

Brundberg, Ch
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HSB 638

EDUCATION

ed By

SF/HF

78

SENATE/HOUSE FILE

BY (PROPOSED GOVERNOR'S BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to requirements of and authorizations for schools
2 and area education agencies.

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

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1 Section 1. Section 273.2, unnumbered paragraph 2, Code
2 1999, is amended to read as follows:

3 An area education agency established under this chapter is
4 a body politic as a school corporation for the purpose of
5 exercising powers granted under this chapter, and may sue and
6 be sued. An area education agency may hold property and
7 execute lease-purchase agreements pursuant to section 273.3,
8 subsection 7, and if the ~~lease~~ lease-purchase exceeds ten
9 years, or the purchase price of the property or facility to be
10 acquired, built, or remodeled pursuant to a lease-purchase
11 agreement or other contract agreement exceeds twenty-five
12 thousand dollars, the area education agency shall conduct a
13 public hearing on the proposed ~~lease-purchase~~ agreement and
14 receive approval from the area education agency board of
15 directors and the director of the department of education
16 before entering into the agreement.

17 Sec. 2. Section 273.3, subsection 7, Code 1999, is amended
18 to read as follows:

19 7. ~~Be-authorized-to-lease,--subject~~ Subject to the approval
20 of the director of the department of education ~~and-to, be~~
21 authorized to lease, lease-purchase, receive by gift, and
22 build, purchase, remodel, operate, and maintain facilities and
23 buildings necessary to provide authorized programs and
24 services. However, a lease or lease-purchase for less than
25 ten years and with an annual cost of less than twenty-five
26 thousand dollars does not require the approval of the
27 director. If a lease or lease-purchase requires approval, the
28 director shall not approve the lease or lease-purchase until
29 the director is satisfied by investigation that public school
30 corporations within the area do not have suitable facilities
31 available.

32 Sec. 3. Section 279.10, subsection 1, Code 1999, is
33 amended to read as follows:

34 1. The school year shall begin annually on the-first-day
35 of July 1 and ~~each-regularly-established-elementary-and~~

1 secondary-school-shall-begin-no-sooner-than-a-day-during-the
2 calendar-week-in-which-the-first-day-of-September-falls-but-no
3 later-than-the-first-Monday-in-December end the following June
4 30. However, if the first day of September falls on a Sunday,
5 school may begin on a day during the calendar week which
6 immediately precedes the first day of September. -- School The
7 regular school calendar may commence on or after July 1, but
8 once commenced shall continue for at least one hundred eighty
9 days, except as provided in subsection 3, and may be
10 maintained during the entire calendar year. However, if the
11 board of directors of a district extends the school calendar
12 because inclement weather caused the district to temporarily
13 close school during the regular school calendar, the district
14 may excuse a graduating senior who has met district or school
15 requirements for graduation from attendance during the
16 extended school calendar. A school corporation may begin
17 employment of personnel for in-service training and
18 development purposes before the date to begin elementary and
19 secondary school.

20 Sec. 4. Section 279.10, subsection 4, Code 1999, is
21 amended by striking the subsection.

22 Sec. 5. Section 279.48, subsection 1, unnumbered paragraph
23 1, Code 1999, is amended to read as follows:

24 The board of directors of a school corporation may purchase
25 equipment, and may negotiate and enter into a loan agreement,
26 and may issue a note to pay for the equipment subject to the
27 following terms and procedures:

28 Sec. 6. Section 279.48, subsection 1, paragraph d, Code
29 1999, is amended to read as follows:

30 d. Principal and interest on the note must be payable from
31 budgeted receipts in the general fund of the school
32 corporation and transferred to the debt service fund for each
33 year of a period of up to five years.

34 Sec. 7. Section 279.48, subsection 3, Code 1999, is
35 amended to read as follows:

1 3. Before entering into a lease-purchase agreement or a
2 loan agreement for an equipment purchase, the school
3 corporation must publish a notice, including a statement of
4 the amount and purpose of the agreement, at least once in a
5 newspaper of general circulation within the school corporation
6 at least ten days before the meeting at which the loan
7 agreement is to be approved.

8 Sec. 8. Section 282.30, subsection 1, paragraph b,
9 unnumbered paragraph 2, Code 1999, is amended to read as
10 follows:

11 c. An area education agency shall not provide educational
12 services to a facility specified in paragraph "a" unless the
13 facility makes a request for educational services to the area
14 education agency by either of the following dates:

15 (1) December 1 of the school year prior to the beginning
16 of the school year for which the services are being requested.

17 (2) Ninety days prior to the beginning of the time for
18 which the services are being requested if the facility is a
19 newly established facility.

20 Sec. 9. Section 297.7, subsection 1, Code 1999, is amended
21 to read as follows:

22 1. Sections 73A.2 and 73A.18 are applicable to the
23 construction and repair of school buildings. Before
24 construction of a school building for which the cost of
25 construction exceeds twenty-five thousand dollars, the board
26 of directors of a school district ~~shall~~ may send a copy of the
27 plans to the building consultant in the department of
28 education for review. The board of directors may also submit
29 for review a copy of the plans for repair or renovation of a
30 school building. ~~The building consultant shall return the~~
31 ~~plans together with any recommendations to the board of~~
32 ~~directors within thirty days following the receipt of the~~
33 ~~plans.~~

34 Sec. 10. Section 299.4, Code 1999, is amended to read as
35 follows:

1 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

2 The parent, guardian, or legal custodian of a child who is
3 of compulsory attendance age, who places the child under
4 competent private instruction under either section 299A.2 or
5 299A.3, not in an accredited school or a home school
6 assistance program operated by a public or accredited
7 nonpublic school, shall furnish a report in duplicate on forms
8 provided by the public school district, to the district by the
9 ~~earliest-starting-date-specified-in-section-279.10,-subsection~~
10 ± August 15 of the school year in which the child is placed
11 under private instruction. The secretary shall retain and
12 file one copy and forward the other copy to the district's
13 area education agency. The report shall state the name and
14 age of the child, the period of time during which the child
15 has been or will be under competent private instruction for
16 the year, an outline of the course of study, texts used, and
17 the name and address of the instructor. The parent, guardian,
18 or legal custodian of a child, who is placing the child under
19 competent private instruction, for the first time, shall also
20 provide the district with evidence that the child has had the
21 immunizations required under section 139.9. The term "outline
22 of course of study" shall include subjects covered, lesson
23 plans, and time spent on the areas of study.

