

FILED APR 9 '03

SENATE FILE 440
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1182)

Passed Senate, Date Passed 4/4/03 Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for an annual increase in specified state aid to
2 nonpublic schools under prescribed circumstances.

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

SENATE FILE 440

SF 440

S-3201

1 Amend Senate File 440 as follows:

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

4 "Sec. ____ . NONPUBLIC SCHOOL TEXTBOOK AND
5 TRANSPORTATION ASSISTANCE. There is appropriated from
6 the general fund of the state to the department of
7 education for the fiscal year beginning July 1, 2003,
8 and ending June 30, 2004, the following amounts, or so
9 much thereof as may be necessary, to be used for the
10 purposes designated:

11 1. NONPUBLIC SCHOOL TEXTBOOKS

12 To provide funds for costs of providing textbooks
13 to each resident pupil who attends a nonpublic school
14 as authorized by section 301.1:

15 \$ 590,458

16 2. NONPUBLIC SCHOOL TRANSPORTATION COSTS

17 To provide funds for payment of nonpublic school
18 transportation claims pursuant to section 285.2, or
19 for reimbursement of nonpublic school transportation
20 expenses pursuant to section 285.3:

21 \$ 7,955,541"

22 2. Title page, line 2, by inserting after the
23 word "circumstances" the following: ", and making an
24 appropriation".

By MIKE CONNOLLY

S-3201 FILED APRIL 14, 2003

LOST

1 Section 1. NEW SECTION. 257.8A NONPUBLIC SCHOOL STATE
2 AID -- ANNUAL INCREASE.

3 For the school budget year beginning July 1, 2004, and
4 succeeding budget years, school districts shall receive an
5 amount for nonpublic school transportation costs and nonpublic
6 school textbooks equal to the greater of the amount
7 appropriated for the base year increased by an amount
8 corresponding to the state percent of growth established for
9 the budget year pursuant to section 257.8, or the amount the
10 school district would receive for the budget year pursuant to
11 the standing unlimited appropriation contained in sections
12 285.2 and 285.3 for nonpublic school transportation costs, and
13 section 301.1 for textbooks. In the event that an
14 appropriation is made for a budget year for nonpublic school
15 technology assistance, the provisions of this section shall be
16 applicable for the year following the year in which the
17 appropriation is made and each succeeding year thereafter.
18 The amount of an annual increase received pursuant to this
19 section shall be considered miscellaneous income to the school
20 district.

21 EXPLANATION

22 This bill provides for an annual increase in the amount
23 appropriated to a school district for nonpublic school
24 transportation costs and textbooks in an amount corresponding
25 to the state percent of growth established for the budget
26 year, commencing with the budget year beginning July 1, 2004,
27 and each year thereafter. The bill provides that the increase
28 shall be applied to the amount appropriated for the base year,
29 if the result would be a greater appropriation than would
30 otherwise be received pursuant to the standing unlimited
31 appropriations contained in Code sections 285.2 and 285.3 for
32 nonpublic school transportation costs, and pursuant to Code
33 section 301.1 for nonpublic school textbooks. The bill
34 provides that these provisions shall be applied to amounts
35 appropriated for nonpublic school technology assistance, in

1 the event such an appropriation is made. The bill provides
2 that amounts received pursuant to this new Code section shall
3 be considered miscellaneous income to the school district.

4
5

SENATE FILE 440

S-3199

1 Amend Senate File 440 as follows:

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

4 "Sec. ____ . NEW SECTION. 257.8B STATE PERCENT OF
5 GROWTH -- SUPPLEMENTAL AID.

6 For the school budget year beginning July 1, 2003,
7 and succeeding budget years, if the department of
8 management determines that the regular program
9 district cost of a school district for the budget
10 year, as adjusted pursuant to section 257.14 if
11 applicable, is less than an amount corresponding to
12 the product of the state percent of growth for the
13 budget year multiplied by the regular program district
14 cost of the school district for the base year as
15 adjusted pursuant to section 257.14 if applicable, the
16 school district shall be entitled to an additional
17 budget adjustment equal to the difference.

18 There is appropriated from the general fund of the
19 state to the department of management for each fiscal
20 year an amount sufficient to pay the supplemental aid
21 to school districts under this section. Supplemental
22 aid shall be paid in the manner provided in section
23 257.16.

24 Sec. ____ . EFFECTIVE DATE. This Act, being deemed
25 of immediate importance, takes effect upon enactment."

26 2. Title page, by striking line 2 and inserting
27 the following: "public and nonpublic schools under
28 prescribed circumstances, making an appropriation, and
29 providing an effective date."

By STEVEN H. WARNSTADT

S-3199 FILED APRIL 14, 2003
LOST

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SENATE FILE 440

S-3200

1 Amend Senate File 440 as follows:

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

4 "Section 1. NONPUBLIC SCHOOL TEXTBOOK AND
5 TRANSPORTATION ASSISTANCE. There is appropriated from
6 the general fund of the state to the department of
7 education for the fiscal year beginning July 1, 2003,
8 and ending June 30, 2004, the following amounts, or so
9 much thereof as may be necessary, to be used for the
10 purposes designated:

11 1. NONPUBLIC SCHOOL TEXTBOOKS

12 To provide funds for costs of providing textbooks
13 to each resident pupil who attends a nonpublic school
14 as authorized by Code section 301.1:

15 \$ 590,458

16 2. NONPUBLIC SCHOOL TRANSPORTATION COSTS

17 To provide funds for payment of nonpublic school
18 transportation claims pursuant to section 285.2, or
19 for reimbursement of nonpublic school transportation
20 expenses pursuant to section 285.3:

21 \$ 7,955,541"

22 2. Title page, by striking lines 1 and 2 and
23 inserting the following: "An Act making an
24 appropriation for nonpublic school textbook and
25 transportation costs."

By MIKE CONNOLLY

S-3200 FILED APRIL 14, 2003

WITHDRAWN

SENATE FILE 440

H-1522

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. 101. Section 284.2, subsections 1, 2, 3, and
6 12, Code 2003, are amended to read as follows:

7 1. "Beginning teacher" means an individual serving
8 under an initial ~~provisional~~ license, issued by the
9 board of educational examiners under chapter 272, who
10 is assuming a position as a classroom teacher. ~~For~~
11 ~~purposes of the beginning teacher mentoring and~~
12 ~~induction program created pursuant to section 284.5,~~
13 ~~"beginning~~ "Beginning teacher" also includes preschool
14 teachers, school nurses, school social workers,
15 counselors, and media specialists who are licensed by
16 the board of educational examiners under chapter 272
17 or hold a letter of authorization or statement of
18 professional recognition issued by the board of
19 educational examiners, and who are employed by serving
20 a probationary period of employment with a school
21 district or area education agency.

