

Senate File 2017 - Introduced

SENATE FILE 2017

BY ZAUN

A BILL FOR

1 An Act relating to education by modifying the duties and
2 authority of certain state and local governmental entities,
3 and including effective date provisions.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

DIVISION I
REPEAL OF DEPARTMENT OF EDUCATION AND
STATE BOARD OF EDUCATION

Section 1. NEW SECTION. **256B.16 Transfer of authority and duties.**

1. Beginning July 1, 2019, the authority and duties of the department of education, the division of special education created under section 256B.1, the state board of education, and the director of the department of education under this chapter shall to the extent feasible be transferred to the appropriate area education agency where such special education services are being provided. Accordingly, beginning July 1, 2019, all references to the department of education or the division of special education under this chapter and references to the department of education or the division of special education under other provisions of law relating to this chapter shall mean the applicable area education agency and all references to the state board of education or the director of the department of education under this chapter or other provisions of law relating to this chapter shall mean the board of directors of the area education agency and the administrator of the area education agency respectively.

2. Any moneys remaining in any account or fund under the control of the department of education at the conclusion of the fiscal year beginning July 1, 2018, relative to the provisions of this chapter shall be transferred to the control of the department of human services for such purposes. Notwithstanding section 8.33, the moneys transferred in accordance with this subsection shall not revert to the account or fund from which appropriated or transferred.

3. Any contract entered into by the department of education relating to the provisions of this chapter in effect at the conclusion of the fiscal year beginning July 1, 2018, shall continue in full force and effect pending transfer of such contracts to the area education agencies.

1 4. Any rule, regulation, form, order, or directive
2 promulgated by the department of education relative to the
3 provisions of this chapter in existence at the conclusion of
4 the fiscal year beginning July 1, 2018, shall continue in full
5 force and effect.

6 5. In regard to updating references and format in the Iowa
7 administrative code in order to correspond to the transferring
8 of duties of this chapter, the administrative rules coordinator
9 and the administrative rules review committee, in consultation
10 with the administrative code editor, shall jointly develop a
11 schedule for the necessary updating of the Iowa administrative
12 code.

13 Sec. 2. Section 256C.1, Code 2018, is amended to read as
14 follows:

15 **256C.1 Definitions.**

16 As used in [this chapter](#):

17 1. *"Approved local program"* means a school district's
18 program for four-year-old children ~~approved by the department~~
19 ~~of education to provide high quality preschool instruction.~~

20 2. ~~"Department" means the department of education.~~

21 3. ~~"Director" means the director of the department of~~
22 ~~education.~~

23 4. 2. *"Preschool program"* means the statewide preschool
24 program for four-year-old children created in accordance with
25 this chapter.

26 5. 3. *"School district approved to participate in the*
27 *preschool program"* means a school district that meets the
28 school district requirements under [section 256C.3](#) ~~and has been~~
29 ~~approved by the department to participate in the preschool~~
30 ~~program.~~

31 6. ~~"State board" means the state board of education.~~

32 Sec. 3. Section 256C.2, subsection 2, Code 2018, is amended
33 by striking the subsection.

34 Sec. 4. Section 256C.3, subsection 2, paragraph a,
35 subparagraph (3), Code 2018, is amended to read as follows:

1 (3) The individual possesses a bachelor's or graduate
2 degree from an accredited college or university with a major
3 in early childhood education or other appropriate major
4 ~~identified in rule by the department as determined by the~~
5 school district's board of directors.

6 Sec. 5. Section 256C.3, subsection 3, unnumbered paragraph
7 1, Code 2018, is amended to read as follows:

8 ~~The state board shall adopt rules to further define the~~
9 ~~following preschool program requirements which shall be used to~~
10 ~~determine whether or not a~~ Each local program implemented by
11 a school district approved to implement the preschool program
12 ~~qualifies as an approved local program~~ shall address or conform
13 with all of the following:

14 Sec. 6. Section 256C.3, subsection 3, paragraph e, Code
15 2018, is amended to read as follows:

16 e. Collaboration with participating families, early care
17 providers, and community partners including but not limited to
18 early childhood Iowa area boards, head start programs, shared
19 ~~visions and other programs provided under the auspices of the~~
20 ~~child development coordinating council~~, licensed child care
21 centers, registered child development homes, area education
22 agencies, child care resource and referral services provided
23 under [section 237A.26](#), early childhood special education
24 programs, services funded by Tit. I of the federal Elementary
25 and Secondary Education Act of 1965, and family support
26 programs.

27 Sec. 7. Section 256C.3, subsection 4, Code 2018, is amended
28 by striking the subsection and inserting in lieu thereof the
29 following:

30 4. *School district requirements.*

31 a. Subject to implementation of chapter 28E agreements
32 between a school district and community-based providers of
33 services to four-year-old children, a four-year-old child who
34 is enrolled in a child care center or child development home
35 licensed or registered under chapter 237A, or in an existing

1 public or private preschool program, shall be eligible for
2 services provided by the school district's local preschool
3 program.

4 *b.* Professional development for school district preschool
5 teachers shall be addressed in the school district's
6 professional development plan implemented in accordance with
7 section 284.6.

8 Sec. 8. Section 256C.3, subsection 5, Code 2018, is amended
9 by striking the subsection.

10 Sec. 9. Section 256C.4, subsection 1, paragraph d, Code
11 2018, is amended to read as follows:

12 *d.* Preschool foundation aid funding shall not be commingled
13 with the other state aid payments made under [section 257.16](#)
14 to a school district and shall be accounted for by the local
15 school district separately from the other state aid payments.
16 Preschool foundation aid payments made to school districts
17 are miscellaneous income for purposes of [chapter 257](#). A
18 school district shall maintain a separate listing within its
19 budget for preschool foundation aid payments received and
20 expenditures made. ~~A school district shall certify to the~~
21 ~~department of education that preschool~~ Preschool foundation aid
22 funding received by the school district ~~was~~ shall be used to
23 supplement, not supplant, moneys otherwise received and used by
24 the school district for preschool programming.

25 Sec. 10. Section 256C.4, subsection 2, paragraph b, Code
26 2018, is amended to read as follows:

27 *b.* The enrollment count of eligible students shall not
28 include a child who is included in the enrollment count
29 determined under [section 257.6](#) or a child who is served by
30 a program already receiving state or federal funds for the
31 purpose of the provision of four-year-old preschool programming
32 while the child is being served by the program. Such preschool
33 programming includes but is not limited to ~~child development~~
34 ~~assistance programs provided under [chapter 256A](#),~~ special
35 education programs provided under [section 256B.9](#), school ready

1 children grant programs and other programs provided under
2 chapter 256I, and federal head start programs and the services
3 funded by Tit. I of the federal Elementary and Secondary
4 Education Act of 1965.

5 Sec. 11. Section 256C.5, subsection 2, Code 2018, is amended
6 to read as follows:

7 2. *Preschool foundation aid district amount.*

8 a. For the initial school year for which a school district
9 approved to participate in the preschool program ~~receives that~~
10 ~~approval and~~ implements the preschool program, the funding for
11 the preschool foundation aid payable to that school district
12 shall be paid from the appropriation made for that school year
13 in [section 256C.6](#), Code 2011, or in another appropriation
14 made for purposes of [this chapter](#). For that school year, the
15 preschool foundation aid payable to the school district is
16 the product of the regular program state cost per pupil for
17 the school year multiplied by sixty percent of the school
18 district's eligible student enrollment on the date in the
19 school year ~~determined by rule~~.