24 **Sec. 11.** Section 257.17, Code 1999, is repealed.

25	EXPLANATION
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26 This bill makes a number of changes regarding requirements
27 and authorizations for schools and area education agencies.
28 The bill allows a school district to make lease-purchase
29 option agreement payments from its general fund, abolishes the
30 school start date requirement, and eliminates a requirement
31 directing a school district to submit its construction plans
32 to the department of education for review and recommendation.
33 In addition, the bill provides more authority to area
34 education agencies over facilities and buildings and
35 authorizes an area education agency to provide educational

1 services to a newly established shelter care home or juvenile
2 detention home facility upon the timely filing of a request.

3 Currently, a school corporation may purchase or enter into
4 a loan agreement for equipment. The bill adds another payment
5 source option by permitting a school corporation to also
6 lease-purchase equipment and to make payments from its general
7 fund to its debt service fund.

8 The bill also specifies that the annual school year begins
9 on July 1 and ends the following June 30. Once commenced, the
10 bill requires that the school calendar continue for at least
11 180 days. Currently, schools must begin their school calendar
12 no sooner than a day during the calendar week in which the
13 first day of September falls, and no later than the first
14 Monday in December. The bill strikes a subsection that
15 permits a school to apply to the department of education for a
16 waiver from the school start date, and repeals a Code section
17 that penalizes schools by reducing their state aid payments if
18 they begin their calendars early. In accordance with the
19 change in the school start date, the bill establishes a
20 deadline of August 15 for the filing of a report that a parent
21 who places a child under competent private instruction must
22 furnish to the school district of residence. Currently, the
23 report must be furnished by the earliest starting date
24 specified in the Code, which under the bill is July 1.

25 The bill eliminates a requirement directing a school
26 district to submit a copy of its construction plans for
27 buildings whose costs for construction exceed \$25,000 to the
28 building consultant in the department of education for review,
29 and eliminates a requirement that the building consultant
30 respond with recommendations within 30 days. However, the
31 bill permits a school district at its pleasure to submit a
32 copy of its plans to the building consultant.

33 The bill permits an area education agency to lease, lease-
34 purchase, build, purchase, remodel, operate, and maintain
35 facilities and buildings under a lease-purchase or other

1 contract agreement. Currently, an area education agency can
2 execute a lease-purchase agreement only for facilities and
3 buildings.

4 Finally, the bill authorizes an area education agency to
5 provide educational services to a newly established approved
6 or licensed shelter care home or a newly established approved
7 juvenile detention home if the facility makes a request for
8 the services 90 days prior to the beginning of the time for
9 which the services are requested. Currently, an area
10 education agency can only provide educational services to an
11 approved or licensed shelter care home or an approved juvenile
12 detention home if the facility makes a request for educational
13 services by December 1 of the school year prior to the
14 beginning of the school year for which the services are being
15 requested.

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3/9/00 Education
S- 3/16/00 Do Pass
S- 3/23/01 Unfinished Business
Colundon

FEB 22 2000

Place On Calendar

HOUSE FILE **2378**
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 638)

(p. 154) (P1149)
Passed House, Date 3/9/00 Passed Senate, Date 4/13/00
Vote: Ayes 94 Nays 0 Vote: Ayes 47 Nays 0
Approved _____
re-passed 4-18-00
vote 98-0

A BILL FOR

1 An Act relating to requirements of and authorizations for schools
2 and area education agencies, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2378

1 Section 1. Section 273.2, unnumbered paragraph 2, Code
2 1999, is amended to read as follows:

3 An area education agency established under this chapter is
4 a body politic as a school corporation for the purpose of
5 exercising powers granted under this chapter, and may sue and
6 be sued. An area education agency may hold property and
7 execute lease-purchase agreements pursuant to section 273.3,
8 subsection 7, and if the ~~lease~~ lease-purchase exceeds ten
9 years, or the purchase price of the property or facility to be
10 acquired, built, or remodeled pursuant to a lease-purchase
11 agreement or other contract agreement exceeds twenty-five
12 thousand dollars, the area education agency shall conduct a
13 public hearing on the proposed ~~lease-purchase~~ agreement and
14 receive approval from the area education agency board of
15 directors and the director of the department of education
16 before entering into the agreement.

17 Sec. 2. Section 273.3, subsection 7, Code 1999, is amended
18 to read as follows:

19 ~~7. Be-authorized-to-lease, subject~~ Subject to the approval
20 of the director of the department of education ~~and-to, be~~
21 authorized to lease, lease-purchase, receive by gift, and
22 build, purchase, remodel, operate, and maintain facilities and
23 buildings necessary to provide authorized programs and
24 services. However, a lease or lease-purchase for less than
25 ten years and with an annual cost of less than twenty-five
26 thousand dollars does not require the approval of the
27 director. If a lease or lease-purchase requires approval, the
28 director shall not approve the lease or lease-purchase until
29 the director is satisfied by investigation that public school
30 corporations within the area do not have suitable facilities
31 available.

32 Sec. 3. Section 279.7A, Code 1999, is amended to read as
33 follows:

34 279.7A INTEREST IN PUBLIC CONTRACTS PROHIBITED --
35 EXCEPTION.

1 A member of the board of directors of a school corporation
2 shall not have an interest, direct or indirect, in a contract
3 for the purchase of goods, including materials and profits,
4 and the performance of services for the director's school
5 corporation. A contract entered into in violation of this
6 section is void. This section does not apply to contracts for
7 the purchase of goods or services, which benefit a director,
8 if the benefit to the director does not exceed one two
9 thousand five hundred dollars in a fiscal year, and contracts
10 made by a school board, upon competitive bid in writing,
11 publicly invited and opened.

