the combined foundation base."  
13 2. Page 14, by striking line 42 and inserting the  
14 following:  
15 "2. For the budget year years beginning July 1,  
16 1995 1998, and July 1,".  
17 3. By renumbering as necessary.

By WEIGEL of Chickasaw

H-8708 FILED MARCH 25, 1998

*O/Order  
3/25/98  
(P.957)*

SENATE FILE 2366

H-8696

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 21, line 5, through page 22,  
5 line 18, and inserting the following:

6 "Sec. \_\_\_\_ . NEW SECTION. 294A.5A MINIMUM SALARY  
7 SUPPLEMENT -- TEMPORARY.

8 1. Notwithstanding section 294A.5, for each year  
9 of the fiscal period beginning July 1, 1998, and  
10 ending June 30, 2001, the minimum annual salary paid  
11 to a full-time teacher as regular compensation shall  
12 be twenty-three thousand dollars.

13 2. The minimum salary supplement shall be the sum  
14 of the following, as applicable:

15 a. For the school year beginning July 1, 1998, for  
16 phase I, each school district and area education  
17 agency shall certify to the department of education by  
18 the third Friday in September the names of all  
19 teachers employed by the district or area education  
20 agency whose regular compensation is less than twenty-  
21 three thousand dollars per year for that year and the  
22 amounts needed as minimum salary supplements. The  
23 minimum salary supplement for each eligible teacher is  
24 the total of the difference between twenty-three  
25 thousand dollars and the teacher's regular  
26 compensation plus the amount required to pay the  
27 employer's share of the federal social security and  
28 Iowa public employees' retirement system, or a pension  
29 and annuity retirement system established under  
30 chapter 294, payments on the additional salary moneys.  
31 However, for purposes of this paragraph, a teacher's  
32 regular compensation for the school year beginning  
33 July 1, 1998, shall not be lower than eighteen  
34 thousand dollars.

35 b. The total minimum salary supplement paid to a  
36 school district under phase I for the school year  
37 beginning July 1, 1997.

38 3. The board of directors shall report the  
39 salaries of teachers employed on less than a full-time  
40 equivalent basis, and the amount of minimum salary  
41 supplement shall be prorated."

42 2. By renumbering as necessary.

By GRUNDBERG of Polk

H-8696 FILED MARCH 25, 1998

*lost  
3/26/98*

## SENATE FILE 2366

H-8712

- 1 Amend the amendment, H-8616, to Senate File 2366,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:
- 4 1. Page 21, by inserting after line 41 the  
 5 following:  
 6 "4. Notwithstanding subsections 2 and 3, for the  
 7 fiscal year beginning July 1, 1999, and each  
 8 succeeding year, the total minimum salary supplement  
 9 paid to a school district under phase I for the school  
 10 year shall be reduced by the amount of five hundred  
 11 dollars per teacher per year until the total minimum  
 12 salary supplement amount equals the amount paid to the  
 13 school district for the school year beginning July 1,  
 14 1997, and ending June 30, 1998. This subsection shall  
 15 not be construed to permit a negative impact on a  
 16 teacher's annual salary as specified in a teacher's  
 17 contract pursuant to the salary schedule adopted by  
 18 the board of directors or negotiated under chapter 20,  
 19 or to otherwise control a teacher's placement on a  
 20 salary schedule adopted by the board of directors or  
 21 negotiated under chapter 20. The total amount of the  
 22 annual reduction required under this section for the  
 23 fiscal year shall be considered a supplemental  
 24 allocation amount for purposes of sections 294A.9 and  
 25 294A.25."
- 26 2. Page 21, by striking lines 47 and 48 and  
 27 inserting the following: "salary supplement, in  
 28 accordance with section 294A.5, to be paid to".  
 29 3. By renumbering as necessary.

By GRUNDBERG of Polk

H-8712 FILED MARCH 25, 1998

*Lost 3/26/98 (p. 990)*

## SENATE FILE 2366

H-8714

- 1 Amend the amendment, H-8616, to Senate File 2366,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:
- 4 1. Page 13, line 15, by inserting after the word  
 5 "REPEAL" the following: "OF CHAPTER".
- 6 2. Page 13, by inserting after line 18 the  
 7 following:  
 8 "Sec. \_\_\_\_ . Section 257.1, subsection 2, unnumbered  
 9 paragraph 3, Code 1997, is amended to read as follows:  
 10 For the budget year years commencing July 1, ~~1995~~  
 11 1998, and July 1, 1999, the department of management  
 12 shall add the amount of the additional budget  
 13 adjustment computed in section 257.14, subsection 2,  
 14 to the combined foundation base."
- 15 3. Page 14, by striking line 42 and inserting the  
 16 following:  
 17 "2. For the budget year years beginning July 1,  
 18 ~~1995~~ 1998, and July 1,".
- 19 4. By renumbering as necessary.

By WEIGEL of Chickasaw

H-8714 FILED MARCH 25, 1998

*Lost 3/25/98 (p. 956)*

## SENATE FILE 2366

H-8710

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 21, by inserting after line 41 the  
5 following:

6 "4. Notwithstanding subsections 2 and 3, for the  
7 fiscal year beginning July 1, 1999, and each  
8 succeeding year, the total minimum salary supplement  
9 paid to a school district under phase I for the school  
10 year shall be reduced by the amount of five hundred  
11 dollars per teacher per year until the total minimum  
12 salary supplement amount equals the amount paid to the  
13 school district for the school year beginning July 1,  
14 1997, and ending June 30, 1998. This subsection shall  
15 not be construed to permit a negative impact on a  
16 teacher's annual salary as specified in a teacher's  
17 contract pursuant to the salary schedule adopted by  
18 the board of directors or negotiated under chapter 20,  
19 or to otherwise control a teacher's placement on a  
20 salary schedule adopted by the board of directors or  
21 negotiated under chapter 20. The total amount of the  
22 annual reduction required under this section for the  
23 previous fiscal year shall be considered a  
24 supplemental allocation amount for purposes of  
25 sections 294A.9 and 294A.25."

26 2. Page 21, by striking lines 47 and 48 and  
27 inserting the following: "salary supplement, in  
28 accordance with section 294A.5, to be paid to".

29 3. By renumbering as necessary.

By GRUNDBERG of Polk

H-8710 FILED MARCH 25, 1998

**WITHDRAWN**

3/26/98  
(p.981)

## SENATE FILE 2366

H-8719

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 5, line 30, by inserting after the word  
5 "rights," the following: "section 280.21 relating to  
6 corporal punishment,".

7 2. By renumbering as necessary.

By SCHERRMAN of Dubuque

H-8719 FILED MARCH 25, 1998

W/D 3/26/98 (p.985)

H-8744

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 22, by inserting after line 50 the  
5 following:

6 "Sec. \_\_\_\_ . DEPARTMENT OF EDUCATION STUDY. Subject  
7 to an appropriation of sufficient funds by the general  
8 assembly, the director of the department of education  
9 shall convene a study committee to survey existing  
10 assessment tools used for measuring career options for  
11 high school students and identify or develop and  
12 distribute an assessment tool that measures students'  
13 unique and general aptitudes and abilities,  
14 personality characteristics, personal interests, and  
15 other characteristics which assist students to better  
16 understand how their individual intellectual,  
17 emotional, and personality attributes affect career  
18 pathway options. The assessment tool identified or  
19 developed in accordance with this section shall be  
20 age-appropriate for middle and secondary school  
21 students, including but not limited to at-risk  
22 students and talented and gifted students. However,  
23 the assessment tool shall also be capable of  
24 addressing the lifelong learning needs of Iowa's  
25 citizens, and the needs of social welfare recipients  
26 and individuals within the correctional system. The  
27 assessment tool shall be valid and reliable under  
28 current educational standards, and aligned with the  
29 United States secretary of labor's commission on  
30 achieving necessary skills, and with the guidelines  
31 published by the national career development  
32 association and other national validation groups. The  
33 assessment tool shall also reflect the current range  
34 of career choices in the marketplace, with provision  
35 made for updating or adapting the assessment tool to  
36 meet the needs of a changing marketplace. In  
37 addition, the assessment tool shall provide the  
38 student with a basis for a portfolio and planning  
39 guide for a variety of career options.

40 The director of education shall appoint members to  
41 the committee that represent business and industry,  
42 labor organizations, school-to-work programs, the  
43 council on human investment, the department of  
44 education, the vocational rehabilitation services  
45 division, the institute for physical research and  
46 technology, the department of economic development,  
47 the department of workforce development, and the  
48 institutions of higher learning under the control of  
49 the state board of regents. The director shall serve  
50 as chairperson of the committee.

H-8744

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H-8744

Page 2

1 By January 1, 1999, the department shall provide  
2 the assessment tools to public school districts upon  
3 receiving a written request."

4 2. By renumbering as necessary.

By FALCK of Fayette

H-8744 FILED MARCH 26, 1998

*W/19 3/26/98  
(P.999)*

## SENATE FILE 2366

H-8740

1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 21, line 5, through page 22,  
5 line 18 and inserting the following:

6 "Sec. \_\_\_\_\_. Section 294A.1, unnumbered paragraph 1,  
7 Code 1997, is amended to read as follows:

8 The purpose of this chapter is to promote  
9 excellence in education. In order to maintain and  
10 advance the educational excellence in the state of  
11 Iowa, this chapter establishes the Iowa educational  
12 excellence program. The program shall consist of  
13 three two major phases addressing the following:

14 Sec. \_\_\_\_\_. Section 294A.10, subsections 1 and 2,  
15 Code 1997, are amended by striking the subsections."

16 2. Page 22, by inserting after line 39 the  
17 following:

18 "Sec. \_\_\_\_\_. Section 294A.25, Code Supplement 1997,  
19 is amended by adding the following new subsection:  
20 NEW SUBSECTION. 2A. For the fiscal year beginning  
21 July 1, 1998, and ending June 30, 1999, a supplemental  
22 allocation amount of thirteen million three hundred  
23 three thousand five hundred thirteen dollars for phase  
24 II distribution as provided in section 294A.9."

25 3. Page 22, by inserting after line 50 the  
26 following:

27 "Sec. \_\_\_\_\_. Sections 294A.4 through 294A.6, Code  
28 1997, are repealed.

29 Sec. \_\_\_\_\_. DIRECTIONS TO CODE EDITOR. With the  
30 enactment of section 102 of this Act, the Iowa Code  
31 editor shall revise references in the Code to phase I,  
32 phase II, and phase III of the educational excellence  
33 program established in chapter 294A to instead refer  
34 to phase I as the retention of quality teachers, and  
35 phase II as the enhancement of the quality and  
36 effectiveness of teachers through the utilization of  
37 performance pay. The references revised by the Code  
38 editor pursuant to this section shall take effect July  
39 1, 1998. The reference changes considered by the Code  
40 editor shall include but are not limited to the  
41 following: sections 256.18, 258.17, 282.18, 294A.1,  
42 294A.3, 294A.10, 294A.12 through 294A.16, 294A.18  
43 through 294A.20, 294A.22, 294A.23, and 294A.25."

44 4. By renumbering as necessary.

By CONNORS of Polk

H-8740 FILED MARCH 26, 1998

*Lost 3/26/98  
(p. 997)*

## SENATE FILE 2366

H-8731

- 1 Amend the amendment, H-8616, to Senate File 2366,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. By striking page 21, line 5 through page 22,  
5 line 18.  
6 2. Page 22, by inserting after line 39 the  
7 following:  
8 "Sec. \_\_\_\_ . Section 294A.25, Code Supplement 1997,  
9 is amended by adding the following new subsection:  
10 NEW SUBSECTION. 2A. For the fiscal year beginning  
11 July 1, 1998, and ending June 30, 1999, a supplemental  
12 allocation amount of two million four hundred thousand  
13 dollars for phase II distribution as provided in  
14 section 294A.9."  
15 3. By renumbering as necessary.

By GARMAN of Story

H-8731 FILED MARCH 26, 1998

*Out of Order 3/26/98 (p. 983)*

## SENATE FILE 2366

H-8743

- 1 Amend the amendment, H-8616, to Senate File 2366 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, by inserting after line 13 the  
5 following:  
6 "Of the funds appropriated in this subsection,  
7 \$300,000 shall be used to provide grants in the amount  
8 of \$50,000 each to six school districts for extended  
9 year school pilot projects, and the department of  
10 education shall expend up to \$75,000 to contract with  
11 an accredited private postsecondary institution or an  
12 institution of higher learning under the control of  
13 the state board of regents to conduct a study of the  
14 effectiveness of extended school years on student  
15 achievement."  
16 2. By renumbering as necessary.

By RICHARDSON of Warren

H-8743 FILED MARCH 26, 1998

*Adapted 3/26/98 (p. 998)*

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1 Amend Senate File 2366, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Section 1. DEPARTMENT OF EDUCATION. There is  
6 appropriated from the general fund of the state to the  
7 department of education for the fiscal year beginning  
8 July 1, 1998, and ending June 30, 1999, the following  
9 amount, or so much thereof as is necessary, to be used  
10 for the purposes designated:

11 1. For frontier school or extended school year  
12 grants:

13 ..... \$ 1,500,000

14 Of the funds appropriated in this subsection,  
15 \$300,000 shall be used to provide grants in the amount  
16 of \$50,000 each to six school districts for extended  
17 year school pilot projects, and the department of  
18 education shall expend up to \$75,000 to contract with  
19 an accredited private postsecondary institution or an  
20 institution of higher learning under the control of  
21 the state board of regents to conduct a study of the  
22 effectiveness of extended school years on student  
23 achievement.

24 By September 1, 1998, the department shall  
25 establish criteria and a process for the awarding of  
26 grants for planning or implementation purposes.  
27 Grants shall be equitably distributed geographically  
28 among rural and urban areas. Notwithstanding section  
29 8.33, unencumbered or unobligated funds remaining on  
30 June 30 of the fiscal year for which the funds were  
31 appropriated shall not revert but shall be available  
32 for expenditure for the following fiscal year for the  
33 purposes of this subsection.

34 2. To the board of educational examiners, for  
35 purposes of developing and implementing a multi-level  
36 voluntary para-educator licensing system in accordance  
37 with section 272.12, if enacted:

38 ..... \$ 75,000

39 3. For deposit in the Iowa empowerment fund if  
40 legislation providing for the creation of an Iowa  
41 empowerment board, an Iowa empowerment fund, and for  
42 the appropriation of moneys to be administered by a  
43 community empowerment area, is enacted by the Seventy-  
44 seventh General Assembly, 1998 Session:

45 ..... \$ 5,200,000

46 4. For deposit in the national board for  
47 professional teaching standards certification fund in  
48 accordance with section 256.44, if enacted:

49 ..... \$ 250,000

50 5. For beginning teacher induction program grants

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1 as provided in chapter 256E, if enacted:

2 ..... \$ 240,000

3 It is the intent of the general assembly that  
4 grants awarded from funds appropriated under this  
5 subsection shall provide support to a minimum of one  
6 hundred thirty-three teams of mentors and beginning  
7 teachers.