22 2. "Classroom teacher" means an individual who
23 holds a valid practitioner's license and who is
24 employed under a contract issued by a board of
25 directors under section 279.13 to provide classroom
26 instruction to students, or as a preschool teacher.
27 "Classroom teacher" also includes school nurses,
28 school social workers, counselors, and media
29 specialists who are licensed by the board of
30 educational examiners under chapter 272 or hold a
31 letter of authorization or statement of professional
32 recognition issued by the board of educational
33 examiners, and who are employed by a school district
34 or area education agency.

35 3. "Comprehensive evaluation" means a summative
36 evaluation of a beginning teacher conducted by an
37 evaluator for purposes of determining a beginning
38 teacher's level of competency relative to the Iowa
39 teaching standards and ~~for recommendation for~~
40 ~~licensure based upon models~~ the knowledge and skill
41 criteria developed pursuant to section 256.9,
42 subsection 50, and to determine whether the teacher's
43 practice meets the school district expectations for a
44 career teacher.

45 12. "Teacher" means an individual holding a
46 practitioner's license issued under chapter 272, who
47 is employed in a nonadministrative position as a
48 teacher, librarian, media specialist, preschool
49 teacher, school nurse, school social worker, or
50 counselor by a school district or area education

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1 agency pursuant to a contract issued by a board of
2 directors under section 279.13. A teacher may be
3 employed in both an administrative and a
4 nonadministrative position by a board of directors and
5 shall be considered a part-time teacher for the
6 portion of time that the teacher is employed in a
7 nonadministrative position. "Teacher" includes a
8 licensed individual employed on a less than full-time
9 basis by a school district through a contract between
10 the school district and an institution of higher
11 education with a practitioner preparation program in
12 which the licensed teacher is enrolled.

13 Sec. 102. Section 284.5, subsection 8, Code 2003,
14 is amended to read as follows:

15 8. If the general assembly appropriates moneys for
16 purposes of this section, a school district or area
17 education agency is eligible to receive state
18 assistance for up to two years under this section for
19 each teacher the school district or area education
20 agency employs who was formerly employed in an
21 accredited nonpublic school or in another state as a
22 first-year teacher. The school district or area
23 education agency employing the teacher shall determine
24 the conditions and requirements of a teacher
25 participating in a program in accordance with this
26 subsection. ~~The school district or area education~~
27 ~~agency that employs the teacher shall recommend the~~
28 ~~teacher for an educational license if the teacher,~~
29 ~~through a comprehensive evaluation, is determined to~~
30 ~~demonstrate competence in the Iowa teaching standards.~~

31 Sec. 103. Section 284.13, Code 2003, is amended by
32 adding the following new subsection:

33 NEW SUBSECTION. 5. For each fiscal year in which
34 moneys are appropriated by the general assembly for
35 purposes of this chapter, each school district and
36 area education agency shall, by July 1 annually,
37 report to the department of education the number of
38 preschool teachers, librarians, media specialists,
39 school nurses, school social workers, and counselors
40 who were employed by the school district or area
41 education agency on the third Friday of September of
42 the previous fiscal year.

43 Sec. ____ . STATE MANDATE FUNDING SPECIFIED. In
44 accordance with section 25B.2, subsection 3, the state
45 cost of requiring compliance with any state mandate
46 included in sections 101 through 103 of this Act shall
47 be paid by a school district from state school
48 foundation aid received by the school district under
49 section 257.16. This specification of the payment of
50 the state cost shall be deemed to meet all the state

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Page 3

1 funding-related requirements of section 25B.2,
2 subsection 3, and no additional state funding shall be
3 necessary for the full implementation of sections 101
4 through 103 of this Act by and enforcement of sections
5 101 through 103 of this Act against all affected
6 school districts."

7 2. Title page, line 1, by inserting after the
8 word "Act" the following: "relating to education by
9 including school nurses, school social workers,
10 counselors, and media specialists in the student
11 achievement and teacher quality program and
12 eliminating a program requirement for an educational
13 license, and".

14 3. By renumbering as necessary.

By WINCKLER of Scott

H-1522 FILED APRIL 30, 2003

SENATE FILE 440

H-1523

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 256.7, subsection 24, Code
6 2003, is amended to read as follows:

7 24. Adopt rules on or before January 1, 2001, to
8 require school districts and accredited nonpublic
9 schools to adopt local policies relating to health
10 services, media services programs, and guidance
11 programs, as part of the general accreditation
12 standards applicable to school districts pursuant to
13 section 256.11. This subsection shall be applicable
14 strictly for reporting purposes and shall not be
15 interpreted to require school districts and accredited
16 nonpublic schools to provide or offer health services,
17 ~~media services programs, or guidance programs.~~

18 Sec. 2. Section 256.11, Code 2003, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 9. Unless a waiver has been
21 obtained under section 256.11A, each accredited
22 nonpublic school or school district shall have the
23 following:

24 a. A media center in each attendance center
25 accessible to students throughout the school day and a
26 qualified school media services specialist who meets
27 the licensing standards prescribed by the board of
28 educational examiners and who is responsible for media
29 center supervision.

30 b. An articulated sequential elementary-secondary
31 guidance program for grades kindergarten through
32 twelve and a guidance counselor who meets the
33 licensing standards prescribed by the board of
34 educational examiners.

35 In determining the requirements of this subsection
36 for an accredited nonpublic school, the department
37 shall evaluate the accredited nonpublic school on an
38 accredited nonpublic school system basis rather than
39 on an individual accredited nonpublic school basis.

40 Sec. 3. Section 256.11A, subsection 1, Code 2003,
41 is amended to read as follows:

42 1. ~~Schools~~ Accredited nonpublic schools and school
43 districts ~~unable to meet the standard adopted by the~~
44 ~~state board requiring each school or school district~~
45 ~~operating a kindergarten through grade twelve program~~
46 ~~to provide an articulated sequential elementary-~~
47 ~~secondary guidance program~~ may, not later than August
48 1, ~~1995~~ 2003, for the school year beginning July 1,
49 ~~1995~~ 2003, file a written request to the department of
50 education that the department waive one or more of the

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SENATE FILE 440

H-1523

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 256.7, subsection 24, Code
6 2003, is amended to read as follows:

7 24. Adopt rules on or before January 1, 2001, to
8 require school districts and accredited nonpublic
9 schools to adopt local policies relating to health
10 services, media services programs, and guidance
11 programs, as part of the general accreditation
12 standards applicable to school districts pursuant to
13 section 256.11. This subsection shall be applicable
14 strictly for reporting purposes and shall not be
15 interpreted to require school districts and accredited
16 nonpublic schools to provide or offer health services,
17 ~~media services programs, or guidance programs.~~

18 Sec. 2. Section 256.11, Code 2003, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 9. Unless a waiver has been
21 obtained under section 256.11A, each accredited
22 nonpublic school or school district shall have the
23 following:

24 a. A media center in each attendance center
25 accessible to students throughout the school day and a
26 qualified school media services specialist who meets
27 the licensing standards prescribed by the board of
28 educational examiners and who is responsible for media
29 center supervision.