12 Sec. 4. Section 279.10, subsection 1, Code 1999, is
13 amended to read as follows:

14 1. The school year shall begin annually on ~~the first day~~
15 ~~of July 1 and each regularly established elementary and~~
16 ~~secondary school shall begin no sooner than a day during the~~
17 ~~calendar week in which the first day of September falls but no~~
18 ~~later than the first Monday in December~~ end the following June
19 30. However, if the first day of September falls on a Sunday,
20 school may begin on a day during the calendar week which
21 immediately precedes the first day of September. ~~School~~ The
22 regular school calendar may commence on or after July 1, but
23 once commenced shall continue for at least one hundred eighty
24 days, except as provided in subsection 3, ~~and may be~~
25 ~~maintained during the entire calendar year.~~ However, if the
26 board of directors of a district extends the school calendar
27 because inclement weather caused the district to temporarily
28 close school during the regular school calendar, the district
29 may excuse a graduating senior who has met district or school
30 requirements for graduation from attendance during the
31 extended school calendar. A school corporation may begin
32 employment of personnel for in-service training and
33 development purposes before the date to begin elementary and
34 secondary school.

35 Sec. 5. Section 279.10, subsection 4, Code 1999, is

1 amended by striking the subsection.

2 Sec. 6. Section 279.48, subsection 1, unnumbered paragraph
3 1, Code 1999, is amended to read as follows:

4 The board of directors of a school corporation may purchase
5 equipment, and may negotiate and enter into a loan agreement,
6 and may issue a note to pay for the equipment subject to the
7 following terms and procedures:

8 Sec. 7. Section 279.48, subsection 1, paragraph d, Code
9 1999, is amended to read as follows:

10 d. Principal and interest on the note must be payable from
11 budgeted receipts in the general fund of the school
12 corporation and transferred to the debt service fund for each
13 year of a period of up to five years.

14 Sec. 8. Section 279.48, subsection 3, Code 1999, is
15 amended to read as follows:

16 3. Before entering into a lease-purchase agreement or a
17 loan agreement for an equipment purchase, the school
18 corporation must publish a notice, including a statement of
19 the amount and purpose of the agreement, at least once in a
20 newspaper of general circulation within the school corporation
21 at least ten days before the meeting at which the loan
22 agreement is to be approved.

23 Sec. 9. Section 282.30, subsection 1, paragraph b,
24 unnumbered paragraph 2, Code 1999, is amended to read as
25 follows:

26 c. An area education agency shall not provide educational
27 services to a facility specified in paragraph "a" unless the
28 facility makes a request for educational services to the area
29 education agency by either of the following dates:

30 (1) December 1 of the school year prior to the beginning
31 of the school year for which the services are being requested.

32 (2) Ninety days prior to the beginning of the time for
33 which the services are being requested if the facility is a
34 newly established facility.

35 Sec. 10. Section 297.7, subsection 1, Code 1999, is

1 amended to read as follows:

2 1. Sections 73A.2 and 73A.18 are applicable to the
3 construction and repair of school buildings. Before
4 construction of a school building for which the cost of
5 construction exceeds twenty-five thousand dollars, the board
6 of directors of a school district ~~shall~~ may send a copy of the
7 plans to the building consultant in the department of
8 education for review. The board of directors may also submit
9 for review a copy of the plans for repair or renovation of a
10 school building. ~~The-building-consultant-shall-return-the-170~~
11 ~~plans-together-with-any-recommendations-to-the-board-of-180~~
12 ~~directors-within-thirty-days-following-the-receipt-of-the-190~~
13 ~~plans-~~

14 Sec. 11. Section 299.4, Code 1999, is amended to read as
15 follows:

16 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

17 The parent, guardian, or legal custodian of a child who is
18 of compulsory attendance age, who places the child under
19 competent private instruction under either section 299A.2 or
20 299A.3, not in an accredited school or a home school
21 assistance program operated by a public or accredited
22 nonpublic school, shall furnish a report in duplicate on forms
23 provided by the public school district, to the district by the
24 ~~earliest-starting-date-specified-in-section-279-107-subsection~~
25 1 August 15 of the school year in which the child is placed
26 under private instruction. The secretary shall retain and
27 file one copy and forward the other copy to the district's
28 area education agency. The report shall state the name and
29 age of the child, the period of time during which the child
30 has been or will be under competent private instruction for
31 the year, an outline of the course of study, texts used, and
32 the name and address of the instructor. The parent, guardian,
33 or legal custodian of a child, who is placing the child under
34 competent private instruction, for the first time, shall also
35 provide the district with evidence that the child has had the

1 immunizations required under section 139.9. The term "outline
2 of course of study" shall include subjects covered, lesson
3 plans, and time spent on the areas of study.

4 Sec. 12. Section 257.17, Code 1999, is repealed.

5 Sec. 13. EFFECTIVE DATE -- FACILITIES FOR 1999-2000 SCHOOL
6 YEAR. Section 9 of this Act, amending section 282.30 and
7 relating to educational services provided to a facility by an
8 area education agency, being deemed of immediate importance,
9 takes effect upon enactment. A facility described in section
10 282.30, subsection 1, paragraph "a", that was initially
11 established and approved or licensed after December 1, 1998,
12 and that made a written request to the area education agency
13 for educational services at least ninety days prior to the
14 placement of children at the facility, shall be reimbursed by
15 the department of revenue and finance for the facility's costs
16 of providing the appropriate educational services to children
17 placed at the facility for the 1999-2000 school year. The
18 reimbursable costs shall be approved pursuant to section
19 282.31 and applicable administrative rules. Any amount paid
20 by the department of revenue and finance shall be deducted
21 monthly from the state foundation aid paid under section
22 257.16 to all school districts in the state during the
23 subsequent fiscal year.

