

Nelson, Chair
Grundberg
Wise

HSB 183
Sub EDUCATION
SF/Hr 2-12

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY CHAIR-
PERSON GRUNDBERG)

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

A BILL FOR

1 An Act relating to schools and school districts by affecting
2 boiler and steam vessel maintenance and monitoring,
3 publication of billing information, the regular school
4 calendar, superintendent licensure and qualifications, and
5 school breakfast programming.

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

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20002
2/17/82

1 Section 1. NEW SECTION. 89.14 PROVISIONS MORE
2 RESTRICTIVE THAN STATE LAW OR RULE PROHIBITED.

3 A city or county shall not impose requirements more
4 restrictive than any of the provisions of this chapter, or of
5 the rules adopted by the commissioner.

6 Sec. 2. Section 272.9A, Code 1999, is amended to read as
7 follows:

8 272.9A ADMINISTRATIVE LICENSES -- EXEMPTION FOR
9 SUPERINTENDENTS.

10 1. The board of educational examiners shall adopt rules
11 relating to professional development programs for individuals
12 licensed or certificated as administrators of schools after
13 July 1, 1985. Successful completion of a professional
14 development program is required every five years before the
15 license is renewed by the board.

16 2. Notwithstanding any provision to the contrary, a
17 superintendent is exempt from the licensing requirements of
18 this chapter. However, a superintendent shall not be
19 considered an administrator for purposes of section 272.1,
20 unless the superintendent is licensed as an administrator
21 under this chapter, or for purposes of section 272.33, unless
22 the superintendent possesses an evaluator license or an
23 evaluator endorsement appears on an administrative license
24 issued under this chapter to the superintendent.

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

27 1. The school year shall begin annually on the first-day
28 of July 1 and each-regularly-established-elementary-and
29 secondary-school-shall-begin-no-sooner-than-a-day-during-the
30 calendar-week-in-which-the-first-day-of-September-falls-but-no
31 later-than-the-first-Monday-in-December end the following June
32 30. However, if the first-day-of-September-falls-on-a-Sunday,
33 school-may-begin-on-a-day-during-the-calendar-week-which
34 immediately-precedes-the-first-day-of-September.--School The
35 regular school calendar may commence on or after July 1, but

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1 once commenced shall continue for at least one hundred eighty
2 days, except as provided in subsection 3~~7~~-and-may-be
3 ~~maintained-during-the-entire-calendar-year~~. However, if the
4 board of directors of a district extends the school calendar
5 because inclement weather caused the district to temporarily
6 close school during the regular school calendar, the district
7 may excuse a graduating senior who has met district or school
8 requirements for graduation from attendance during the
9 extended school calendar. A school corporation may begin
10 employment of personnel for in-service training and
11 development purposes before the date to begin elementary and
12 secondary school.

13 Sec. 4. Section 279.10, subsection 4, Code 1999, is
14 amended by striking the subsection.

15 Sec. 5. Section 279.35, Code 1999, is amended to read as
16 follows:

17 279.35 PUBLICATION OF PROCEEDINGS.

18 The proceedings of each regular, adjourned, or special
19 meeting of the board, including the schedule of bills allowed,
20 shall be published after the adjournment of the meeting in the
21 manner provided in this section and section 279.36, and the
22 publication of the schedule of the bills allowed shall include
23 a list of claims allowed, including salary claims for services
24 performed. The schedule of bills allowed may be published on
25 a once monthly basis in lieu of publication with the
26 proceedings of each meeting of the board. The list of claims
27 allowed shall include the name of the person or firm making
28 the claim~~7--the-purpose-of-the-claim7~~, and the amount of the
29 claim. However, salaries paid to individuals regularly
30 employed by the district shall only be published annually and
31 the publication shall include the total amount of the annual
32 salary of each employee. The secretary shall furnish a copy
33 of the proceedings to be published within two weeks following
34 the adjournment of the meeting.

35 Sec. 6. Section 280.14, Code 1999, is amended to read as

1 follows:

2 280.14 SCHOOL REQUIREMENTS.

3 The board or governing authority of each school or school
4 district subject to the provisions of this chapter shall
5 establish and maintain adequate administration, school
6 staffing, personnel assignment policies, teacher
7 qualifications, certification requirements, facilities,
8 equipment, grounds, graduation requirements, instructional
9 requirements, instructional materials, maintenance procedures
10 and policies on extracurricular activities. In addition the
11 board or governing authority of each school or school district
12 shall provide such principals as it finds necessary to provide
13 effective supervision and administration for each school and
14 its faculty and student body. An individual who is employed
15 or contracted as a superintendent principal by a school or
16 school district may also serve as an-elementary-principal a
17 superintendent in the same school or school district.

18 Sec. 7. Section 283A.2, subsection 2, as enacted by 1994
19 Iowa Acts, chapter 1193, section 24, is amended to read as
20 follows:

21 2. a. All A school districts district shall operate or
22 provide for the operation of school breakfast and lunch
23 programs at all public-schools attendance centers in each the
24 district. However, with the approval of the department of
25 education as provided in paragraph "b", a school district may
26 provide access to a school breakfast program at an alternative
27 site to students who wish to participate in a school breakfast
28 program. The programs shall provide students with
29 nutritionally adequate meals and shall be operated in
30 compliance with the rules of the state board of education and
31 pertinent federal law and regulation, for all students in each
32 district who attend public school and wish to participate in a
33 school breakfast or lunch program.

34 b. The board of directors of a school district that wishes
35 to provide safe, reasonable student access to a school

1 breakfast program, rather than operate or provide for the
2 operation of a school breakfast program at an attendance
3 center within the school district, shall annually submit to
4 the department of education a plan that meets the requirements
5 of this section. The department shall evaluate the plan,
6 determine whether the plan meets requirements for safety and
7 reasonable access to a school breakfast program, and shall
8 approve or refuse to approve the plan. The state board shall
9 establish criteria for the approval of a plan for safe,
10 reasonable student access to a school breakfast program
11 provided at a site other than the attendance center at which
12 the student is enrolled.

13 Sec. 8. Section 283A.2, subsection 3, Code 1999, is
14 amended to read as follows:

15 3. Effective July 1, 1999, all school districts shall
16 operate or provide for the operation of school breakfast
17 programs at all public schools school attendance centers in
18 each district, or shall, with the approval of the department
19 of education as provided in paragraph "b", provide access to a
20 school breakfast program at an alternative site to students
21 who wish to participate in a school breakfast program. The
22 programs shall provide students with nutritionally adequate
23 meals and shall be operated in compliance with the rules of
24 the state board of education and pertinent federal law and
25 regulation, for all students in each district who attend
26 public school and who wish to participate in a school
27 breakfast program.