20 b. For budget years subsequent to the initial school year
21 for which a school district approved to participate in the
22 preschool program ~~receives that initial approval and~~ implements
23 the preschool program, the funding for the preschool foundation
24 aid payable to that school district shall be paid from the
25 appropriation made in [section 257.16](#). ~~Continuation of a~~
26 ~~school district's participation in the preschool program for~~
27 ~~a second or subsequent budget year is subject to the approval~~
28 ~~of the department based upon the school district's compliance~~
29 ~~with accountability provisions and the department's on-site~~
30 ~~review of the school district's implementation of the preschool~~
31 ~~program.~~

32 Sec. 12. Section 256C.5, subsection 4, Code 2018, is amended
33 by striking the subsection.

34 Sec. 13. NEW SECTION. **256F.12 Transfer of authority and**
35 **duties.**

1 1. Beginning July 1, 2019, the authority and duties of the
2 department of education, the state board, and the director of
3 the department of education under this chapter, to the extent
4 feasible, shall be transferred to the board of directors of
5 the community college serving the merged area in which the
6 charter school or innovation zone school, or such proposed
7 school, is located. Accordingly, beginning July 1, 2019, all
8 references to the department of education, the state board of
9 education, and the director of the department of education
10 under this chapter or other provisions of law relating to this
11 chapter shall mean the board of directors of the community
12 college serving the merged area in which the charter school or
13 innovation zone school, or such proposed school, is located.

14 2. Any contract entered into by the department of education
15 relating to the provisions of this chapter in effect at the
16 conclusion of the fiscal year beginning July 1, 2018, shall
17 continue in full force and effect pending transfer of such
18 contracts to the appropriate community college board of
19 directors.

20 3. Any rule, regulation, form, order, or directive
21 promulgated by the department of education relative to the
22 provisions of this chapter in existence at the conclusion of
23 the fiscal year beginning July 1, 2018, shall continue in full
24 force and effect.

25 Sec. 14. NEW SECTION. **256H.4 Transfer of authority and**
26 **duties.**

27 1. Beginning July 1, 2019, the authority and duties of the
28 department of education and the director of the department
29 of education under this chapter shall be transferred to the
30 adjutant general of the state. Accordingly, beginning July 1,
31 2019, all references to the department of education and the
32 director of the department of education under this chapter or
33 other provisions of law relating to this chapter shall mean
34 adjutant general of the state.

35 2. Any contract entered into by the department of education

1 relating to the provisions of this chapter in effect at the
2 conclusion of the fiscal year beginning July 1, 2018, shall
3 continue in full force and effect pending transfer of such
4 contracts to the adjutant general of the state.

5 3. Any rule, regulation, form, order, or directive
6 promulgated by the department of education relative to the
7 provisions of this chapter in existence upon conclusion of the
8 fiscal year beginning July 1, 2018, shall continue in full
9 force and effect.

10 Sec. 15. NEW SECTION. **256I.14 Transfer of authority and**
11 **duties.**

12 1. Beginning July 1, 2019, the authority and duties of the
13 department of education and the director of the department
14 of education under this chapter shall be transferred to the
15 department of management and the director of the department
16 of management. Accordingly, beginning July 1, 2019, all
17 references to the department of education or the director of
18 the department of education under this chapter or under other
19 provisions of law relating to this chapter shall mean the
20 department of management and the director of the department of
21 management.

22 2. Any moneys remaining in any account or fund under the
23 control of the department of education at the conclusion of the
24 fiscal year beginning July 1, 2018, relative to the provisions
25 of this chapter shall be transferred to the control of the
26 department of management for such purposes. Notwithstanding
27 section 8.33, the moneys transferred in accordance with this
28 subsection shall not revert to the account or fund from which
29 appropriated or transferred.

30 3. Any contract entered into by the department of education
31 relating to the provisions of this chapter in effect at the
32 conclusion of the fiscal year beginning July 1, 2018, shall
33 continue in full force and effect pending transfer of such
34 contracts to the department of management.

35 4. Any rule, regulation, form, order, or directive

1 promulgated by the department of education relative to the
2 provisions of this chapter in existence at the conclusion of
3 the fiscal year beginning July 1, 2018, shall continue in full
4 force and effect until amended, repealed, or supplemented by
5 affirmative action of the department of management under the
6 duties and powers established in this chapter and under the
7 procedure established in subsection 5.

8 5. In regard to updating references and format in the Iowa
9 administrative code in order to correspond to the transferring
10 of duties of this chapter, the administrative rules coordinator
11 and the administrative rules review committee, in consultation
12 with the administrative code editor, shall jointly develop a
13 schedule for the necessary updating of the Iowa administrative
14 code.

15 Sec. 16. NEW SECTION. **257.1A Transfer of authority and**
16 **duties.**

17 1. Beginning July 1, 2019, the authority and duties of
18 the department of education, the state board of education,
19 and the director of the department of education under this
20 chapter shall be transferred to the department of management
21 and the director of the department of management. Accordingly,
22 beginning July 1, 2019, all references to the department of
23 education under this chapter and references to the department
24 of education under other provisions of law relating to this
25 chapter shall mean the department of management and all
26 references to the state board of education or the director
27 of the department of education under this chapter or other
28 provisions of law relating to this chapter shall mean the
29 director of the department of management.

30 2. Any moneys remaining in any account or fund under the
31 control of the department of education at the conclusion of the
32 fiscal year beginning July 1, 2018, relative to the provisions
33 of this chapter shall be transferred to the control of the
34 department of management for such purposes. Notwithstanding
35 section 8.33, the moneys transferred in accordance with this

1 subsection shall not revert to the account or fund from which
2 appropriated or transferred.

3 3. Any contract entered into by the department of education
4 relating to the provisions of this chapter in effect at the
5 conclusion of the fiscal year beginning July 1, 2018, shall
6 continue in full force and effect pending transfer of such
7 contracts to the department of management.

8 4. Any rule, regulation, form, order, or directive
9 promulgated by the department of education relative to the
10 provisions of this chapter in existence at the conclusion of
11 the fiscal year beginning July 1, 2018, shall continue in full
12 force and effect until amended, repealed, or supplemented by
13 affirmative action of the department of management under the
14 duties and powers established in this chapter and under the
15 procedure established in subsection 5.

16 5. In regard to updating references and format in the Iowa
17 administrative code in order to correspond to the transferring
18 of duties of this chapter, the administrative rules coordinator
19 and the administrative rules review committee, in consultation
20 with the administrative code editor, shall jointly develop a
21 schedule for the necessary updating of the Iowa administrative
22 code.

23 Sec. 17. Section 257C.5, subsection 1, Code 2018, is amended
24 to read as follows:

25 1. The powers of the authority are vested in and exercised
26 by a board consisting of five members, including the treasurer
27 of state, ~~the director of the department of education,~~ and the
28 director of the department of management, and ~~two~~ three members
29 appointed by the governor, subject to confirmation by the
30 senate. The state officials may designate representatives to
31 serve on the board for them. As far as possible, the governor
32 shall appoint members who are knowledgeable or experienced in
33 the school systems of this state or in finance.

34 Sec. 18. NEW SECTION. **258.19 Transfer of authority and**
35 **duties.**

1 1. Beginning July 1, 2019, the authority and duties of the
2 department of education, the state board of education, and the
3 director of the department of education under this chapter
4 shall be transferred to the department of workforce development
5 and the director of the department of workforce development.
6 Accordingly, beginning July 1, 2019, all references to the
7 department of education under this chapter and references
8 to the department of education under other provisions of
9 law relating to this chapter shall mean the department of
10 workforce development and all references to the state board
11 of education or the director of the department of education
12 under this chapter or other provisions of law relating to this
13 chapter shall mean the director of the department of workforce
14 development.

15 2. Any moneys remaining in any account or fund under the
16 control of the department of education at the conclusion
17 of the fiscal year beginning July 1, 2018, relative to the
18 provisions of this chapter shall be transferred to the control
19 of the department of workforce development for such purposes.
20 Notwithstanding section 8.33, the moneys transferred in
21 accordance with this subsection shall not revert to the account
22 or fund from which appropriated or transferred.

23 3. Any contract entered into by the department of education
24 relating to the provisions of this chapter in effect at the
25 conclusion of the fiscal year beginning July 1, 2018, shall
26 continue in full force and effect pending transfer of such
27 contracts to the department of workforce development.

28 4. Any rule, regulation, form, order, or directive
29 promulgated by the department of education relative to the
30 provisions of this chapter in existence at the conclusion of
31 the fiscal year beginning July 1, 2018, shall continue in full
32 force and effect until amended, repealed, or supplemented by
33 affirmative action of the department of workforce development
34 under the duties and powers established in this chapter and
35 under the procedure established in subsection 5.