24

EXPLANATION

25 This bill makes a number of changes regarding requirements
26 and authorizations for schools and area education agencies.
27 The bill allows a school district to make lease-purchase
28 option agreement payments from its general fund, permits a
29 school board member to have an interest in a contract with the
30 school district in which the board member serves if the
31 interest does not exceed \$2,500, abolishes the school start
32 date requirement, and eliminates a requirement directing a
33 school district to submit its construction plans to the
34 department of education for review and recommendation. In
35 addition, the bill provides more authority to area education

1 agencies over facilities and buildings and authorizes an area
2 education agency to provide educational services to a newly
3 established shelter care home or juvenile detention home
4 facility upon the timely filing of a request.

5 Currently, a school corporation may purchase or enter into
6 a loan agreement for equipment. The bill adds another payment
7 source option by permitting a school corporation to also
8 lease-purchase equipment and to make payments from its general
9 fund to its debt service fund.

10 The bill also specifies that the annual school year begins
11 on July 1 and ends the following June 30. Once commenced, the
12 bill requires that the school calendar continue for at least
13 180 days. Currently, schools must begin their school calendar
14 no sooner than a day during the calendar week in which the
15 first day of September falls, and no later than the first
16 Monday in December. The bill strikes a subsection that
17 permits a school to apply to the department of education for a
18 waiver from the school start date, and repeals a Code section
19 that penalizes schools by reducing their state aid payments if
20 they begin their calendars early. In accordance with the
21 change in the school start date, the bill establishes a
22 deadline of August 15 for the filing of a report that a parent
23 who places a child under competent private instruction must
24 furnish to the school district of residence. Currently, the
25 report must be furnished by the earliest starting date
26 specified in the Code, which under the bill is July 1.

27 The bill eliminates a requirement directing a school
28 district to submit a copy of its construction plans for
29 buildings whose costs for construction exceed \$25,000 to the
30 building consultant in the department of education for review,
31 and eliminates a requirement that the building consultant
32 respond with recommendations within 30 days. However, the
33 bill permits a school district at its pleasure to submit a
34 copy of its plans to the building consultant.

35 The bill permits an area education agency to lease, lease-

1 purchase, build, purchase, remodel, operate, and maintain
2 facilities and buildings under a lease-purchase or other
3 contract agreement. The provision is retroactively applicable
4 to a facility approved or licensed after December 1, 1998.
5 Currently, an area education agency can execute a lease-
6 purchase agreement only for facilities and buildings.

7 Finally, the bill authorizes an area education agency to
8 provide educational services to a newly established approved
9 or licensed shelter care home or a newly established approved
10 juvenile detention home if the facility makes a request for
11 the services 90 days prior to the beginning of the time for
12 which the services are requested. The provision is applicable
13 to a facility approved or licensed after December 1, 1998.
14 Currently, an area education agency can only provide
15 educational services to an approved or licensed shelter care
16 home or an approved juvenile detention home if the facility
17 makes a request for educational services by December 1 of the
18 school year prior to the beginning of the school year for
19 which the services are being requested.

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HOUSE FILE 2378

S-5259

1 Amend House File 2378, as passed by the House, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. NEW SECTION. 256E.6 LEGISLATIVE
6 FINDINGS AND INTENT.

7 1. The general assembly finds that classroom
8 management is often difficult and complex, that
9 students are from diverse racial, ethnic, and social
10 backgrounds, and that behavioral disorders and special
11 education needs abound. Teachers, therefore, must be
12 prepared to effectively manage classrooms, to
13 communicate with and engage parents in their child's
14 education, to assess students' developmental needs,
15 and to organize and work in teams. While student
16 needs are great, the nation is experiencing a teacher
17 shortage.

18 2. Therefore, it is the intent of the general
19 assembly that the department of education encourage
20 each school district to develop and implement a
21 volunteer program that utilizes a valuable, tested
22 human resource, Iowa's retired teachers and
23 administrators, by inviting these experienced
24 educators to return to the schools as volunteer
25 mentors and aides. A volunteer mentor is not a mentor
26 as defined in section 256E.1, and is ineligible for
27 awards made under section 256E.4."

28 2. By renumbering as necessary.

By MAGGIE TINSMAN

E. THURMAN GASKILL

(P. 1136) *Adopted 4/13/00*
S-5259 FILED MARCH 28, 2000

HOUSE FILE 2378

S-5264

1 Amend House File 2378, as passed by the House, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. NEW SECTION. 262.76 ASSIGNMENT OF
6 STUDENT TEACHERS -- ACCREDITED NONPUBLIC SCHOOLS.

7 The state board of regents shall adopt rules
8 authorizing approved practitioner preparation program
9 faculty to assign a student enrolled in the program to
10 an accredited nonpublic school for student teaching
11 experience if the coursework and the curriculum the
12 student is assigned to teach are nonsectarian,
13 nonreligious, and would reasonably be expected to be
14 taught in any public school district in the state."

15 2. By renumbering as necessary.

By TOM FLYNN

DONALD B. REDFERN

MIKE CONNOLLY

WALLY E. HORN

KITTY REHBERG

JEFF ANGELO

S-5264 FILED MARCH 28, 2000

Adopted 4/13/00 (P. 1136)

HOUSE FILE 2378

S-5303

1 Amend House File 2378, as passed by the House, as
2 follows:

- 3 1. By striking page 1, line 12 through page 3,
4 line 1.
- 5 2. By striking page 4, line 14 through page 5,
6 line 4.
- 7 3. By renumbering as necessary.

By NEAL SCHUERER

JOHN P. KIRBY

Lost 4/13/00 (P. 1137)
S-5303 FILED MARCH 29, 2000 *Motion to R/c by Lehberg*
Now adopted *Motion to R/c prevailed*
4/13/00 (P. 1149)

HOUSE FILE 2378

S-5402

1 Amend House File 2378, as passed by the House, as
2 follows:

- 3 1. Page 3, by striking lines 23 through 34.
- 4 2. Page 5, by striking lines 5 through 23 and
5 inserting the following:

6 "Sec. ____ Section 283A.2, subsection 3, paragraph
7 b, unnumbered paragraph 1, and paragraph c, as enacted
8 by 1999 Iowa Acts, chapter 147, section 1, are amended
9 to read as follows:

10 The board of directors of a school district that
11 wishes to provide safe, reasonable student access to a
12 school breakfast program, rather than operate or
13 provide for the operation of a school breakfast
14 program at a specific attendance center within the
15 school district shall develop an alternative site plan
16 to operate the school breakfast program at another
17 attendance center or other site within the school
18 district and shall annually certify to the department
19 that the plan meets the following criteria:

20 c. The board of directors of a school district
21 that wishes to provide access to a school breakfast
22 program in accordance with paragraph "b", shall notify
23 the parent, guardian, or legal or actual custodian of
24 a child enrolled in the district of the school
25 district's intention to develop and implement a plan
26 to provide school breakfast programs only-in-certain
27 attendance-centers at an alternative site. At any
28 time in which the school district proposes to make
29 substantive changes to a plan certified with the
30 department of education, the notification requirements
31 of this paragraph shall apply."