30 b. An articulated sequential elementary-secondary
31 guidance program for grades kindergarten through
32 twelve and a guidance counselor who meets the
33 licensing standards prescribed by the board of
34 educational examiners.

35 In determining the requirements of this subsection
36 for an accredited nonpublic school, the department
37 shall evaluate the accredited nonpublic school on an
38 accredited nonpublic school system basis rather than
39 on an individual accredited nonpublic school basis.

40 Sec. 3. Section 256.11A, subsection 1, Code 2003,
41 is amended to read as follows:

42 1. ~~Schools~~ Accredited nonpublic schools and school
43 ~~districts unable to meet the standard adopted by the~~
44 ~~state board requiring each school or school district~~
45 ~~operating a kindergarten through grade twelve program~~
46 ~~to provide an articulated sequential elementary-~~
47 ~~secondary guidance program~~ may, not later than August
48 1, ~~1995~~ 2003, for the school year beginning July 1,
49 ~~1995~~ 2003, file a written request to the department of
50 education that the department waive one or more of the

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Page 3

1 funding-related requirements of section 25B.2,
2 subsection 3, and no additional state funding shall be
3 necessary for the full implementation of sections 101
4 through 103 of this Act by and enforcement of sections
5 101 through 103 of this Act against all affected
6 school districts."

7 2. Title page, line 1, by inserting after the
8 word "Act" the following: "relating to education by
9 including school nurses, school social workers,
10 counselors, and media specialists in the student
11 achievement and teacher quality program and
12 eliminating a program requirement for an educational
13 license, and".

14 3. By renumbering as necessary.

By WINCKLER of Scott

H-1522 FILED APRIL 30, 2003

1 ~~requirement for~~ requirements established in section
2 256.11, subsection 9, that an accredited nonpublic
3 school or school district have a media center and a
4 qualified school media services specialist and that an
5 accredited nonpublic school or school district
6 operating a kindergarten through grade twelve program
7 provide an articulated sequential elementary-secondary
8 guidance program. The procedures specified in
9 subsection 3 apply to the request. Not later than
10 August 1, ~~1996~~ 2004, for the school year beginning
11 July 1, ~~1996~~ 2004, the board of directors of a school
12 district or the authorities in charge of a nonpublic
13 school may request a one-year extension of the waiver.
14 Sec. 4. Section 256.11A, subsection 2, Code 2003,
15 is amended by striking the subsection."

16 2. Page 1, by inserting after line 20 the
17 following:

18 "Sec. ____ . STATE MANDATE FUNDING SPECIFIED. In
19 accordance with section 25B.2, subsection 3, the state
20 cost of requiring compliance with any state mandate
21 included in sections 1 through 4 of this Act shall be
22 paid by a school district from state school foundation
23 aid received by the school district under section
24 257.16. This specification of the payment of the
25 state cost shall be deemed to meet all the state
26 funding-related requirements of section 25B.2,
27 subsection 3, and no additional state funding shall be
28 necessary for the full implementation of sections 1
29 through 4 of this Act by and enforcement of sections 1
30 through 4 of this Act against all affected school
31 districts."

32 3. Title page, line 1, by inserting after the
33 word "Act" the following: "relating to education by
34 requiring school districts and accredited nonpublic
35 schools to have media centers and specialists and an
36 elementary-secondary guidance program and providing
37 waivers, and by".

38 4. By renumbering as necessary.

By WINCKLER of Scott

SENATE FILE 440

H-1524

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "1. For the school budget year beginning July 1,
6 2004, and".

7 2. Page 1, by inserting after line 20 the
8 following:

9 "2. This section is repealed June 30, 2004.

10 Sec. ____ . NEW SECTION. 285.17 NONPUBLIC SCHOOL
11 TRANSPORTATION -- STATE AID TERMINATION.

12 The provisions of this chapter relating to general
13 fund appropriations for nonpublic school
14 transportation costs and reimbursements shall be
15 applicable solely for the school budget year beginning
16 July 1, 2003. For the school budget year beginning
17 July 1, 2004, and succeeding budget years, nonpublic
18 schools shall be responsible for school transportation
19 costs and the reimbursement of transportation
20 expenses.

21 Sec. ____ . Section 301.1, subsection 2, Code 2003,
22 is amended to read as follows:

23 2. Textbooks adopted and purchased by a school
24 district shall, to the extent funds are appropriated
25 by the general assembly, be made available to pupils
26 attending accredited nonpublic schools upon request of
27 the pupil or the pupil's parent under comparable terms
28 as made available to pupils attending public schools.
29 If the general assembly appropriates moneys for
30 purposes of making textbooks available to accredited
31 nonpublic school pupils, the department of education
32 shall ascertain the amount available to a school
33 district for the purchase of nonsectarian,
34 nonreligious textbooks for pupils attending accredited
35 nonpublic schools. The amount shall be in the
36 proportion that the basic enrollment of a
37 participating accredited nonpublic school bears to the
38 sum of the basic enrollments of all participating
39 accredited nonpublic schools in the state for the
40 budget year. For purposes of this section, a
41 "participating accredited nonpublic school" means an
42 accredited nonpublic school that submits a written
43 request on behalf of the school's pupils in accordance
44 with this subsection, and that certifies its actual
45 enrollment to the department of education by October
46 1, annually. By October 15, annually, the department
47 of education shall certify to the director of revenue
48 and finance the annual amount to be paid to each
49 school district, and the director of revenue and
50 finance shall draw warrants payable to school

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Page 2

1 districts in accordance with this subsection. For
2 purposes of this subsection, an accredited nonpublic
3 school's enrollment count shall include only students
4 who are residents of Iowa. The costs of providing
5 textbooks to accredited nonpublic school pupils as
6 provided in this subsection shall not be included in
7 the computation of district cost under chapter 257,
8 but shall be shown in the budget as an expense from
9 miscellaneous income. Textbook expenditures made in
10 accordance with this subsection shall be kept on file
11 in the school district. This subsection is repealed
12 June 30, 2004."

13 3. Title page, line 2, by inserting after the
14 word "circumstances" the following: ", and providing
15 for a future repeal".

16 4. By renumbering as necessary.