28 a. A school or school district unable to meet the
29 requirement to provide a school breakfast program may, not
30 later than June 1, 1999, for the school year beginning July 1,
31 1999, file a written request to the department of education
32 that the department waive the requirement for that school or
33 school district. The written request shall include the reason
34 for which the waiver is being requested. The state board
35 shall evaluate the application for waiver, determine the

1 validity of the reason for which the waiver is being
2 requested, and grant or deny the application for waiver. The
3 state board shall establish criteria for determination of the
4 validity of reasons for waiver of the requirement that school
5 breakfast programs be operated at each school. However, the
6 state board shall not waive the school breakfast program
7 requirement for a school if thirty-five percent or more of the
8 students in attendance at the school during the month of March
9 1999 were eligible for free or reduced price meals under the
10 federal National School Lunch Act and the federal Child
11 Nutrition Act of 1966, 42 U.S.C. § 1751--1785.

12 b. The board of directors of a school district that wishes
13 to provide safe, reasonable student access to a school
14 breakfast program, rather than operate or provide for the
15 operation of a school breakfast program at an attendance
16 center within the school district, shall annually submit to
17 the department of education a plan that meets the requirements
18 of this section. The department shall evaluate the plan,
19 determine whether the plan meets requirements for safety and
20 reasonable access to a school breakfast program, and shall
21 approve or refuse to approve the plan. The state board shall
22 establish criteria for the approval of a plan for safe,
23 reasonable student access to a school breakfast program
24 provided at a site other than the attendance center at which
25 the student is enrolled.

26 Sec. 9. Section 299.4, Code 1999, is amended to read as
27 follows:

28 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

29 The parent, guardian, or legal custodian of a child who is
30 of compulsory attendance age, who places the child under
31 competent private instruction under either section 299A.2 or
32 299A.3, not in an accredited school or a home school
33 assistance program operated by a public or accredited
34 nonpublic school, shall furnish a report in duplicate on forms
35 provided by the public school district, to the district by the

1 ~~earliest-starting-date-specified-in-section-279.107-subsection~~
2 1 August 15 of the school year in which the child is placed
3 under private instruction. The secretary shall retain and
4 file one copy and forward the other copy to the district's
5 area education agency. The report shall state the name and
6 age of the child, the period of time during which the child
7 has been or will be under competent private instruction for
8 the year, an outline of the course of study, texts used, and
9 the name and address of the instructor. The parent, guardian,
10 or legal custodian of a child, who is placing the child under
11 competent private instruction, for the first time, shall also
12 provide the district with evidence that the child has had the
13 immunizations required under section 139.9. The term "outline
14 of course of study" shall include subjects covered, lesson
15 plans, and time spent on the areas of study.

16 Sec. 10. Section 257.17, Code 1999, is repealed.

17 EXPLANATION

18 This bill provides that a city or county shall not have the
19 power to make more restrictive any of the provisions of state
20 law or rule relating to the maintenance and monitoring of
21 boilers and unfired steam pressure vessels located in public
22 school buildings, changes the date by which school district
23 calendars begin, exempts superintendents from educational
24 licensing requirements administered by the board of
25 educational examiners, strikes a provision requiring the board
26 of directors of a school district to publish the purpose of a
27 claim in its schedule of bills, permits an individual who is
28 employed or contracted as a school principal to also serve as
29 a superintendent in the same school or school district, and
30 provides a school district with an alternative to operating or
31 providing a school breakfast program at each attendance center
32 within the school district.

33 The bill strikes a provision that authorizes a
34 superintendent to evaluate practitioners and other personnel,
35 and permits a superintendent to evaluate the performance of

1 individuals holding practitioner licenses only if the
2 superintendent holds a license issued by the board of
3 educational examiners.

4 The bill permits a school to begin its regular school
5 calendar on or after July 1, but once commenced, the calendar
6 must continue for at least 180 days. Currently, schools must
7 begin their school calendar no sooner than a day during the
8 calendar week in which the first day of September falls and no
9 later than the first Monday in December. The bill also
10 repeals a Code section that penalizes schools by reducing
11 their state aid payments if they begin their calendars early.
12 The bill specifies that the annual school year begins on July
13 1 and ends the following June 30.

14 Currently, the Code requires a parent, guardian, or legal
15 custodian who places a child under competent private
16 instruction to furnish a report to the school district of
17 residence by the earliest starting date specified in the Code.
18 In accordance with the change in the school start date, the
19 bill requires that the report be filed with the district by
20 August 15 of the school year in which the child is placed
21 under private instruction.

22 Under the bill, a school district that wishes to provide
23 safe, reasonable student access to a school breakfast program,
24 rather than operate or provide for the operation of a school
25 breakfast program at a particular attendance center within the
26 school district as required as of July 1, 1999, under current
27 law, shall annually submit to the department of education a
28 plan that meets the requirements for safe and reasonable
29 student access. The department shall evaluate the plan,
30 determine whether the plan meets requirements for safety and
31 reasonable access to a school breakfast program, and approve
32 or refuse to approve the plan.

33 The state board is required to establish criteria for the
34 approval of a plan for safe, reasonable student access to a
35 school breakfast program provided at a site other than the

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1 attendance center in which the student is enrolled.
2 Under current law, a school district that cannot meet the
3 school breakfast program requirements by July 1, 1999, may
4 apply to the department of education for a waiver by June 1,
5 1999. This provision, which is Code section 283A.2,
6 subsection 3, as amended in the bill, is struck from the Code
7 effective July 1, 2000. After that date, each school district
8 will be required to provide a school breakfast program at each
9 public school or, as provided under this bill, provide access
10 to a school breakfast program at an alternative site.

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MAR 12 1999

REPRINTED

Place On Calendar

HOUSE FILE 675
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 183)

Passed House, ^(P. 933) Date 3/30/99 Passed Senate, ^(P. 1275) Date 4/22/99
Vote: Ayes 91 Nays 7 Vote: Ayes 49 Nays 0
Approved May 19, 1999

A BILL FOR

1 An Act relating to schools and school districts by affecting
2 boiler and steam vessel maintenance and monitoring, the
3 regular school calendar, superintendent licensure and
4 qualifications, and school breakfast programming.

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

HF 675

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1 Section 1. NEW SECTION. 89.14 PROVISIONS MORE
2 RESTRICTIVE THAN STATE LAW OR RULE PROHIBITED.

3 A city or county shall not impose requirements more
4 restrictive than any of the provisions of this chapter, or of
5 the rules adopted by the commissioner.

6 Sec. 2. Section 272.9A, Code 1999, is amended to read as
7 follows:

8 272.9A ADMINISTRATIVE LICENSES -- EXEMPTION FOR
9 SUPERINTENDENTS.

10 1. The board of educational examiners shall adopt rules
11 relating to professional development programs for individuals
12 licensed or certificated as administrators of schools after
13 July 1, 1985. Successful completion of a professional
14 development program is required every five years before the
15 license is renewed by the board.