- 32 3. By renumbering as necessary.

By E. THURMAN GASKILL

(P. 1138)

S-5402 FILED APRIL 13, 2000

ADOPTED

HOUSE FILE 2378

S-5403

- IV 1 Amend House File 2378, as passed by the House, as
A 2 follows:
-
- DIV 3 1. Page 3, by striking lines 23 through 34.
B 4 2. Page 5, by striking lines 5 through 23.
-
- DIV 5 3. Title page, line 2, by striking the words "
A 6 and providing an effective date".
7 4. By renumbering as necessary.

By E. THURMAN GASKILL

S-5403 FILED APRIL 13, 2000

DIV A - ADOPTED; DIV B - WITHDRAWN

(P. 1138)

HOUSE FILE 2378

S-5406

- 1 Amend House File 2378, as passed by the House, as
2 follows:
- 3 1. Page 3, by inserting after line 34 the
4 following:
- 5 "Sec. ____ Section 296.6, Code 1999, is amended to
6 read as follows:
7 296.6 BONDS.
8 If the vote in favor of the issuance of such bonds
9 is equal to at least sixty percent of the total vote
10 cast for and against said proposition at said
11 election, the board of directors shall issue the same
12 and make provision for payment thereof. The bonds may
13 be sold at public or private sale at a price as may be
14 determined by the board of directors."

By JEFF LAMBERTI

S-5406 FILED APRIL 13, 2000

WITHDRAWN (P. 1147)

HOUSE FILE 2378

S-5174

- 1 Amend House File 2378, as passed by the House, as
2 follows:
- 3 1. Page 3, line 11, by inserting after the word
4 "fund" the following: "or physical plant and
5 equipment levy fund".

By MIKE CONNOLLY

S-5174 FILED MARCH 20, 2000

w/D
4/13/00 (P. 1137)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2378

S-5485

1 Amend the Senate amendment, H-8899, to House File
2 2378, as passed by the House, as follows:

3 1. Page 1, by inserting before line 28 the
4 following:

5 "Sec. _____. Section 272.12, Code 1999, as amended
6 by 2000 Iowa Acts, House File 2146, section 5, if
7 enacted, is amended to read as follows::

8 272.12 PARA-EDUCATOR CERTIFICATES.

9 The board of educational examiners shall adopt
10 rules pursuant to chapter 17A relating to a voluntary
11 certification system for para-educators. The rules
12 shall specify rights, responsibilities, levels, and
13 qualifications for the certificate. Applicants shall
14 be disqualified for any reason specified in section
15 272.6 or in administrative rule. Notwithstanding
16 section 272.6, subsection 1, paragraph "a", the board
17 may issue a para-educator certificate to a person who
18 is at least eighteen years of age. A person holding a
19 para-educator certificate shall not perform the duties
20 of a licensed practitioner. A certificate issued
21 pursuant to this chapter shall not be considered a
22 teacher or administrator license for any purpose
23 specified by law, including the purposes specified
24 under this chapter or chapter 279."

25 2. Page 1, by striking lines 28 through 39.

26 3. Page 1, by striking lines 40 and 41.

27 4. Page 1, by inserting after line 42 the

28 following:

29 "_____. Page 3, by inserting before line 35 the
30 following:

31 "Sec. _____. Section 296.1, Code 1999, is amended to
32 read as follows:

33 296.1 INDEBTEDNESS AUTHORIZED.

34 Subject to the approval of the voters thereof,
35 school districts are hereby authorized to contract
36 indebtedness and to issue general obligation bonds to
37 provide funds to defray the cost of purchasing,
38 building, furnishing, reconstructing, repairing,
39 improving, or remodeling a schoolhouse or schoolhouses
40 and additions thereto, gymnasium, stadium, field
41 house, school bus garage, teachers' or
42 superintendent's home or homes, and procuring a site
43 or sites therefor, or purchasing land to add to a site
44 already owned, or procuring and improving a site for
45 an athletic field, or improving a site already owned
46 for an athletic field, and for any one or more of such
47 purposes. Taxes for the payment of said bonds shall
48 be levied in accordance with chapter 76, and said such
49 bonds shall mature within a period not exceeding
50 twenty years from date of issue, shall bear interest

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1 at a rate or rates not exceeding that permitted by
2 chapter 74A, and shall be of such form as the board of
3 directors of such school district shall by resolution
4 provide, but the aggregate indebtedness of any school
5 district shall not exceed five percent of the actual
6 value of the taxable property within ~~said the~~ school
7 district, as ascertained by the last preceding state
8 and county tax lists. The bonds may be sold at public
9 or private sale at a price as may be determined by the
10 board of directors. Such bonds may be sold at not
11 less than ninety-eight percent of par or may be
12 exchanged for other bonds at not less than ninety-
13 eight percent of par."

14 _____. Page 4, by inserting after line 13 the
15 following:

16 "Sec. _____. Section 298.22, unnumbered paragraph 1,
17 Code 1999, is amended to read as follows:

18 All of said bonds shall be substantially in the
19 form provided for county bonds, but subject to changes
20 that will conform them to the action of the board
21 providing therefor; shall run not more than twenty
22 years, and may be sooner paid if so nominated in the
23 bond; bear a rate of interest not exceeding that
24 permitted by chapter 74A, payable semiannually; be
25 signed by the president and countersigned by the
26 secretary of the board of directors; and ~~shall not be~~
27 ~~disposed of for less than par value, nor issued for~~
28 ~~other purposes than this chapter provides~~ be sold at
29 public or private sale at a price as may be determined
30 by the board of directors. Such bonds may be sold at
31 not less than ninety-eight percent of par or may be
32 exchanged for other bonds at not less than ninety-
33 eight percent of par."

