

House Study Bill 26

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

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

A BILL FOR

1 An Act relating to certain reporting requirements or actions
2 required of the department of education, school districts,
3 accredited nonpublic schools, and community colleges.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1232XD 83
6 kh/nh/5

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1 1 Section 1. Section 256.7, subsection 21, paragraph c, Code
1 2 2009, is amended to read as follows:
1 3 c. A requirement that all school districts and accredited
1 4 nonpublic schools annually report to the department and the
1 5 local community the district-wide progress made in attaining
1 6 student achievement goals on the academic and other core
1 7 indicators and the district-wide progress made in attaining
1 8 locally established student learning goals. The school
1 9 districts and accredited nonpublic schools shall demonstrate
1 10 the use of multiple assessment measures in determining student
1 11 achievement levels. The school districts and accredited
1 12 nonpublic schools shall also report the number of students who
1 13 graduate, ~~utilizing the definition of graduation rate~~
~~1 14 specified by the national governors association; the number of~~
1 15 ~~students who drop out of school; the number of students~~
~~1 16 pursuing a high school equivalency diploma pursuant to chapter~~
~~1 17 259A; the number of students who were enrolled in the district~~
~~1 18 within the past five years and who received a high school~~
~~1 19 equivalency diploma; the percentage of students who receive a~~
~~1 20 high school diploma and who were not proficient in reading,~~
~~1 21 mathematics, and science in grade eleven; the number of~~
~~1 22 students in the prior year who were enrolled as high school~~
~~1 23 juniors who are within four units of meeting the district's~~
~~1 24 graduation requirements; the number of students who are tested~~
1 25 ~~and the percentage of students who are so tested annually; and~~
1 26 ~~the percentage of students who graduated during the prior~~
1 27 ~~school year and who completed a core curriculum. The board~~
1 28 ~~shall develop and adopt uniform definitions consistent with~~
1 29 ~~the federal No Child Left Behind Act of 2001, Pub. L. No.~~
1 30 ~~107=110 and any federal regulations adopted pursuant to the~~
1 31 ~~federal Act. The school districts and accredited nonpublic~~
1 32 ~~schools may report on other locally determined factors~~
1 33 ~~influencing student achievement. The school districts and~~
1 34 ~~accredited nonpublic schools shall also report to the local~~
1 35 ~~community their results by individual attendance center.~~
2 1 Sec. 2. Section 256.9, subsections 24, 28, and 43, Code
2 2 2009, are amended by striking the subsections.
2 3 Sec. 3. Section 256.18, subsection 3, Code 2009, is
2 4 amended by striking the subsection.
2 5 Sec. 4. Section 256D.1, subsection 1, paragraph b,
2 6 subparagraph (1), Code 2009, is amended to read as follows:
2 7 (1) A school district shall at a minimum biannually inform
2 8 parents of their individual child's performance on the
2 9 diagnostic assessments in kindergarten through grade three.
2 10 If intervention is appropriate, the school district shall
2 11 inform the parents of the actions the school district intends
2 12 to take to improve the child's reading skills and provide the
2 13 parents with strategies to enable the parents to improve their
2 14 child's skills. ~~If the diagnostic assessments administered in~~
~~2 15 accordance with this subsection indicate that a child is~~
~~2 16 reading below grade level, the school district shall submit a~~
~~2 17 report of the assessment results to the parent, which the~~
~~2 18 parent shall sign and return to the school district. If the~~

2 19 parent does not sign or return the report, the school district
2 20 shall note in the student's record the inaction on the part of
2 21 the parent. The board of directors of each school district
2 22 shall adopt a policy indicating the methods the school
2 23 district will use to inform parents of their individual
2 24 child's performance.

2 25 Sec. 5. Section 257.30, unnumbered paragraph 1, Code 2009,
2 26 is amended to read as follows:

2 27 A school budget review committee is established in the
2 28 department of education and consists of the director of the
2 29 department of education, the director of the department of
2 30 management, and three members who are knowledgeable in the
2 31 areas of Iowa school finance or public finance issues
2 32 appointed by the governor to represent the public. At least
2 33 one of the public members shall possess a master's or doctoral
2 34 degree in which areas of school finance, economics, or
2 35 statistics are an integral component, or shall have equivalent
3 1 experience in an executive administrative or senior research
3 2 position in the education or public administration field. The
3 3 members appointed by the governor shall serve staggered
3 4 three-year terms beginning and ending as provided in section
3 5 69.19 and are subject to senate confirmation as provided in
3 6 section 2.32. The committee shall meet and hold hearings each
3 7 year and shall continue in session until it has reviewed
3 8 budgets of school districts, as provided in section 257.31.
3 9 ~~It~~ The committee may call in school board members and
3 10 employees as necessary for the hearings. ~~Legislators shall be~~
3 11 ~~notified of hearings concerning school districts in their~~
3 12 ~~constituencies~~ An agenda of the committee's scheduled hearings
3 13 and the minutes of such hearings shall be posted on the
3 14 department of education's internet website.