16 2. Notwithstanding any provision to the contrary, a
17 superintendent is exempt from the licensing requirements of
18 this chapter. However, a superintendent shall not be
19 considered an administrator for purposes of section 272.1,
20 unless the superintendent is licensed as an administrator
21 under this chapter, or for purposes of section 272.33, unless
22 the superintendent possesses an evaluator license or an
23 evaluator endorsement appears on an administrative license
24 issued under this chapter to the superintendent.

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

27 1. The school year shall begin annually on the first day
28 of July 1 and each regularly established elementary and
29 secondary school shall begin no sooner than a day during the
30 calendar week in which the first day of September falls but no
31 later than the first Monday in December end the following June
32 30. However, if the first day of September falls on a Sunday,
33 school may begin on a day during the calendar week which
34 immediately precedes the first day of September. -- School The
35 regular school calendar may commence on or after July 1, but

1 once commenced shall continue for at least one hundred eighty
2 days, except as provided in subsection 3~~7~~-and-may-be
3 ~~maintained-during-the-entire-calendar-year~~. However, if the
4 board of directors of a district extends the school calendar
5 because inclement weather caused the district to temporarily
6 close school during the regular school calendar, the district
7 may excuse a graduating senior who has met district or school
8 requirements for graduation from attendance during the
9 extended school calendar. A school corporation may begin
10 employment of personnel for in-service training and
11 development purposes before the date to begin elementary and
12 secondary school.

13 Sec. 4. Section 279.10, subsection 4, Code 1999, is
14 amended by striking the subsection.

15 Sec. 5. Section 280.14, Code 1999, is amended to read as
16 follows:

17 280.14 SCHOOL REQUIREMENTS.

18 The board or governing authority of each school or school
19 district subject to the provisions of this chapter shall
20 establish and maintain adequate administration, school
21 staffing, personnel assignment policies, teacher
22 qualifications, certification requirements, facilities,
23 equipment, grounds, graduation requirements, instructional
24 requirements, instructional materials, maintenance procedures
25 and policies on extracurricular activities. In addition the
26 board or governing authority of each school or school district
27 shall provide such principals as it finds necessary to provide
28 effective supervision and administration for each school and
29 its faculty and student body. An individual who is employed
30 or contracted as a superintendent principal by a school or
31 school district may also serve as ~~an-elementary-principal~~ a
32 superintendent in the same school or school district.

33 Sec. 6. Section 283A.2, subsection 2, as enacted by 1994
34 Iowa Acts, chapter 1193, section 24, is amended to read as
35 follows:

1 2. a. All A school districts district shall operate or
2 provide for the operation of school breakfast and lunch
3 programs at all public-schools attendance centers in each the
4 district. However, with the approval of the department of
5 education as provided in paragraph "b", a school district may
6 provide access to a school breakfast program at an alternative
7 site to students who wish to participate in a school breakfast
8 program. The programs shall provide students with
9 nutritionally adequate meals and shall be operated in
10 compliance with the rules of the state board of education and
11 pertinent federal law and regulation, for all students in each
12 district who attend public school and wish to participate in a
13 school breakfast or lunch program.

14 b. The board of directors of a school district that wishes
15 to provide safe, reasonable student access to a school
16 breakfast program, rather than operate or provide for the
17 operation of a school breakfast program at an attendance
18 center within the school district, shall annually submit to
19 the department of education a plan that meets the requirements
20 of this section. The department shall evaluate the plan,
21 determine whether the plan meets requirements for safety and
22 reasonable access to a school breakfast program, and shall
23 approve or refuse to approve the plan. The state board shall
24 establish criteria for the approval of a plan for safe,
25 reasonable student access to a school breakfast program
26 provided at a site other than the attendance center at which
27 the student is enrolled.

28 Sec. 7. Section 283A.2, subsection 3, Code 1999, is
29 amended to read as follows:

30 3. Effective July 1, 1999, all school districts shall
31 operate or provide for the operation of school breakfast
32 programs at all public schools school attendance centers in
33 each district, or shall, with the approval of the department
34 of education as provided in paragraph "b", provide access to a
35 school breakfast program at an alternative site to students

1 who wish to participate in a school breakfast program. The
2 programs shall provide students with nutritionally adequate
3 meals and shall be operated in compliance with the rules of
4 the state board of education and pertinent federal law and
5 regulation, for all students in each district who attend
6 public school and who wish to participate in a school
7 breakfast program.

8 a. A school or school district unable to meet the
9 requirement to provide a school breakfast program may, not
10 later than June 1, 1999, for the school year beginning July 1,
11 1999, file a written request to the department of education
12 that the department waive the requirement for that school or
13 school district. The written request shall include the reason
14 for which the waiver is being requested. The state board
15 shall evaluate the application for waiver, determine the
16 validity of the reason for which the waiver is being
17 requested, and grant or deny the application for waiver. The
18 state board shall establish criteria for determination of the
19 validity of reasons for waiver of the requirement that school
20 breakfast programs be operated at each school. However, the
21 state board shall not waive the school breakfast program
22 requirement for a school if thirty-five percent or more of the
23 students in attendance at the school during the month of March
24 1999 were eligible for free or reduced price meals under the
25 federal National School Lunch Act and the federal Child
26 Nutrition Act of 1966, 42 U.S.C. § 1751--1785.

27 b. The board of directors of a school district that wishes
28 to provide safe, reasonable student access to a school
29 breakfast program, rather than operate or provide for the
30 operation of a school breakfast program at an attendance
31 center within the school district, shall annually submit to
32 the department of education a plan that meets the requirements
33 of this section. The department shall evaluate the plan,
34 determine whether the plan meets requirements for safety and
35 reasonable access to a school breakfast program, and shall

1 approve or refuse to approve the plan. The state board shall
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3 reasonable student access to a school breakfast program
4 provided at a site other than the attendance center at which
5 the student is enrolled.

6 Sec. 8. Section 299.4, Code 1999, is amended to read as
7 follows:

8 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

9 The parent, guardian, or legal custodian of a child who is
10 of compulsory attendance age, who places the child under
11 competent private instruction under either section 299A.2 or
12 299A.3, not in an accredited school or a home school
13 assistance program operated by a public or accredited
14 nonpublic school, shall furnish a report in duplicate on forms
15 provided by the public school district, to the district by the
16 ~~earliest-starting-date-specified-in-section-279-107-subsection~~
17 ± August 15 of the school year in which the child is placed
18 under private instruction. The secretary shall retain and
19 file one copy and forward the other copy to the district's
20 area education agency. The report shall state the name and
21 age of the child, the period of time during which the child
22 has been or will be under competent private instruction for
23 the year, an outline of the course of study, texts used, and
24 the name and address of the instructor. The parent, guardian,
25 or legal custodian of a child, who is placing the child under
26 competent private instruction, for the first time, shall also
27 provide the district with evidence that the child has had the
28 immunizations required under section 139.9. The term "outline
29 of course of study" shall include subjects covered, lesson
30 plans, and time spent on the areas of study.