By STEVENS of Dickinson

H-1524 FILED APRIL 30, 2003

SENATE FILE 440

H-1528

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. NONPUBLIC SCHOOL TEXTBOOK AND
6 TRANSPORTATION ASSISTANCE. There is appropriated from
7 the general fund of the state to the department of
8 education for the fiscal year beginning July 1, 2003,
9 and ending June 30, 2004, the following amounts, or so
10 much thereof as may be necessary, to be used for the
11 purposes designated:

12 1. NONPUBLIC SCHOOL TEXTBOOKS

13 To provide funds for costs of providing textbooks
14 to each resident pupil who attends a nonpublic school
15 as authorized by Code section 301.1:

16 \$ 590,458

17 2. NONPUBLIC SCHOOL TRANSPORTATION COSTS

18 To provide funds for payment of nonpublic school
19 transportation claims pursuant to section 285.2, or
20 for reimbursement of nonpublic school transportation
21 expenses pursuant to section 285.3:

22 \$ 7,955,541"

23 2. Title page, by striking lines 1 and 2 and
24 inserting the following: "An Act making an
25 appropriation for nonpublic school textbook and
26 transportation costs."

By LENSING of Johnson

H-1528 FILED APRIL 30, 2003

SENATE FILE 440

H-1525

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . EDUCATOR LICENSING REVIEW WORKING
6 GROUP.

7 1. The board of educational examiners, in
8 consultation with the department of education, shall
9 convene a working group to identify and recommend
10 measures to improve Iowa's current teacher and
11 administrator preparation and licensing practices.
12 The working group shall review the current teacher and
13 administrator preparation and licensing processes to
14 identify essential standards to maintain quality
15 preparation and licensing requirements for teachers
16 and administrators. The review shall also do the
17 following:

18 a. Identify state laws and agency rules that are
19 no longer essential to maintain quality.

20 b. Compare Iowa's teacher and administrator
21 preparation and licensing practices with those of
22 neighboring states, and identify those areas where
23 Iowa's practices differ from, or are consistent with,
24 the practices of the states neighboring Iowa.

25 c. Identify potential barriers preventing teacher
26 and administrator candidates from neighboring states
27 from applying for licensure in Iowa.

28 2. The working group shall consist of teachers,
29 administrators, and representatives of the department
30 of education, the state board of education, the board
31 of educational examiners, and practitioner preparation
32 institutions.

33 3. The working group shall submit its findings and
34 recommendations to the chairpersons and ranking
35 members of the senate and house standing education
36 committees and the joint appropriations subcommittee
37 on education by January 15, 2004."

38 2. Title page, line 1, by inserting after the
39 word "Act" the following: "relating to education by
40 directing the board of educational examiners to
41 convene an educator licensing review working group,
42 and by".

43 3. By renumbering as necessary.

By STEVENS of Dickinson

H-1525 FILED APRIL 30, 2003

SENATE FILE 440

H-1526

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 256.9, Code 2003, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 52. Prepare and make available to
8 school districts and accredited nonpublic schools
9 courses of instruction that meet the requirements of
10 section 256.11, subsection 15. The director shall
11 develop a procedure for evaluating and measuring the
12 effectiveness of human growth and development, health
13 education, and family life curricula in each school
14 district and accredited nonpublic school, including
15 the setting of reasonable goals for reduced sexual
16 activity, sexually transmitted diseases, and
17 premarital pregnancy.

18 Sec. 2. Section 256.11, subsections 2, 3, and 4,
19 Code 2003, are amended to read as follows:

20 2. The kindergarten program shall include
21 experiences designed to develop healthy emotional and
22 social habits and growth in the language arts and
23 communication skills, as well as a capacity for the
24 completion of individual tasks, and protect and
25 increase physical well-being with attention given to
26 experiences relating to the development of life skills
27 and medically accurate and age appropriate human
28 growth and development. A kindergarten teacher shall
29 be licensed to teach in kindergarten. An accredited
30 nonpublic school must meet the requirements of this
31 subsection only if the nonpublic school offers a
32 kindergarten program.

33 3. The following areas shall be taught in grades
34 one through six: English-language arts, social
35 studies, mathematics, science, health, medically
36 accurate and age appropriate human growth and
37 development, physical education, traffic safety,
38 music, and visual art. The health curriculum shall
39 include medically accurate and age appropriate
40 information regarding the characteristics of
41 communicable diseases including acquired immune
42 deficiency syndrome. The state board as part of
43 accreditation standards shall adopt curriculum
44 definitions for implementing the elementary program.

45 4. The following shall be taught in grades seven
46 and eight: English-language arts; social studies;
47 mathematics; science; health; medically accurate and
48 age appropriate human growth and development, family,
49 consumer, career, and technology education; physical
50 education; music; and visual art. The health

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1 curriculum shall include medically accurate and age
2 appropriate information regarding the characteristics
3 of sexually transmitted diseases and acquired immune
4 deficiency syndrome. The state board as part of
5 accreditation standards shall adopt curriculum
6 definitions for implementing the program in grades
7 seven and eight. However, this subsection shall not
8 apply to the teaching of family, consumer, career, and
9 technology education in nonpublic schools.

10 Sec. 3. Section 256.11, subsection 5, paragraph j,
11 unnumbered paragraph 1, Code 2003, is amended to read
12 as follows:

13 One unit of health education which shall include
14 personal health; food and nutrition; environmental
15 health; safety and survival skills; consumer health;
16 family life; medically accurate and age appropriate
17 human growth and development; substance abuse and
18 nonuse; emotional and social health; health resources;
19 and prevention and control of disease, including
20 medically accurate and age appropriate information
21 regarding sexually transmitted diseases and acquired
22 immune deficiency syndrome.

23 Sec. 4. Section 256.11, Code 2003, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 15. All human growth and
26 development, health education, and family life courses
27 of instruction offered at grade levels six through
28 twelve that discuss sexual activity or behavior shall
29 satisfy the following conditions:

30 a. Information presented in course material and
31 instruction shall be medically accurate and objective.

32 b. All course materials and instruction shall be
33 age and developmentally appropriate.

34 c. Course materials and instruction shall include
35 the following:

36 (1) Parameters for a discussion of sexual
37 abstinence as a method to prevent unintended pregnancy
38 and sexually transmitted diseases such as HIV.

39 (2) Presentation of the latest medically factual
40 information regarding both the possible side effects
41 and health benefits of all forms of contraception.

42 (3) Discussion of the possible consequences of
43 unintended pregnancy and sexually transmitted diseases
44 such as HIV. The materials and instruction shall
45 stress the potentially serious hazards of sexual
46 activity or behavior.

47 (4) Statistics based on the latest medical
48 information citing the failure and success rates of
49 all contraceptive methods for the prevention of
50 pregnancy and sexually transmitted diseases such as

1 HIV.

2 (5) Provision for the development of positive
3 communication skills that support and maintain healthy
4 relationships and reject unwanted sexual activity.

5 (6) Emphasize a student's power to control
6 personal behavior. Students shall be encouraged to
7 base their actions on reasoning, self-discipline,
8 sense of responsibility, self-control, and ethical
9 considerations, such as respect for oneself and
10 others.