3 15 Sec. 6. Section 257.31, subsections 2 and 9, Code 2009,
3 16 are amended to read as follows:

3 17 2. The committee shall ~~report to each session of the~~
3 18 ~~general assembly, which report shall include any recommended~~
3 19 ~~changes in laws relating to school districts, and shall~~
3 20 specify the number of hearings held annually, the reasons for
3 21 the committee's recommendations, information about the amounts
3 22 of property tax levied by school districts for a cash reserve,
3 23 and other information the committee deems advisable on the
3 24 department of education's internet website.

3 25 9. When the committee makes a decision under subsections 3
3 26 through 8, it shall make all necessary changes in the district
3 27 cost, budget, and tax levy. ~~It shall give written notice of~~
3 28 ~~its decision, including all such changes, to the school board~~
3 29 ~~through the department of education.~~

3 30 Sec. 7. Section 260C.14, subsection 21, Code 2009, is
3 31 amended by striking the subsection.

3 32 Sec. 8. Section 279.56, unnumbered paragraph 1, Code 2009,
3 33 is amended to read as follows:

3 34 If funds are appropriated by the general assembly, the
3 35 board of directors of a school district may obtain permission
4 1 to participate in the teacher exchange program by making
4 2 application in writing to the department of education, on
4 3 forms provided by the department, by November 1 of the school
4 4 year preceding the year that the district wishes to
4 5 participate. Each district participating in the program shall
4 6 prescribe standards and procedures explaining the district's
4 7 expectations and requirements for each participating teacher.
4 8 The district's standards and procedures shall also prescribe
4 9 the method and form by which teachers within the district may
4 10 apply to the board for permission to participate in the
4 11 program. Each participating district shall continue to
4 12 compensate the program participant at the same rate that the
4 13 participant would be compensated if the participant had
4 14 continued the participant's instructional or other duties
4 15 within the home district. Each participating district shall
4 16 report to the department the number and performance of
4 17 exchange teachers from other districts that are included in
4 18 the district's instructional staff during the relevant periods
4 19 during the school year. ~~The department shall summarize the~~
4 20 ~~information and include it in the report submitted under~~
4 21 ~~section 256.9, subsection 28.~~

4 22 Sec. 9. Section 279.63, subsection 2, paragraph e, Code
4 23 2009, is amended by striking the paragraph.

4 24 Sec. 10. Section 279.63, subsection 3, Code 2009, is
4 25 amended to read as follows:

4 26 3. Copies of a school district's financial report for the
4 27 previous school year shall be posted on an internet website
4 28 maintained by the school district ~~at the beginning by January~~
4 29 ~~1 of the each~~ school year. If the school district does not

4 30 maintain or develop ~~a~~ an internet website, the school district
4 31 shall either distribute or post written copies of the
4 32 financial report at specified locations throughout the school
4 33 district.

4 34 Sec. 11. Section 282.24, subsection 1, unnumbered
4 35 paragraphs 2 and 3, Code 2009, are amended to read as follows:

5 1 A school corporation which owns facilities used as
5 2 attendance centers for students shall maintain an itemized
5 3 statement of the appraised value of all buildings owned by the
5 4 school corporation. ~~Beginning July 1, 1976, the~~ The appraisal
5 5 shall be updated at least ~~one time~~ once every five years.

~~5 6 The director of the department of education shall, after
5 7 July 1 but before September 1 of each year, notify every
5 8 school in the state, affected by this section, what the
5 9 computed maximum tuition rate shall be for the ensuing year.~~

5 10 Sec. 12. Section 298.6, Code 2009, is amended to read as
5 11 follows:

5 12 298.6 PUBLIC DISCLOSURE OF OUTSTANDING LEVIES.