8 6. For purposes of the practitioner performance  
9 improvement program as provided in section 279.14A, if  
10 enacted:

11 ..... \$ 300,000

12 7. For the establishment and implementation of an  
13 instructional leadership pilot program as provided in  
14 sections 279.59 through 279.61, if enacted:

15 ..... \$ 1,000,000

16 By January 15, 1999, the department of education  
17 shall prepare and submit a proposal for a program for  
18 leadership development of practitioners and school  
19 board members to the chairpersons and ranking members  
20 of the house and senate standing education committees  
21 and of the joint subcommittee on education  
22 appropriations.

23 Sec. 2. Section 256.16, Code 1997, is amended to  
24 read as follows:

25 256.16 SPECIFIC CRITERIA FOR TEACHER PRACTITIONER  
26 PREPARATION AND-CERTAIN-EDUCATORS.

27 1. Pursuant to section 256.7, subsection 5, the  
28 state board shall adopt rules requiring all higher  
29 education institutions providing practitioner  
30 preparation to ~~include in the professional education~~  
31 program, preparation demonstrate that each student who  
32 graduates from the practitioner preparation program  
33 successfully completed the following:

34 a. Preparation that contributes to education of  
35 students with disabilities and students who are gifted  
36 and talented, which must be successfully completed  
37 before graduation from the practitioner preparation  
38 program.

39 b. Preparation for recognizing at-risk students,  
40 and for understanding and ameliorating the behavior of  
41 at-risk students. For purposes of this section, "at-  
42 risk students" shall include students who are "at-  
43 risk" as defined under administrative rules adopted by  
44 the state board of education, or who are at risk of  
45 becoming a substance abuser, or who have been  
46 identified as a substance abuser.

47 c. Preparation for accelerating the achievement of  
48 students through the use of learning techniques that  
49 shall include, but are not limited to, reading  
50 instruction in phonics.

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2. A person initially applying for a license shall successfully complete a professional education program containing the subject matter specified in this section, before the initial action by the board of educational examiners takes place.

Sec. 3. NEW SECTION. 256.17A TEACHER INTERNSHIP PILOT PROGRAM.

1. If the general assembly appropriates moneys for a teacher internship pilot program, the department of education shall, by November 1, 1998, establish and implement a competitive pilot program approval process open to Iowa colleges and universities with master's programs in practitioner preparation approved by the state board.

2. To be eligible to receive a grant under this section, an eligible institution shall submit to the department of education a plan for an internship program that, at a minimum, includes the following:

a. Student interns enrolled in the program shall complete a one-year teaching experience conducted in a collaborating school district. A student intern shall have graduated from an approved practitioner preparation program offered by an institution of higher education under the state board of regents or an accredited private institution as defined in section 261.9. A student intern shall be an employee of the participating school district. The amount of money a school district shall pay to a student intern shall be negotiated by the school district and the eligible institution in consultation with the department of education.

b. Application of the best teaching practices in diverse settings and in responding to diverse student needs under the supervision of selected district teachers and personnel employed by the eligible institution.

c. Seminars and special projects designed to meet student intern needs.

d. Collaboration and support from a participating school district relating to supervision and assessment of the student intern's performance.

e. Collaboration and support from the eligible institution in developing rigorous graduate coursework and in matters relating to supervision, instruction, and evaluation of the student intern in conjunction with personnel employed by the participating school district.

3. Student interns who enroll in the program shall receive graduate credit for successful completion of teacher internship program coursework. The successful

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1 completion of a one-year teacher internship under the  
2 program shall be recognized as the equivalent of one  
3 year of teaching experience.

4 4. A teacher who is employed by a school district  
5 and who acts as a clinical supervisor for the teacher  
6 internship pilot program shall be eligible for a  
7 stipend of one thousand dollars per semester of  
8 participation in the program. The stipend and the  
9 costs of the employer's share of contributions to  
10 federal social security and the Iowa public employees'  
11 retirement system established under chapter 294, for  
12 such amounts by the district, shall be paid from  
13 moneys received by the participating school district  
14 from moneys appropriated to the department of  
15 education pursuant to this section.

16 5. Moneys received by a school district under this  
17 section shall not be commingled with state aid  
18 payments made under section 257.16 to a school  
19 district and shall be accounted for by the school  
20 district separately from state aid payments.

21 6. Payments made to school districts under this  
22 section are miscellaneous income for purposes of  
23 chapter 257 and are considered encumbered. A school  
24 district shall maintain a separate budget listing for  
25 payments received and expenditures made pursuant to  
26 this section.

27 7. Moneys received by a school district under this  
28 section shall not be used for payment of any  
29 collective bargaining agreement or arbitrator's  
30 decision negotiated or awarded under chapter 20.

31 8. Annually on or by January 15, the eligible  
32 institution shall submit a report describing  
33 activities associated with the program to the  
34 department of education, which shall summarize the  
35 reports received and submit the summary to the  
36 chairpersons and ranking members of the standing house  
37 and senate education committees.

38 9. a. There is appropriated from the general fund  
39 of the state to the department of education for the  
40 fiscal year beginning July 1, 1998, and ending June  
41 30, 1999, the sum of two hundred twenty thousand  
42 dollars for the teacher internship pilot program.

43 b. There is appropriated from the general fund of  
44 the state to the department of education for each  
45 fiscal year of the fiscal period beginning July 1,  
46 1999, and ending June 30, 2001, the sum of five  
47 hundred seventy-five thousand dollars for the teacher  
48 internship pilot program.

49 Sec. 4. NEW SECTION. 256.22 FRONTIER SCHOOL AND  
50 EXTENDED YEAR SCHOOL GRANT PROGRAM.

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1. Subject to an appropriation of sufficient funds by the general assembly, the department shall establish a frontier school and extended year school grant program to provide for the allocation of grants to school districts, or a collaboration of school districts, to provide technical assistance for conversion of an existing school to a frontier school or to an extended school year calendar, or for investigating the possibility of converting an existing school within a district to a frontier school or to an extended school year calendar. A district that wants to participate in the program shall submit to the department a written request for a grant by September 1, 1998. The school district or collaboration of school districts shall agree to appoint a planning committee composed of parents, guardians, teachers, administrators, and individuals representing business, and the local community. The school district or collaboration shall also indicate in its request its intention to use any grant moneys received under this section to examine, at a minimum, all of the following:

- a. Mission and instructional focus of the school.
- b. Organizational structure and management of the school.
- c. Impact of labor agreements and contracts on the success of the school.
- d. Roles and responsibilities of all involved constituencies.
- e. Arrangements for special needs students.
- f. Connection of the school to the district.
- g. Facility and operation costs.
- h. Measurement of results including student achievement results.

2. Grant moneys shall be distributed to qualifying school districts by the department no later than October 15, 1998. Grant amounts shall be distributed as determined by the department. Not more than fifteen of the grants awarded per year in accordance with this section shall be used for purposes of frontier school planning or conversion.

3. For purposes of this section, "frontier school" means a school that is nonsectarian in its program, admission policies, employment practices, and all other operations. The school is a public school and is part of the state's system of public education. The primary focus of a frontier school shall be to provide a comprehensive program of instruction for at least one grade or age group from five through eighteen years of age. Frontier schools may be

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1 designed to allow significant autonomy to the schools.  
2 However, frontier schools shall be accountable for  
3 significant results.

4 4. By February 15, 1999, a school district or  
5 collaboration of districts receiving moneys under this  
6 section shall submit an interim report to the  
7 department describing the planning activities  
8 conducted by the school district or the collaboration  
9 and providing preliminary conclusions. The school  
10 district or collaboration shall submit a final report  
11 by June 1, 1999, to the department. The department  
12 shall summarize the school district reports in a final  
13 report to the chairpersons and ranking members of the  
14 house and senate standing education committees by  
15 January 1, 2000.

16 5. Except as provided in this subsection, frontier  
17 schools are exempt from all statutes and rules  
18 applicable to a school, a school board, or a school  
19 district, although a frontier school may elect to  
20 comply with one or more provisions of statute or rule.  
21 However, a frontier school shall meet all applicable  
22 state and local health and safety requirements; the  
23 frontier school shall be organized and operated as a  
24 nonprofit cooperative association under chapter 498 or  
25 nonprofit corporation under chapter 504A; the  
26 provisions of chapters 21 and 22 shall apply to  
27 meetings and records of the frontier school board; and  
28 frontier schools are subject to and shall comply with  
29 chapters 216 and 216A relating to civil and human  
30 rights, and sections 275.55A, 279.9A, 280.17B,  
31 280.21B, and 282.4, relating to suspension and  
32 expulsion of a student. The frontier school shall  
33 employ or contract with necessary teachers, as defined  
34 in section 272.1, who hold a valid license with an  
35 endorsement for the type of service for which the  
36 teacher is employed. Frontier schools are subject to  
37 the same financial audits, audit procedures, and audit  
38 requirements as a school district. The audits shall  
39 be consistent with the requirements of sections 11.6,  
40 11.14, 11.19, 256.9, subsection 19, and section  
41 279.29, except to the extent deviations are necessary  
42 because of the program at the school. The department,  
43 auditor of state, or the legislative fiscal bureau may  
44 conduct financial, program, or compliance audits. The  
45 provisions of chapter 20 shall not apply to the board  
46 of directors of a frontier school or its employees.

47 Sec. 5. NEW SECTION. 256.44 NATIONAL BOARD  
48 CERTIFICATION AWARD -- APPROPRIATION.

49 1. A teacher, as defined in section 272.1, who  
50 registers for a national board for professional

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1 teaching standards certificate and is employed by a  
2 school district in Iowa shall be eligible for a  
3 registration award as provided in subsection 2, and  
4 upon achievement of a national board for professional  
5 teaching standards certificate, is eligible for an  
6 annual award of ten thousand dollars for each year the  
7 certificate is valid as provided in this section.

8 2. To receive a partial registration award in the  
9 amount of one-half of the registration fee charged by  
10 the national board for professional teaching  
11 standards, the teacher shall apply to the department  
12 of education within one year of registration,  
13 submitting to the department any documentation the  
14 department requires. A teacher shall receive a final  
15 registration award in the amount of the remaining  
16 registration fee charged by the national board if the  
17 teacher notifies the department of the teacher's  
18 certification achievement and submits any  
19 documentation requested by the department.

20 3. To receive a five-year annual award for  
21 achieving certification by the national board of  
22 professional teaching standards, a teacher shall apply  
23 to the department within one year of eligibility.  
24 Payment for awards shall be made only upon  
25 departmental approval of an application or  
26 recertification of eligibility. A nonrenewable term  
27 of eligibility shall be for five years or for the  
28 years the certificate is valid, whichever time period  
29 is shorter. In order to continue receipt of payments,  
30 a recipient shall annually recertify eligibility.

31 4. A national board for professional teaching  
32 standards certification fund is established in the  
33 office of treasurer of state to be administered by the  
34 department. Moneys appropriated by the general  
35 assembly for deposit in the fund shall be paid as  
36 follows:

37 a. Upon receipt of award documentation as provided  
38 in subsection 2.

39 b. On January 15 to teachers whose applications  
40 and recertifications for annual awards as provided in  
41 subsection 3 are approved by the department. The  
42 treasurer of state shall act as custodian of the fund  
43 and may invest the moneys deposited in the fund. The  
44 income from any investment shall be credited to and  
45 deposited in the fund. The director of revenue and  
46 finance shall issue warrants upon the fund pursuant to  
47 the order of the department and such warrants shall be  
48 paid from the fund by the treasurer of state.

49 Notwithstanding section 8.33, unencumbered or  
50 unobligated moneys remaining in the fund on June 30 of

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1 the fiscal year for which the funds were appropriated  
2 shall not revert but shall be available for subsequent  
3 fiscal years for the purposes of this section.

4 5. An individual shall not qualify for a term of  
5 annual award eligibility unless the individual  
6 applies, certifying eligibility, to the department  
7 prior to June 30, 2003.

8 Sec. 6. Section 256.45, unnumbered paragraphs 1,  
9 3, and 4, Code 1997, are amended to read as follows:

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

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

30 The ~~district which~~ department shall grant funds in  
31 an amount equal to the salary and benefits the person  
32 selected as ambassador to education would have  
33 received from the district, or thirty thousand  
34 dollars, whichever amount is greater, to the school  
35 district that employs the person selected as the  
36 ambassador to education. The department shall also  
37 reimburse the school district for actual expenses  
38 incurred as a result of the performance of duties  
39 under this section. The school district shall grant  
40 the person a one-year sabbatical in order to allow the  
41 person to be the ambassador to education, and during  
42 the sabbatical, shall pay the salary and benefits of  
43 the ambassador with funds granted by the department.  
44 The person selected as the ambassador to education  
45 shall be entitled to return to the person's same or a  
46 comparable position without loss of accrued benefits  
47 or seniority.

48 Sec. 7. NEW SECTION. 256E.1 BEGINNING TEACHER  
49 INDUCTION PROGRAM ESTABLISHED -- GRANTS.

50 If the general assembly appropriates moneys for

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1 purposes of teacher induction, the department of  
2 education shall coordinate a beginning teacher  
3 induction program to promote excellence in teaching,  
4 to build a supportive environment within school  
5 districts, to increase the retention of promising  
6 beginning teachers, and to promote the personal and  
7 professional well-being of teachers. The department  
8 of education shall develop a process for awarding  
9 beginning teacher induction grants to school  
10 districts, and shall adopt rules pursuant to chapter  
11 17A relating to the equitable distribution of grants  
12 to school districts to reflect diversity  
13 geographically and by population.

14 Sec. 8. NEW SECTION. 256E.2 DEFINITIONS.

15 As used in this chapter, unless the context  
16 otherwise requires:

17 1. "Beginning teacher" means an individual serving  
18 under an initial provisional or conditional license,  
19 issued by the board of educational examiners under  
20 chapter 272, who is assuming a position as a classroom  
21 teacher.

22 2. "Board of directors" means the board of  
23 directors of a school district or a collaboration of  
24 boards of directors of school districts.

25 3. "Classroom teacher" means an individual who  
26 holds a valid practitioner's license and who is  
27 employed by a school district under sections 279.13  
28 through 279.19 in a school district or area education  
29 agency in this state to provide instruction to  
30 students.

31 4. "Department" means the department of education.

32 5. "Director" means the director of the department  
33 of education.

34 6. "District facilitator" means a licensed  
35 professional pursuant to chapter 272 who is appointed  
36 by the board of directors, or a collaboration of  
37 districts, to serve as the liaison between the board  
38 of directors and the department for the beginning  
39 teacher induction program.

40 7. "Mentor" means an individual employed by a  
41 school district or area education agency as a  
42 classroom teacher and who holds a valid license to  
43 teach issued under chapter 272.

44 Sec. 9. NEW SECTION. 256E.3 DISTRICT PLAN.

45 1. A board of directors of a school district or  
46 the boards of directors of a collaboration of school  
47 districts participating in the beginning teacher  
48 induction program shall appoint a district  
49 facilitator, whose duties shall include, but are not  
50 limited to, overseeing the development of a plan for

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1 meeting the goals of the program as set forth in  
2 section 256E.1, and composing a district committee  
3 pursuant to subsection 2. The board of directors may  
4 contract with a public or private postsecondary  
5 institution with an approved practitioner preparation  
6 program, or with a member of the instructional staff  
7 of an approved practitioner preparation program, to  
8 perform the duties of the district facilitator in  
9 accordance with this chapter.