1 5. In regard to updating references and format in the Iowa
2 administrative code in order to correspond to the transferring
3 of duties of this chapter, the administrative rules coordinator
4 and the administrative rules review committee, in consultation
5 with the administrative code editor, shall jointly develop a
6 schedule for the necessary updating of the Iowa administrative
7 code.

8 Sec. 19. NEW SECTION. **259.1A Transfer of authority and**
9 **duties.**

10 1. Beginning July 1, 2019, the authority and duties of the
11 department of education, the state board of education, and the
12 director of the department of education under this chapter
13 shall be transferred to the department of workforce development
14 and the director of the department of workforce development.
15 Accordingly, beginning July 1, 2019, all references to the
16 department of education under this chapter and references
17 to the department of education under other provisions of
18 law relating to this chapter shall mean the department of
19 workforce development and all references to the state board
20 of education or the director of the department of education
21 under this chapter or other provisions of law relating to this
22 chapter shall mean the director of the department of workforce
23 development.

24 2. Beginning July 1, 2019, the division of vocational
25 rehabilitation services created within the department of
26 education under section 259.3 shall be transferred to the
27 department of workforce development.

28 3. Any moneys remaining in any account or fund under the
29 control of the department of education at the conclusion
30 of the fiscal year beginning July 1, 2018, relative to the
31 provisions of this chapter shall be transferred to the control
32 of the department of workforce development for such purposes.
33 Notwithstanding section 8.33, the moneys transferred in
34 accordance with this subsection shall not revert to the account
35 or fund from which appropriated or transferred.

1 4. Any contract entered into by the department of education
2 relating to the provisions of this chapter in effect at the
3 conclusion of the fiscal year beginning July 1, 2018, shall
4 continue in full force and effect pending transfer of such
5 contracts to the department of workforce development.

6 5. Any rule, regulation, form, order, or directive
7 promulgated by the department of education relative to the
8 provisions of this chapter in existence at the conclusion of
9 the fiscal year beginning July 1, 2018, shall continue in full
10 force and effect until amended, repealed, or supplemented by
11 affirmative action of the department of workforce development
12 under the duties and powers established in this chapter and
13 under the procedure established in subsection 6.

14 6. In regard to updating references and format in the Iowa
15 administrative code in order to correspond to the transferring
16 of duties of this chapter, the administrative rules coordinator
17 and the administrative rules review committee, in consultation
18 with the administrative code editor, shall jointly develop a
19 schedule for the necessary updating of the Iowa administrative
20 code.

21 Sec. 20. Section 259A.1, Code 2018, is amended to read as
22 follows:

23 **259A.1 Assessment of competency.**

24 ~~The department of education~~ Each board of directors of
25 the community college serving the merged area shall cause to
26 be made available for qualified individuals a high school
27 equivalency diploma. The diploma shall be issued on the basis
28 of demonstrated competence in all of the following core areas:
29 reading, language arts, literacy, mathematics, science, and
30 social studies.

31 Sec. 21. Section 259A.2, subsections 3, 4, and 5, Code 2018,
32 are amended to read as follows:

33 3. Application shall be made to a high school equivalency
34 program or testing center approved by the ~~department of~~
35 education board of directors of the community college serving

1 the merged area, accompanied by an application fee in an
2 amount prescribed by the ~~department~~ board of directors of the
3 community college.

4 4. Test scores shall be forwarded by the scorer of the
5 test to the ~~department of education~~ board of directors of the
6 community college serving the merged area.

7 5. Evidence that an applicant demonstrates competence as
8 required under [section 259A.1](#) shall be made available to the
9 ~~department of education~~ board of directors of the community
10 college by the high school equivalency program for verification
11 purposes.

12 Sec. 22. Section 259A.3, Code 2018, is amended to read as
13 follows:

14 **259A.3 Notice and fee.**

15 Any applicant who has demonstrated competence in the core
16 areas under standards adopted by the ~~state board of education~~
17 ~~pursuant to [section 259A.5](#)~~ board of directors of the community
18 college shall be issued a high school equivalency diploma by
19 the ~~department of education~~ board of directors of the community
20 college upon payment of an additional amount determined in
21 ~~rules adopted by the state board of education~~ by the board of
22 directors of the community college to cover the actual costs
23 of the production and distribution of the diploma. ~~The state~~
24 ~~board of education may also by rule establish a fee for the~~
25 ~~issuance or verification of a transcript which shall be based~~
26 ~~on the actual costs of the production or verification of a~~
27 ~~transcript.~~

28 Sec. 23. Section 259A.4, Code 2018, is amended to read as
29 follows:

30 **259A.4 Use of fees.**

31 The fees collected under the provisions of [this chapter](#)
32 shall be used for the expenses incurred in administering,
33 providing test materials, scoring of examinations and issuance
34 of high school equivalency diplomas, and shall be disbursed
35 on the authorization of the ~~director of the department of~~

1 ~~education~~ board of directors of the community college. The
2 treasurer of state shall be custodian of the funds paid to the
3 ~~department~~ community college and shall disburse the same on
4 vouchers audited as provided by law. The unobligated balance
5 in such funds at the close of each biennium shall be placed in
6 the general fund of the state.

7 Sec. 24. Section 259A.5, Code 2018, is amended to read as
8 follows:

9 **259A.5 Rules — duties Administration.**

10 ~~1. The director of the department of education~~ Each board
11 of directors of the community college serving the merged area
12 shall prescribe assessments, definitions of terms, and forms
13 and resources as necessary for the administration of this
14 chapter.

15 ~~2. The state board of education shall adopt rules under~~
16 ~~chapter 17A to carry out this chapter.~~ Any rules adopted
17 relating to ~~demonstrations of competence for purposes of this~~
18 ~~chapter shall require such demonstrations to be equivalent~~
19 ~~to or of greater rigor than those required for high school~~
20 ~~graduation, and such demonstrations shall include but are~~
21 ~~not limited to a test battery, credit-based measures, and~~
22 ~~attainment of other academic credentials.~~

23 Sec. 25. NEW SECTION. 260C.1A **Transfer of authority and**
24 **duties.**

25 1. Beginning July 1, 2019, the authority and duties of the
26 department of education, the state board of education, and the
27 director of the department of education under this chapter
28 shall, to the extent feasible, be transferred to the boards of
29 directors of the community colleges serving the merged areas of
30 the state. Accordingly, beginning July 1, 2019, all references
31 to the department of education, the state board of education,
32 and the director of the department of education under this
33 chapter and references to the department of education, the
34 state board of education, and the director of the department
35 of education under other provisions of law relating to this

1 chapter shall mean the applicable board of directors of a
2 community college.

3 2. Beginning July 1, 2019, transfer of the duties and
4 authority of the department shall also include all duties and
5 authority of the community colleges division created within the
6 department of education under section 260C.6.

7 3. Any moneys remaining in any account or fund under the
8 control of the department of education at the conclusion of the
9 fiscal year beginning July 1, 2018, relative to the provisions
10 of this chapter shall be transferred to the control of the
11 applicable board of directors of a community college for such
12 purposes. Notwithstanding section 8.33, the moneys transferred
13 in accordance with this subsection shall not revert to the
14 account or fund from which appropriated or transferred.

15 4. Any contract entered into by the department of education
16 relating to the provisions of this chapter in effect at the
17 conclusion of the fiscal year beginning July 1, 2018, shall
18 continue in full force and effect pending transfer of such
19 contracts to the boards of directors of the community colleges.

20 5. Any rule, regulation, form, order, or directive
21 promulgated by the department of education relative to the
22 provisions of this chapter in existence at the conclusion of
23 the fiscal year beginning July 1, 2018, shall continue in full
24 force and effect.

25 Sec. 26. Section 260E.7, subsection 1, Code 2018, is amended
26 to read as follows:

27 1. The economic development authority, in consultation with
28 the ~~department of education,~~ the department of revenue, and
29 the department of workforce development, shall coordinate and
30 review the new jobs training program. The economic development
31 authority shall adopt, amend, and repeal rules under chapter
32 17A that the community college will use in developing projects
33 with new and expanding industrial new jobs training proposals
34 and that the economic development authority shall use to review
35 and report on the new jobs training program as required in this

1 section.