11 (7) Methods that teach students not to make
12 unwanted physical and verbal sexual advances and how
13 to reject unwanted sexual advances. The materials and
14 instruction shall cover verbal, physical, and visual
15 sexual harassment, including nonconsensual sexual
16 advances, nonconsensual physical sexual contact, and
17 rape by an acquaintance. The course materials and
18 instruction shall emphasize personal accountability
19 and respect for others and shall also encourage youth
20 to resist peer pressure.

21 (8) Shall teach that it is wrong to take advantage
22 of or exploit another person.

23 (9) Instruction in the potential legal
24 consequences of sexual assault under the Iowa criminal
25 code.

26 (10) Shall be free of racial, ethnic, and gender
27 biases.

28 (11) Shall teach students about counseling,
29 medical and legal resources available to survivors of
30 sexual abuse and sexual assault, including resources
31 for escaping violent relationships.

32 d. For purposes of this subsection, "HIV" means
33 the same as defined in section 141A.1.

34 e. "Medically accurate", as used in this section,
35 means supported by research conducted in compliance
36 with accepted scientific methods; recognized as
37 accurate and objective by leading professional
38 organizations and agencies with relevant expertise in
39 the field, which may include but shall not be limited
40 to the American college of obstetricians and
41 gynecologists and the centers for disease control and
42 prevention of the United States department of health
43 and human services; and published in peer-reviewed
44 publications where appropriate."

45 2. Title page, line 1, by striking the words
46 "providing for" and inserting the following:
47 "relating to education concerning human growth and
48 development, health education, and family life
49 instruction by school districts and accredited
50 nonpublic schools, and concerning".

1 3. By renumbering as necessary.

By MASCHER of Johnson

SENATE FILE 440

H-1527

1 Amend Senate File 440, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking line 5 and inserting the
4 following: "amount for accredited nonpublic school
5 transportation costs and accredited nonpublic".
6 2. Page 1, line 12, by inserting after the word
7 "for" the following: "accredited".
8 3. Page 1, by striking line 14 and inserting the
9 following: "appropriation is made for a budget year
10 for accredited nonpublic school".
11 4. Title page, line 2, by striking the word
12 "nonpublic" and inserting the following: "accredited
13 nonpublic".

By WINCKLER of Scott

H-1527 FILED APRIL 30, 2003

SENATE FILE 440

H-1529

1 Amend Senate File 440, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 20 the
4 following:
5 "Sec. ____ . Section 422.7, Code 2003, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 39. Add amounts received as
8 parental reimbursement for nonpublic school
9 transportation expenses provided pursuant to section
10 285.3."
11 2. Title page, line 2, by inserting after the
12 word "schools" the following: ", and inclusion in
13 income for state income tax purposes,".
14 3. By renumbering as necessary.

By MASCHER of Johnson

H-1529 FILED APRIL 30, 2003

SENATE FILE 440

H-1530

1 Amend Senate File 440, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking line 3 and inserting the
4 following:
5 "1. For the school budget year beginning July 1,
6 2004, and".
7 2. Page 1, by inserting after line 20 the
8 following:
9 "2. This section is repealed June 30, 2008."

By MASCHER of Johnson

H-1530 FILED APRIL 30, 2003

SENATE FILE 440

H-1531

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "1. For the school budget year beginning July 1,
6 2004, and".

7 2. Page 1, by inserting after line 20 the
8 following:

9 "2. Notwithstanding subsection 1, the amount
10 appropriated for nonpublic school transportation costs
11 shall not exceed one hundred percent of the actual
12 amount required for the payment of transportation
13 claims or reimbursements pursuant to sections 285.2
14 and 285.3, and shall not exceed an amount equivalent
15 to an expenditure of twenty dollars per pupil for the
16 purchase of textbooks pursuant to section 301.1."

By LENSING of Johnson

H-1531 FILED APRIL 30, 2003

SENATE FILE 440

H-1534

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . NONPUBLIC SCHOOL EDUCATIONAL ASSESSMENT
6 REPORTING. In the event that legislation is enacted
7 during the Eightieth General Assembly, 2003 Regular
8 Session, requiring the director of the department of
9 education to implement a statewide program of
10 educational assessment reporting, accredited nonpublic
11 schools shall be required to comply with the reporting
12 requirements to the same extent as public school
13 districts."

14 2. Title page, line 2, by inserting after the
15 word "Act" the following: "relating to nonpublic
16 schools, providing for contingent educational
17 assessment reporting requirements, and".

18 3. By renumbering as necessary.

By STEVENS of Dickinson

H-1534 FILED APRIL 30, 2003

SENATE FILE 440

H-1532

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 256D.4, subsection 2,
6 unnumbered paragraph 1, Code 2003, is amended to read
7 as follows:

8 For each fiscal year in the fiscal period beginning
9 July 1, 2001, and ending June 30, ~~2003~~ 2005, moneys
10 appropriated pursuant to section 256D.5, subsection 3,
11 shall be allocated to school districts as follows:

12 Sec. 2. Section 256D.4, subsection 3, Code 2003,
13 is amended to read as follows:

14 3. For each year in which an appropriation is made
15 to the Iowa early intervention block grant program,
16 the department of education shall notify the
17 department of revenue and finance of the amount of the
18 allocation to be paid to each school district as
19 provided in ~~subsections 1 and subsection 2~~. The
20 allocation to each school district shall be made in
21 one payment on or about October 15 of the fiscal year
22 for which the appropriation is made, taking into
23 consideration the relative budget and cash position of
24 the state resources. Moneys received under this
25 section shall not be commingled with state aid
26 payments made under section 257.16 to a school
27 district and shall be accounted for by the local
28 school district separately from state aid payments.
29 Payments made to school districts under this section
30 are miscellaneous income for purposes of chapter 257.
31 A school district shall maintain a separate listing
32 within its budget for payments received and
33 expenditures made pursuant to this section. A school
34 district shall certify to the department of education
35 that moneys received under this section were used to
36 supplement, not supplant, moneys otherwise received
37 and used by the school district.

38 Sec. 3. Section 256D.5, subsection 3, Code 2003,
39 is amended to read as follows:

40 3. For each fiscal year of the fiscal period
41 beginning July 1, 2001, and ending June 30, ~~2003~~ 2005,
42 the sum of thirty million dollars.

43 Sec. 4. Section 256D.9, Code 2003, is amended to
44 read as follows:

45 256D.9 FUTURE REPEAL.

46 This chapter is repealed effective July 1, ~~2003~~
47 2005."

48 2. Page 1, by inserting after line 20 the
49 following:

50 "Sec. ____ . EFFECTIVE DATE. Sections 1 through 4

H-1532

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Page 2

1 of this Act, being deemed of immediate importance,
2 take effect upon enactment."

3 3. Title page, line 2, by inserting after the
4 word "circumstances" the following: ", making an
5 appropriation for and extending the existence of the
6 Iowa early intervention block grant program and

SENATE FILE 440

H-1546

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

3 1. Page 1, line 17, by inserting after the word
4 "thereafter" the following: ", but shall not exceed
5 an amount per pupil greater than the per pupil amount
6 expended for public school technology assistance".