10 2. The membership of the district committee  
11 composed by the district facilitator shall include,  
12 but is not limited to, licensed practitioners and an  
13 area education agency staff development professional.

14 3. The district committee shall adopt a plan and  
15 written procedures for a mentor program consistent  
16 with this chapter. The plan and the written  
17 procedures shall, at a minimum, provide the process  
18 for the selection of and the number of mentors; the  
19 mentor training process; the timetable by which the  
20 plan shall be implemented; placement of mentors and  
21 beginning teachers; the minimum amount of contact time  
22 between mentors and beginning teachers; the minimum  
23 amount of release time for mentors and beginning  
24 teachers for meetings for planning, demonstration,  
25 observation, feedback, and workshops; the process for  
26 dissolving mentoring partnerships; and the process for  
27 measuring the results of the program. The district  
28 committee shall recommend to the board of directors or  
29 boards of directors of a collaboration the names of  
30 classroom teachers eligible to be mentors.

31 4. The district facilitator shall submit the plan,  
32 and the proposed costs of implementing the plan, to  
33 the board of directors or boards of directors of a  
34 collaboration, which shall consider the plan and, once  
35 approved, submit the plan and a reasonable cost  
36 proposal to the department of education, which shall  
37 award grants as equitably as possible based on the  
38 geographic and population diversity of the school  
39 districts submitting plans. Grants may be awarded in  
40 subsequent years based upon the most recent plan on  
41 file with the department.

42 5. The district committee is encouraged to work  
43 with area education agencies and postsecondary  
44 institutions in the preparation and implementation of  
45 a plan.

46 Sec. 10. NEW SECTION. 256E.4 BEGINNING TEACHER  
47 AND MENTOR SELECTION AND PLACEMENT.

48 1. To be eligible to be a mentor, a licensed  
49 practitioner shall, at a minimum, be employed by a  
50 school district as a classroom teacher, have a record

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of at least four years of effective practice, have been employed for one full year in the district on a nonprobationary basis, and demonstrate professional commitment to the improvement of teaching and learning, and the development of beginning teachers.

2. The district facilitator shall place beginning teachers in a manner that provides the greatest opportunity to participate with the largest number of mentors.

10 Sec. 11. NEW SECTION. 256E.5 BEGINNING TEACHER  
11 INDUCTION STATE SUBSIDY -- FUND.

12 1. A teacher who is enrolled as a mentor in an  
13 approved beginning teacher induction program shall be  
14 eligible for an award of five hundred dollars per  
15 semester of participation in the program, which shall  
16 be paid from moneys received pursuant to this section  
17 by the school district employing the mentor.

18 2. Moneys received by a school district pursuant  
19 to this chapter shall be expended to provide mentors  
20 with awards in accordance with subsection 1, to  
21 implement the plan, to provide for a stipend for the  
22 district facilitator, and to pay the costs of the  
23 employer's share of contributions to federal social  
24 security and the Iowa public employees' retirement  
25 system or a pension and annuity retirement system  
26 established under chapter 294, for such amounts paid  
by the district.

27 3. Moneys received by a school district under this  
28 chapter are miscellaneous income for purposes of  
29 chapter 257 or are considered encumbered. Each local  
30 school district shall maintain a separate listing  
31 within their budget for payments received and  
32 expenditures made pursuant to this section.

33 4. Moneys received for purposes of this chapter  
34 shall not be used for payment of any collective  
35 bargaining agreement or arbitrator's decision  
36 negotiated or awarded under chapter 20.

37 5. A beginning teacher induction fund is  
38 established in the office of the treasurer of state to  
39 be administered by the department. Moneys  
40 appropriated by the general assembly for deposit in  
41 the fund shall be used to provide funding to school  
42 districts pursuant to the requirements of this  
43 section.

44 6. Notwithstanding section 8.33, unencumbered or  
45 unobligated funds remaining on June 30 of the fiscal  
46 year for which the funds were appropriated shall not  
47 revert but shall be available for expenditure in the  
48 following fiscal year for the purposes of this  
49 section.

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1 Sec. 12. NEW SECTION. 256E.6 REPORTS.

2 The board of directors of a school district or the  
3 boards of directors of a collaboration of school  
4 districts implementing an approved beginning teacher  
5 induction program as provided in this chapter shall  
6 submit an assessment of the program's results by July  
7 1 of the fiscal year succeeding the year in which the  
8 school district or the collaboration of school  
9 districts received moneys under this chapter. The  
10 department shall annually report the statewide results  
11 of the program to the chairpersons and the ranking  
12 members of the house and senate education committees  
13 by January 1.

14 Sec. 13. NEW SECTION. 256F.1 LEGISLATIVE  
15 FINDINGS AND INTENT.

16 The general assembly finds that it is in the best  
17 interest of the state to encourage and fund early  
18 education programs focused on kindergarten through  
19 grade three in the public school districts. The goal  
20 of these programs is to improve student achievement in  
21 the basic educational subject matters of reading,  
22 language arts, and mathematics, and to accomplish  
23 proficiency in those subjects by grade four. Toward  
24 that goal, it is the intent of this chapter to  
25 establish and fund an early childhood education  
26 imperatives program.

27 Sec. 14. NEW SECTION. 256F.2 EARLY CHILDHOOD  
28 EDUCATION IMPERATIVES PROGRAM APPROPRIATION.

29 1. There is appropriated from the general fund of  
30 the state to the department of education for the  
31 fiscal year beginning July 1, 1998, and for each  
32 succeeding fiscal year, the sum of nine million  
33 dollars for the early childhood education imperatives  
34 program.

35 2. For each fiscal year for which moneys are  
36 appropriated in subsection 1, the amount of moneys  
37 allocated to school districts shall be in the  
38 proportion that the basic enrollment of a district  
39 bears to the sum of the basic enrollments of all  
40 school districts in the state for the budget year.  
41 However, a district shall not receive less than seven  
42 thousand five hundred dollars in a fiscal year.

43 3. For each year for which an appropriation is  
44 made to the early childhood education imperatives  
45 program, the department of education shall notify the  
46 department of revenue and finance of the amount to be  
47 paid to each school district based upon the  
48 distribution plan set forth for the appropriation made  
49 pursuant to this section. The allocation to each  
50 school district under this section shall be made in

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1 one payment on or about October 15 of the fiscal year  
2 for which the appropriation is made, taking into  
3 consideration the relative budget and cash position of  
4 the state resources. Prior to the receipt of moneys,  
5 school districts shall provide to the department of  
6 education adequate assurance that they have developed  
7 or are developing an early childhood education plan as  
8 required by section 256F.3 and that moneys received  
9 under this section will be used in accordance with the  
10 required early childhood education plan.

11 4. Moneys received under this section shall not be  
12 commingled with state aid payments made under sections  
13 257.16 to a school district and shall be accounted for  
14 by the school district separately from state aid  
15 payments.

16 5. Payments made to school districts under this  
17 section are miscellaneous income for purposes of  
18 chapter 257 or are considered encumbered. Each school  
19 district shall maintain a separate listing within  
20 their budgets for payments received and expenditures  
21 made pursuant to this section.

22 6. Moneys received under this section shall not be  
23 used for payment of any collective bargaining  
24 agreement or arbitrator's decision negotiated or  
25 awarded under chapter 20.

26 Sec. 15. NEW SECTION. 256F.3 EARLY CHILDHOOD  
27 EDUCATION IMPERATIVES PROGRAM -- REPORTS.

28 1. Progress, as determined by school districts  
29 through appropriate assessments, for children enrolled  
30 in kindergarten through grade three in attaining or  
31 surpassing student achievement goals as established  
32 under the accreditation process in chapter 256, and an  
33 accounting of the use of the moneys received by the  
34 school districts in accordance with this chapter,  
35 shall be submitted in an annual report to the  
36 department of education by September 1 in the fiscal  
37 year beginning July 1, 1999, and in each succeeding  
38 year. Each school district shall also certify, in the  
39 annual report to the department, that the school  
40 districts used the moneys received under this chapter  
41 to supplement, and not to supplant, the moneys  
42 otherwise received and used by the school district for  
43 kindergarten through grade three education purposes.

44 2. The department shall submit, to the  
45 chairpersons and ranking members of the house and  
46 senate education committees by January 1, 2000, a  
47 report describing the ways in which the school  
48 districts are making use of the moneys received under  
49 this chapter, and including the school districts, if  
50 any, that used moneys received under this chapter to

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1 supplant funds the school district was already  
2 receiving for kindergarten through grade three  
3 education purposes.

4 3. The department shall submit, to the  
5 chairpersons and ranking members of the house and  
6 senate education committees by January 1, 2002, a  
7 report describing school district progress on  
8 attaining or surpassing student achievement goals.

9 Sec. 16. NEW SECTION. 256F.4 EARLY CHILDHOOD  
10 EDUCATION IMPERATIVES PROGRAM EXPENDITURES.

11 School districts shall expend funds received  
12 pursuant to section 256F.2 to support reading  
13 instruction in phonics, and other education practices,  
14 programs, or assistance for kindergarten through grade  
15 three that may include, but are not limited to, the  
16 following: reducing adult to student ratios through  
17 the hiring of teachers, former teachers, and para-  
18 educator teaching assistants; talented and gifted  
19 programs; and implementation of instructional programs  
20 designed to improve student achievement in the areas  
21 of reading, language arts, and mathematics.

22 Sec. 17. NEW SECTION. 256F.5 REPEAL.

23 This chapter is repealed effective July 1, 2001,  
24 except that section 256F.3 is not repealed until  
25 January 1, 2002.

26 Sec. 18. Section 257.1, subsection 2, unnumbered  
27 paragraph 3, Code 1997, is amended to read as follows:

28 For the budget year commencing July 1, ~~1995~~ 1999,  
29 the department of management shall add the amount of  
30 the additional budget adjustment computed in section  
31 257.14, subsection 2, to the combined foundation base.

32 Sec. 19. NEW SECTION. 257.13 ON-TIME FUNDING FOR  
33 INCREASED ENROLLMENT.

34 1. If a district's actual enrollment for the  
35 budget year, determined under section 257.6, is  
36 greater than its budget enrollment for the budget  
37 year, the district may submit a request to the school  
38 budget review committee for on-time funding for  
39 increased enrollment. The school budget review  
40 committee shall consider the relative increase in  
41 enrollment on a district-by-district basis, in  
42 determining whether to approve the request, and shall  
43 determine the amount of additional funding to be  
44 provided if the request is granted. An application  
45 for on-time funding must be received by the department  
46 of education by October 1. Written notice of the  
47 committee's decision shall be given through the  
48 department of education to the school board for a  
49 district.

50 2. If the school budget review committee approves

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1 a request for on-time funding for increased  
2 enrollment, the funding shall be in an amount up to  
3 the product of one-third of the state cost per pupil  
4 for the budget year multiplied by the difference  
5 between the actual enrollment for the budget year and  
6 the budget enrollment for the budget year. The  
7 additional funding received under this section is  
8 miscellaneous income to the district.

9 3. Moneys appropriated by the general assembly for  
10 purposes of this section shall be paid to school  
11 districts in one lump sum within thirty days of  
12 notification by the school budget review committee of  
13 approval for on-time funding for increased enrollment  
14 for a budget year. If the requests approved by the  
15 school budget review committee exceed the  
16 appropriation made for purposes of this section, the  
17 payments to school districts receiving approval for  
18 on-time funding shall be prorated such that each  
19 school district approved for on-time funding shall  
20 receive an amount of on-time funding equal to the  
21 percentage that the on-time funding to be provided to  
22 the district bears to the total amount of on-time  
23 funding to be provided to all districts receiving  
24 approval.

25 4. If the board of directors of a school district  
26 determines that a need exists for additional funds  
27 exceeding the amount provided in this section, a  
28 request for supplemental aid based upon increased  
29 enrollment may be submitted to the school budget  
30 review committee as provided in section 257.31.

31 5. A school district which is receiving a budget  
32 adjustment for a budget year pursuant to section  
33 257.14 shall receive on-time funding for increased  
34 enrollment, reduced by the amount of the budget  
35 adjustment for that budget year.

36 6. There is appropriated from the general fund of  
37 the state to the department of education for the  
38 fiscal year beginning July 1, 1999, and for each  
39 succeeding fiscal year, the sum of four million  
40 dollars or as much thereof as is necessary to pay  
41 additional funding authorized under this section.

42 Sec. 20. Section 257.14, Code Supplement 1997, is  
43 amended to read as follows:

44 257.14 BUDGET ADJUSTMENT.

45 1. For the budget years commencing July 1, 1997,  
46 and July 1, 1998, and July 1, 1999, if the department  
47 of management determines that the regular program  
48 district cost of a school district for a budget year  
49 is less than the total of the regular program district  
50 cost plus any adjustment added under this section for

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1 the base year for that school district, the department  
2 of management shall provide a budget adjustment for  
3 that district for that budget year that is equal to  
4 the difference.

5 2. For the budget year beginning July 1, 1995  
6 1999, if the department of management determines that  
7 the regular program district cost plus the budget  
8 adjustment computed under subsection 1 of a school  
9 district is less than one hundred one percent of the  
10 total of the regular program district cost plus any  
11 adjustment added under this section for the base year  
12 for that school district, the department of management  
13 shall provide an additional budget adjustment for that  
14 budget year that is equal to the difference.

15 Sec. 21. Section 257.20, subsection 2, paragraph  
16 a, Code 1997, is amended to read as follows:

17 a. However, for the fiscal year beginning July 1,  
18 1998, moneys appropriated under this subsection shall  
19 not exceed the amount of moneys appropriated as  
20 instructional support state aid for the budget year  
21 which commenced on July 1, 1992. For the fiscal year  
22 beginning July 1, 1999, and for each succeeding fiscal  
23 year, moneys appropriated under this subsection shall  
24 not exceed the sum of sixteen million seven hundred  
25 ninety-eight thousand two hundred twenty-seven  
26 dollars.

27 Sec. 22. Section 272.1, Code 1997, is amended by  
28 adding the following new subsection:

29 NEW SUBSECTION. 4A. "Para-educator" means a  
30 person who is licensed to assist a teacher in the  
31 performance of instructional tasks to support and  
32 assist classroom instruction and related school  
33 activities.

34 Sec. 23. NEW SECTION. 272.12 PARA-EDUCATOR  
35 LICENSES.

36 1. The board of educational examiners shall adopt  
37 rules pursuant to chapter 17A relating to a multi-  
38 level voluntary licensing system ranging from para-  
39 educator generalist to para-educator specialist. The  
40 rules shall outline the instructional and other school  
41 activity tasks the individuals licensed under this  
42 section may perform. The board shall determine  
43 whether an applicant is qualified to perform the  
44 duties for which a para-educator license is sought.