31 Sec. 9. Section 257.17, Code 1999, is repealed.

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EXPLANATION

33 This bill provides that a city or county shall not have the
34 power to make more restrictive any of the provisions of state
35 law or rule relating to the maintenance and monitoring of

1 boilers and unfired steam pressure vessels located in public
2 school buildings, changes the date by which school district
3 calendars begin, exempts superintendents from educational
4 licensing requirements administered by the board of
5 educational examiners, permits an individual who is employed
6 or contracted as a school principal to also serve as a
7 superintendent in the same school or school district, and
8 provides a school district with an alternative to operating or
9 providing a school breakfast program at each attendance center
10 within the school district.

11 The bill strikes a provision that authorizes a
12 superintendent to evaluate practitioners and other personnel,
13 and permits a superintendent to evaluate the performance of
14 individuals holding practitioner licenses only if the
15 superintendent holds a license issued by the board of
16 educational examiners.

17 The bill permits a school to begin its regular school
18 calendar on or after July 1, but once commenced, the calendar
19 must continue for at least 180 days. Currently, schools must
20 begin their school calendar no sooner than a day during the
21 calendar week in which the first day of September falls and no
22 later than the first Monday in December. The bill also
23 repeals a Code section that penalizes schools by reducing
24 their state aid payments if they begin their calendars early.
25 The bill specifies that the annual school year begins on July
26 1 and ends the following June 30.

27 Currently, the Code requires a parent, guardian, or legal
28 custodian who places a child under competent private
29 instruction to furnish a report to the school district of
30 residence by the earliest starting date specified in the Code.
31 In accordance with the change in the school start date, the
32 bill requires that the report be filed with the district by
33 August 15 of the school year in which the child is placed
34 under private instruction.

35 Under the bill, a school district that wishes to provide

1 safe, reasonable student access to a school breakfast program,
2 rather than operate or provide for the operation of a school
3 breakfast program at a particular attendance center within the
4 school district as required as of July 1, 1999, under current
5 law, shall annually submit to the department of education a
6 plan that meets the requirements for safe and reasonable
7 student access. The department shall evaluate the plan,
8 determine whether the plan meets requirements for safety and
9 reasonable access to a school breakfast program, and approve
10 or refuse to approve the plan.

11 The state board is required to establish criteria for the
12 approval of a plan for safe, reasonable student access to a
13 school breakfast program provided at a site other than the
14 attendance center in which the student is enrolled.

15 Under current law, a school district that cannot meet the
16 school breakfast program requirements by July 1, 1999, may
17 apply to the department of education for a waiver by June 1,
18 1999. This provision, which is Code section 283A.2,
19 subsection 3, as amended in the bill, is struck from the Code
20 effective July 1, 2000. After that date, each school district
21 will be required to provide a school breakfast program at each
22 public school or, as provided under this bill, provide access
23 to a school breakfast program at an alternative site.

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H-1107

1 Amend House File 675 as follows:

2 1. Page 3, by striking line 18 and inserting the
3 following: "center within the school district, shall
4 notify the parent, guardian, or legal or actual
5 custodian of a child enrolled in the district of the
6 school district's intention to develop and implement a
7 plan to provide school breakfast programs only in
8 certain attendance centers, and of the time and place
9 of a public hearing to be held on the proposed plan.
10 The school district shall conduct a public hearing
11 during which the school district's proposed plan shall
12 be described, and at which the parent, guardian, or
13 legal or actual custodian of an affected student shall
14 have an opportunity to comment on the proposed plan.
15 If the department approves a plan submitted by a
16 school district in accordance with paragraph "c", and
17 the school district proposes to make substantive
18 changes to the plan in a succeeding school year, the
19 board of directors of the school district shall meet
20 the notification and public hearing requirements of
21 this paragraph in the succeeding school year.

22 c. The board of directors of a school district
23 that wishes to provide access to a school breakfast
24 program in accordance with paragraph "b", shall
25 annually submit to".

26 2. Page 4, line 33, by inserting after the word
27 "section." the following: "The school district shall
28 comply with the notification and public hearing
9 requirements of subsection 2, paragraph "b", prior to
0 submitting a plan to the department."

By WARNSTADT of Woodbury

H-1107 FILED MARCH 17, 1999

Adopted 3/30/99 (P.932)

HOUSE FILE 675

H-1158

1 Amend House File 675 as follows:

2 1. Page 3, line 12, by inserting after the word
3 "school" the following: "four or more hours each
4 school day".

5 2. Page 3, line 13, by inserting after the word
6 "program." the following: "School districts may
7 provide school breakfast and lunch programs for other
8 students."

By NELSON of Marshall

H-1158 FILED MARCH 23, 1999

Adopted
3/30/99 (P.932)

HOUSE FILE 675

H-1161

1 Amend House File 675 as follows:

2 1. Page 1, line 17, by inserting after the word
3 "superintendent" the following: "employed by a school
4 district with an actual enrollment of nine thousand or
5 more students".

6 2. Page 1, line 18, by inserting after the word
7 "superintendent" the following: "who is exempt from
8 the licensing requirements of this chapter".

By RANTS of Woodbury

H-1161 FILED MARCH 23, 1999

3/30/99 adopted (P.928) - now Rulled out 3 order 3/30/99 (P.928)

HOUSE FILE 675

H-1138

1 Amend House File 675 as follows:

- A 2 1. Page 1, by striking lines 6 through 24.
3 2. Page 2, by striking lines 15 through 32.
4 3. Title page, lines 3 and 4, by striking the
B 5 words "superintendent licensure and qualifications,".
6 4. By renumbering as necessary.

By MASCHER of Johnson
WISE of Lee

H-1138 FILED MARCH 19, 1999

A. adopted 3/30/99 (p. 928)
B. withdrawn 1/99 HOUSE FILE 675

H-1135

1 Amend House File 675 as follows:

- 2 1. Page 2, by inserting after line 14 the
3 following:
4 "Sec. ____ . Section 279.44, Code 1999, is amended
5 to read as follows:
6 279.44 ENERGY AUDITS.
7 1. Between July 1, 1986 and June 30, 1991, and on
8 a staggered annual basis each five years thereafter,
9 the board of directors of each school district shall
10 file with the department of natural resources, on
11 forms prescribed by the department of natural
12 resources, the results of an energy audit of the
13 buildings owned and leased by the school district.
14 The energy audit shall be conducted under rules
15 adopted by the department of natural resources
16 pursuant to chapter 17A. The department of natural
17 resources may waive the requirement for the initial
18 and subsequent energy audits for school districts that
19 submit evidence that energy audits were conducted
20 prior to January 1, 1987 and energy consumption for
21 the district is at an adjusted statewide average or
22 below.
23 ~~This section takes effect only if funds have been~~
24 ~~made available to a school district or community~~
25 ~~college to pay the costs of the energy audit.~~
26 2. The provisions of subsection 1 and section
27 473.13A shall not apply to school districts or
28 community colleges unless the costs of conducting the
29 energy audits are fully funded by the state."
30 2. By renumbering as necessary.