By STEVENS of Dickinson

H-1546 FILED APRIL 30, 2003

SENATE FILE 440

H-1548

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . Section 285.3, Code 2003, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 3. Notwithstanding any provision
8 to the contrary, for the school budget year beginning
9 July 1, 2003, and succeeding budget years, parental or
10 legal guardian reimbursement as calculated pursuant to
11 subsection 1 and section 285.1, subsection 3, shall be
12 subject to a percentage reduction if annual parental
13 or legal guardian taxable income exceeds the following
14 designated amounts:

15 a. For income levels at or less than fifty
16 thousand dollars of taxable income per year,
17 reimbursement at one hundred percent of the amount
18 calculated.

19 b. For income levels greater than fifty thousand
20 dollars of taxable income per year, but less than
21 seventy-five thousand dollars of taxable income per
22 year, reimbursement at fifty percent of the amount
23 calculated.

24 c. For income levels at or greater than seventy-
25 five thousand dollars of taxable income per year, but
26 less than one hundred thousand dollars of taxable
27 income per year, reimbursement at twenty-five percent
28 of the amount calculated.

29 d. For income levels at or greater than one
30 hundred thousand dollars of taxable income per year

SENATE FILE 440

H-1532

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 256D.4, subsection 2,
6 unnumbered paragraph 1, Code 2003, is amended to read
7 as follows:

8 For each fiscal year in the fiscal period beginning
9 July 1, 2001, and ending June 30, ~~2003~~ 2005, moneys
10 appropriated pursuant to section 256D.5, subsection 3,
11 shall be allocated to school districts as follows:

12 Sec. 2. Section 256D.4, subsection 3, Code 2003,
13 is amended to read as follows:

14 3. For each year in which an appropriation is made
15 to the Iowa early intervention block grant program,
16 the department of education shall notify the
17 department of revenue and finance of the amount of the
18 allocation to be paid to each school district as
19 provided in ~~subsections 1 and~~ subsection 2. The
20 allocation to each school district shall be made in
21 one payment on or about October 15 of the fiscal year
22 for which the appropriation is made, taking into
23 consideration the relative budget and cash position of
24 the state resources. Moneys received under this
25 section shall not be commingled with state aid
26 payments made under section 257.16 to a school
27 district and shall be accounted for by the local
28 school district separately from state aid payments.
29 Payments made to school districts under this section
30 are miscellaneous income for purposes of chapter 257.
31 A school district shall maintain a separate listing
32 within its budget for payments received and
33 expenditures made pursuant to this section. A school
34 district shall certify to the department of education
35 that moneys received under this section were used to
36 supplement, not supplant, moneys otherwise received
37 and used by the school district.

38 Sec. 3. Section 256D.5, subsection 3, Code 2003,
39 is amended to read as follows:

40 3. For each fiscal year of the fiscal period
41 beginning July 1, 2001, and ending June 30, ~~2003~~ 2005,
42 the sum of thirty million dollars.

43 Sec. 4. Section 256D.9, Code 2003, is amended to
44 read as follows:

45 256D.9 FUTURE REPEAL.

46 This chapter is repealed effective July 1, ~~2003~~
47 2005."

48 2. Page 1, by inserting after line 20 the
49 following:

50 "Sec. ____ . EFFECTIVE DATE. Sections 1 through 4

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Page 2

1 of this Act, being deemed of immediate importance,
2 take effect upon enactment."

3 3. Title page, line 2, by inserting after the
4 word "circumstances" the following: ", making an
5 appropriation for and extending the existence of the
6 Iowa early intervention block grant program, and
7 providing an effective date".

8 4. By renumbering as necessary.

By LENSING of Johnson

H-1532 FILED APRIL 30, 2003

SENATE FILE 440

H-1533

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. TEXTBOOK UTILIZATION STUDY. The
6 department of education shall conduct a study relating
7 to the provision and utilization of textbooks in
8 public and accredited nonpublic elementary and
9 secondary schools in this state. The purpose of the
10 study shall be to determine the practices and
11 procedures which are currently being utilized to
12 maintain and update textbooks, and to identify methods
13 for improving these practices and procedures. The
14 study shall also involve the determination of the
15 level of, and adequacy of, textbook expenditures
16 currently being made per pupil by public and
17 accredited nonpublic schools, and the per pupil amount
18 charged by schools as textbook fees. The study shall
19 be conducted with the assistance of representatives
20 from public and accredited nonpublic schools across
21 the state, in an effort to identify best practices for
22 textbook service utilization. The department shall
23 submit its recommendations and findings in a report to
24 the chairs and ranking members of the house and senate
25 standing committees on education and the education
26 appropriations subcommittee by January 15, 2004."

27 2. Title page, by striking lines 1 and 2 and
28 inserting the following: "An Act providing for a
29 textbook utilization study in elementary and secondary
30 public and accredited nonpublic schools."

By STEVENS of Dickinson

H-1533 FILED APRIL 30, 2003

SENATE FILE 440

H-1543

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

3 1. Page 1, line 3, by striking the figure "2004"
4 and inserting the following: "2005".

By STEVENS of Dickinson

H-1543 FILED APRIL 30, 2003

SENATE FILE 440

H-1544

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 13 through 17 and
4 inserting the following: "section 301.1 for
5 textbooks."

By MASCHER of Johnson

H-1544 FILED APRIL 30, 2003

SENATE FILE 440

H-1545

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . NEW SECTION. 257.8B STATE PERCENT OF
6 GROWTH -- SUPPLEMENTAL AID.

7 For the school budget year beginning July 1, 2003,
8 and succeeding budget years, if the department of
9 management determines that the regular program
10 district cost of a school district for the budget
11 year, as adjusted pursuant to section 257.14 if
12 applicable, is less than an amount corresponding to
13 the product of the state percent of growth for the
14 budget year multiplied by the regular program district
15 cost of the school district for the base year as
16 adjusted pursuant to section 257.14 if applicable, the
17 school district shall be entitled to an additional
18 budget adjustment equal to the difference.

19 There is appropriated from the general fund of the
20 state to the department of management for each fiscal
21 year an amount sufficient to pay the supplemental aid
22 to school districts under this section. Supplemental
23 aid shall be paid in the manner provided in section
24 257.16.

25 Sec. ____ . EFFECTIVE DATE. This Act, being deemed
26 of immediate importance, takes effect upon enactment."

27 2. Title page, by striking line 2 and inserting
28 the following: "public and nonpublic schools under
29 prescribed circumstances, making an appropriation, and
30 providing an effective date."

By WENDT of Woodbury

H-1545 FILED APRIL 30, 2003

SENATE FILE 440

H-1546

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

3 1. Page 1, line 17, by inserting after the word
4 "thereafter" the following: ", but shall not exceed
5 an amount per pupil greater than the per pupil amount
6 expended for public school technology assistance".