45 2. Applicants for a para-educator license as a  
46 generalist must hold a high school diploma from an  
47 accredited secondary school or a high school  
48 equivalency diploma issued in accordance with chapter  
49 259A. The applicant must also have completed  
50 additional in-service training in at least all of the

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following areas:

- 2 a. Behavior management.
- 3 b. Ethical responsibilities and behavior.
- 4 c. Exceptional child and at-risk child behavior.
- 5 d. Collaboration skills and interpersonal
- 6 relations.
- 7 e. Child and youth development.
- 8 3. Applicants for a para-educator license as a
- 9 specialist must meet the requirements of subsection 2
- 10 and additional requirements as prescribed by rule.
- 11 4. A public school district, area education
- 12 agency, community college, institution of higher
- 13 education under the state board of regents, or an
- 14 accredited private institution as defined in section
- 15 261.9, subsection 1, with a program approved by the
- 16 state board of education, may train and recommend
- 17 individuals for board licensure.
- 18 5. Applicants shall be disqualified for any of the
- 19 following reasons:
- 20 a. The applicant is less than eighteen years of
- 21 age.
- 22 b. The applicant has a record of founded child
- 23 abuse.
- 24 c. The applicant has been convicted of a felony.
- 25 d. The applicant's application is fraudulent.
- 26 e. The applicant's license or certification from
- 27 another state is suspended or revoked.
- 28 f. The applicant fails to meet board standards for
- 29 application for an initial or renewed license.
- 30 6. Qualifications or criteria for the granting or
- 31 revocation of a license or the determination of an
- 32 individual's professional standing shall not include
- 33 membership or nonmembership in any teachers'
- 34 organization.

35 Sec. 24. Section 279.14, Code 1997, is amended to  
36 read as follows:

37 279.14 EVALUATION CRITERIA AND PROCEDURES.

38 1. The board shall establish evaluation criteria  
39 and shall implement evaluation procedures. If an  
40 exclusive bargaining representative has been  
41 certified, the board shall negotiate in good faith  
42 with respect to evaluation procedures pursuant to  
43 chapter 20.

44 2. Notwithstanding chapter 20, any challenge to an  
45 evaluation raised after the service of the notice of  
46 intent to recommend termination of a teacher's  
47 continuing contract in accordance with section 279.15  
48 shall be brought only in the hearing before the school  
49 board held in accordance with section 279.16.

50 Sec. 25. NEW SECTION. 279.14A PRACTITIONER

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## 1 PERFORMANCE IMPROVEMENT PROGRAM.

2 1. The department of education shall establish and  
3 implement a voluntary practitioner performance  
4 improvement program that shall provide technical  
5 assistance to teachers and administrators from each  
6 public school district and area education agency.  
7 Individuals under contract with a school district may  
8 receive technical assistance in accordance with this  
9 subsection. The department shall consult with the  
10 Iowa state education association, the Iowa association  
11 of school boards, the school administrators of Iowa,  
12 the professional educators of Iowa, and, as  
13 practicable, other entities providing similar  
14 programs, in developing the program. At a minimum,  
15 the program shall provide administrators with  
16 training, including but not limited to, seminars and  
17 written materials, relating to the areas of employment  
18 policies and procedures, employment documentation,  
19 performance evaluations, corrective performance  
20 techniques, discipline, termination, and support by  
21 qualified individuals for implementation of the  
22 program. Training received by an administrator in  
23 accordance with this section shall apply toward an  
24 administrator's evaluator approval renewal.

25 2. The department shall submit an annual report to  
26 the chairpersons and ranking members of the house and  
27 senate standing education committees summarizing  
28 program activities and describing the department's  
29 plans for improving or changing the program.

30 Sec. 26. Section 279.19, unnumbered paragraph 1,  
31 Code 1997, are amended to read as follows:

32 The first ~~two~~ three consecutive years of employment  
33 of a teacher in the same school district are a  
34 probationary period. However, ~~a~~ if the teacher has  
35 successfully completed a probationary period of  
36 employment for another school district located in  
37 Iowa, the probationary period in the current district  
38 of employment shall not exceed one year. A board of  
39 directors may waive the probationary period for any  
40 teacher who previously has served a probationary  
41 period in another school district and the board may  
42 extend the probationary period for an additional year  
43 with the consent of the teacher.

44 Sec. 27. Section 279.46, Code 1997, is amended to  
45 read as follows:

## 46 279.46 RETIREMENT INCENTIVES -- TAX.

47 The board of directors of a school district may  
48 adopt a program for payment of a monetary bonus,  
49 continuation of health or medical insurance coverage,  
50 or other incentives for encouraging its employees to

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retire before the normal retirement date as defined in chapter 97B. The program is available only to employees between ~~fifty-nine~~ fifty-five and sixty-five years of age who notify the board of directors prior to ~~March~~ April 1 of the fiscal year that they intend to retire not later than the next following June 30. However, the age at which employees shall be designated eligible for the program, within the age range of fifty-five to sixty-five years of age, shall be at the discretion of the board. An employee retiring under this section shall apply for a retirement allowance under chapter 97B or chapter 294. If The board may include in the district management levy an amount to pay the total estimated accumulated cost to a the school district of the health or medical insurance coverage, bonus, or other incentives for employees who retire under this section does-not exceed-the-estimated-savings-in-salaries-and-benefits for-employees-who-replace-the-employees-who-retire under-the-program,-the-board-may-include-in-the district-management-levy-an-amount-to-pay-the-costs-of the-program-provided-in-this-section.

23 Sec. 28. NEW SECTION. 279.59 STATEMENT OF  
24 PURPOSE.

25 The purpose of the instructional leadership pilot  
26 program is to recognize and reward teachers and  
27 administrators for outstanding leadership,  
28 performance, and service. The program is intended to  
29 encourage and reinforce masterful teaching and  
30 leadership, and provide extensive professional and  
31 financial recognition to teachers and administrators  
32 who are achieving outstanding results in their work  
33 with students.

34 Sec. 29. NEW SECTION. 279.60 INSTRUCTIONAL  
35 LEADERSHIP PILOT PROGRAM.

36 1. Subject to an appropriation of sufficient funds  
37 by the general assembly, the department shall  
38 establish and implement an instructional leadership  
39 pilot program to be administered in cooperation with  
40 school districts in the state. The instructional  
41 leadership pilot program shall include, but not be  
42 limited to, all of the following:

43 a. A nomination procedure that permits nominations  
44 to be made by a practitioner or other individuals.

45 b. Award distribution to individual practitioners  
46 or to nominated teams of practitioners.

47 c. Award eligibility based upon a satisfactory or  
48 higher ranking on a performance evaluation by the  
49 practitioner's administrator or a recommendation from  
50 the board of directors of the school district, and

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1 certification by the school district that the  
2 practitioner improved student achievement in the  
3 school year of award eligibility. To receive an award  
4 a practitioner must have successfully completed at  
5 least three consecutive years of service under  
6 contract with a school district in this state.

7 d. Voluntary participation by a nominee.  
8 e. Use of objective methods for measuring  
9 improvement in student achievement. Multiple  
10 measurement and assessment tools may be used to  
11 measure student achievement. However, the  
12 practitioner or the school district may request  
13 approval from the director of the department of  
14 education to use an alternative method for measuring  
15 improvement in student achievement. The director's  
16 decision shall be final.

17 2. The department shall develop and distribute to  
18 school districts a weighting system for criteria  
19 evaluation to be used by districts in making awards to  
20 practitioners that ranks the criteria in the following  
21 order of priority: improvement in student  
22 achievement, practitioner participation as a member or  
23 leader of a team, initiative to improve student  
24 achievement and student change, practitioner  
25 advancement through education or professional  
26 designation achievement, and community involvement.  
27 In addition to the criteria established in accordance  
28 with this section, a school district may provide  
29 additional weighted criteria for evaluation,  
30 including, but not limited to, classroom or school  
31 environment and objective measures of teaching skill.

32 3. To nominate a practitioner or team of  
33 practitioners for an award, an individual shall submit  
34 an application and report, on a form designed and  
35 distributed to school districts by the department of  
36 education, to a local school district coordinator  
37 designated by the board of directors of the school  
38 district. The form shall be completed by the  
39 practitioner, one colleague, one administrator, and  
40 three parents selected by the practitioner, and shall  
41 be forwarded to the local school district coordinator.

42 4. The local school district coordinator shall  
43 submit the forms to the department, which shall  
44 tabulate and rank for each school district the  
45 applications received according to the minimum  
46 criteria established in accordance with subsection 2.

47 5. The board of directors shall also consult with  
48 practitioners to plan appropriate recognition events  
49 within the school district for presentation of the  
50 awards.

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6. Applications submitted under this section shall be considered confidential personnel records under section 22.7.

7. A teacher receiving a national board certification registration or annual award under section 256.44 shall be ineligible for an award under the instructional leadership pilot program as established in this section.

For purposes of this section, "practitioner" means the same as defined in section 272.1.

Sec. 30. NEW SECTION. 279.61 INSTRUCTIONAL LEADERSHIP PILOT PROGRAM -- FUNDING.

1. Subject to an appropriation of sufficient funds by the general assembly, and the establishment of an instructional leadership pilot program, by September 15, each school district willing to participate in the instructional leadership pilot program shall notify the department of education of the intent to participate in the program.

2. From the moneys appropriated for purposes of this program, the amount of moneys allocated to school districts that have notified the department of the intent to participate in the program shall be in the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state for the budget year that are willing to participate in the program. However, the amount of an award to a school district shall not exceed the sum of one hundred thousand dollars.

3. For each year in which an appropriation is made to the instructional leadership pilot program, the department of education shall notify the department of revenue and finance of the amount to be paid to each school district based upon the distribution plan set forth for the appropriation made pursuant to this section. The allocation to each school district under this section shall be made in one payment on or about January 15 of the fiscal year in which the appropriation is made, taking into consideration the relative budget and cash position of the state resources.

4. Moneys received under this section shall not be commingled with state aid payments made under sections 257.16 to a school district and shall be accounted for by the local school district separately from state aid payments.

5. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each local school district shall maintain a separate listing

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1 within their budget for payments received and  
2 expenditures made pursuant to this section.

3 6. Moneys received under this section shall not be  
4 used for payment of any collective bargaining  
5 agreement or arbitrator's decision negotiated or  
6 awarded under chapter 20.

7 7. Awards to practitioners under this program  
8 shall not be built into the base pay for the  
9 practitioner, but shall be included in the calculation  
10 to determine pension contributions in the year in  
11 which the award is received.

12 Sec. 31. NEW SECTION. 279.62 FUTURE REPEAL.

13 This section and sections 279.59 through 279.61 are  
14 repealed effective July 1, 2003.

15 Sec. 32. Section 280.18, unnumbered paragraph 2,  
16 Code 1997, is amended to read as follows:

17 In order to achieve the goal of improving student  
18 achievement and performance on a statewide basis, the  
19 board of directors of each school district shall adopt  
20 goals that will improve student achievement at each  
21 grade level in the skills listed in this section and  
22 other skills deemed important by the board. ~~Not later~~  
23 ~~than July 1, 1989, the~~ At a minimum, each board shall  
24 adopt a goal of addressing the educational inequities  
25 among Iowa's minority students and develop plans for  
26 improving minority student academic performance. The  
27 board of each district shall transmit to the  
28 department of education its plans for achieving the  
29 goals it has adopted and the periodic assessment that  
30 will be used to determine whether its goals have been  
31 achieved. The committee appointed by the board under  
32 section 280.12 shall advise the board concerning the  
33 development of goals, the assessment process to be  
34 used, and the measurements to be used.

35 Sec. 33. Section 294A.5, Code 1997, is amended to  
36 read as follows:

37 294A.5 MINIMUM SALARY SUPPLEMENT.

38 1. For the school year beginning July 1, ~~1987~~  
39 ~~1998~~, and succeeding school years, the minimum annual  
40 salary paid to a full-time teacher as regular  
41 compensation shall be eighteen twenty-three thousand  
42 dollars.

43 2. The minimum salary supplement shall be the sum  
44 of the following, as applicable:

45 a. For the school year beginning July 1, ~~1987~~  
46 ~~1998~~, for phase I, each school district and area  
47 education agency shall certify to the department of  
48 education by the third Friday in September the names  
49 of all teachers employed by the district or area  
50 education agency whose regular compensation is less

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1 than eighteen twenty-three thousand dollars per year  
2 for that year and the amounts needed as minimum salary  
3 supplements. The minimum salary supplement for each  
4 eligible teacher is the total of the difference  
5 between eighteen twenty-three thousand dollars and the  
6 teacher's regular compensation plus the amount  
7 required to pay the employer's share of the federal  
8 social security and Iowa public employees' retirement  
9 system, or a pension and annuity retirement system  
10 established under chapter 294, payments on the  
11 additional salary moneys. However, for purposes of  
12 this paragraph, a teacher's regular compensation for  
13 the school year beginning July 1, 1998, shall not be  
14 lower than eighteen thousand dollars.

15 b. The total minimum salary supplement paid to a  
16 school district under phase I for the school year  
17 beginning July 1, 1997.

18 3. The board of directors shall report the  
19 salaries of teachers employed on less than a full-time  
20 equivalent basis, and the amount of minimum salary  
21 supplement shall be prorated.

22 Sec. 34. Section 294A.6, unnumbered paragraph 1,  
23 Code 1997, is amended to read as follows:

24 For the school year beginning July 1, ~~1987~~ 1998,  
25 the department of education shall notify the  
26 department of revenue and finance of the total minimum  
27 salary supplement, as described in section 294A.5,  
28 subsection 2, paragraphs "a" and "b", to be paid to  
29 each school district and area education agency under  
30 phase I and the department of revenue and finance  
31 shall make the payments. For school years after the  
32 school year beginning July 1, ~~1987~~ 1998, if a school  
33 district or area education agency reduces the number  
34 of its full-time equivalent teachers below the number  
35 employed during the school year beginning July 1, ~~1987~~  
36 1998, the department of revenue and finance shall  
37 reduce the total minimum salary supplement payable to  
38 that school district or area education agency so that  
39 the amount paid is equal to the ratio of the number of  
40 full-time equivalent teachers employed in the school  
41 district or area education agency for that school year  
42 divided by the number of full-time equivalent teachers  
43 employed in the school district or area education  
44 agency for the school year beginning July 1, ~~1987~~  
45 1998, and multiplying that fraction by the total  
46 minimum salary supplement paid to that school district  
47 or area education agency for the school year beginning  
48 July 1, ~~1987~~ 1998.

49 Sec. 35. Section 294A.25, subsection 1, Code  
50 Supplement 1997, is amended to read as follows:

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1 1. For the fiscal year beginning July 1, 1990  
2 1998, and for each succeeding year, there is  
3 appropriated from the general fund of the state to the  
4 department of education the amount of ninety-two  
5 eighty-two million one eight hundred ninety-one  
6 thousand eighty-five three hundred thirty-six dollars  
7 to be used to improve teacher salaries. For each  
8 ~~fiscal year in the fiscal period commencing July 1,~~  
9 ~~1991, and ending June 30, 1993, there is appropriated~~  
10 ~~an amount equal to the amount appropriated for the~~  
11 ~~fiscal year beginning July 1, 1990, plus an amount~~  
12 ~~sufficient to pay the costs of the additional funding~~  
13 ~~provided for school districts and area education~~  
14 ~~agencies under sections 294A.9 and 294A.14. For each~~  
15 ~~fiscal year beginning on or after July 1, 1995, there~~  
16 ~~is appropriated the sum which was appropriated for the~~  
17 ~~previous fiscal year, including supplemental payments.~~  
18 The moneys shall be distributed as provided in this  
19 section.