By GRUNDBERG of Polk

H-1135 FILED MARCH 19, 1999

Adapted
3/30/99
(p. 930)

H-1297

1 Amend the amendment, H-1237, to House File 675 as
2 follows:

3 1. Page 1, line 3, by striking the figure "14."
4 and inserting the following: "14, and inserting the
5 following:

6 "Sec. 101. NEW SECTION. 279.59 EXTRACURRICULAR
7 ACTIVITY SCHEDULING.

8 It is the intent of the general assembly to
9 encourage student involvement in home, family, and
10 community activities as well as involvement in the
11 extracurricular activity and interscholastic athletic
12 competition opportunities available through the public
13 schools. To facilitate a well-rounded education
14 experience and promote student involvement in non-
15 school-related activities, the board of directors of
16 each public school district shall establish a policy
17 that designates each Wednesday evening, after six
18 p.m., when school is in session during the regular
19 school calendar, as family night. The policy may
20 include exceptions for unique events."

21 2. Page 1, line 10, by striking the figure "31."
22 and inserting the following: "31, and inserting the
23 following:

24 "Sec. 102. APPLICABILITY. Section 101 of this Act
25 is applicable to school years beginning on or after
26 July 1, 2000."

By RAYHONS of Hancock
BUKTA of Clinton

H-1297 FILED MARCH 30, 1999

WITHDRAWN

(P. 929)

HOUSE FILE 675

H-1296

1 Amend House File 675 as follows:

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

4 "Sec. 101. NEW SECTION. 279.59 EXTRACURRICULAR
5 ACTIVITY SCHEDULING.

6 It is the intent of the general assembly to
7 encourage student involvement in home, family, and
8 community activities as well as involvement in the
9 extracurricular activity and interscholastic athletic
10 competition opportunities available through the public
11 schools. To facilitate a well-rounded education
12 experience and promote student involvement in non-
13 school-related activities, the board of directors of
14 each public school district shall establish a policy
15 that designates each Wednesday evening, after six
16 p.m., when school is in session during the regular
17 school calendar, as family night. The policy may
18 include exceptions for unique events."

19 2. Page 5, by inserting after line 31 the
20 following:

21 "Sec. 102. APPLICABILITY. Section 101 of this Act
22 is applicable to school years beginning on or after
23 July 1, 2000."

By RAYHONS of Hancock
BUKTA of Clinton

H-1296 FILED MARCH 30, 1999

OUT OF ORDER

(P. 932)

HOUSE FILE 675

H-1279

- 1 Amend the amendment, H-1107, to House File 675, as
- 2 follows:
- 3 1. Page 1, by striking lines 8 through 14 and
- 4 inserting the following: "certain attendance
- 5 centers."
- 6 2. Page 1, line 20, by striking the words "and
- 7 public hearing".
- 8 3. Page 1, by striking line 21 and inserting the
- 9 following: "this paragraph."
- 10 4. Page 1, line 28, by striking the words "and
- 11 public hearing".

By WARNSTADT of Woodbury

H-1279 FILED MARCH 29, 1999

Adopted
3/30/99 (p.932)

HOUSE FILE 675

H-1280

- 1 Amend the amendment, H-1265, to House File 675 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 5 and
- 4 inserting the following:
- 5 "1. Page 1, line 3, by inserting after the word
- 6 "requirements" the following: "on a school district
- 7 that are"."

By NELSON of Marshall
GRUNDBERG of Polk

H-1280 FILED MARCH 29, 1999

Adopted 3/30/99 (p.927)

HOUSE FILE 675

H-1237

- 1 Amend House File 675 as follows:
- 2 1. By striking page 1, line 25 through page 2,
- 3 line 14.
- 4 2. Page 2, line 30, by striking the words
- 5 "superintendent principal" and inserting the
- 6 following: "superintendent".
- 7 3. Page 2, lines 31 and 32, by striking the words
- 8 "principal a superintendent" and inserting the
- 9 following: "a principal".
- 10 4. Page 5, by striking lines 6 through 31.
- 11 5. Title page, lines 2 and 3, by striking the
- 12 words "the regular school calendar,".
- 13 6. By renumbering as necessary.

By GRUNDBERG of Polk
BRUNKHORST of Bremer
MASCHER of Johnson

H-1237 FILED MARCH 24, 1999

A. Lost 3/30/99 (p.929)
B. Adopted 3/30/99 (p.930)

HOUSE FILE 675

H-1265

- 1 Amend House File 675 as follows:
- 2 1. Page 1, by striking lines 1 through 5.
- 3 2. Title page, line 2, by striking the words
- 4 "boiler and steam vessel maintenance and monitoring,".
- 5 3. By renumbering as necessary.

By TAYLOR of Linn
HUSER of Polk
DOTZLER of Black Hawk

H-1265 FILED MARCH 25, 1999

Adopted
3/30/99 (p.932)

5
5-4/1/99 Amend/Do Pass
W/S-3218

HOUSE FILE 675
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 183)

(As Amended and Passed by the House, March 30, 1999)

Re Passed House, Date (P.1740) 4-27-99 Passed Senate, Date (P.1275) 4/22/99
Vote: Ayes 93 Nays 3 Vote: Ayes 49 Nays 0
Approved May 19, 1999

A BILL FOR

1 An Act relating to schools and school districts by affecting
2 boiler and steam vessel maintenance and monitoring, the
3 regular school calendar, superintendent licensure and
4 qualifications, and school breakfast programming.

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

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Deleted Language *

House Amendments _____

1 Section 1. NEW SECTION. 89.14 PROVISIONS MORE
2 RESTRICTIVE THAN STATE LAW OR RULE PROHIBITED.

3 A city or county shall not impose requirements on a school
4 district that are more restrictive than any of the provisions
5 of this chapter, or of the rules adopted by the commissioner.

* 6 Sec. 2. Section 279.10, subsection 1, Code 1999, is
7 amended to read as follows:

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

29 Sec. 3. Section 279.10, subsection 4, Code 1999, is
30 amended by striking the subsection.

31 Sec. 4. Section 279.44, Code 1999, is amended to read as
32 follows:

33 279.44 ENERGY AUDITS.

34 1. Between July 1, 1986 and June 30, 1991, and on a
35 staggered annual basis each five years thereafter, the board

1 of directors of each school district shall file with the
2 department of natural resources, on forms prescribed by the
3 department of natural resources, the results of an energy
4 audit of the buildings owned and leased by the school
5 district. The energy audit shall be conducted under rules
6 adopted by the department of natural resources pursuant to
7 chapter 17A. The department of natural resources may waive
8 the requirement for the initial and subsequent energy audits
9 for school districts that submit evidence that energy audits
10 were conducted prior to January 1, 1987 and energy consumption
11 for the district is at an adjusted statewide average or below.