By STEVENS of Dickinson

H-1546 FILED APRIL 30, 2003

SENATE FILE 440

H-1548

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . Section 285.3, Code 2003, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 3. Notwithstanding any provision
8 to the contrary, for the school budget year beginning
9 July 1, 2003, and succeeding budget years, parental or
10 legal guardian reimbursement as calculated pursuant to
11 subsection 1 and section 285.1, subsection 3, shall be
12 subject to a percentage reduction if annual parental
13 or legal guardian taxable income exceeds the following
14 designated amounts:

15 a. For income levels at or less than fifty
16 thousand dollars of taxable income per year,
17 reimbursement at one hundred percent of the amount
18 calculated.

19 b. For income levels greater than fifty thousand
20 dollars of taxable income per year, but less than
21 seventy-five thousand dollars of taxable income per
22 year, reimbursement at fifty percent of the amount
23 calculated.

24 c. For income levels at or greater than seventy-
25 five thousand dollars of taxable income per year, but
26 less than one hundred thousand dollars of taxable
27 income per year, reimbursement at twenty-five percent
28 of the amount calculated.

29 d. For income levels at or greater than one
30 hundred thousand dollars of taxable income per year,
31 no reimbursement."

32 2. Title page, line 2, by inserting after the
33 word "circumstances" the following: ", and a
34 percentage reduction in specified state aid for
35 nonpublic school parental reimbursement under
36 specified circumstances".

37 3. By renumbering as necessary.

By MASCHER of Johnson

H-1548 FILED APRIL 30, 2003

SENATE FILE 440

H-1551

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

3 1. Page 1, line 17, by inserting after the word
4 "thereafter." the following: "In the event that an
5 appropriation is made for a budget year for public
6 school technology assistance, for the year following
7 the year in which the appropriation is made and each
8 succeeding year thereafter, public school districts
9 shall receive an amount corresponding to the amount
10 appropriated for the base year increased by an amount
11 corresponding to the state percent of growth
12 established for the budget year pursuant to section
13 257.8."

14 2. Title page, line 1, by inserting after the
15 word "to" the following: "public and".

By STEVENS of Dickinson

H-1551 FILED APRIL 30, 2003

SENATE FILE 440

H-1552

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 91D.1, subsection 1,
6 paragraphs a and d, Code 2003, are amended to read as
7 follows:

8 a. The hourly wage stated in the federal minimum
9 wage law, pursuant to 29 U.S.C. § 206, shall be
10 increased to ~~-\$3.85~~ \$5.65 on January 1 ~~of 1990, 2004,~~
11 ~~-\$4.25 on January 1 of 1991,~~ and ~~-\$4.65~~ to \$6.15 on
12 January 1 ~~of 1992,~~ 2005.

13 d. An employer is not required to pay an employee
14 the applicable minimum wage provided in paragraph "a"
15 until the employee has completed ninety calendar days
16 of employment with the employer. An employee who has
17 completed ninety calendar days of employment with the
18 employer prior to January 1 ~~of 1990, 1991, 2004,~~ or
19 ~~1992~~ January 1, 2005, shall earn the applicable hourly
20 minimum wage. An employer shall pay an employee who
21 has not completed ninety calendar days of employment
22 with the employer an hourly wage of at least ~~-\$3.35~~
23 \$5.15 as of January 1 ~~of 1990, 2004,~~ ~~-\$3.85 as of~~
24 ~~January 1 of 1991,~~ and ~~-\$4.25~~ \$5.65 as of January 1 ~~of~~
25 ~~1992,~~ 2005."

26 2. Title page, line 1, by inserting after the
27 word "Act" the following: "relating to income by
28 increasing the state minimum hourly wage rate and by".

29 3. By renumbering as necessary.

By MASCHER of Johnson

H-1552 FILED APRIL 30, 2003

SENATE FILE 440

H-1553

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. _____. Section 422.12, subsection 2, Code
6 2003, is amended by striking the subsection."

7 2. Title page, by striking line 1 and inserting
8 the following: "An Act relating to tuition tax
9 credits for individuals for tuition paid to certain
10 accredited not-for-profit schools and to state aid
11 provided to".

12 3. By renumbering as necessary.

By MASCHER of Johnson

H-1553 FILED APRIL 30, 2003

SENATE FILE 440

H-1555

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. _____. Section 294A.25, Code 2003, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 11. Notwithstanding subsection 1,
8 the moneys appropriated for purposes of this chapter
9 for the fiscal year beginning July 1, 2004, and ending
10 June 30, 2005, and for each fiscal year thereafter,
11 shall be increased, at a minimum, by an amount equal
12 to the state percent of growth, established by the
13 general assembly for the next budget year, over the
14 amount appropriated for purposes of this chapter in
15 the previous fiscal year."

16 2. Title page, line 1, by inserting after the
17 word "to" the following: "school districts and".

18 3. By renumbering as necessary.

By STEVENS of Dickinson

H-1555 FILED APRIL 30, 2003

SENATE FILE 440

H-1554

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . NEW SECTION. 514C.21 MANDATED
6 COVERAGE FOR MENTAL HEALTH CONDITIONS.

7 1. For purposes of this section, unless the
8 context otherwise requires:

9 a. "Mental health condition" means a condition or
10 disorder involving mental illness or alcohol or
11 substance abuse that falls under any of the diagnostic
12 categories listed in the mental disorders section of
13 the international classification of disease, as
14 periodically revised.

15 b. "Rates, terms, and conditions" means any
16 lifetime payment limits, deductibles, copayments,
17 coinsurance, and any other cost-sharing requirements,
18 out-of-pocket limits, visit limitations, and any other
19 financial component of benefits coverage that affects
20 the covered individual.

21 2. a. Notwithstanding section 514C.6, a policy or
22 contract providing for third-party payment or
23 prepayment of health or medical expenses shall provide
24 coverage benefits for mental health conditions based
25 on rates, terms, and conditions which are no more
26 restrictive than the rates, terms, and conditions for
27 coverage benefits provided for other health or medical
28 conditions under the policy or contract.

29 Additionally, any rates, terms, and conditions
30 involving deductibles, copayments, coinsurance, and
31 any other cost-sharing requirements shall be
32 cumulative for coverage of both mental health
33 conditions and other health or medical conditions
34 under the policy or contract.

35 b. Coverage required under this subsection shall
36 be as follows:

37 (1) For the treatment of mental illness, coverage
38 shall be for services provided by a licensed mental
39 health professional, or services provided in a
40 licensed hospital or health facility.

41 (2) For the treatment of alcohol or substance
42 abuse, coverage shall be for services provided by a
43 substance abuse counselor, as approved by the
44 department of human services, a licensed health
45 facility providing a program for the treatment of
46 alcohol or substance abuse approved by the department
47 of human services, or a substance abuse treatment and
48 rehabilitation facility, as licensed by the department
49 of public health pursuant to chapter 125.