20 Sec. 36. Section 294A.25, subsection 7, Code  
21 Supplement 1997, is amended to read as follows:  
22 7. Commencing with the fiscal year beginning July  
23 1, 1990, the amount of sixty seventy-five thousand  
24 dollars for the ambassador to education program under  
25 section ~~256.43~~ 256.45.

26 Sec. 37. Section 669.14, Code 1997, is amended by  
27 adding the following new subsection:

28 NEW SUBSECTION. 14. Any claim arising in respect  
29 to technical assistance provided by the department of  
30 education pursuant to section 279.14A.

31 Sec. 38. CURRENT NATIONAL BOARD CERTIFICATE  
32 HOLDERS. In order to receive payment under section  
33 256.44, as enacted by this Act, a teacher who by July  
34 1, 1998, meets the qualifications for an award under  
35 section 256.44 shall apply to the department for  
36 payment under section 256.44 by June 30, 1999.

37 Sec. 39. CONTINGENT APPROPRIATION -- TAXABLE  
38 VALUATION INCREASE. For the fiscal year beginning  
39 July 1, 1998, and ending June 30, 1999, if the actual  
40 taxable valuation of real property located in this  
41 state, based upon January 1, 1997, assessments, which  
42 is used in the computation of property taxes payable  
43 in the fiscal year beginning July 1, 1998, increases  
44 from the estimate of such taxable valuation, there is  
45 appropriated from the general fund of the state the  
46 lesser of \$4,000,000 or the amount of the reduction in  
47 state foundation aid under section 257.1 as a result  
48 of such increase in taxable valuation to be used to  
49 fund section 257.13, as enacted by this Act, and the  
50 moneys shall be allocated as provided in section

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1 257.13, subsection 2, as enacted by this Act.

2 Sec. 40. EMERGENCY RULES. The department may  
3 adopt emergency rules as necessary for the  
4 administration of chapter 256E and sections 256.17A  
5 and 279.60, if enacted.

6 Sec. 41. APPLICABILITY. Section 279.19, as  
7 amended by this Act, shall not apply to a teacher  
8 employed by a school district prior to July 1, 1998.  
9 Section 279.19, Code 1997, shall remain applicable to  
10 a teacher employed by a school district prior to July  
11 1, 1998.

12 Sec. 42. EFFECTIVE DATE. Section 2 of this Act,  
13 relating to preparation for recognizing at-risk  
14 students and for accelerating the achievement growth  
15 of students through the use of learning techniques,  
16 takes effect July 1, 1999.

17 Sec. 43. EFFECTIVE DATE AND RETROACTIVE  
18 APPLICABILITY. The section of this Act that amends  
19 section 279.46, being deemed of immediate importance,  
20 takes effect upon enactment and applies retroactively  
21 to retirement incentive programs in existence after  
22 December 31, 1997.

23 Sec. 44. EFFECTIVE DATE. Section 19 of this Act,  
24 relating to on-time funding for increased enrollment,  
25 being deemed of immediate importance, takes effect  
26 upon enactment for the purpose of computations  
27 required for payment of state aid to school districts  
28 for budget years beginning on or after July 1, 1998.  
29 Section 19 of this Act remains in effect until the  
30 repeal of chapter 257 on July 1, 2001."

31 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5400 FILED MARCH 30, 1998

*Senate Concurred*

*4-17-98*

*(P. 1358)*



## SENATE FILE 2366

S-5745

1 Amend the House amendment, S-5400, to Senate File  
2 2366, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 14, by inserting after line 31 the  
5 following:

6 "Sec. 100. Section 257.6, subsection 5, Code 1997,  
7 is amended to read as follows:

8 5. WEIGHTED ENROLLMENT. Weighted enrollment is  
9 the budget enrollment plus the district's additional  
10 enrollment because of special education calculated on  
11 December 1 of the base year plus additional pupils  
12 added due to the application of the supplementary  
13 weighting pursuant to sections 257.11 and 257.12A.

14 Weighted enrollment for special education support  
15 services costs is equal to the weighted enrollment  
16 minus the additional pupils added due to the  
17 application of the supplementary weighting.

18 Sec. 101. NEW SECTION. 257.12A CLASS SIZE  
19 REDUCTION WEIGHTING PROGRAM.

20 1. There is established a class size reduction  
21 weighting program to provide additional funds for  
22 school districts that develop a class size reduction  
23 plan. To be eligible for supplementary weighting as  
24 provided in this section, a school district shall  
25 submit annually by April 15 of the base year to the  
26 department of education a plan which includes, at a  
27 minimum, the goals of reducing class size in  
28 kindergarten and grades one through three, instituting  
29 professional development to assist teachers in  
30 teaching challenging curricula more effectively, and  
31 engaging parents, teachers, school administrators, and  
32 students in the achievement of the shared goal of  
33 raising student achievement levels. In addition, the  
34 plan shall provide for methods for measuring student  
35 achievement and progress.

36 2. A pupil enrolled in a school district that  
37 meets the requirements of subsection 1, and who is  
38 assigned to a self-contained classroom in which the  
39 student-to-teacher ratio is not more than fifteen  
40 students to one teacher, or the equivalent in a school  
41 that utilizes team teaching methods, and who is  
42 receiving at a minimum the grade-appropriate  
43 educational program provided in accordance with  
44 section 256.11, is assigned a supplementary weighting  
45 of two-tenths, which is in addition to any weighting  
46 received under section 257.6, if the pupil is enrolled  
47 in and attending the following:

48 a. Full-day kindergarten, or a combined  
49 kindergarten and grade one program, in the fiscal year  
50 beginning July 1, 1998, or in a succeeding fiscal

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1 year.

2 b. Full-day kindergarten, a combined kindergarten  
3 and grade one program, or grade one in the fiscal year  
4 beginning July 1, 1999, or in a succeeding fiscal  
5 year.

6 c. Full-day kindergarten, a combined kindergarten  
7 and grade one program, grade one, or grade two in the  
8 fiscal year beginning July 1, 2000, or in a succeeding  
9 fiscal year.

10 d. Full-day kindergarten, a combined kindergarten  
11 and grade one program, grade one, grade two, or grade  
12 three in the fiscal year beginning July 1, 2001, or in  
13 a succeeding fiscal year.

14 3. A school district shall provide a separate  
15 accounting of the pupils eligible for supplemental  
16 weighting in accordance with this section, when  
17 certifying its actual enrollment to the department of  
18 education."

19 2. Page 24, by inserting after line 25 the  
20 following:

21 "Sec. 102. Section 298.2, subsection 2, Code  
22 Supplement 1997, is amended to read as follows:

23 2. If the electors of a school district have  
24 authorized a voter-approved physical plant and  
25 equipment levy not exceeding sixty-seven cents per  
26 thousand dollars of assessed valuation in the district  
27 prior to July 1, 1997, the levy shall continue for the  
28 period authorized under the voter-approved levy, and  
29 the maximum levy that can be authorized by the  
30 electors under the voter-approved levy on or after  
31 July 1, 1997, ~~under this section,~~ is an additional  
32 sixty-seven cents in accordance with subsection 1, or  
33 an additional ninety-two cents in accordance with  
34 subsections 1 and 7, for a period to coincide with the  
35 period for which the initial physical plant and  
36 equipment levy in the district was approved.

37 Sec. 103. Section 298.2, Code Supplement 1997, is  
38 amended by adding the following new subsection:

39 NEW SUBSECTION. 7. Notwithstanding subsection 1,  
40 the voter-approved physical plant and equipment levy  
41 in a school district may exceed the one dollar and  
42 thirty-four cents per thousand dollars of assessed  
43 valuation limit by twenty-five cents if the levy  
44 exceeding one dollar and thirty-four cents per  
45 thousand dollars of assessed valuation is established  
46 by a school district that has developed a class size  
47 reduction plan pursuant to section 257.12A. The  
48 revenue from the levy of twenty-five cents above the  
49 limits provided for in subsections 1 and 2 shall be  
50 used for purposes of facilities-related costs

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Page 3

1 associated with reducing class size in kindergarten  
2 and grades one through three."

3 3. Page 25, by inserting after line 16 the  
4 following:

5 "Sec. \_\_\_\_\_. Sections 100, 101, 102, and 103 of this  
6 Act, relating to class size reduction, take effect  
7 July 1, 1998, for computations required for the school  
8 year beginning July 1, 1999."

9 4. By renumbering, relettering, and redesignating  
10 as necessary.

By BILL FINK  
PATRICIA HARPER  
JOHNIE HAMMOND  
PATRICK J. DELUHERY  
PATTY JUDGE  
MICHAEL E. GRONSTAL  
EUGENE S. FRAISE  
ELAINE SZYMONIAK  
TOM VILSACK  
MIKE CONNOLLY  
DICK L. DEARDEN

ROBERT E. DVORSKY  
MARY NEUHAUSER  
MATT McCOY  
WALLY E. HORN  
DON GETTINGS  
TOM FLYNN  
JOHN P. KIBBIE  
ROD HALVORSON  
DENNIS H. BLACK  
WILLIAM D. PALMER

S-5745 FILED APRIL 17, 1998  
LOST

(p. 1357)

## SENATE FILE 2366

S-5744

1 Amend the House amendment, S-5400, to Senate File  
2 2366, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 24, by inserting after line 25 the  
5 following:

6 "Sec. \_\_\_\_ . NEW SECTION. 297A.1 SCHOOL  
7 INFRASTRUCTURE FUND -- APPROPRIATION.

8 1. There is appropriated from the general fund of  
9 the state to the department of education for the  
10 fiscal year beginning July 1, 1998, and ending June  
11 30, 1999, the sum of one hundred million dollars to  
12 establish, maintain, and administer a school  
13 infrastructure fund.

14 2. Moneys appropriated in subsection 1 shall be  
15 allocated to school districts throughout the state on  
16 a per pupil basis. The amount of moneys allocated to  
17 school districts shall be in the proportion that the  
18 basic enrollment of a district bears to the sum of the  
19 basic enrollments of all school districts in the state  
20 for the budget year.

21 3. The department of management shall allocate to  
22 each school district the amount calculated pursuant to  
23 subsection 2 in one payment on or about October 15,  
24 based upon the actual enrollment certified to the  
25 department of education for each school district and  
26 forwarded to the department of management, taking into  
27 consideration the relative budget and cash position of  
28 the state resources. By October 1, prior to the  
29 receipt of funds, school districts shall submit to the  
30 department of education a school infrastructure  
31 progress report. The report shall provide adequate  
32 assurance that the school district has developed or is  
33 developing a school infrastructure plan containing an  
34 analysis of school district infrastructure needs,  
35 priorities, and an estimated timetable for completion  
36 of infrastructure projects or allocation of funds  
37 previously received by the school district pursuant to  
38 subsection 2.

39 4. Moneys received under this section shall not be  
40 commingled with state aid payments made under section  
41 257.16 to a school district, and shall be accounted  
42 for by the school district separately from state aid  
43 payments. Payments made to school districts pursuant  
44 to this section are miscellaneous income for purposes  
45 of chapter 257 or are considered encumbered. Each  
46 school district shall maintain a separate listing  
47 within its budget for payments received and  
48 expenditures made pursuant to this section. Moneys  
49 received under this section shall not be used for  
50 payment of any collective bargaining agreement or

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Page 2

1 arbitrator's decision negotiated or awarded under  
2 chapter 20.

3 5. For purposes of this chapter, a "school  
4 district" shall mean a school district as defined in  
5 section 257.2.

6 Sec. \_\_\_\_ . NEW SECTION. 297A.2 SCHOOL  
7 INFRASTRUCTURE EXPENDITURES.

8 1. School districts shall expend funds received  
9 pursuant to section 297A.1 for school infrastructure  
10 needs. For purposes of this chapter, "school  
11 infrastructure" includes the following:

12 a. Activities for which a school district is  
13 authorized to contract indebtedness and issue general  
14 obligation bonds under section 296.1, except those  
15 activities related to a teacher's or superintendent's  
16 home or homes. These activities include the  
17 construction, reconstruction, repair, purchasing, or  
18 remodeling of schoolhouses, stadiums, gyms,  
19 fieldhouses, and bus garages.

20 b. Procurement of school house construction sites  
21 and the making of site improvements.

22 c. Payment or retirement of outstanding bonds  
23 previously issued for school infrastructure purposes,  
24 as defined in this subsection, if it is determined by  
25 the department of education that the school district  
26 has undertaken a serious effort to meet its school  
27 infrastructure needs. In making this determination,  
28 the department shall consider the relative size and  
29 property tax base of the school district, and the  
30 information provided to the department in the school  
31 district's infrastructure progress report pursuant to  
32 section 297A.1.

33 d. Maintenance of schoolhouses and school district  
34 property.

35 e. School improvement technology programs pursuant  
36 to chapter 295, utilized for a school district.

37 2. Funds received by a school district pursuant to  
38 this chapter shall not be expended to add a full-time  
39 equivalent position or otherwise increase staffing."

40 2. By renumbering, relettering, and redesignating  
41 as necessary.

By PATRICIA HARPER

BILL FINK

ROD HALVORSON

TOM VILSACK

PATRICK J. DELUHERY

PATTY JUDGE

MICHAEL E. GRONSTAL

EUGENE S. FRAISE

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WALLY E. HORN

MIKE CONNOLLY

JOHNIE HAMMOND

JOHN P. KIBBIE

S-5744 FILED APRIL 17, 1998

LOST

(p. 1358)



TERRY E. BRANSTAD  
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL  
DES MOINES, IOWA 50319  
515 281-5211

May 8, 1998

REC-117  
MAY 11 1998  
LEGISLATIVE SERVICE  
BUREAU

The Honorable Paul Pate  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 2366, an act relating to licensing and employment of practitioners and the school districts employing them, making appropriations, and including retroactive applicability and effective date provisions.

Senate File 2366 as amended by House File 2533 comprises this General Assembly's education "reform" package. This legislation was passed in response to the recommendations of the Commission on Educational Excellence for the 21<sup>st</sup> Century. I used the visionary framework for education reform developed by this Commission as a basis for my recommendations for a five-year plan to move Iowa schools from adequacy to excellence.

I am disappointed with the General Assembly's response to my and the Commission's recommendations. Encompassed in this bill are halting, hesitant, half steps toward education reform. Far too frequently this legislation uses pilot projects and the proffering of more money to existing programs as the basis for education "reform." Iowa's school children instead need dramatic and bold steps to reform our education system.

While I am acutely aware of the limitations of the legislative process, I believe it is wrong to measure the success of this legislation against the political realities of the day. What is right for kids may not always be good politics and may not always be embraced by the interest groups.