34 5. Page 1, by striking lines 43 and 44.

35 6. Page 2, by inserting after line 22 the
36 following:

37 "Sec. _____. Section 403.19, subsection 2, Code
38 1999, as amended by 2000 Iowa Acts, Senate File 2089,
39 section 2, is amended to read as follows:

40 2. That portion of the taxes each year in excess
41 of such amount shall be allocated to and when
42 collected be paid into a special fund of the
43 municipality to pay the principal of and interest on
44 loans, moneys advanced to, or indebtedness, whether
45 funded, refunded, assumed, or otherwise, including
46 bonds issued under the authority of section 403.9,
47 subsection 1, incurred by the municipality to finance
48 or refinance, in whole or in part, an urban renewal
49 project within the area, and to provide assistance for
50 low and moderate income family housing as provided in

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1 section 403.22, except that taxes for the regular and
2 voter-approved physical plant and equipment levy of a
3 school district imposed pursuant to section 298.2 and
4 taxes for the payment of bonds and interest of each
5 taxing district must be collected against all taxable
6 property within the taxing district without limitation
7 by the provisions of this subsection. However, all or
8 a portion of the taxes for the physical plant and
9 equipment levy shall be paid by the school district to
10 the municipality if the municipality certifies to the
11 ~~school district by July 1~~ county auditor the amount of
12 such levy that is necessary to pay the principal and
13 interest on indebtedness incurred by the municipality
14 to finance an urban renewal project, which
15 indebtedness was incurred before July 1, 2000. If the
16 county auditor concurs with the certification, the
17 auditor shall notify the school district by July 1.
18 ~~Such~~ The school district shall pay over at least one-
19 half of the amount certified by November 1 and the
20 remainder by May 1 following certification
21 notification to the school district. Unless and until
22 the total assessed valuation of the taxable property
23 in an urban renewal area exceeds the total assessed
24 value of the taxable property in such area as shown by
25 the last equalized assessment roll referred to in
26 subsection 1, all of the taxes levied and collected
27 upon the taxable property in the urban renewal area
28 shall be paid into the funds for the respective taxing
29 districts as taxes by or for the taxing districts in
30 the same manner as all other property taxes. When
31 such loans, advances, indebtedness, and bonds, if any,
32 and interest thereon, have been paid, all moneys
33 thereafter received from taxes upon the taxable
34 property in such urban renewal area shall be paid into
35 the funds for the respective taxing districts in the
36 same manner as taxes on all other property.

37 Sec. ____ Section 422E.4, unnumbered paragraph 1,
38 Code Supplement 1999, is amended to read as follows:

39 The board of directors of a school district shall
40 be authorized to issue negotiable, interest-bearing
41 school bonds, without election, and utilize tax
42 receipts derived from the sales and services tax for
43 school infrastructure purposes for principal and
44 interest repayment. Proceeds of the bonds issued
45 pursuant to this section shall be utilized solely for
46 school infrastructure needs as school infrastructure
47 is defined in section 422E.1, subsection 3. Issuance
48 of bonds pursuant to this section shall be permitted
49 only in a district which has imposed a local sales and
50 services tax for school infrastructure purposes

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1 pursuant to section 422E.2. The provisions of
2 sections 298.22 through 298.24 shall apply regarding
3 the form, rate of interest, registration, redemption,
4 and recording of bond issues pursuant to this section,
5 with the exception that the maximum period during
6 which principal on the bonds is payable shall not
7 exceed a ten-year period, or the date of repeal stated
8 on the ballot proposition. Bonds issued pursuant to
9 this section may be sold at public or private sale at
10 a price as may be determined by the board of directors
11 of the school district. Such bonds may be sold at not
12 less than ninety-eight percent of par or may be
13 exchanged for other bonds at not less than ninety-
14 eight percent of par."

15 7. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5485 FILED APRIL 18, 2000

SENATE AMENDMENT TO HOUSE FILE 2378

H-8899

1 Amend House File 2378, as passed by the House, as.
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. NEW SECTION. 256E.6 LEGISLATIVE
6 FINDINGS AND INTENT.

7 1. The general assembly finds that classroom
8 management is often difficult and complex, that
9 students are from diverse racial, ethnic, and social
10 backgrounds, and that behavioral disorders and special
11 education needs abound. Teachers, therefore, must be
12 prepared to effectively manage classrooms, to
13 communicate with and engage parents in their child's
14 education, to assess students' developmental needs,
15 and to organize and work in teams. While student
16 needs are great, the nation is experiencing a teacher
17 shortage.

18 2. Therefore, it is the intent of the general
19 assembly that the department of education encourage
20 each school district to develop and implement a
21 volunteer program that utilizes a valuable, tested
22 human resource, Iowa's retired teachers and
23 administrators, by inviting these experienced
24 educators to return to the schools as volunteer
25 mentors and aides. A volunteer mentor is not a mentor
26 as defined in section 256E.1, and is ineligible for
27 awards made under section 256E.4."

28 2. Page 1, by inserting before line 1 the
29 following:

30 "Section 1. NEW SECTION. 262.76 ASSIGNMENT OF
31 STUDENT TEACHERS -- ACCREDITED NONPUBLIC SCHOOLS.

32 The state board of regents shall adopt rules
33 authorizing approved practitioner preparation program
34 faculty to assign a student enrolled in the program to
35 an accredited nonpublic school for student teaching
36 experience if the coursework and the curriculum the
37 student is assigned to teach are nonsectarian,
38 nonreligious, and would reasonably be expected to be
39 taught in any public school district in the state."

40 3. By striking page 2, line 12 through page 3,
41 line 1.

42 4. Page 3, by striking lines 23 through 34.

43 5. By striking page 4, line 14 through page 5,
44 line 4.