50 3. This section applies to the following classes

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1 of third-party payment provider contracts or policies
2 delivered, issued for delivery, continued, or renewed
3 in this state on or after January 1, 2004:

4 a. Individual or group accident and sickness
5 insurance providing coverage on an expense-incurred
6 basis.

7 b. An individual or group hospital or medical
8 service contract issued pursuant to chapter 509, 514,
9 or 514A.

10 c. A plan established pursuant to chapter 509A for
11 public employees.

12 d. An individual or group health maintenance
13 organization contract regulated under chapter 514B.

14 e. An individual or group Medicare supplemental
15 policy, unless coverage pursuant to such policy is
16 preempted by federal law.

17 f. Any other entity engaged in the business of
18 insurance, risk transfer, or risk retention, which is
19 subject to the jurisdiction of the commissioner.

20 g. An organized delivery system licensed by the
21 director of public health.

22 4. The commissioner shall adopt rules to
23 administer this section after consultation with the
24 mental health insurance advisory committee.

25 a. The commissioner shall appoint members to a
26 mental health insurance advisory committee. Members
27 shall include all sectors of society impacted by
28 issues associated with coverage of mental health
29 treatment by third-party payors including, but not
30 limited to, representatives of the insurance industry,
31 small and large employers, employee representatives
32 including labor, individual consumers, health care
33 providers, and other groups and individuals that may
34 be identified by the insurance division of the
35 department of commerce.

36 b. The committee shall meet upon the request of
37 the commissioner to review rules proposed under this
38 section by the commissioner, and to make suggestions
39 as appropriate."

40 2. Title page, line 2, by inserting after the
41 word "circumstances" the following: ", and including
42 third-party payment of health care coverage costs for
43 mental health conditions, including substance abuse
44 treatment services".

45 3. By renumbering, redesignating, and correcting
46 internal references as necessary.

By MASCHER of Johnson

SENATE FILE 440

H-1556

- 1 Amend Senate File 440, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 20 the
4 following:
5 "Sec. ____ . NULLIFICATION OF PHASE III ELIMINATION.
6 Notwithstanding any provision to the contrary, the
7 provisions of 2003 Iowa Acts, House File 549, if
8 enacted, the provisions of 2003 Iowa Acts, House File
9 700, if enacted, and the provisions of 2003 Iowa Acts,
10 Senate File 458, if enacted, that strike or repeal
11 provisions of the Code related to phase III of the
12 educational excellence program, are void and shall not
13 take effect."
14 2. Title page, by striking line 1 and inserting
15 the following: "An Act relating to state aid for
16 school districts and".
17 3. By renumbering as necessary.

By MASCHER of Johnson

H-1556 FILED APRIL 30, 2003

SENATE FILE 440

H-1557

- 1 Amend Senate File 440, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 20, the
4 following:
5 "Sec. ____ . Section 284.13, Code 2003, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 5. The moneys appropriated for
8 purposes of this chapter for the fiscal year beginning
9 July 1, 2003, and ending June 30, 2004, and for each
10 fiscal year thereafter, shall be increased, at a
11 minimum, by an amount equal to the state percent of
12 growth, established by the general assembly for the
13 next budget year, over the amount appropriated for
14 purposes of this chapter in the previous year."
15 2. Title page, line 1, by inserting after the
16 word "to" the following: "school districts and".
17 3. By renumbering as necessary.

By MASCHER of Johnson

H-1557 FILED APRIL 30, 2003

SENATE FILE 440

H-1561

1 Amend Senate File 440, as passed by the Senate, as
2 follows:

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

5 "1. For the school budget year beginning July 1,
6 2004, and".

7 2. Page 1, by inserting after line 20 the
8 following:

9 "2. For the purposes of subsection 1, an
10 appropriation for nonpublic school transportation
11 costs and nonpublic school textbooks corresponding to
12 the amount appropriated for the base year increased by
13 the state percent of growth shall be determined and
14 distributed on a per pupil basis. The department of
15 management shall determine the per pupil cost of
16 nonpublic school transportation and textbook
17 assistance, utilizing the amount appropriated for the
18 school budget year beginning July 1, 2003, as the base
19 year, and shall multiply the state percent of growth
20 established for the budget year pursuant to section
21 257.8 by that amount to determine the additional
22 amount of nonpublic school transportation and textbook
23 assistance per pupil to be provided for the budget
24 year. Nonpublic schools shall certify their actual
25 enrollment to the department of education by October
26 1, annually, and the department of education shall
27 promptly forward this information to the department of
28 management."

By STEVENS of Dickinson

H-1561 FILED APRIL 30, 2003

Mckintey
Lamberti
Dvorsky

Appropriations

SSB 1182
Succeeded By
SF HF 440

SENATE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON LAMBERTI)

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

A BILL FOR

1 An Act providing for an annual increase in specified state aid to
2 nonpublic schools under prescribed circumstances.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
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1 Section 1. NEW SECTION. 257.8A NONPUBLIC SCHOOL STATE
2 AID -- ANNUAL INCREASE.

3 For the school budget year beginning July 1, 2004, and
4 succeeding budget years, school districts shall receive an
5 amount for nonpublic school transportation costs and nonpublic
6 school textbooks equal to the greater of the amount
7 appropriated for the base year increased by an amount
8 corresponding to the state percent of growth established for
9 the budget year pursuant to section 257.8, or the amount the
10 school district would receive for the budget year pursuant to
11 the standing unlimited appropriation contained in sections
12 285.2 and 285.3 for nonpublic school transportation costs, and
13 section 301.1 for textbooks. In the event that an
14 appropriation is made for a budget year for nonpublic school
15 technology assistance, the provisions of this section shall be
16 applicable for the year following the year in which the
17 appropriation is made and each succeeding year thereafter.
18 The amount of an annual increase received pursuant to this
19 section shall be considered miscellaneous income to the school
20 district.

21 **EXPLANATION**

22 This bill provides for an annual increase in the amount
23 appropriated to a school district for nonpublic school
24 transportation costs and textbooks in an amount corresponding
25 to the state percent of growth established for the budget
26 year, commencing with the budget year beginning July 1, 2004,
27 and each year thereafter. The bill provides that the increase
28 shall be applied to the amount appropriated for the base year,
29 if the result would be a greater appropriation than would
30 otherwise be received pursuant to the standing unlimited
31 appropriations contained in Code sections 285.2 and 285.3 for
32 nonpublic school transportation costs, and pursuant to Code
33 section 301.1 for nonpublic school textbooks. The bill
34 provides that these provisions shall be applied to amounts
35 appropriated for nonpublic school technology assistance, in

1 the event such an appropriation is made. The bill provides
2 that amounts received pursuant to this new Code section shall
3 be considered miscellaneous income to the school district.

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