What is right for Iowa's kids is a good teacher for every child. What is right for Iowa's kids is access to the highest quality of education that can be provided anywhere in the world. It is against that measure and not the standards of political realities that we will all be measured in our efforts to provide a good education to Iowa's children. And in that regard, this legislation is tentative and incomplete.

The Honorable Paul Pate  
SF 2366 Page 2  
May 8, 1998

I am pleased that this legislature did take some steps to provide for some limited reforms. Raising the minimum salary for teachers to \$23,000 and providing stipends for teachers who receive national certification are certainly steps in the right direction. With this action I am approving those provisions, without the unnecessary limitations that were included in the legislation.

Moreover, as a result of my item vetoes, reasonable steps can be taken toward providing real incentives to those school districts that provide for an extended school year for their children. This is critically important if Iowa's children are to compete with students around the world.

In addition, I commend the legislature for passing necessary educational accountability provisions and actions to help every child become ready to start school at an early age. I am separately approving those initiatives. But the significant reform stopped there.

While the legislature took appropriate action in this legislation to deal with teachers who aren't passing muster, too little was done to provide rewards for teachers who are doing well.

We all know that access to a great teacher is the key to obtaining a great education. We must do more to prepare and reward those teachers who are doing a great job for Iowa's school children.

Specifically, the legislature failed to adopt the groundbreaking teacher merit pay program that I recommended to them. My recommendation would have provided significant financial incentives to up to 6,000 of our best teachers over the next 5 years. The alternative suggested by this legislation is inadequate, unworkable, and falls short of the meaningful change in the method of paying our teachers that is needed to keep our best teachers in the profession.

In addition, I have disapproved those provisions of this legislation that fail to appropriately reform the way we prepare teachers for the classroom. Fundamental redesign of the teacher preparation programs is necessary and the pilot intern and induction programs included in this legislation are clearly off the mark.

This legislation fails to provide the opportunity for all Iowa's school children to have access to all-day everyday kindergarten. It is wrong for any of Iowa's school children to be denied early access to opportunity.

The legislature did include several provisions that provide substantial additional money to existing education programs. However, education reform is not about just spending more money. It is about fundamentally changing the way we teach our children.

Honorable Paul Pate  
SF 2366 Page 3  
May 8, 1998

The Center for Continuous Quality Improvement was recommended to help support best practices, efficiency and effectiveness, to sustain relationships integral to the improvement of the teaching profession, and to monitor our progress toward excellence. The legislature failed to commit to these continuous quality improvement concepts supported not only by the Commission, but also by corporations and organizations throughout the world.

I cannot approve these additional appropriations without the fundamental reform that must accompany them. As a result, I am disapproving the K-3 block grant, the advanced increased enrollment funding, the 101% guarantee funding, the extension of the 100% guarantee, and the instructional support increase. Taken together, these programs provide an additional \$17.4 million in additional annual general fund spending and an additional \$6.2 million property tax increases. In the future, I am willing to consider these proposed spending increases if they are accompanied by the necessary reforms that will make a difference in the education of our kids. But simply providing these additional funds without that reform is unacceptable.

In addition, I have disapproved the proposed frontier school legislation that is included in Senate File 2366. This new program raises serious questions of educational policy and this method of dealing with our schools. Nevertheless, with some modifications and improvements, I am willing to consider this concept along with the other recommendations for reform recommended by the Commission and not acted upon by this General Assembly.

In short, I have approved those items in Senate File 2366 that are consistent with the recommendations of the Commission on Educational Excellence and provide for fundamental reform. However, those reforms are few and far between in this legislation. I have disapproved the other provisions of this legislation that take only tentative, half steps toward education reform or provide more money without the necessary reforms.

It is critically important that we provide all Iowa school children with the best possible teachers by reforming the teacher preparation system and rewarding teachers for outstanding performance. And we should no longer deny Iowa school children the right to all-day everyday kindergarten. These are reforms that should not wait.

I am willing to consider the items that I have disapproved in this legislation in conjunction with these additional fundamental reforms. Providing the best for Iowa's school children leaves no room for partisan politics. I am prepared to work with the members of the General Assembly yet this year in a cooperative effort to pass these necessary reforms. It is not important to me who gets the credit for those actions. It is not important to me which party is perceived the winner in that legislative effort. All I care about is what is best for the kids of Iowa.



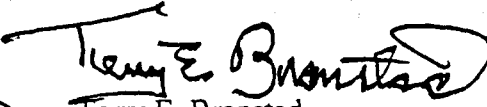
Honorable Paul Pate  
SF 2366 Page 4  
May 8, 1998

Senate File 2366 is, therefore, approved on this date with the following exceptions, which I hereby disapprove, for the reasons stated above:

The designated portion of Section 1, subsection 1; Section 1, subsection 5, in its entirety; the designated portion of Section 1, subsection 7; Sections 2 and 3, in their entirety; the designated portions of Section 4, subsection 1; the designated portions of Section 4, subsection 2; Section 4, subsection 3, in its entirety; Section 4, subsection 5, in its entirety; Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, in their entirety; Sections 28, 29, 30 and 31, in their entirety; Section 39, in its entirety; Section 42, in its entirety; and Section 44, in its entirety.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2366 are hereby approved as of this date.

Sincerely,

  
Terry E. Branstad  
Governor

TEB/ps

cc: Secretary of the Senate  
Chief Clerk of the House

Item Vetoed

SENATE FILE 2366

AN ACT  
RELATING TO THE LICENSING AND EMPLOYMENT OF PRACTITIONERS  
AND THE SCHOOL DISTRICTS EMPLOYING THEM, MAKING  
APPROPRIATIONS, AND INCLUDING RETROACTIVE APPLICABILITY  
AND EFFECTIVE DATE PROVISIONS.

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

Section 1. DEPARTMENT OF EDUCATION. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For frontier school or extended school year grants: ..... \$ 1,500,000

Of the funds appropriated in this subsection, \$300,000 shall be used to provide grants in the amount of \$50,000 each to six school districts for extended year school pilot projects, and the department of education shall expend up to \$75,000 to contract with an accredited private postsecondary institution or an institution of higher learning under the control of the state board of regents to conduct a study of the effectiveness of extended school years on student achievement.

By September 1, 1998, the department shall establish criteria and a process for the awarding of grants for planning or implementation purposes. Grants shall be equitably distributed geographically among rural and urban areas. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year for the purposes of this subsection.

2. To the board of educational examiners, for purposes of developing and implementing a multi-level voluntary para-

educator licensing system in accordance with section 272.12, if enacted:

..... \$ 75,000

3. For deposit in the Iowa empowerment fund if legislation providing for the creation of an Iowa empowerment board, an Iowa empowerment fund, and for the appropriation of moneys to be administered by a community empowerment area, is enacted by the Seventy-seventh General Assembly, 1998 Session:

..... \$ 5,200,000

4. For deposit in the national board for professional teaching standards certification fund in accordance with section 256.44, if enacted:

..... \$ 250,000

5. For beginning teacher induction program grants as provided in chapter 256E, if enacted:

..... \$ 240,000

It is the intent of the general assembly that grants awarded from funds appropriated under this subsection shall provide support to a minimum of one hundred thirty-three teams of mentors and beginning teachers.

6. For purposes of the practitioner performance improvement program as provided in section 279.14A, if enacted:

..... \$ 300,000

7. For the establishment and implementation of an instructional leadership pilot program as provided in sections 279.59 through 279.61, if enacted:

..... \$ 1,000,000

By January 15, 1999, the department of education shall prepare and submit a proposal for a program for leadership development of practitioners and school board members to the chairpersons and ranking members of the house and senate standing education committees and of the joint subcommittee on education appropriations.

Sec. 2. Section 256.16, Code 1997, is amended to read as follows:

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VETOED

256.16 SPECIFIC CRITERIA FOR TEACHER PRACTITIONER PREPARATION AND CERTAIN EDUCATORS.

1. Pursuant to section 256.7, subsection 5, the state board shall adopt rules requiring all higher education institutions providing practitioner preparation to ~~include in the professional education program preparation~~ demonstrate that each student who graduates from the practitioner preparation program successfully completed the following:

a. Preparation that contributes to education of students with disabilities and students who are gifted and talented, which must be successfully completed before graduation from the practitioner preparation program.

b. Preparation for recognizing at-risk students, and for understanding and ameliorating the behavior of at-risk students. For purposes of this section, "at-risk students" shall include students who are "at-risk" as defined under administrative rules adopted by the state board of education, or who are at risk of becoming a substance abuser, or who have been identified as a substance abuser.

c. Preparation for accelerating the achievement of students through the use of learning techniques that shall include, but are not limited to, reading instruction in phonics.

2. A person initially applying for a license shall successfully complete a professional education program containing the subject matter specified in this section, before the initial action by the board of educational examiners takes place.

Sec. 3. NEW SECTION. 256.17A TEACHER INTERNSHIP PILOT PROGRAM.

1. If the general assembly appropriates moneys for a teacher internship pilot program, the department of education shall, by November 1, 1998, establish and implement a competitive pilot program approval process open to Iowa colleges and universities with master's programs in practitioner preparation approved by the state board.

2. To be eligible to receive a grant under this section, an eligible institution shall submit to the department of education a plan for an internship program that, at a minimum, includes the following:

a. Student interns enrolled in the program shall complete a one-year teaching experience conducted in a collaborating school district. A student intern shall have graduated from an approved practitioner preparation program offered by an institution of higher education under the state board of regents or an accredited private institution as defined in section 261.9. A student intern shall be an employee of the participating school district. The amount of money a school district shall pay to a student intern shall be negotiated by the school district and the eligible institution in consultation with the department of education.

b. Application of the best teaching practices in diverse settings and in responding to diverse student needs under the supervision of selected district teachers and personnel employed by the eligible institution.

c. Seminars and special projects designed to meet student intern needs.

d. Collaboration and support from a participating school district relating to supervision and assessment of the student intern's performance.

e. Collaboration and support from the eligible institution in developing rigorous graduate coursework and in matters relating to supervision, instruction, and evaluation of the student intern in conjunction with personnel employed by the participating school district.

3. Student interns who enroll in the program shall receive graduate credit for successful completion of teacher internship program coursework. The successful completion of a one-year teacher internship under the program shall be recognized as the equivalent of one year of teaching experience.

4. A teacher who is employed by a school district and who acts as a clinical supervisor for the teacher internship pilot

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program shall be eligible for a stipend of one thousand dollars per semester of participation in the program. The stipend and the costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system established under chapter 294, for such amounts by the district, shall be paid from moneys received by the participating school district from moneys appropriated to the department of education pursuant to this section.

5. Moneys received by a school district under this section shall not be commingled with state aid payments made under section 257.16 to a school district and shall be accounted for by the school district separately from state aid payments.

6. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 and are considered encumbered. A school district shall maintain a separate budget listing for payments received and expenditures made pursuant to this section.

7. Moneys received by a school district under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

8. Annually on or by January 15, the eligible institution shall submit a report describing activities associated with the program to the department of education, which shall summarize the reports received and submit the summary to the chairpersons and ranking members of the standing house and senate education committees.

9. a. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the sum of two hundred twenty thousand dollars for the teacher internship pilot program.

b. There is appropriated from the general fund of the state to the department of education for each fiscal year of the fiscal period beginning July 1, 1999, and ending June 30, 2001, the sum of five hundred seventy-five thousand dollars for the teacher internship pilot program.

Sec. 4. NEW SECTION. 256.22 FRONTIER SCHOOL AND EXTENDED YEAR SCHOOL GRANT PROGRAM.

1. Subject to an appropriation of sufficient funds by the general assembly, the department shall establish a frontier school and extended year school grant program to provide for the allocation of grants to school districts, or a collaboration of school districts, to provide technical assistance for conversion of an existing school to a frontier school or to an extended school year calendar, or for investigating the possibility of converting an existing school within a district to a frontier school or to an extended school year calendar.

A district that wants to participate in the program shall submit to the department a written request for a grant by September 1, 1998. The school district or collaboration of school districts shall agree to appoint a planning committee composed of parents, guardians, teachers, administrators, and individuals representing business, and the local community. The school district or collaboration shall also indicate in its request its intention to use any grant moneys received under this section to examine, at a minimum, all of the following:

- a. Mission and instructional focus of the school.
- b. Organizational structure and management of the school.
- c. Impact of labor agreements and contracts on the success of the school.
- d. Roles and responsibilities of all involved constituencies.
- e. Arrangements for special needs students.
- f. Connection of the school to the district.
- g. Facility and operation costs.
- h. Measurement of results including student achievement results.

2. Grant moneys shall be distributed to qualifying school districts by the department no later than October 15, 1998. Grant amounts shall be distributed as determined by the department. Not more than fifteen of the grants awarded per year in accordance with this section shall be used for purposes of frontier school planning or conversion.

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3. For purposes of this section, "frontier school" means a school that is nonsectarian in its program, admission policies, employment practices, and all other operations. The school is a public school and is part of the state's system of public education. The primary focus of a frontier school shall be to provide a comprehensive program of instruction for at least one grade or age group from five through eighteen years of age. Frontier schools may be designed to allow significant autonomy to the schools. However, frontier schools shall be accountable for significant results.

VETO

4. By February 15, 1999, a school district or collaboration of districts receiving moneys under this section shall submit an interim report to the department describing the planning activities conducted by the school district or the collaboration and providing preliminary conclusions. The school district or collaboration shall submit a final report by June 1, 1999, to the department. The department shall summarize the school district reports in a final report to the chairpersons and ranking members of the house and senate standing education committees by January 1, 2000.

5. Except as provided in this subsection, frontier schools are exempt from all statutes and rules applicable to a school, a school board, or a school district, although a frontier school may elect to comply with one or more provisions of statute or rule. However, a frontier school shall meet all applicable state and local health and safety requirements; the frontier school shall be organized and operated as a nonprofit cooperative association under chapter 498 or nonprofit corporation under chapter 504A; the provisions of chapters 21 and 22 shall apply to meetings and records of the frontier school board; and frontier schools are subject to and shall comply with chapters 216 and 216A relating to civil and human rights, and sections 275.55A, 279.9A, 280.17B, 280.21B, and 282.4, relating to suspension and expulsion of a student. The frontier school shall employ or contract with necessary teachers, as defined in section 272.1, who hold a valid license with an endorsement for the type of service for which

VETO

the teacher is employed. Frontier schools are subject to the same financial audits, audit procedures, and audit requirements as a school district. The audits shall be consistent with the requirements of sections 11.6, 11.14, 11.19, 256.9, subsection 19, and section 279.29, except to the extent deviations are necessary because of the program at the school. The department, auditor of state, or the legislative fiscal bureau may conduct financial, program, or compliance audits. The provisions of chapter 20 shall not apply to the board of directors of a frontier school or its employees.

Sec. 5. NEW SECTION. 256.44 NATIONAL BOARD CERTIFICATION AWARD -- APPROPRIATION.

1. A teacher, as defined in section 272.1, who registers for a national board for professional teaching standards certificate and is employed by a school district in Iowa shall be eligible for a registration award as provided in subsection 2, and upon achievement of a national board for professional teaching standards certificate, is eligible for an annual award of ten thousand dollars for each year the certificate is valid as provided in this section.