5 13 The board of directors of a school district shall, prior to
5 14 certifying any levy by board approval, or submitting a levy
5 15 for voter approval, facilitate public access to a complete
5 16 listing of all outstanding levies within the school district
5 17 by rate, amount, duration, and the applicable maximum levy
5 18 limitations. The information relating to outstanding levies
5 19 shall be posted on an internet website maintained by the
5 20 school district ~~at the beginning by January 1 of the~~ each
5 21 school year, and updated prior to board approval or submission
5 22 for voter approval of any levy during the school year. If the
5 23 school district does not maintain or develop ~~a~~ an internet
5 24 website, the school district shall either distribute or post
5 25 written copies of the listing at specified locations
5 26 throughout the school district.

5 27 Sec. 13. Section 299.16, Code 2009, is amended to read as
5 28 follows:

5 29 299.16 FAILURE TO ATTEND == REPORT.

5 30 School officers shall ascertain the number of children who
5 31 are of compulsory attendance age, in their respective
5 32 districts, the number of those children who are truant under
5 33 section 299.8 or who have accumulated fifteen unexcused
5 34 absences during a three-year period, and so far as possible
5 35 the cause of the failure to attend. School officers shall,
6 1 until July 1, 1999, biennially report this information to the
6 2 department of education on forms provided by the department.
6 3 ~~The department shall attach a summary of the reports, an
6 4 analysis of the data, and policy recommendations based on the
6 5 data analysis, along with the department's annual report under
6 6 section 256.9, subsection 28.~~

6 7 Sec. 14. Section 301.28, Code 2009, is amended to read as
6 8 follows:

6 9 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS AND
6 10 SUPPLIES == PENALTY.

~~6 11 It shall be unlawful for any A school director, officer,
6 12 area education director, or teacher to shall not act as an
6 13 agent or dealer for any school textbooks or school supplies in
6 14 any transaction with a director, officer, or other staff
6 15 member of the school district or a director, officer, or other
6 16 staff member of the area education agency in which the school
6 17 district is located, during such term of office or employment,
6 18 and any. A school director, officer, area education director,
6 19 or teacher, who shall act acts as an agent or dealer in school
6 20 textbooks or school supplies, during the term of such office
6 21 or employment, shall be deemed in violation of this section is
6 22 guilty of a serious misdemeanor.~~

6 23 Sec. 15. Section 669.14, subsection 14, Code 2009, is
6 24 amended by striking the subsection.

6 25 Sec. 16. Sections 258.13 and 279.14A, Code 2009, are
6 26 repealed.

6 27 EXPLANATION

6 28 This bill reduces or eliminates certain paperwork and
6 29 reporting requirements for the department of education, school
6 30 districts, and accredited nonpublic schools.

6 31 The bill makes changes to Code provisions as follows:

6 32 REPORTING STUDENT ACHIEVEMENT. The bill amends Code
6 33 section 256.7, subsection 21, paragraph c, to eliminate
6 34 requirements that school districts and accredited nonpublic
6 35 schools report graduation rates based on the definition
7 1 specified by the national governors association; and the
7 2 number of students pursuing and receiving a high school
7 3 equivalency diploma, the percentage of students receiving a
7 4 high school diploma who were not proficient in core areas by
7 5 grade 11, and the number of high school juniors who, in the

7 6 prior year, were within four units of meeting graduation
7 7 requirements.

7 8 DUTIES OF THE DIRECTOR. The bill strikes Code section
7 9 256.9, subsection 24, which requires the director of the
7 10 department of education to report biennially to the governor
7 11 the condition of public schools and school districts. The
7 12 director was also required to include in the report a review
7 13 of the department's programs and services.

7 14 The bill strikes Code section 256.9, subsection 28, which
7 15 requires the director to prepare and submit to the general
7 16 assembly a report containing the recommendations of the state
7 17 board as to revisions, amendments, and new provisions of
7 18 school laws. The bill includes a conforming amendment to Code
7 19 section 279.56, subsection 1, to strike language requiring the
7 20 department to summarize teacher exchange program information
7 21 and include it in the report to the general assembly; and
7 22 another conforming amendment to Code section 299.16, in order
7 23 to strike a requirement that the department annually submit a
7 24 compulsory attendance age report to the general assembly.

7 25 The bill strikes Code section 256.9, subsection 43, which
7 26 requires the director to prepare a plan and a report for
7 27 ensuring that all Iowa children will be able to satisfy the
7 28 requirements for high school graduation.