2 Sec. 27. Section 260F.3, subsection 5, Code 2018, is amended
3 to read as follows:

4 5. Other criteria established by the ~~department~~ authority.

5 Sec. 28. Section 260F.6B, Code 2018, is amended to read as
6 follows:

7 **260F.6B High technology apprenticeship program.**

8 The community colleges and the authority are authorized
9 to fund high technology apprenticeship programs which comply
10 with the requirements specified in [section 260C.44](#) and which
11 may include both new and statewide apprenticeship programs.
12 Notwithstanding the provisions of section 260F.6, subsection
13 2, relating to maximum award amounts, moneys allocated to
14 the community colleges with high technology apprenticeship
15 programs shall be distributed to the community colleges based
16 upon contact hours under the programs administered during the
17 prior fiscal year as determined by the ~~department of education~~
18 authority. The authority shall adopt rules governing this
19 section's operation and participant eligibility.

20 Sec. 29. Section 260F.7, Code 2018, is amended to read as
21 follows:

22 **260F.7 Authority to coordinate.**

23 The authority, in consultation with ~~the department of~~
24 ~~education and~~ the department of workforce development, shall
25 coordinate the jobs training program. A project shall not be
26 funded under [this chapter](#) unless the authority approves the
27 project. The authority shall adopt rules pursuant to chapter
28 17A governing the program's operation and eligibility for
29 participation in the program. The authority shall establish
30 by rule criteria for determining what constitutes an eligible
31 business.

32 Sec. 30. Section 260H.2, subsection 1, Code 2018, is amended
33 to read as follows:

34 1. A pathways for academic career and employment program
35 is established to provide funding to community colleges

1 for the development of projects in coordination with the
2 economic development authority, ~~the department of education,~~
3 the department of workforce development, local workforce
4 development boards established pursuant to [section 84A.4](#), and
5 community partners to implement a simplified, streamlined, and
6 comprehensive process, along with customized support services,
7 to enable eligible participants to acquire effective academic
8 and employment training to secure gainful, quality, in-state
9 employment.

10 Sec. 31. Section 260H.2, subsection 2, paragraph a, Code
11 2018, is amended to read as follows:

12 a. A pathways for academic career and employment fund
13 is created for the community colleges in the state treasury
14 to be administered by the ~~department of education~~ economic
15 development authority. The moneys in the pathways for academic
16 career and employment fund are appropriated to the ~~department~~
17 ~~of education~~ economic development authority for the pathways
18 for academic career and employment program.

19 Sec. 32. Section 260H.8, Code 2018, is amended to read as
20 follows:

21 **260H.8 Rules.**

22 The ~~department of education~~ authority, in consultation with
23 the community colleges, ~~the economic development authority,~~
24 and the department of workforce development, shall adopt rules
25 pursuant to [chapter 17A](#) and [this chapter](#) to implement the
26 provisions of [this chapter](#). Local workforce development boards
27 established pursuant to [section 84A.4](#) shall be consulted in the
28 development and implementation of rules to be adopted pursuant
29 to [this chapter](#).

30 Sec. 33. Section 260I.2, subsection 2, paragraph a, Code
31 2018, is amended to read as follows:

32 a. There is established for the community colleges
33 a gap tuition assistance fund in the state treasury to
34 be administered by the ~~department of education~~ economic
35 development authority. The funds in the gap tuition assistance

1 fund are appropriated to the ~~department of education~~ economic
2 development authority for the gap tuition assistance program.

3 Sec. 34. Section 260I.3, subsection 1, Code 2018, is amended
4 to read as follows:

5 1. The ~~department of education, in consultation with the~~
6 economic development authority, shall adopt rules pursuant to
7 this chapter defining eligibility criteria for persons applying
8 to receive tuition assistance under **this chapter**.

9 Sec. 35. Section 260I.10, Code 2018, is amended to read as
10 follows:

11 **260I.10 Oversight.**

12 1. The ~~department of education~~ economic development
13 authority, in coordination with the community colleges, shall
14 establish a steering committee. The steering committee shall
15 determine if the performance measures of the gap tuition
16 assistance program are being met and shall take necessary steps
17 to correct any deficiencies. The steering committee shall meet
18 at least quarterly to evaluate and monitor the performance of
19 the gap tuition assistance program.

20 2. The ~~department of education~~ economic development
21 authority, in coordination with the community colleges,
22 shall develop a common intake tracking system that shall be
23 implemented consistently by each participating community
24 college.

25 3. The ~~department of education~~ economic development
26 authority shall coordinate statewide oversight, evaluation, and
27 reporting efforts for the gap tuition assistance program.

28 Sec. 36. Section 260I.11, Code 2018, is amended to read as
29 follows:

30 **260I.11 Rules.**

31 The ~~department of education~~ economic development authority,
32 in consultation with the ~~economic development authority and the~~
33 community colleges, shall adopt rules pursuant to **chapter 17A**
34 and **this chapter** to implement the provisions of **this chapter**.

35 Sec. 37. Section 261.1, subsection 2, paragraph b, Code

1 2018, is amended by striking the paragraph.

2 Sec. 38. NEW SECTION. **261.8 Transfer of authority and**
3 **duties.**

4 1. Beginning July 1, 2019, the authority and duties of the
5 department of education, the state board of education, and the
6 director of the department of education under this chapter
7 shall be transferred to the college student aid commission.
8 Accordingly, beginning July 1, 2019, all references to the
9 department of education or the director of the department of
10 education under this chapter and references to the department
11 of education or the director of the department of education
12 under other provisions of law relating to this chapter shall
13 mean the college student aid commission.

14 2. Any moneys remaining in any account or fund under the
15 control of the department of education at the conclusion
16 of the fiscal year beginning July 1, 2018, relative to the
17 provisions of this chapter shall be transferred to the control
18 of the college student aid commission for such purposes.
19 Notwithstanding section 8.33, the moneys transferred in
20 accordance with this subsection shall not revert to the account
21 or fund from which appropriated or transferred.

22 3. Any contract entered into by the department of education
23 relating to the provisions of this chapter in effect at the
24 conclusion of the fiscal year beginning July 1, 2018, shall
25 continue in full force and effect pending transfer of such
26 contracts to the college student aid commission.

27 4. Any rule, regulation, form, order, or directive
28 promulgated by the department of education relative to the
29 provisions of this chapter in existence at the conclusion of
30 the fiscal year beginning July 1, 2018, shall continue in full
31 force and effect until amended, repealed, or supplemented by
32 affirmative action of the college student aid commission under
33 the duties and powers established in this chapter and under the
34 procedure established in subsection 5.

35 5. In regard to updating references and format in the Iowa

1 administrative code in order to correspond to the transferring
2 of duties of this chapter, the administrative rules coordinator
3 and the administrative rules review committee, in consultation
4 with the administrative code editor, shall jointly develop a
5 schedule for the necessary updating of the Iowa administrative
6 code.

7 Sec. 39. NEW SECTION. **261E.1A Transfer of authority and**
8 **duties.**

9 1. Beginning July 1, 2019, the authority and duties of
10 the department of education, the state board of education,
11 and the director of the department of education under this
12 chapter shall be transferred to the state board of regents.
13 Accordingly, beginning July 1, 2019, all references to the
14 department of education, the state board of education, or the
15 director of the department of education under this chapter
16 and references to the department of education, state board of
17 education, or director of the department of education under
18 other provisions of law relating to this chapter shall mean the
19 state board of regents.

20 2. Any moneys remaining in any account or fund under the
21 control of the department of education at the conclusion of the
22 fiscal year beginning July 1, 2018, relative to the provisions
23 of this chapter shall be transferred to the control of the
24 state board of regents for such purposes. Notwithstanding
25 section 8.33, the moneys transferred in accordance with this
26 subsection shall not revert to the account or fund from which
27 appropriated or transferred.

28 3. Any contract entered into by the department of education
29 relating to the provisions of this chapter in effect at the
30 conclusion of the fiscal year beginning July 1, 2018, shall
31 continue in full force and effect pending transfer of such
32 contracts to the state board of regents.