2. To receive a partial registration award in the amount of one-half of the registration fee charged by the national board for professional teaching standards, the teacher shall apply to the department of education within one year of registration, submitting to the department any documentation the department requires. A teacher shall receive a final registration award in the amount of the remaining registration fee charged by the national board if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

3. To receive a five-year annual award for achieving certification by the national board of professional teaching standards, a teacher shall apply to the department within one year of eligibility. Payment for awards shall be made only upon departmental approval of an application or recertification of eligibility. A nonrenewable term of eligibility shall be for five years or for the years the

certificate is valid, whichever time period is shorter. In order to continue receipt of payments, a recipient shall annually recertify eligibility.

4. A national board for professional teaching standards certification fund is established in the office of treasurer of state to be administered by the department. Moneys appropriated by the general assembly for deposit in the fund shall be paid as follows:

- a. Upon receipt of award documentation as provided in subsection 2.
- b. On January 15 to teachers whose applications and recertifications for annual awards as provided in subsection 3 are approved by the department. The treasurer of state shall act as custodian of the fund and may invest the moneys deposited in the fund. The income from any investment shall be credited to and deposited in the fund. The director of revenue and finance shall issue warrants upon the fund pursuant to the order of the department and such warrants shall be paid from the fund by the treasurer of state. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in the fund on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for subsequent fiscal years for the purposes of this section.

5. An individual shall not qualify for a term of annual award eligibility unless the individual applies, certifying eligibility, to the department prior to June 30, 2003.

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

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

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

~~The district which~~ department shall grant funds in an amount equal to the salary and benefits the person selected as ambassador to education would have received from the district, or thirty thousand dollars, whichever amount is greater, to the school district that employs the person selected as the ambassador to education. The department shall also reimburse the school district for actual expenses incurred as a result of the performance of duties under this section. The school district shall grant the person a one-year sabbatical in order to allow the person to be the ambassador to education, and during the sabbatical, shall pay the salary and benefits of the ambassador with funds granted by the department. The person selected as the ambassador to education shall be entitled to return to the person's same or a comparable position without loss of accrued benefits or seniority.

Sec. 7. NEW SECTION. 256E.1 BEGINNING TEACHER INDUCTION PROGRAM ESTABLISHED -- GRANTS.

If the general assembly appropriates moneys for purposes of teacher induction, the department of education shall coordinate a beginning teacher induction program to promote excellence in teaching, to build a supportive environment within school districts, to increase the retention of promising beginning teachers, and to promote the personal and professional well-being of teachers. The department of education shall develop a process for awarding beginning teacher induction grants to school districts, and shall adopt rules pursuant to chapter 17A relating to the equitable

distribution of grants to school districts to reflect diversity geographically and by population.

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Sec. 8. NEW SECTION. 256E.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Beginning teacher" means an individual serving under an initial provisional or conditional license, issued by the board of educational examiners under chapter 272, who is assuming a position as a classroom teacher.

2. "Board of directors" means the board of directors of a school district or a collaboration of boards of directors of school districts.

3. "Classroom teacher" means an individual who holds a valid practitioner's license and who is employed by a school district under sections 279.13 through 279.19 in a school district or area education agency in this state to provide instruction to students.

4. "Department" means the department of education.

5. "Director" means the director of the department of education.

6. "District facilitator" means a licensed professional pursuant to chapter 272 who is appointed by the board of directors, or a collaboration of districts, to serve as the liaison between the board of directors and the department for the beginning teacher induction program.

7. "Mentor" means an individual employed by a school district or area education agency as a classroom teacher and who holds a valid license to teach issued under chapter 272.

Sec. 9. NEW SECTION. 256E.3 DISTRICT PLAN.

1. A board of directors of a school district or the boards of directors of a collaboration of school districts participating in the beginning teacher induction program shall appoint a district facilitator, whose duties shall include, but are not limited to, overseeing the development of a plan for meeting the goals of the program as set forth in section 256E.1, and composing a district committee pursuant to subsection 2. The board of directors may contract with a

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public or private postsecondary institution with an approved practitioner preparation program, or with a member of the instructional staff of an approved practitioner preparation program, to perform the duties of the district facilitator in accordance with this chapter.

2. The membership of the district committee composed by the district facilitator shall include, but is not limited to, licensed practitioners and an area education agency staff development professional.

3. The district committee shall adopt a plan and written procedures for a mentor program consistent with this chapter. The plan and the written procedures shall, at a minimum, provide the process for the selection of and the number of mentors; the mentor training process; the timetable by which the plan shall be implemented; placement of mentors and beginning teachers; the minimum amount of contact time between mentors and beginning teachers; the minimum amount of release time for mentors and beginning teachers for meetings for planning, demonstration, observation, feedback, and workshops; the process for dissolving mentoring partnerships; and the process for measuring the results of the program. The district committee shall recommend to the board of directors or boards of directors of a collaboration the names of classroom teachers eligible to be mentors.

4. The district facilitator shall submit the plan, and the proposed costs of implementing the plan, to the board of directors or boards of directors of a collaboration, which shall consider the plan and, once approved, submit the plan and a reasonable cost proposal to the department of education, which shall award grants as equitably as possible based on the geographic and population diversity of the school districts submitting plans. Grants may be awarded in subsequent years based upon the most recent plan on file with the department.

5. The district committee is encouraged to work with area education agencies and postsecondary institutions in the preparation and implementation of a plan.

Sec. 10. NEW SECTION. 256E.4 BEGINNING TEACHER AND MENTOR SELECTION AND PLACEMENT.

1. To be eligible to be a mentor, a licensed practitioner shall, at a minimum, be employed by a school district as a classroom teacher, have a record of at least four years of effective practice, have been employed for one full year in the district on a nonprobationary basis, and demonstrate professional commitment to the improvement of teaching and learning, and the development of beginning teachers.

2. The district facilitator shall place beginning teachers in a manner that provides the greatest opportunity to participate with the largest number of mentors.

Sec. 11. NEW SECTION. 256E.5 BEGINNING TEACHER INDUCTION STATE SUBSIDY -- FUND.

1. A teacher who is enrolled as a mentor in an approved beginning teacher induction program shall be eligible for an award of five hundred dollars per semester of participation in the program, which shall be paid from moneys received pursuant to this section by the school district employing the mentor.

2. Moneys received by a school district pursuant to this chapter shall be expended to provide mentors with awards in accordance with subsection 1, to implement the plan, to provide for a stipend for the district facilitator, and to pay the costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system or a pension and annuity retirement system established under chapter 294, for such amounts paid by the district.

3. Moneys received by a school district under this chapter are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each local school district shall maintain a separate listing within their budget for payments received and expenditures made pursuant to this section.

4. Moneys received for purposes of this chapter shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

5. A beginning teacher induction fund is established in the office of the treasurer of state to be administered by the

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department. Moneys appropriated by the general assembly for deposit in the fund shall be used to provide funding to school districts pursuant to the requirements of this section.

6. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure in the following fiscal year for the purposes of this section.

Sec. 12. NEW SECTION. 256E.6 REPORTS.

The board of directors of a school district or the boards of directors of a collaboration of school districts implementing an approved beginning teacher induction program as provided in this chapter shall submit an assessment of the program's results by July 1 of the fiscal year succeeding the year in which the school district or the collaboration of school districts received moneys under this chapter. The department shall annually report the statewide results of the program to the chairpersons and the ranking members of the house and senate education committees by January 1.

Sec. 13. NEW SECTION. 256F.1 LEGISLATIVE FINDINGS AND INTENT.

The general assembly finds that it is in the best interest of the state to encourage and fund early education programs focused on kindergarten through grade three in the public school districts. The goal of these programs is to improve student achievement in the basic educational subject matters of reading, language arts, and mathematics, and to accomplish proficiency in those subjects by grade four. Toward that goal, it is the intent of this chapter to establish and fund an early childhood education imperatives program.

Sec. 14. NEW SECTION. 256F.2 EARLY CHILDHOOD EDUCATION IMPERATIVES PROGRAM APPROPRIATION.

1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and for each succeeding fiscal year, the sum of nine million dollars for the early childhood education imperatives program.

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2. For each fiscal year for which moneys are appropriated in subsection 1, the amount of moneys allocated to school districts shall be in the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state for the budget year. However, a district shall not receive less than seven thousand five hundred dollars in a fiscal year.

3. For each year for which an appropriation is made to the early childhood education imperatives program, the department of education shall notify the department of revenue and finance of the amount to be paid to each school district based upon the distribution plan set forth for the appropriation made pursuant to this section. The allocation to each school district under this section shall be made in one payment on or about October 15 of the fiscal year for which the appropriation is made, taking into consideration the relative budget and cash position of the state resources. Prior to the receipt of moneys, school districts shall provide to the department of education adequate assurance that they have developed or are developing an early childhood education plan as required by section 256F.3 and that moneys received under this section will be used in accordance with the required early childhood education plan.

4. Moneys received under this section shall not be commingled with state aid payments made under sections 257.16 to a school district and shall be accounted for by the school district separately from state aid payments.

5. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each school district shall maintain a separate listing within their budgets for payments received and expenditures made pursuant to this section.

6. Moneys received under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

Sec. 15. NEW SECTION. 256F.3 EARLY CHILDHOOD EDUCATION IMPERATIVES PROGRAM -- REPORTS.

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1. Progress, as determined by school districts through appropriate assessments, for children enrolled in kindergarten through grade three in attaining or surpassing student achievement goals as established under the accreditation process in chapter 256, and an accounting of the use of the moneys received by the school districts in accordance with this chapter, shall be submitted in an annual report to the department of education by September 1 in the fiscal year beginning July 1, 1999, and in each succeeding year. Each school district shall also certify, in the annual report to the department, that the school districts used the moneys received under this chapter to supplement, and not to supplant, the moneys otherwise received and used by the school district for kindergarten through grade three education purposes.

2. The department shall submit, to the chairpersons and ranking members of the house and senate education committees by January 1, 2000, a report describing the ways in which the school districts are making use of the moneys received under this chapter, and including the school districts, if any, that used moneys received under this chapter to supplant funds the school district was already receiving for kindergarten through grade three education purposes.

3. The department shall submit, to the chairpersons and ranking members of the house and senate education committees by January 1, 2002, a report describing school district progress on attaining or surpassing student achievement goals.

Sec. 16. NEW SECTION. 256F.4 EARLY CHILDHOOD EDUCATION IMPERATIVES PROGRAM EXPENDITURES.

School districts shall expend funds received pursuant to section 256F.2 to support reading instruction in phonics, and other education practices, programs, or assistance for kindergarten through grade three that may include, but are not limited to, the following: reducing adult to student ratios through the hiring of teachers, former teachers, and para-educator teaching assistants; talented and gifted programs; and implementation of instructional programs designed to

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improve student achievement in the areas of reading, language arts, and mathematics.

Sec. 17. NEW SECTION. 256F.5 REPEAL.

This chapter is repealed effective July 1, 2001, except that section 256F.3 is not repealed until January 1, 2002.

Sec. 18. Section 257.1, subsection 2, unnumbered paragraph 3, Code 1997, is amended to read as follows:

For the budget year commencing July 1, 1995 1999, the department of management shall add the amount of the additional budget adjustment computed in section 257.14, subsection 2, to the combined foundation base.

Sec. 19. NEW SECTION. 257.13 ON-TIME FUNDING FOR INCREASED ENROLLMENT.

1. If a district's actual enrollment for the budget year, determined under section 257.6, is greater than its budget enrollment for the budget year, the district may submit a request to the school budget review committee for on-time funding for increased enrollment. The school budget review committee shall consider the relative increase in enrollment on a district-by-district basis, in determining whether to approve the request, and shall determine the amount of additional funding to be provided if the request is granted. An application for on-time funding must be received by the department of education by October 1. Written notice of the committee's decision shall be given through the department of education to the school board for a district.

2. If the school budget review committee approves a request for on-time funding for increased enrollment, the funding shall be in an amount up to the product of one-third of the state cost per pupil for the budget year multiplied by the difference between the actual enrollment for the budget year and the budget enrollment for the budget year. The additional funding received under this section is miscellaneous income to the district.

3. Moneys appropriated by the general assembly for purposes of this section shall be paid to school districts in one lump sum within thirty days of notification by the school

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budget review committee of approval for on-time funding for increased enrollment for a budget year. If the requests approved by the school budget review committee exceed the appropriation made for purposes of this section, the payments to school districts receiving approval for on-time funding shall be prorated such that each school district approved for on-time funding shall receive an amount of on-time funding equal to the percentage that the on-time funding to be provided to the district bears to the total amount of on-time funding to be provided to all districts receiving approval.

4. If the board of directors of a school district determines that a need exists for additional funds exceeding the amount provided in this section, a request for supplemental aid based upon increased enrollment may be submitted to the school budget review committee as provided in section 257.31.

5. A school district which is receiving a budget adjustment for a budget year pursuant to section 257.14 shall receive on-time funding for increased enrollment, reduced by the amount of the budget adjustment for that budget year.

6. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1999, and for each succeeding fiscal year, the sum of four million dollars or as much thereof as is necessary to pay additional funding authorized under this section.

Sec. 20. Section 257.14, Code Supplement 1997, is amended to read as follows:

257.14 BUDGET ADJUSTMENT.

1. For the budget years commencing July 1, 1997, and July 1, 1998, and July 1, 1999, if the department of management determines that the regular program district cost of a school district for a budget year is less than the total of the regular program district cost plus any adjustment added under this section for the base year for that school district, the department of management shall provide a budget adjustment for that district for that budget year that is equal to the difference.

2. For the budget year beginning July 1, 1995 1999, if the department of management determines that the regular program district cost plus the budget adjustment computed under subsection 1 of a school district is less than one hundred one percent of the total of the regular program district cost plus any adjustment added under this section for the base year for that school district, the department of management shall provide an additional budget adjustment for that budget year that is equal to the difference.

Sec. 21. Section 257.20, subsection 2, paragraph a, Code 1997, is amended to read as follows:

a. However, for the fiscal year beginning July 1, 1998, moneys appropriated under this subsection shall not exceed the amount of moneys appropriated as instructional support state aid for the budget year which commenced on July 1, 1992. For the fiscal year beginning July 1, 1999, and for each succeeding fiscal year, moneys appropriated under this subsection shall not exceed the sum of sixteen million seven hundred ninety-eight thousand two hundred twenty-seven dollars.

Sec. 22. Section 272.1, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. "Para-educator" means a person who is licensed to assist a teacher in the performance of instructional tasks to support and assist classroom instruction and related school activities.

Sec. 23. NEW SECTION. 272.12 PARA-EDUCATOR LICENSES.

1. The board of educational examiners shall adopt rules pursuant to chapter 17A relating to a multi-level voluntary licensing system ranging from para-educator generalist to para-educator specialist. The rules shall outline the instructional and other school activity tasks the individuals licensed under this section may perform. The board shall determine whether an applicant is qualified to perform the duties for which a para-educator license is sought.