45 6. Page 5, by striking lines 5 through 23 and
46 inserting the following:

47 "Sec. _____. Section 283A.2, subsection 3, paragraph
48 b, unnumbered paragraph 1, and paragraph c, as enacted
49 by 1999 Iowa Acts, chapter 147, section 1, are amended
50 to read as follows:

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1 The board of directors of a school district that
2 wishes to provide safe, reasonable student access to a
3 school breakfast program, rather than operate or
4 provide for the operation of a school breakfast
5 program at a specific attendance center within the
6 school district shall develop an alternative site plan
7 to operate the school breakfast program at another
8 attendance center or other site within the school
9 district and shall annually certify to the department
10 that the plan meets the following criteria:

11 c. The board of directors of a school district
12 that wishes to provide access to a school breakfast
13 program in accordance with paragraph "b", shall notify
14 the parent, guardian, or legal or actual custodian of
15 a child enrolled in the district of the school
16 district's intention to develop and implement a plan
17 to provide school breakfast programs ~~only-in-certain~~
18 ~~attendance-centers~~ at an alternative site. At any
19 time in which the school district proposes to make
20 substantive changes to a plan certified with the
21 department of education, the notification requirements
22 of this paragraph shall apply."

23 7. Title page, line 2, by striking the words "
24 and providing an effective date".

25 8. By renumbering, relettering, or redesignating
26 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-8899 FILED APRIL 13, 2000

*House Concurred**4-18-00**P.1588*

HOUSE FILE 2378

H-8922

1 Amend the Senate amendment, H-8899, to House File
2 2378, as passed by the House, as follows:

3 1. Page 1, by inserting before line 28 the
4 following:

5 "Sec. _____. Section 272.12, Code 1999, as amended
6 by 2000 Iowa Acts, House File 2146, section 5, if
7 enacted, is amended to read as follows::

8 272.12 PARA-EDUCATOR CERTIFICATES.

9 The board of educational examiners shall adopt
10 rules pursuant to chapter 17A relating to a voluntary
11 certification system for para-educators. The rules
12 shall specify rights, responsibilities, levels, and
13 qualifications for the certificate. Applicants shall
14 be disqualified for any reason specified in section
15 272.6 or in administrative rule. Notwithstanding
16 section 272.6, subsection 1, paragraph "a", the board
17 may issue a para-educator certificate to a person who
18 is at least eighteen years of age. A person holding a
19 para-educator certificate shall not perform the duties
20 of a licensed practitioner. A certificate issued
21 pursuant to this chapter shall not be considered a
22 teacher or administrator license for any purpose
23 specified by law, including the purposes specified
24 under this chapter or chapter 279."

25 2. Page 1, by striking lines 28 through 39.

26 3. Page 1, by striking lines 40 and 41.

27 4. Page 1, by inserting after line 42 the
28 following:

29 "_____. Page 3, by inserting before line 35 the
30 following:

31 "Sec. _____. Section 296.1, Code 1999, is amended to
32 read as follows:

33 296.1 INDEBTEDNESS AUTHORIZED.

34 Subject to the approval of the voters thereof,
35 school districts are hereby authorized to contract
36 indebtedness and to issue general obligation bonds to
37 provide funds to defray the cost of purchasing,
38 building, furnishing, reconstructing, repairing,
39 improving, or remodeling a schoolhouse or schoolhouses
40 and additions thereto, gymnasium, stadium, field
41 house, school bus garage, teachers' or
42 superintendent's home or homes, and procuring a site
43 or sites therefor, or purchasing land to add to a site
44 already owned, or procuring and improving a site for
45 an athletic field, or improving a site already owned
46 for an athletic field, and for any one or more of such
47 purposes. Taxes for the payment of said bonds shall
48 be levied in accordance with chapter 76, and said such
49 bonds shall mature within a period not exceeding
50 twenty years from date of issue, shall bear interest

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A 1 at a rate or rates not exceeding that permitted by
2 chapter 74A, and shall be of such form as the board of
3 directors of such school district shall by resolution
4 provide, but the aggregate indebtedness of any school
5 district shall not exceed five percent of the actual
6 value of the taxable property within ~~said~~ the school
7 district, as ascertained by the last preceding state
8 and county tax lists. The bonds may be sold at public
9 or private sale at a price as may be determined by the
10 board of directors. Such bonds may be sold at not
11 less than ninety-eight percent of par or may be
12 exchanged for other bonds at not less than ninety-
13 eight percent of par."

14 . Page 4, by inserting after line 13 the
15 following:

16 "Sec. _____. Section 298.22, unnumbered paragraph 1,
17 Code 1999, is amended to read as follows:

18 All of said bonds shall be substantially in the
19 form provided for county bonds, but subject to changes
20 that will conform them to the action of the board
21 providing therefor; shall run not more than twenty
22 years, and may be sooner paid if so nominated in the
23 bond; bear a rate of interest not exceeding that
24 permitted by chapter 74A, payable semiannually; be
25 signed by the president and countersigned by the
26 secretary of the board of directors; and ~~shall not be~~
27 ~~disposed of for less than par value, nor issued for~~
28 ~~other purposes than this chapter provides~~ be sold at
29 public or private sale at a price as may be determined
30 by the board of directors. Such bonds may be sold at
31 not less than ninety-eight percent of par or may be
32 exchanged for other bonds at not less than ninety-
33 eight percent of par."

B 34 5. Page 1, by striking lines 43 and 44.