7 29 CHARACTER EDUCATION INITIATIVE. The bill strikes Code
7 30 section 256.18, subsection 3, which requires the department to
7 31 report to the state board and the general assembly regarding
7 32 the success of any character education initiative.

7 33 IOWA EARLY INTERVENTION BLOCK GRANT PROGRAM. The bill
7 34 strikes a provision in Code section 256D.1, subsection 1,
7 35 paragraph b, subparagraph (1), which requires, if a child's
8 1 performance on diagnostic assessments in kindergarten through
8 2 grade three indicate the child is reading below grade level, a
8 3 school district to submit a report to the child's parent or
8 4 guardian and requires the parent or guardian to sign and
8 5 return the report.

8 6 SCHOOL BUDGET REVIEW COMMITTEE. The bill amends Code
8 7 section 257.30, unnumbered paragraph 1, to strike language
8 8 requiring the school budget review committee to notify
8 9 legislators of hearings concerning school districts in their
8 10 constituencies, and adds a requirement that the department
8 11 post on its internet website an agenda of the committee's
8 12 scheduled hearings and minutes.

8 13 The bill also amends Code section 257.31, subsections 2 and
8 14 9, to strike a requirement that the committee report to each
8 15 session of the general assembly, and provide written notice of
8 16 certain decisions to the affected school district's school
8 17 board; and to add a requirement that the committee provide
8 18 certain information on the department's internet website.

8 19 COMMUNITY COLLEGE GED STUDENT INFORMATION REQUESTS. The
8 20 bill strikes Code section 260C.14, subsection 21, which
8 21 requires that the board of directors of a community college
8 22 request students pursuing or receiving a high school
8 23 equivalency diploma to identify their school districts of
8 24 residence and the last year in which they were enrolled in
8 25 their school district. The stricken provision requires the
8 26 community college to annually report the information to the
8 27 school districts.

8 28 ANNUAL SCHOOL DISTRICT FINANCIAL REPORT. The bill strikes
8 29 Code section 279.63, subsection 2, paragraph e, which requires
8 30 the board of directors of each school district to include
8 31 teacher and administrator health insurance and other
8 32 alternative health benefit information in its annual financial
8 33 report.

8 34 The bill amends Code section 279.63, subsection 3, to
8 35 require that copies of the previous school year's financial
9 1 report be posted on the school district's internet website by
9 2 January 1 rather than the beginning of the school year.

9 3 NOTIFICATION OF THE MAXIMUM SCHOOL DISTRICT TUITION FEE.
9 4 The bill amends Code section 282.24, subsection 1, unnumbered
9 5 paragraphs 2 and 3, to eliminate a requirement that the
9 6 director of the department notify every school district what
9 7 the computed maximum tuition rate will be for the ensuing
9 8 year, and to make a nonsubstantive change in the language.

9 9 PUBLIC DISCLOSURE OF OUTSTANDING LEVIES. The bill amends
9 10 Code section 298.6, to change the date by which outstanding
9 11 levies must be posted on a school district's internet website
9 12 from the beginning of the school year to January 1 of each
9 13 school year.

9 14 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS AND SUPPLIES ==
9 15 PENALTY. The bill amends Code section 301.28, which makes it
9 16 unlawful for any school director, officer, area education

9 17 director, or teacher to act as agent for any textbooks or
9 18 school supplies during their term of office or employment.
9 19 The bill prohibits a school director, officer, area education
9 20 director, or teacher from acting as an agent or dealer for any
9 21 school textbooks or school supplies in any transaction with
9 22 any other director, officer, or other staff member of the
9 23 school district or area education agency in which the school
9 24 district is located. As in the current Code language, a
9 25 person who violates the Code section is guilty of a serious
9 26 misdemeanor.

9 27 REPEALS. The bill repeals Code section 258.13, which
9 28 requires the director of the department of education to make a
9 29 full report of all receipts and expenditures under the
9 30 vocational education chapter, together with such observations
9 31 relative to vocational education as may be deemed of value.

9 32 The bill also repeals Code section 279.14A, which requires
9 33 the director to establish and implement a voluntary
9 34 practitioner performance improvement program to provide
9 35 technical assistance to teachers and administrators from each
10 1 school district and area education agency. The bill includes
10 2 a conforming amendment to strike Code section 669.14,
10 3 subsection 14.

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