2. Applicants for a para-educator license as a generalist must hold a high school diploma from an accredited secondary

school or a high school equivalency diploma issued in accordance with chapter 259A. The applicant must also have completed additional in-service training in at least all of the following areas:

- a. Behavior management.
  - b. Ethical responsibilities and behavior.
  - c. Exceptional child and at-risk child behavior.
  - d. Collaboration skills and interpersonal relations.
  - e. Child and youth development.
3. Applicants for a para-educator license as a specialist must meet the requirements of subsection 2 and additional requirements as prescribed by rule.
4. A public school district, area education agency, community college, institution of higher education under the state board of regents, or an accredited private institution as defined in section 261.9, subsection 1, with a program approved by the state board of education, may train and recommend individuals for board licensure.
5. Applicants shall be disqualified for any of the following reasons:
- a. The applicant is less than eighteen years of age.
  - b. The applicant has a record of founded child abuse.
  - c. The applicant has been convicted of a felony.
  - d. The applicant's application is fraudulent.
  - e. The applicant's license or certification from another state is suspended or revoked.
  - f. The applicant fails to meet board standards for application for an initial or renewed license.
6. Qualifications or criteria for the granting or revocation of a license or the determination of an individual's professional standing shall not include membership or nonmembership in any teachers' organization.
- Sec. 24. Section 279.14, Code 1997, is amended to read as follows:
- 279.14 EVALUATION CRITERIA AND PROCEDURES.
1. The board shall establish evaluation criteria and shall implement evaluation procedures. If an exclusive bargaining

representative has been certified, the board shall negotiate in good faith with respect to evaluation procedures pursuant to chapter 20.

2. Notwithstanding chapter 20, any challenge to an evaluation raised after the service of the notice of intent to recommend termination of a teacher's continuing contract in accordance with section 279.15 shall be brought only in the hearing before the school board held in accordance with section 279.16.

Sec. 25. NEW SECTION. 279.14A PRACTITIONER PERFORMANCE IMPROVEMENT PROGRAM.

1. The department of education shall establish and implement a voluntary practitioner performance improvement program that shall provide technical assistance to teachers and administrators from each public school district and area education agency. Individuals under contract with a school district may receive technical assistance in accordance with this subsection. The department shall consult with the Iowa state education association, the Iowa association of school boards, the school administrators of Iowa, the professional educators of Iowa, and, as practicable, other entities providing similar programs, in developing the program. At a minimum, the program shall provide administrators with training, including but not limited to, seminars and written materials, relating to the areas of employment policies and procedures, employment documentation, performance evaluations, corrective performance techniques, discipline, termination, and support by qualified individuals for implementation of the program. Training received by an administrator in accordance with this section shall apply toward an administrator's evaluator approval renewal.

2. The department shall submit an annual report to the chairpersons and ranking members of the house and senate standing education committees summarizing program activities and describing the department's plans for improving or changing the program.

Sec. 26. Section 279.19, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The first ~~two~~ three consecutive years of employment of a teacher in the same school district are a probationary period. However, ~~a~~ if the teacher has successfully completed a probationary period of employment for another school district located in Iowa, the probationary period in the current district of employment shall not exceed one year. A board of directors may waive the probationary period for any teacher who previously has served a probationary period in another school district and the board may extend the probationary period for an additional year with the consent of the teacher.

Sec. 27. Section 279.46, Code 1997, is amended to read as follows:

279.46 RETIREMENT INCENTIVES -- TAX.

The board of directors of a school district may adopt a program for payment of a monetary bonus, continuation of health or medical insurance coverage, or other incentives for encouraging its employees to retire before the normal retirement date as defined in chapter 97B. The program is available only to employees between ~~fifty-nine~~ fifty-five and sixty-five years of age who notify the board of directors prior to ~~March~~ April 1 of the fiscal year that they intend to retire not later than the next following June 30. However, the age at which employees shall be designated eligible for the program, within the age range of fifty-five to sixty-five years of age, shall be at the discretion of the board. An employee retiring under this section shall apply for a retirement allowance under chapter 97B or chapter 294. ~~If The board may include in the district management levy an amount to pay the total estimated accumulated cost to a the school district of the health or medical insurance coverage, bonus, or other incentives for employees who retire under this section does-not-exceed-the-estimated-savings-in-salaries-and-benefits-for-employees-who-replace-the-employees-who-retire-under-the-program-the-board-may-include-in-the-district-management-levy-an-amount-to-pay-the-costs-of-the-program provided-in-this-section.~~

Sec. 28. NEW SECTION. 279.59 STATEMENT OF PURPOSE.

The purpose of the instructional leadership pilot program is to recognize and reward teachers and administrators for outstanding leadership, performance, and service. The program is intended to encourage and reinforce masterful teaching and leadership, and provide extensive professional and financial recognition to teachers and administrators who are achieving outstanding results in their work with students.

Sec. 29. NEW SECTION. 279.60 INSTRUCTIONAL LEADERSHIP PILOT PROGRAM.

1. Subject to an appropriation of sufficient funds by the general assembly, the department shall establish and implement an instructional leadership pilot program to be administered in cooperation with school districts in the state. The instructional leadership pilot program shall include, but not be limited to, all of the following:

- a. A nomination procedure that permits nominations to be made by a practitioner or other individuals.
- b. Award distribution to individual practitioners or to nominated teams of practitioners.
- c. Award eligibility based upon a satisfactory or higher ranking on a performance evaluation by the practitioner's administrator or a recommendation from the board of directors of the school district, and certification by the school district that the practitioner improved student achievement in the school year of award eligibility. To receive an award a practitioner must have successfully completed at least three consecutive years of service under contract with a school district in this state.
- d. Voluntary participation by a nominee.
- e. Use of objective methods for measuring improvement in student achievement. Multiple measurement and assessment tools may be used to measure student achievement. However, the practitioner or the school district may request approval from the director of the department of education to use an alternative method for measuring improvement in student achievement. The director's decision shall be final.

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2. The department shall develop and distribute to school districts a weighting system for criteria evaluation to be used by districts in making awards to practitioners that ranks the criteria in the following order of priority: improvement in student achievement, practitioner participation as a member or leader of a team, initiative to improve student achievement and student change, practitioner advancement through education or professional designation achievement, and community involvement. In addition to the criteria established in accordance with this section, a school district may provide additional weighted criteria for evaluation, including, but not limited to, classroom or school environment and objective measures of teaching skill.

3. To nominate a practitioner or team of practitioners for an award, an individual shall submit an application and report, on a form designed and distributed to school districts by the department of education, to a local school district coordinator designated by the board of directors of the school district. The form shall be completed by the practitioner, one colleague, one administrator, and three parents selected by the practitioner, and shall be forwarded to the local school district coordinator.

4. The local school district coordinator shall submit the forms to the department, which shall tabulate and rank for each school district the applications received according to the minimum criteria established in accordance with subsection 2.

5. The board of directors shall also consult with practitioners to plan appropriate recognition events within the school district for presentation of the awards.

6. Applications submitted under this section shall be considered confidential personnel records under section 22.7.

7. A teacher receiving a national board certification registration or annual award under section 256.44 shall be ineligible for an award under the instructional leadership pilot program as established in this section.

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For purposes of this section, "practitioner" means the same as defined in section 272.1.

Sec. 30. NEW SECTION. 279.61 INSTRUCTIONAL LEADERSHIP PILOT PROGRAM -- FUNDING.

1. Subject to an appropriation of sufficient funds by the general assembly, and the establishment of an instructional leadership pilot program, by September 15, each school district willing to participate in the instructional leadership pilot program shall notify the department of education of the intent to participate in the program.

2. From the moneys appropriated for purposes of this program, the amount of moneys allocated to school districts that have notified the department of the intent to participate in the program shall be in the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state for the budget year that are willing to participate in the program. However, the amount of an award to a school district shall not exceed the sum of one hundred thousand dollars.

3. For each year in which an appropriation is made to the instructional leadership pilot program, the department of education shall notify the department of revenue and finance of the amount to be paid to each school district based upon the distribution plan set forth for the appropriation made pursuant to this section. The allocation to each school district under this section shall be made in one payment on or about January 15 of the fiscal year in which the appropriation is made, taking into consideration the relative budget and cash position of the state resources.

4. Moneys received under this section shall not be commingled with state aid payments made under section 257.16 to a school district and shall be accounted for by the local school district separately from state aid payments.

5. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each local school district shall maintain a separate listing within their budget for payments received and expenditures made pursuant to this section.

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6. Moneys received under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

7. Awards to practitioners under this program shall not be built into the base pay for the practitioner, but shall be included in the calculation to determine pension contributions in the year in which the award is received.

Sec. 31. NEW SECTION. 279.62 FUTURE REPEAL.

This section and sections 279.59 through 279.61 are repealed effective July 1, 2003.

Sec. 32. Section 280.18, unnumbered paragraph 2, Code 1997, is amended to read as follows:

In order to achieve the goal of improving student achievement and performance on a statewide basis, the board of directors of each school district shall adopt goals that will improve student achievement at each grade level in the skills listed in this section and other skills deemed important by the board. Not later than July 1, 1989, the At a minimum, each board shall adopt a goal of addressing the educational inequities among Iowa's minority students and develop plans for improving minority student academic performance. The board of each district shall transmit to the department of education its plans for achieving the goals it has adopted and the periodic assessment that will be used to determine whether its goals have been achieved. The committee appointed by the board under section 280.12 shall advise the board concerning the development of goals, the assessment process to be used, and the measurements to be used.

Sec. 33. Section 294A.5, Code 1997, is amended to read as follows:

294A.5 MINIMUM SALARY SUPPLEMENT.

1. For the school year beginning July 1, 1987 1998, and succeeding school years, the minimum annual salary paid to a full-time teacher as regular compensation shall be eighteen twenty-three thousand dollars.

2. The minimum salary supplement shall be the sum of the following, as applicable:

a. For the school year beginning July 1, 1987 1998, for phase I, each school district and area education agency shall certify to the department of education by the third Friday in September the names of all teachers employed by the district or area education agency whose regular compensation is less than eighteen twenty-three thousand dollars per year for that year and the amounts needed as minimum salary supplements. The minimum salary supplement for each eligible teacher is the total of the difference between eighteen twenty-three thousand dollars and the teacher's regular compensation plus the amount required to pay the employer's share of the federal social security and Iowa public employees' retirement system, or a pension and annuity retirement system established under chapter 294, payments on the additional salary moneys. However, for purposes of this paragraph, a teacher's regular compensation for the school year beginning July 1, 1998, shall not be lower than eighteen thousand dollars.

b. The total minimum salary supplement paid to a school district under phase I for the school year beginning July 1, 1997.

3. The board of directors shall report the salaries of teachers employed on less than a full-time equivalent basis, and the amount of minimum salary supplement shall be prorated.

Sec. 34. Section 294A.6, unnumbered paragraph 1, Code 1997, is amended to read as follows:

For the school year beginning July 1, 1987 1998, the department of education shall notify the department of revenue and finance of the total minimum salary supplement, as described in section 294A.5, subsection 2, paragraphs "a" and "b", to be paid to each school district and area education agency under phase I and the department of revenue and finance shall make the payments. For school years after the school year beginning July 1, 1987 1998, if a school district or area education agency reduces the number of its full-time equivalent teachers below the number employed during the school year beginning July 1, 1987 1998, the department of revenue and finance shall reduce the total minimum salary

supplement payable to that school district or area education agency so that the amount paid is equal to the ratio of the number of full-time equivalent teachers employed in the school district or area education agency for that school year divided by the number of full-time equivalent teachers employed in the school district or area education agency for the school year beginning July 1, 1987 1998, and multiplying that fraction by the total minimum salary supplement paid to that school district or area education agency for the school year beginning July 1, 1987 1998.

Sec. 35. Section 294A.25, subsection 1, Code Supplement 1997, is amended to read as follows:

1. For the fiscal year beginning July 1, 1990 1998, and for each succeeding year, there is appropriated from the general fund of the state to the department of education the amount of ninety-two eighty-two million one eight hundred ninety-one thousand eighty-five three hundred thirty-six dollars to be used to improve teacher salaries. For each fiscal year in the fiscal period commencing July 1, 1991, and ending June 30, 1993, there is appropriated an amount equal to the amount appropriated for the fiscal year beginning July 1, 1990, plus an amount sufficient to pay the costs of the additional funding provided for school districts and area education agencies under sections 294A.9 and 294A.14. For each fiscal year beginning on or after July 1, 1995, there is appropriated the sum which was appropriated for the previous fiscal year, including supplemental payments. The moneys shall be distributed as provided in this section.

Sec. 36. Section 294A.25, subsection 7, Code Supplement 1997, is amended to read as follows:

7. Commencing with the fiscal year beginning July 1, 1990, the amount of sixty seventy-five thousand dollars for the ambassador to education program under section 256+43 256.45.

Sec. 37. Section 669.14, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 14. Any claim arising in respect to technical assistance provided by the department of education pursuant to section 279.14A.

Sec. 38. CURRENT NATIONAL BOARD CERTIFICATE HOLDERS. In order to receive payment under section 256.44, as enacted by this Act, a teacher who by July 1, 1998, meets the qualifications for an award under section 256.44 shall apply to the department for payment under section 256.44 by June 30, 1999.

Sec. 39. CONTINGENT APPROPRIATION -- TAXABLE VALUATION INCREASE. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, if the actual taxable valuation of real property located in this state, based upon January 1, 1997, assessments, which is used in the computation of property taxes payable in the fiscal year beginning July 1, 1998, increases from the estimate of such taxable valuation, there is appropriated from the general fund of the state the lesser of \$4,000,000 or the amount of the reduction in state foundation aid under section 257.1 as a result of such increase in taxable valuation to be used to fund section 257.13, as enacted by this Act, and the moneys shall be allocated as provided in section 257.13, subsection 2, as enacted by this Act.

Sec. 40. EMERGENCY RULES. The department may adopt emergency rules as necessary for the administration of chapter 256E and sections 256.17A and 279.60, if enacted.

Sec. 41. APPLICABILITY. Section 279.19, as amended by this Act, shall not apply to a teacher employed by a school district prior to July 1, 1998. Section 279.19, Code 1997, shall remain applicable to a teacher employed by a school district prior to July 1, 1998.

Sec. 42. EFFECTIVE DATE. Section 2 of this Act, relating to preparation for recognizing at-risk students and for accelerating the achievement growth of students through the use of learning techniques, takes effect July 1, 1999.

Sec. 43. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. The section of this Act that amends section 279.46, being deemed of immediate importance, takes effect upon enactment and applies retroactively to retirement incentive programs in existence after December 31, 1997.

Sec. 44. EFFECTIVE DATE. Section 19 of this Act, relating to on-time funding for increased enrollment, being deemed of immediate importance, takes effect upon enactment for the purpose of computations required for payment of state aid to school districts for budget years beginning on or after July 1, 1998. Section 19 of this Act remains in effect until the repeal of chapter 257 on July 1, 2001.

VETO

VETO

VETO

VETO

MARY E. KRAMER  
President of the Senate

RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2366, Seventy-seventh General Assembly.

*Item Detached*  
Approved *May 8*, 1998

MARY PAT GUNDERSON  
Secretary of the Senate

TERRY E. BRANSTAD  
Governor