35 6. Page 2, by inserting after line 22 the
36 following:

37 "Sec. _____. Section 403.19, subsection 2, Code
38 1999, as amended by 2000 Iowa Acts, Senate File 2089,
39 section 2, is amended to read as follows:

A 40 2. That portion of the taxes each year in excess
41 of such amount shall be allocated to and when
42 collected be paid into a special fund of the
43 municipality to pay the principal of and interest on
44 loans, moneys advanced to, or indebtedness, whether
45 funded, refunded, assumed, or otherwise, including
46 bonds issued under the authority of section 403.9,
47 subsection 1, incurred by the municipality to finance
48 or refinance, in whole or in part, an urban renewal
49 project within the area, and to provide assistance for
50 low and moderate income family housing as provided in

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1 section 403.22, except that taxes for the regular and
2 voter-approved physical plant and equipment levy of a
3 school district imposed pursuant to section 298.2 and
4 taxes for the payment of bonds and interest of each
5 taxing district must be collected against all taxable
6 property within the taxing district without limitation
7 by the provisions of this subsection. However, all or
8 a portion of the taxes for the physical plant and
9 equipment levy shall be paid by the school district to
10 the municipality if the municipality certifies to the
11 ~~school-district-by-July-1~~ county auditor the amount of
12 such levy that is necessary to pay the principal and
13 interest on indebtedness incurred by the municipality
14 to finance an urban renewal project, which
15 indebtedness was incurred before July 1, 2000. If the
16 county auditor concurs with the certification, the
17 auditor shall notify the school district by July 1.
18 Such The school district shall pay over the amount
19 certified by November 1 following certification
20 notification to the school district. Unless and until
21 the total assessed valuation of the taxable property
22 in an urban renewal area exceeds the total assessed
23 value of the taxable property in such area as shown by
24 the last equalized assessment roll referred to in
25 subsection 1, all of the taxes levied and collected
26 upon the taxable property in the urban renewal area
27 shall be paid into the funds for the respective taxing
28 districts as taxes by or for the taxing districts in
29 the same manner as all other property taxes. When
30 such loans, advances, indebtedness, and bonds, if any,
31 and interest thereon, have been paid, all moneys
32 thereafter received from taxes upon the taxable
33 property in such urban renewal area shall be paid into
34 the funds for the respective taxing districts in the
35 same manner as taxes on all other property.

36 Sec. _____. Section 422E.4, unnumbered paragraph 1,
37 Code Supplement 1999, is amended to read as follows:
38 The board of directors of a school district shall
39 be authorized to issue negotiable, interest-bearing
40 school bonds, without election, and utilize tax
41 receipts derived from the sales and services tax for
42 school infrastructure purposes for principal and
43 interest repayment. Proceeds of the bonds issued
44 pursuant to this section shall be utilized solely for
45 school infrastructure needs as school infrastructure
46 is defined in section 422E.1, subsection 3. Issuance
47 of bonds pursuant to this section shall be permitted
48 only in a district which has imposed a local sales and
49 services tax for school infrastructure purposes
50 pursuant to section 422E.2. The provisions of

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1 sections 298.22 through 298.24 shall apply regarding
2 the form, rate of interest, registration, redemption,
3 and recording of bond issues pursuant to this section,
4 with the exception that the maximum period during
5 which principal on the bonds is payable shall not
6 exceed a ten-year period, or the date of repeal stated
7 on the ballot proposition. Bonds issued pursuant to
8 this section may be sold at public or private sale at
9 a price as may be determined by the board of directors
10 of the school district. Such bonds may be sold at not
11 less than ninety-eight percent of par or may be
12 exchanged for other bonds at not less than ninety-
13 eight percent of par."

14 7. By renumbering as necessary.

By GRUNDBERG of Polk

H-8922 FILED APRIL 18, 2000

A. Adopted 4/18/00 (P. 1588)
B. Adopted 4/18/00 (P. 1588)

HOUSE FILE 2378

H-8926

1. Amend the Senate amendment, H-8899, to House File
2 2378, as passed by the House, as follows:
3 1. Page 1, by striking lines 40 and 41 and
4 inserting the following:
5 "____. Page 2, by striking lines 14 through 25 and
6 inserting the following:
7 "1. The school year shall begin on the first day
8 of July and each regularly established elementary and
9 secondary school shall begin no sooner than a day
10 during the calendar week in which the first twenty-
11 fifth day of September August falls but no later than
12 the first Monday in December. However, if the first
13 twenty-fifth day of September August falls on a
14 Sunday, school may begin on a day during the calendar
15 week which immediately precedes the first twenty-fifth
16 day of September August. School shall continue for at
17 least one hundred eighty days, except as provided in
18 subsection 3, and may be maintained during the entire
19 calendar year. However, if the".
20 _____. By striking page 2, line 35 through page 3,
21 line 1."

22 2. By renumbering as necessary.

By COHOON of Des Moines

H-8926 FILED APRIL 18, 2000

0/0
4/18/00
(P. 1588)

HOUSE FILE 2378

H-8931

- 1 Amend the amendment, H-8922, to the Senate
2 amendment, H-8899, to House File 2378, as passed by
3 the House, as follows:
4 1. Page 1, line 26, by striking the figure "41."
5 and inserting the following: "41 and inserting the
6 following:
7 "____. Page 2, by striking lines 14 through 25 and
8 inserting the following:
9 "1. The school year shall begin on the first day
10 of July and each regularly established elementary and
11 secondary school shall begin no sooner than a day
12 during the calendar week in which the first twenty-
13 fifth day of September August falls but no later than
14 the first Monday in December. However, if the first
15 twenty-fifth day of September August falls on a
16 Sunday, school may begin on a day during the calendar
17 week which immediately precedes the first twenty-fifth
18 day of September August. School shall continue for at
19 least one hundred eighty days, except as provided in
20 subsection 3, and may be maintained during the entire
21 calendar year. However, if the".
22 _____. By striking page 2, line 35 through page 3,
23 line 1.""
24 2. Page 2, by striking line 34.
25 3. By renumbering as necessary.

By COHOON of Des Moines

H-8931 FILED APRIL 18, 2000

hast
4/18/00 (P. 1587)

HOUSE FILE 2378

H-8938

- 1 Amend the amendment, H-8922, to the Senate
2 amendment, H-8899, to House File 2378, as passed by
3 the House, as follows:
4 1. Page 3, by striking lines 18 and 19 and
5 inserting the following: "Such The school district
6 shall pay over at least one-half of the amount
7 certified by November 1 and the remainder by May 1
8 following certification".

By BUKTA of Clinton

H-8938 FILED APRIL 18, 2000

Adapted
4-18-00
(P. 1587)