33 4. Any rule, regulation, form, order, or directive
34 promulgated by the department of education relative to the
35 provisions of this chapter in existence at the conclusion of

1 the fiscal year beginning July 1, 2018, shall continue in full
2 force and effect until amended, repealed, or supplemented by
3 affirmative action of the state board of regents under the
4 duties and powers established in this chapter and under the
5 procedure established in subsection 5.

6 5. In regard to updating references and format in the Iowa
7 administrative code in order to correspond to the transferring
8 of duties of this chapter, the administrative rules coordinator
9 and the administrative rules review committee, in consultation
10 with the administrative code editor, shall jointly develop a
11 schedule for the necessary updating of the Iowa administrative
12 code.

13 Sec. 40. Section 262.9, subsection 27, Code 2018, is amended
14 to read as follows:

15 27. ~~Explore, in conjunction with the department~~
16 ~~of education,~~ the need for coordination between school
17 districts, area education agencies, state board of regents
18 institutions, and community colleges for purposes of delivery
19 of courses, use of telecommunications, transportation, and
20 other similar issues. Coordination may include but is not
21 limited to coordination of calendars, programs, schedules, or
22 telecommunications emissions. The state board shall develop
23 recommendations as necessary, which shall be submitted in a
24 report to the general assembly on a timely basis.

25 Sec. 41. Section 262.9, subsection 33, unnumbered paragraph
26 1, Code 2018, is amended to read as follows:

27 ~~In consultation with the state board of education, establish~~
28 Establish and enter into a collective statewide articulation
29 agreement with the community colleges established pursuant to
30 chapter 260C, which shall provide for the seamless transfer
31 of academic credits from a completed associate of arts or
32 associate of science degree program offered by a community
33 college to a baccalaureate degree program offered by an
34 institution of higher education governed by the board. The
35 board shall also do the following:

1 Sec. 42. Section 262.9, subsection 33, paragraph i, Code
2 2018, is amended to read as follows:

3 *i.* Prepare, jointly with ~~the department of education and~~
4 the liaison advisory committee on transfer students, and submit
5 by January 15 annually to the general assembly, an update on
6 the articulation efforts and activities implemented by the
7 community colleges and the institutions of higher education
8 governed by the board.

9 Sec. 43. Section 262.71, subsection 9, Code 2018, is amended
10 by striking the subsection.

11 Sec. 44. Section 272.1, subsection 4, Code 2018, is amended
12 by striking the subsection.

13 Sec. 45. NEW SECTION. **272.1A Transfer of authority and**
14 **duties.**

15 1. Beginning July 1, 2019, the authority and duties of the
16 department of education, the state board of education, and the
17 director of the department of education under this chapter
18 shall be transferred to the board of educational examiners.
19 Accordingly, beginning July 1, 2019, all references to the
20 department of education, the state board of education, or the
21 director of the department of education under this chapter
22 and references to the department of education, state board of
23 education, or director of the department of education under
24 other provisions of law relating to this chapter shall mean the
25 board of educational examiners.

26 2. Any moneys remaining in any account or fund under the
27 control of the department of education at the conclusion
28 of the fiscal year beginning July 1, 2018, relative to the
29 provisions of this chapter shall be transferred to the control
30 of the board of educational examiners for such purposes.
31 Notwithstanding section 8.33, the moneys transferred in
32 accordance with this subsection shall not revert to the account
33 or fund from which appropriated or transferred.

34 3. Any contract entered into by the department of education
35 relating to the provisions of this chapter in effect at the

1 conclusion of the fiscal year beginning July 1, 2018, shall
2 continue in full force and effect pending transfer of such
3 contracts to the board of educational examiners.

4 Sec. 46. Section 272.3, subsection 1, unnumbered paragraph
5 1, Code 2018, is amended to read as follows:

6 The board of educational examiners consists of twelve
7 members. Two must be members of the general public, ~~one~~
8 ~~must be the director of the department of education or the~~
9 ~~director's designee,~~ and the remaining ~~nine~~ ten members must be
10 licensed practitioners. One of the public members shall have
11 served on a school board. The public members shall never have
12 held a practitioner's license, but shall have a demonstrated
13 interest in education. The ~~nine~~ ten practitioners shall be
14 selected from the following areas and specialties of the
15 teaching profession:

16 Sec. 47. Section 272.3, subsection 2, Code 2018, is amended
17 to read as follows:

18 2. A majority of the licensed practitioner members shall
19 be nonadministrative practitioners. Four of the members shall
20 be administrators. Membership of the board shall comply with
21 the requirements of [sections 69.16](#) and [69.16A](#). A quorum of the
22 board shall consist of six members. Members shall elect a
23 chairperson of the board. Members, ~~except for the director of~~
24 ~~the department of education or the director's designee,~~ shall
25 be appointed by the governor subject to confirmation by the
26 senate.

27 Sec. 48. Section 272.4, subsection 1, unnumbered paragraph
28 1, Code 2018, is amended to read as follows:

29 Members, ~~except for the director of the department of~~
30 ~~education or the director's designee,~~ shall be appointed to
31 serve staggered terms of four years. A member shall not serve
32 more than two consecutive terms, ~~except for the director of the~~
33 ~~department of education or the director's designee, who shall~~
34 ~~serve until the director's term of office expires.~~ A member of
35 the board, except for the two public members ~~and the director~~

1 ~~of the department of education or the director's designee,~~
2 shall hold a valid practitioner's license during the member's
3 term of office. A vacancy exists when any of the following
4 occur:

5 Sec. 49. Section 272.25, subsections 3, 4, and 8, Code 2018,
6 are amended to read as follows:

7 3. A requirement that the program include instruction
8 in skills and strategies to be used in classroom management
9 of individuals, and of small and large groups, under
10 varying conditions~~;~~; skills for communicating and working
11 constructively with pupils, teachers, administrators, and
12 parents~~;~~; preparation in reading theory, knowledge, strategies,
13 and approaches, and for integrating literacy instruction
14 into content areas in accordance with [section 256.16](#)~~;~~ and
15 ~~skills for understanding the role of the board of education~~
16 ~~and the functions of other education agencies in the state.~~
17 ~~The requirement shall be based upon recommendations of the~~
18 ~~department of education after consultation with teacher~~
19 ~~education faculty members in colleges and universities.~~

20 4. A requirement that prescribes minimum experiences and
21 responsibilities to be accomplished during the student teaching
22 experience by the student teacher and by the cooperating
23 teacher ~~based upon recommendations of the department of~~
24 ~~education after consultation with teacher education faculty~~
25 ~~members in colleges and universities.~~ The student teaching
26 experience shall include opportunities for the student
27 teacher to become knowledgeable about the Iowa teaching
28 standards, including a mock evaluation performed by the
29 cooperating teacher. The mock evaluation shall not be used as
30 an assessment tool by the practitioner preparation program.
31 The student teaching experience shall consist of interactive
32 experiences involving the college or university personnel, the
33 student teacher, the cooperating teacher, and administrative
34 personnel from the cooperating teacher's school district.

35 8. A requirement that an approved practitioner preparation

1 institution submit evidence that the college ~~or department of~~
2 ~~education~~ is communicating with other colleges or departments
3 in the institution so that practitioner preparation students
4 may integrate teaching methodology with subject matter areas
5 of specialization.

6 Sec. 50. NEW SECTION. **273.1A Transfer of authority and**
7 **duties.**

8 1. Beginning July 1, 2019, the authority and duties of
9 the department of education, the state board of education,
10 and the director of the department of education under this
11 chapter shall, to the extent feasible, be transferred to the
12 area education agency boards of directors in this state.
13 Accordingly, beginning July 1, 2019, all references to the
14 department of education, the state board of education, and the
15 director of the department of education under this chapter and
16 references to the department of education, the state board of
17 education, and the director of the department of education
18 under other provisions of law relating to this chapter shall
19 mean the applicable area education agency board of directors.

20 2. Any rule, regulation, form, order, or directive
21 promulgated by the department of education relative to the
22 provisions of this chapter in existence at the conclusion of
23 the fiscal year beginning July 1, 2018, shall continue in full
24 force and effect.