12 ~~This section takes effect only if funds have been made~~
13 ~~available to a school district or community college to pay the~~
14 ~~costs of the energy audit.~~

15 2. The provisions of subsection 1 and section 473.13A
16 shall not apply to school districts or community colleges
17 unless the costs of conducting the energy audits are fully
18 funded by the state.

19 Sec. 5. Section 280.14, Code 1999, is amended to read as
20 follows:

21 280.14 SCHOOL REQUIREMENTS.

22 The board or governing authority of each school or school
23 district subject to the provisions of this chapter shall
24 establish and maintain adequate administration, school
25 staffing, personnel assignment policies, teacher
26 qualifications, certification requirements, facilities,
27 equipment, grounds, graduation requirements, instructional
28 requirements, instructional materials, maintenance procedures
29 and policies on extracurricular activities. In addition the
30 board or governing authority of each school or school district
31 shall provide such principals as it finds necessary to provide
32 effective supervision and administration for each school and
33 its faculty and student body. An individual who is employed
34 or contracted as a superintendent by a school or school
35 district may also serve as an elementary a principal in the

1 same school or school district.

2 Sec. 6. Section 283A.2, subsection 2, as enacted by 1994
3 Iowa Acts, chapter 1193, section 24, is amended to read as
4 follows:

5 2. a. All A school districts district shall operate or
6 provide for the operation of school breakfast and lunch
7 programs at all public-schools attendance centers in each the
8 district. However, with the approval of the department of
9 education as provided in paragraph "b", a school district may
10 provide access to a school breakfast program at an alternative
11 site to students who wish to participate in a school breakfast
12 program. The programs shall provide students with
13 nutritionally adequate meals and shall be operated in
14 compliance with the rules of the state board of education and
15 pertinent federal law and regulation, for all students in each
16 district who attend public school four or more hours each
17 school day and wish to participate in a school breakfast or
18 lunch program. School districts may provide school breakfast
19 and lunch programs for other students.

20 b. The board of directors of a school district that wishes
21 to provide safe, reasonable student access to a school
22 breakfast program, rather than operate or provide for the
23 operation of a school breakfast program at an attendance
24 center within the school district, shall notify the parent,
25 guardian, or legal or actual custodian of a child enrolled in
26 the district of the school district's intention to develop and
27 implement a plan to provide school breakfast programs only in
28 certain attendance centers. If the department approves a plan
29 submitted by a school district in accordance with paragraph
30 "c", and the school district proposes to make substantive
31 changes to the plan in a succeeding school year, the board of
32 directors of the school district shall meet the notification
33 requirements of this paragraph.

34 c. The board of directors of a school district that wishes
35 to provide access to a school breakfast program in accordance

1 with paragraph "b", shall annually submit to the department of
2 education a plan that meets the requirements of this section.
3 The department shall evaluate the plan, determine whether the
4 plan meets requirements for safety and reasonable access to a
5 school breakfast program, and shall approve or refuse to
6 approve the plan. The state board shall establish criteria
7 for the approval of a plan for safe, reasonable student access
8 to a school breakfast program provided at a site other than
9 the attendance center at which the student is enrolled.

10 Sec. 7. Section 283A.2, subsection 3, Code 1999, is
11 amended to read as follows:

12 3. Effective July 1, 1999, all school districts shall
13 operate or provide for the operation of school breakfast
14 programs at all public schools school attendance centers in
15 each district, or shall, with the approval of the department
16 of education as provided in paragraph "b", provide access to a
17 school breakfast program at an alternative site to students
18 who wish to participate in a school breakfast program. The
19 programs shall provide students with nutritionally adequate
20 meals and shall be operated in compliance with the rules of
21 the state board of education and pertinent federal law and
22 regulation, for all students in each district who attend
23 public school and who wish to participate in a school
24 breakfast program.

25 a. A school or school district unable to meet the
26 requirement to provide a school breakfast program may, not
27 later than June 1, 1999, for the school year beginning July 1,
28 1999, file a written request to the department of education
29 that the department waive the requirement for that school or
30 school district. The written request shall include the reason
31 for which the waiver is being requested. The state board
32 shall evaluate the application for waiver, determine the
33 validity of the reason for which the waiver is being
34 requested, and grant or deny the application for waiver. The
35 state board shall establish criteria for determination of the

1 validity of reasons for waiver of the requirement that school
2 breakfast programs be operated at each school. However, the
3 state board shall not waive the school breakfast program
4 requirement for a school if thirty-five percent or more of the
5 students in attendance at the school during the month of March
6 1999 were eligible for free or reduced price meals under the
7 federal National School Lunch Act and the federal Child
8 Nutrition Act of 1966, 42 U.S.C. § 1751--1785.

9 b. The board of directors of a school district that wishes
10 to provide safe, reasonable student access to a school
11 breakfast program, rather than operate or provide for the
12 operation of a school breakfast program at an attendance
13 center within the school district, shall annually submit to
14 the department of education a plan that meets the requirements
15 of this section. The school district shall comply with the
16 notification requirements of subsection 2, paragraph "b",
17 prior to submitting a plan to the department. The department
18 shall evaluate the plan, determine whether the plan meets
19 requirements for safety and reasonable access to a school
20 breakfast program, and shall approve or refuse to approve the
21 plan. The state board shall establish criteria for the
22 approval of a plan for safe, reasonable student access to a
23 school breakfast program provided at a site other than the
24 attendance center at which the student is enrolled.

25 Sec. 8. Section 299.4, Code 1999, is amended to read as
26 follows:

27 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

28 The parent, guardian, or legal custodian of a child who is
29 of compulsory attendance age, who places the child under
30 competent private instruction under either section 299A.2 or
31 299A.3, not in an accredited school or a home school
32 assistance program operated by a public or accredited
33 nonpublic school, shall furnish a report in duplicate on forms
34 provided by the public school district, to the district by the
35 ~~earliest-starting-date-specified-in-section-279-107-subsection~~

1 ± August 15 of the school year in which the child is placed
2 under private instruction. The secretary shall retain and
3 file one copy and forward the other copy to the district's
4 area education agency. The report shall state the name and
5 age of the child, the period of time during which the child
6 has been or will be under competent private instruction for
7 the year, an outline of the course of study, texts used, and
8 the name and address of the instructor. The parent, guardian,
9 or legal custodian of a child, who is placing the child under
10 competent private instruction, for the first time, shall also
11 provide the district with evidence that the child has had the
12 immunizations required under section 139.9. The term "outline
13 of course of study" shall include subjects covered, lesson
14 plans, and time spent on the areas of study.