25 Sec. 51. Section 273.2, subsection 5, unnumbered paragraph
26 1, Code 2018, is amended to read as follows:

27 The area education agency board may provide for the
28 following programs and services to local school districts, ~~and~~
29 ~~at the request of local school districts to providers of child~~
30 ~~development services who have received grants under chapter~~
31 ~~256A from the child development coordinating council,~~ within
32 the limits of funds available:

33 Sec. 52. NEW SECTION. **274.1A Transfer of authority and**
34 **duties.**

35 1. Beginning July 1, 2019, the authority and duties of the

1 department of education and the director of the department of
2 education under this chapter shall, to the extent feasible, be
3 transferred to the area education agency boards of directors
4 in this state. Accordingly, beginning July 1, 2019, all
5 references to the department of education and the director of
6 the department of education under this chapter and references
7 to the department of education and the director of the
8 department of education under other provisions of law relating
9 to this chapter shall mean the applicable area education agency
10 board of directors.

11 2. Any rule, regulation, form, order, or directive
12 promulgated by the department of education or the director
13 of the department of education relative to the provisions of
14 this chapter in existence at the conclusion of the fiscal
15 year beginning July 1, 2018, shall continue in full force and
16 effect.

17 Sec. 53. NEW SECTION. **275.1A Transfer of authority and**
18 **duties.**

19 1. Beginning July 1, 2019, the authority and duties of
20 the department of education, the state board of education,
21 and the director of the department of education under this
22 chapter shall, to the extent feasible, be transferred to the
23 area education agency boards of directors in this state.
24 Accordingly, beginning July 1, 2019, all references to the
25 department of education, the state board of education, and the
26 director of the department of education under this chapter and
27 references to the department of education, the state board of
28 education, and the director of the department of education
29 under other provisions of law relating to this chapter shall
30 mean the applicable area education agency board of directors.

31 2. Any rule, regulation, form, order, or directive
32 promulgated by the department of education, the state board
33 of education, or the director of the department of education
34 relative to the provisions of this chapter in existence at the
35 conclusion of the fiscal year beginning July 1, 2018, shall

1 continue in full force and effect.

2 Sec. 54. Section 276.3, subsections 5 and 9, Code 2018, are
3 amended by striking the subsections.

4 Sec. 55. Section 279.51, subsection 1, unnumbered paragraph
5 1, Code 2018, is amended to read as follows:

6 There is appropriated from the general fund of the state
7 to the department of ~~education~~ management for the fiscal year
8 beginning July 1, 2007, and each succeeding fiscal year, the
9 sum of twelve million six hundred six thousand one hundred
10 ninety-six dollars. The moneys shall be allocated as follows:

11 Sec. 56. Section 279.51, subsection 1, paragraphs b and d,
12 Code 2018, are amended by striking the paragraphs.

13 Sec. 57. Section 279.51, subsection 2, Code 2018, is amended
14 by striking the subsection.

15 Sec. 58. NEW SECTION. **279.70 Transfer of authority and**
16 **duties.**

17 1. Beginning July 1, 2019, the authority and duties of
18 the department of education, the state board of education,
19 and the director of the department of education under this
20 chapter, to the extent feasible, shall be transferred to the
21 boards of directors for the respective school districts in the
22 state. Accordingly, beginning July 1, 2019, all references to
23 the department of education, the state board of education, and
24 the director of the department of education under this chapter
25 and references to the department of education, the state board
26 of education, and the director of the department of education
27 under other provisions of law relating to this chapter shall
28 mean the applicable board of directors of the school district.

29 2. Any rule, regulation, form, order, or directive
30 promulgated by the department of education, the state board
31 of education, or the director of the department of education
32 relative to the provisions of this chapter in existence at the
33 conclusion of the fiscal year beginning July 1, 2018, shall
34 continue in full force and effect.

35 Sec. 59. NEW SECTION. **280.1A Transfer of authority and**

1 **duties.**

2 1. Beginning July 1, 2019, the authority and duties of
3 the department of education, the state board of education,
4 and the director of the department of education under this
5 chapter, to the extent feasible, shall be transferred to the
6 boards of directors for the respective school districts in the
7 state. Accordingly, beginning July 1, 2019, all references to
8 the department of education, the state board of education, and
9 the director of the department of education under this chapter
10 and references to the department of education, the state board
11 of education, and the director of the department of education
12 under other provisions of law relating to this chapter shall
13 mean the applicable board of directors of the school district.

14 2. Any rule, regulation, form, order, or directive
15 promulgated by the department of education, the state board
16 of education, or the director of the department of education
17 relative to the provisions of this chapter in existence at the
18 conclusion of the fiscal year beginning July 1, 2018, shall
19 continue in full force and effect.

20 **Sec. 60. NEW SECTION. 282.1A Transfer of authority and**
21 **duties.**

22 1. Beginning July 1, 2019, the authority and duties of
23 the department of education, the state board of education,
24 and the director of the department of education under this
25 chapter, to the extent feasible, shall be transferred to the
26 boards of directors for the respective school districts in the
27 state. Accordingly, beginning July 1, 2019, all references to
28 the department of education, the state board of education, and
29 the director of the department of education under this chapter
30 and references to the department of education, the state board
31 of education, and the director of the department of education
32 under other provisions of law relating to this chapter shall
33 mean the applicable board of directors of the school district.

34 2. Any rule, regulation, form, order, or directive
35 promulgated by the department of education, the state board

1 of education, or the director of the department of education
2 relative to the provisions of this chapter in existence at the
3 conclusion of the fiscal year beginning July 1, 2018, shall
4 continue in full force and effect.

5 Sec. 61. Section 282.18, subsections 5 and 13, Code 2018,
6 are amended to read as follows:

7 5. Open enrollment applications filed after March 1
8 of the preceding school year that do not qualify for good
9 cause as provided in [subsection 4](#) shall be subject to the
10 approval of the board of the resident district and the board
11 of the receiving district. The parent or guardian shall send
12 notification to the district of residence and the receiving
13 district that the parent or guardian seeks to enroll the
14 parent's or guardian's child in the receiving district. A
15 ~~decision of either board to deny an application filed under~~
16 ~~[this subsection](#) involving repeated acts of harassment of the~~
17 ~~student or serious health condition of the student that the~~
18 ~~resident district cannot adequately address is subject to~~
19 ~~appeal under [section 290.1](#). The state board shall exercise~~
20 ~~broad discretion to achieve just and equitable results that are~~
21 ~~in the best interest of the affected child or children.~~

22 13. If a request under [this section](#) is for transfer to a
23 laboratory school, as described in [chapter 265](#), the student,
24 who is the subject of the request, shall not be included in
25 the basic enrollment of the student's district of residence,
26 and the laboratory school shall report the enrollment of the
27 student directly to the department of education management,
28 unless the number of students from the district attending the
29 laboratory school during the current school year, as a result
30 of open enrollment under [this section](#), exceeds the number of
31 students enrolled in the laboratory school from that district
32 during the 1989-1990 school year. If the number of students
33 enrolled in the laboratory school from a district during the
34 current year exceeds the number of students enrolled from that
35 district during the 1989-1990 school year, those students who

1 represent the difference between the current and the 1988-1989
2 school year enrollment figures shall be included in the basic
3 enrollment of the students' districts of residence and the
4 districts shall retain any moneys received as a result of the
5 inclusion of the student in the district enrollment. The total
6 number of students enrolled at a laboratory school during a
7 school year shall not exceed six hundred seventy students. The
8 regents institution operating the laboratory school and the
9 board of directors of the school district in the community
10 in which the regents institution is located shall develop
11 a student transfer policy designed to protect and promote
12 the quality and integrity of the teacher education program
13 at the laboratory school, the viability of the education
14 program of the local school district in which the regents
15 institution is located, and to indicate the order in which and
16 reasons why requests to transfer to a laboratory school shall
17 be considered. A laboratory school may deny a request for
18 transfer under the policy. ~~A denial of a request to transfer~~
19 ~~under this subsection is not subject to appeal under section~~
20 ~~290.1.~~

21 Sec. 62. Section 282.18, subsection 15, Code 2018, is
22 amended by striking the subsection.

23 Sec. 63. Section 283.1, Code 2018, is amended to read as
24 follows:

25 **283.1 Federal funds accepted.**

26 The director of the department of ~~education~~ management
27 is the "*state educational authority*" for the purpose of
28 accepting and administering funds appropriated by Congress for
29 educational purposes and the funds shall be deposited with the
30 treasurer of state and disbursed through the department of
31 administrative services on vouchers audited as provided by law.
32 When state matching funds are required as a condition to the
33 acceptance of federal funds, the director of the department
34 of ~~education~~ management may make expenditures for matching
35 only from funds provided by the legislature for that purpose.

1 However, when federal funds may be matched with expenditures
2 from funds appropriated for the general operation of the
3 department of ~~education~~ management, this may be done with the
4 approval of the legislative council.

5 Sec. 64. NEW SECTION. **283A.1A Transfer of authority and**
6 **duties.**

7 1. Beginning July 1, 2019, the authority and duties of
8 the department of education, the state board of education,
9 and the director of the department of education under this
10 chapter, to the extent feasible, shall be transferred to the
11 boards of directors for the respective school districts in the
12 state. Accordingly, beginning July 1, 2019, all references to
13 the department of education, the state board of education, and
14 the director of the department of education under this chapter
15 and references to the department of education, the state board
16 of education, and the director of the department of education
17 under other provisions of law relating to this chapter shall
18 mean the applicable board of directors of the school district.

19 2. Any rule, regulation, form, order, or directive
20 promulgated by the department of education, the state board
21 of education, or the director of the department of education
22 relative to the provisions of this chapter in existence at the
23 conclusion of the fiscal year beginning July 1, 2018, shall
24 continue in full force and effect.

25 Sec. 65. Section 283A.3, Code 2018, is amended to read as
26 follows:

27 **283A.3 Expenditure of federal funds.**

28 The director of the department of ~~education~~ management shall
29 accept and direct the disbursement of funds appropriated by any
30 Act of Congress and appropriated to the state of Iowa for use
31 in connection with school breakfast or lunch programs. The
32 director shall deposit the funds with the treasurer of the
33 state of Iowa, who shall make disbursements upon the direction
34 of the director.

35 Sec. 66. NEW SECTION. **284.1A Transfer of authority and**

1 **duties.**

2 1. Beginning July 1, 2019, the authority and duties of
3 the department of education, the state board of education,
4 and the director of the department of education under this
5 chapter, to the extent feasible, shall be transferred to the
6 boards of directors for the respective school districts in the
7 state. Accordingly, beginning July 1, 2019, all references to
8 the department of education, the state board of education, and
9 the director of the department of education under this chapter
10 and references to the department of education, the state board
11 of education, and the director of the department of education
12 under other provisions of law relating to this chapter shall
13 mean the applicable board of directors of the school district.

14 2. Any rule, regulation, form, order, or directive
15 promulgated by the department of education, the state board
16 of education, or the director of the department of education
17 relative to the provisions of this chapter in existence at the
18 conclusion of the fiscal year beginning July 1, 2018, shall
19 continue in full force and effect.

20 Sec. 67. NEW SECTION. **284A.1A Transfer of authority and**
21 **duties.**

22 1. Beginning July 1, 2019, the authority and duties of
23 the department of education, the state board of education,
24 and the director of the department of education under this
25 chapter, to the extent feasible, shall be transferred to the
26 boards of directors for the respective school districts in the
27 state. Accordingly, beginning July 1, 2019, all references to
28 the department of education, the state board of education, and
29 the director of the department of education under this chapter
30 and references to the department of education, the state board
31 of education, and the director of the department of education
32 under other provisions of law relating to this chapter shall
33 mean the applicable board of directors of the school district.

34 2. Any rule, regulation, form, order, or directive
35 promulgated by the department of education, the state board

1 of education, or the director of the department of education
2 relative to the provisions of this chapter in existence at the
3 conclusion of the fiscal year beginning July 1, 2018, shall
4 continue in full force and effect.

5 **Sec. 68. NEW SECTION. 285.7 Transfer of authority and**
6 **duties.**

7 1. Beginning July 1, 2019, the authority and duties of
8 the department of education, the state board of education,
9 and the director of the department of education under this
10 chapter, to the extent feasible, shall be transferred to the
11 boards of directors for the respective school districts in the
12 state. Accordingly, beginning July 1, 2019, all references to
13 the department of education, the state board of education, and
14 the director of the department of education under this chapter
15 and references to the department of education, the state board
16 of education, and the director of the department of education
17 under other provisions of law relating to this chapter shall
18 mean the applicable board of directors of the school district.

19 2. Any rule, regulation, form, order, or directive
20 promulgated by the department of education, the state board
21 of education, or the director of the department of education
22 relative to the provisions of this chapter in existence at the
23 conclusion of the fiscal year beginning July 1, 2018, shall
24 continue in full force and effect.

25 **Sec. 69. Section 291.11, Code 2018, is amended to read as**
26 **follows:**

27 **291.11 Officers reported.**

28 The secretary shall report to the director of the department
29 of ~~education~~ management, the county auditor, and county
30 treasurer the name and post office address of the president,
31 treasurer and secretary of the board as soon as practicable
32 after the qualification of each.

33 **Sec. 70. NEW SECTION. 292.1A Transfer of authority and**
34 **duties.**

35 1. Beginning July 1, 2019, the authority and duties of the

1 department of education under this chapter shall be transferred
2 to the department of revenue. Accordingly, beginning July 1,
3 2019, all references to the department of education under this
4 chapter and references to the department of education under
5 other provisions of law relating to this chapter shall mean the
6 department of revenue.

7 2. Any moneys remaining in any account or fund under the
8 control of the department of education at the conclusion of the
9 fiscal year beginning July 1, 2018, relative to the provisions
10 of this chapter shall be transferred to the control of the
11 department of revenue for such purposes. Notwithstanding
12 section 8.33, the moneys transferred in accordance with this
13 subsection shall not revert to the account or fund from which
14 appropriated or transferred.

15 3. Any contract entered into by the department of education
16 relating to the provisions of this chapter in effect at the
17 conclusion of the fiscal year beginning July 1, 2018, shall
18 continue in full force and effect pending transfer of such
19 contracts to the department of revenue.

20 4. Any rule, regulation, form, order, or directive
21 promulgated by the department of education relative to the
22 provisions of this chapter in existence at the conclusion of
23 the fiscal year beginning July 1, 2018, shall continue in full
24 force and effect until amended, repealed, or supplemented by
25 affirmative action of the department of revenue under the
26 duties and powers established in this chapter and under the
27 procedure established in subsection 5.

28 5. In regard to updating references and format in the Iowa
29 administrative code in order to correspond to the transferring
30 of duties of this chapter, the administrative rules coordinator
31 and the administrative rules review committee, in consultation
32 with the administrative code editor, shall jointly develop a
33 schedule for the necessary updating of the Iowa administrative
34 code.

35 Sec. 71. Section 294.5, Code 2018, is amended to read as

1 follows:

2 **294.5 Reports.**

3 The teacher shall file with the school superintendent ~~and~~
4 ~~the director of the department of education~~ such reports and in
5 such manner as may be required.

6 Sec. 72. Section 296.3, Code 2018, is amended to read as
7 follows:

8 **296.3 Election called.**

9 Within ten days of receipt of a petition filed under section
10 296.2, the president of the board of directors shall call a
11 meeting of the board. The meeting shall be held within thirty
12 days after the petition was received. At the meeting, the
13 board shall call the election, fixing the time of the election,
14 which may be at the time and place of holding the regular
15 school election. However, if the board determines by unanimous
16 vote that the proposition or propositions requested by a
17 petition to be submitted at an election are grossly unrealistic
18 or contrary to the needs of the school district, no election
19 shall be called. If more than one petition has been received
20 by the time the board meets to consider the petition triggering
21 the meeting, the board shall act upon the petitions in the
22 order they were received at the meeting called to consider the
23 initial petition. ~~The decision of the board may be appealed to~~
24 ~~the state board of education as provided in chapter 290.~~ The
25 president shall notify the county commissioner of elections of
26 the time of the election.