15 Sec. 9. Section 257.17, Code 1999, is repealed.

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HOUSE FILE 675

S-3258

1 Amend the amendment, S-3218, to House File 675, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 4, by inserting after the word
5 and figure "line 1" the following: "and inserting the
6 following:

7 "Sec. ____ . Section 272.31, subsection 1, Code
8 1999, is amended by adding the following new
9 paragraph:

10 NEW PARAGRAPH. f. Valid evidence that the
11 applicant holds a current course completion card as
12 described in section 279.19B, subsection 3.

13 Sec. ____ . Section 279.19B, Code 1999, is amended
14 to read as follows:

15 279.19B COACHING ENDORSEMENT AND AUTHORIZATION.

16 1. The board of directors of a school district may
17 employ for head coach of any interscholastic athletic
18 activities or for assistant coach of any
19 interscholastic athletic activity, an individual who
20 possesses a coaching authorization issued by the board
21 of educational examiners or possesses a teaching
22 license with a coaching endorsement issued pursuant to
23 chapter 272. However, a board of directors of a
24 school district shall consider applicants with
25 qualifications described below, in the following order
26 of priority:

27 1- a. A qualified individual who possesses a valid
28 teaching license with a proper coaching endorsement.

29 2- b. A qualified individual who possesses a
30 coaching authorization issued by the board of
31 educational examiners.

32 2. Qualifications are to be determined by the
33 board of directors or their designee on a case-by-case
34 basis.

35 3. Prior to the start of each sports season, a
36 head coach or assistant coach shall provide to the
37 board valid evidence that the coach holds a current
38 course completion card in all of the following:

39 a. American red cross or American heart
40 association infant, child, and adult cardiopulmonary
41 resuscitation or equivalent certification approved by
42 the board of educational examiners. For purposes of
43 this paragraph, "cardiopulmonary resuscitation" means
44 training and successful course completion in one
45 rescuer and two rescuer cardiopulmonary resuscitation
46 and obstructed airway procedures.

47 b. American red cross infant, child, and adult
48 first aid or equivalent certification approved by the
49 board of educational examiners.

50 For purposes of this subsection, "current course

S-3258

S-3258

Page 2

1 completion card" means written recognition given for
2 training and successful course completion of
3 cardiopulmonary resuscitation or first aid with an
4 expiration date or a recommended renewal date that
5 exceeds the current date.

6 4. An individual who has been issued a coaching
7 authorization or who possesses a teaching license with
8 a coaching endorsement but is not issued a teaching
9 contract under section 279.13 and who is employed by
10 the board of directors of a school district serves at
11 the pleasure of the board of directors and is not
12 subject to sections 279.13 through 279.19, and 279.27.
13 Subsection 1 of section 279.19A applies to coaching
14 authorizations."

15 2. Page 1, line 8, by inserting after the word
16 "school" the following: "districts by affecting
17 coaching endorsement and authorization and school".

18 3. By renumbering as necessary.

By MIKE CONNOLLY

S-3258 FILED APRIL 6, 1999

*W/D
4/22/99
(p. 1274)*

HOUSE FILE 675

S-3218

1 Amend House File 675, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 3,
4 line 1.

5 2. By striking page 5, line 25, through page 6,
6 line 15.

7 3. Title page, by striking lines 1 through 4 and
8 inserting the following: "An Act relating to school
9 breakfast programming."

10 4. By renumbering as necessary.

By COMMITTEE ON EDUCATION

DONALD B. REDFERN, Chairperson

S-3218 FILED APRIL 1, 1999

*Adopted
4/22/99
(p. 1275)*

HOUSE FILE 675

S-3411

1 Amend the amendment, S-3218, to House File 675, as
2 amended, passed, and reprinted by the House, as
3 follows:

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

6 " . Page 3, by striking lines 23 through 33 and
7 inserting the following: "operation of a school
8 breakfast program at a specific attendance center
9 within the school district shall develop an
10 alternative site plan to operate the school breakfast
11 program at another attendance center within the school
12 district and shall annually certify to the department
13 that the plan meets the following criteria:

14 (1) Provides safe travel routes to and from the
15 alternative breakfast site for all eligible students.

16 (2) Minimizes student travel time between the
17 student's attendance center and the alternative
18 breakfast site.

19 (3) Provides for a reasonable relationship between
20 the time breakfast is offered, the time the student is
21 required to arrive at the attendance center and
22 alternative site, and the daily school start time.

23 (4) Provides an alternative breakfast site
24 facility adequate for the number of students
25 participating in the breakfast program."

26 " . Page 4, by striking lines 1 through 9 and
27 inserting the following: "with paragraph "b", shall
28 notify the parent, guardian, or legal or actual
29 custodian of a child enrolled in the school district
30 of the school district's intention to develop and
31 implement a plan to provide school breakfast programs
32 only in certain attendance centers. At any time in
33 which the school district proposes to make substantive
34 changes to a plan certified with the department of
35 education, the notification requirements of this
36 paragraph shall apply."

37 " . Page 4, by striking lines 15 and 16 and
38 inserting the following: "each district or, if the
39 school district meets the requirements of paragraphs
40 "b" and "c", shall provide access to a".

41 " . Page 5, by striking lines 12 through 24 and
42 inserting the following: "operation of a school
43 breakfast program at a specific attendance center
44 within the school district shall develop an
45 alternative site plan to operate the school breakfast
46 program at another attendance center within the school
47 district and shall annually certify to the department
48 that the plan meets the following criteria:

49 (1) Provides safe travel routes to and from the
50 alternative breakfast site for all eligible students.

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-1-

S-3411

Page 2

1 (2) Minimizes student travel time between the
2 student's attendance center and the alternative
3 breakfast site.

4 (3) Provides for a reasonable relationship between
5 the time breakfast is offered, the time the student is
6 required to arrive at the attendance center and
7 alternative site, and the daily school start time.

8 (4) Provides an alternative breakfast site
9 facility adequate for the number of students
10 participating in the breakfast program.

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 any time in which the school
19 district proposes to make substantive changes to a
20 plan certified with the department of education, the
21 notification requirements of this paragraph shall
22 apply."

By MIKE SEXTON
MIKE CONNOLLY

S-3411 FILED APRIL 15, 1999

*Adopted
4/22/99
(P. 1274)*

SENATE AMENDMENT TO HOUSE FILE 675

H-1802

1 Amend House File 675, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 3,
4 line 1.

5 2. Page 3, by striking lines 23 through 33 and
6 inserting the following: "operation of a school
7 breakfast program at a specific attendance center
8 within the school district shall develop an
9 alternative site plan to operate the school breakfast
10 program at another attendance center within the school
11 district and shall annually certify to the department
12 that the plan meets the following criteria:

13 (1) Provides safe travel routes to and from the
14 alternative breakfast site for all eligible students.