27 Sec. 73. NEW SECTION. **297.37 Transfer of authority and**
28 **duties.**

29 1. Beginning July 1, 2019, the authority and duties of the
30 department of education and the director of the department
31 of education under this chapter shall be transferred to the
32 department of administrative services and the director of the
33 department of administrative services. Accordingly, beginning
34 July 1, 2019, all references to the department of education
35 and the director of the department of education under this

1 chapter and references to the department of education and the
2 director of the department of education under other provisions
3 of law relating to this chapter shall mean the department of
4 administrative services or the director of the department of
5 administrative services.

6 2. Any rule, regulation, form, order, or directive
7 promulgated by the department of education or the director
8 of the department of education relative to the provisions of
9 this chapter in existence at the conclusion of the fiscal
10 year beginning July 1, 2018, shall continue in full force and
11 effect.

12 Sec. 74. Section 298A.2, subsection 2, paragraph d, Code
13 2018, is amended to read as follows:

14 d. Expenditures from the flexibility account shall be
15 approved by resolution of the board of directors of the school
16 corporation and shall be included in the budget certified in
17 accordance with [chapter 24](#). Before the board of directors
18 may adopt the resolution approving expenditures from the
19 flexibility account, the board shall hold a public hearing on
20 the proposed resolution. The proposed resolution must state
21 the original source and purpose of the funds, the proposed use
22 of such funds, the amount of the proposed expenditure, and
23 the fiscal year from which the transfer of such funds to the
24 flexibility account occurred. The proposed resolution must
25 also include a certification that the statutory requirements
26 for each original source of the money proposed to be used have
27 been met, have been repealed, or are no longer in effect. The
28 board shall publish notice of the time and the place of the
29 public hearing in the same manner as required in [section 24.9](#).
30 ~~The department of education shall prescribe the form for public~~
31 ~~hearing notices.~~ A copy of the resolution shall be provided
32 ~~by the board to the department of education and shall be made~~
33 available by the board for any audit performed under chapter
34 11.

35 Sec. 75. Section 298A.2, subsection 2, paragraph e, Code

1 2018, is amended by striking the paragraph.

2 Sec. 76. Section 298A.8, subsection 1, Code 2018, is amended
3 to read as follows:

4 1. The student activity fund is a special revenue fund.
5 A student activity fund must be established in any school
6 corporation receiving money from student-related activities
7 such as admissions, activity fees, student dues, student
8 fund-raising events, or other student-related cocurricular or
9 extracurricular activities. Moneys in this fund shall be used
10 to support only the cocurricular program ~~defined in department~~
11 ~~of education administrative rules.~~

12 Sec. 77. NEW SECTION. **299.25 Transfer of authority and**
13 **duties.**

14 1. Beginning July 1, 2019, the authority and duties of
15 the department of education, the state board of education,
16 and the director of the department of education under this
17 chapter, to the extent feasible, shall be transferred to the
18 boards of directors for the respective school districts in the
19 state. Accordingly, beginning July 1, 2019, all references to
20 the department of education, the state board of education, and
21 the director of the department of education under this chapter
22 and references to the department of education, the state board
23 of education, and the director of the department of education
24 under other provisions of law relating to this chapter shall
25 mean the applicable board of directors of the school district.

26 2. Any rule, regulation, form, order, or directive
27 promulgated by the department of education, the state board
28 of education, or the director of the department of education
29 relative to the provisions of this chapter in existence at the
30 conclusion of the fiscal year beginning July 1, 2018, shall
31 continue in full force and effect.

32 Sec. 78. NEW SECTION. **299A.1A Transfer of authority and**
33 **duties.**

34 1. Beginning July 1, 2019, the authority and duties of
35 the department of education, the state board of education,

1 and the director of the department of education under this
2 chapter, to the extent feasible, shall be transferred to the
3 boards of directors for the respective school districts in the
4 state. Accordingly, beginning July 1, 2019, all references to
5 the department of education, the state board of education, and
6 the director of the department of education under this chapter
7 and references to the department of education, the state board
8 of education, and the director of the department of education
9 under other provisions of law relating to this chapter shall
10 mean the applicable board of directors of the school district.

11 2. Any rule, regulation, form, order, or directive
12 promulgated by the department of education, the state board
13 of education, or the director of the department of education
14 relative to the provisions of this chapter in existence at the
15 conclusion of the fiscal year beginning July 1, 2018, shall
16 continue in full force and effect.

17 Sec. 79. NEW SECTION. 301.1A **Transfer of authority and**
18 **duties.**

19 1. Beginning July 1, 2019, the authority and duties of
20 the department of education, the state board of education,
21 and the director of the department of education under this
22 chapter, to the extent feasible, shall be transferred to the
23 boards of directors for the respective school districts in the
24 state. Accordingly, beginning July 1, 2019, all references to
25 the department of education, the state board of education, and
26 the director of the department of education under this chapter
27 and references to the department of education, the state board
28 of education, and the director of the department of education
29 under other provisions of law relating to this chapter shall
30 mean the applicable board of directors of the school district.

31 2. Any rule, regulation, form, order, or directive
32 promulgated by the department of education, the state board
33 of education, or the director of the department of education
34 relative to the provisions of this chapter in existence at the
35 conclusion of the fiscal year beginning July 1, 2018, shall

1 continue in full force and effect.

2 Sec. 80. REPEAL. Chapters 256, 256A, 256G, and 290, Code
3 2018, are repealed.

4 Sec. 81. REPEAL. Sections 260C.6, 276.4, and 291.10, Code
5 2018, are repealed.

6 Sec. 82. EFFECTIVE DATE. This division of this Act takes
7 effect July 1, 2019.

8 DIVISION II

9 CORRESPONDING AMENDMENTS LEGISLATION

10 Sec. 83. CORRESPONDING AMENDMENTS LEGISLATION. Additional
11 legislation is required to fully implement division I of this
12 Act. The director of the department of education shall, in
13 compliance with section 2.16, prepare draft legislation for
14 submission to the legislative services agency, as necessary,
15 to implement the transition and elimination of authority and
16 duties under division I of this Act and to implement the
17 transition and elimination of authority and duties under other
18 provisions of law including but not limited to the duties and
19 authority of the department of education, the state board of
20 education, the director of the department of education, and any
21 division, commission, or subunit of such entities or offices
22 under chapters 7A, 7E, 8A, 8B, 8D, 8F, 11, 12, 15, 15H, 16, 19B,
23 22, 48A, 68B, 73, 80E, 84A, 85, 96, 99B, 125, 135, 139A, 141A,
24 142A, 154B, 154F, 161A, 190A, 216A, 218, 225C, 232, 234, 237,
25 237A, 237C, 239B, 241, 249A, 257, 261B, 321, 321J, 322, 350,
26 423E, 423F, 455A, 455E, 473, 514I, 714, and 904.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to education by modifying the duties and
31 authority of certain state and local governmental entities.

32 Division I of the bill repeals Code chapter 256, which
33 establishes the department of education, establishes the office
34 of the director of the department of education, establishes
35 the state board of education, specifies certain educational

1 standards, establishes various education programs, establishes
2 certain councils and entities within the department of
3 education, includes provisions relating to the participation in
4 extracurricular activities, establishes the division of library
5 services, includes the library compact, and establishes the
6 public broadcasting division.

7 Division I of the bill also amends and repeals other chapters
8 of the Code relating to education to transition the duties and
9 authority of the department of education, the director of the
10 department of education, and the state board of education to
11 other specified local and state governmental entities beginning
12 July 1, 2019.

13 Division I of the bill takes effect July 1, 2019.

14 Division II of the bill provides that additional legislation
15 is required to fully implement division I of the bill and
16 requires the director of the department of education to
17 prepare draft legislation for submission to the legislative
18 services agency, as necessary, to implement the transition
19 and elimination of authority and duties under division I of
20 the bill and to implement the transition and elimination of
21 authority and duties under other provisions of law including
22 but not limited to the duties and authority of the department
23 of education, the state board of education, the director of
24 the department of education, and any division, commission,
25 or subunit of such entities or offices under specified Code
26 chapters.