15 (2) Minimizes student travel time between the
16 student's attendance center and the alternative
17 breakfast site.

18 (3) Provides for a reasonable relationship between
19 the time breakfast is offered, the time the student is
20 required to arrive at the attendance center and
21 alternative site, and the daily school start time.

22 (4) Provides an alternative breakfast site
23 facility adequate for the number of students
24 participating in the breakfast program."

25 3. Page 4, by striking lines 1 through 9 and
26 inserting the following: "with paragraph "b", shall
27 notify the parent, guardian, or legal or actual
28 custodian of a child enrolled in the school district
29 of the school district's intention to develop and
30 implement a plan to provide school breakfast programs
31 only in certain attendance centers. At any time in
32 which the school district proposes to make substantive
33 changes to a plan certified with the department of
34 education, the notification requirements of this
35 paragraph shall apply."

36 4. Page 4, by striking lines 15 and 16 and
37 inserting the following: "each district or, if the
38 school district meets the requirements of paragraphs
39 "b" and "c", shall provide access to a".

40 5. Page 5, by striking lines 12 through 24 and
41 inserting the following: "operation of a school
42 breakfast program at a specific attendance center
43 within the school district shall develop an
44 alternative site plan to operate the school breakfast
45 program at another attendance center within the school
46 district and shall annually certify to the department
47 that the plan meets the following criteria:

48 (1) Provides safe travel routes to and from the
49 alternative breakfast site for all eligible students.

(2) Minimizes student travel time between the

H-1802

H-1802

Page 2

- 1 student's attendance center and the alternative
2 breakfast site.
3 (3) Provides for a reasonable relationship between
4 the time breakfast is offered, the time the student is
5 required to arrive at the attendance center and
6 alternative site, and the daily school start time.
7 (4) Provides an alternative breakfast site
8 facility adequate for the number of students
9 participating in the breakfast program.
10 c. The board of directors of a school district
11 that wishes to provide access to a school breakfast
12 program in accordance with paragraph "b", shall notify
13 the parent, guardian, or legal or actual custodian of
14 a child enrolled in the district of the school
15 district's intention to develop and implement a plan
16 to provide school breakfast programs only in certain
17 attendance centers. At any time in which the school
18 district proposes to make substantive changes to a
19 plan certified with the department of education, the
20 notification requirements of this paragraph shall
21 apply."
22 6. By striking page 5, line 25, through page 6,
23 line 15.
24 7. Title page, by striking lines 1 through 4 and
25 inserting the following: "An Act relating to school
26 breakfast programming."
27 8. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1802 FILED APRIL 22, 1999

House Concurred
4-27-99
(P. 1739)

AN ACT

RELATING TO SCHOOL BREAKFAST PROGRAMMING.

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

Section 1. Section 283A.2, subsection 2, as enacted by 1994 Iowa Acts, chapter 1193, section 24, is amended to read as follows:

2. a. All a school districts district shall operate or provide for the operation of school breakfast and lunch programs at all public schools attendance centers in each the district. However, with the approval of the department of education as provided in paragraph "b", a school district may provide access to a school breakfast program at an alternative site to students who wish to participate in a school breakfast program. The programs shall provide students with nutritionally adequate meals and shall be operated in compliance with the rules of the state board of education and pertinent federal law and regulation, for all students in each district who attend public school four or more hours each school day and wish to participate in a school breakfast or lunch program. School districts may provide school breakfast and lunch programs for other students.

b. The board of directors of a school district that wishes to provide safe, reasonable student access to a school breakfast program, rather than operate or provide for the operation of a school breakfast program at a specific attendance center within the school district shall develop an alternative site plan to operate the school breakfast program at another attendance center within the school district and shall annually certify to the department that the plan meets the following criteria:

(1) Provides safe travel routes to and from the alternative breakfast site for all eligible students.

(2) Minimizes student travel time between the student's attendance center and the alternative breakfast site.

(3) Provides for a reasonable relationship between the time breakfast is offered, the time the student is required to arrive at the attendance center and alternative site, and the daily school start time.

(4) Provides an alternative breakfast site facility adequate for the number of students participating in the breakfast program.

c. The board of directors of a school district that wishes to provide access to a school breakfast program in accordance with paragraph "b", shall notify the parent, guardian, or legal or actual custodian of a child enrolled in the school district of the school district's intention to develop and implement a plan to provide school breakfast programs only in certain attendance centers. At any time in which the school district proposes to make substantive changes to a plan certified with the department of education, the notification requirements of this paragraph shall apply.

Sec. 2. Section 283A.2, subsection 3, Code 1999, is amended to read as follows:

3. Effective July 1, 1999, all school districts shall operate or provide for the operation of school breakfast programs at all public schools school attendance centers in each district or, if the school district meets the requirements of paragraphs "b" and "c", shall provide access to a school breakfast program at an alternative site to students who wish to participate in a school breakfast program. The programs shall provide students with nutritionally adequate meals and shall be operated in compliance with the rules of the state board of education and pertinent federal law and regulation, for all students in each district who attend public school and who wish to participate in a school breakfast program.

a. A school or school district unable to meet the requirement to provide a school breakfast program may, not later than June 1, 1999, for the school year beginning July 1,

1999, file a written request to the department of education that the department waive the requirement for that school or school district. The written request shall include the reason for which the waiver is being requested. The state board shall evaluate the application for waiver, determine the validity of the reason for which the waiver is being requested, and grant or deny the application for waiver. The state board shall establish criteria for determination of the validity of reasons for waiver of the requirement that school breakfast programs be operated at each school. However, the state board shall not waive the school breakfast program requirement for a school if thirty-five percent or more of the students in attendance at the school during the month of March 1999 were eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751--1785.

b. The board of directors of a school district that wishes to provide safe, reasonable student access to a school breakfast program, rather than operate or provide for the operation of a school breakfast program at a specific attendance center within the school district shall develop an alternative site plan to operate the school breakfast program at another attendance center within the school district and shall annually certify to the department that the plan meets the following criteria:

- (1) Provides safe travel routes to and from the alternative breakfast site for all eligible students.
- (2) Minimizes student travel time between the student's attendance center and the alternative breakfast site.
- (3) Provides for a reasonable relationship between the time breakfast is offered, the time the student is required to arrive at the attendance center and alternative site, and the daily school start time.
- (4) Provides an alternative breakfast site facility adequate for the number of students participating in the breakfast program.

c. The board of directors of a school district that wishes to provide access to a school breakfast program in accordance with paragraph "b", shall notify the parent, guardian, or legal or actual custodian of a child enrolled in the district of the school district's intention to develop and implement a plan to provide school breakfast programs only in certain attendance centers. At any time in which the school district proposes to make substantive changes to a plan certified with the department of education, the notification requirements of this paragraph shall apply.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 675, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved May 19, 1999

THOMAS J. VILSACK
Governor