

House File 2792 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2710)
(SUCCESSOR TO HSB 758)

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

A BILL FOR

1 An Act relating to education finances, including the funding of,
2 operation of, and appropriation of moneys to the department of
3 education, the department of management, and the state board
4 of regents, providing for participation in an instructional
5 support program by school districts, relating to education
6 standards and services by providing for a statewide core
7 curriculum and standards study, providing for adjusted
8 additional property tax levy aid for school districts,
9 allocating and restricting utilization of local option sales
10 and services tax moneys under specified circumstances,
11 providing for an equity in property taxation interim study,
12 making an appropriation, providing for an increase in the
13 number of years for which supplementary weighting for limited
14 English proficient students may be obtained, and providing
15 effective and applicability dates.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
17 HF 2792
18 kh/es/25

PAG LIN

DIVISION I

STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

1 2 Section 1. DEPARTMENT OF EDUCATION. There is appropriated
1 3 from the general fund of the state to the department of
1 4 education for the designated fiscal years of the fiscal period
1 5 beginning July 1, 2006, and ending June 30, 2009, the
1 6 following amounts, or so much thereof as is necessary, to be
1 7 used for the purposes designated:

1 8 For purposes, as provided in law, of the student
1 9 achievement and teacher quality program established pursuant
1 10 to chapter 284:
1 11 to chapter 284:
1 12 FY 2006=2007..... \$104,593,894
1 13 FY 2007=2008..... \$139,593,894
1 14 FY 2008=2009..... \$174,593,894

1 15 Sec. 2. Section 256.11, Code Supplement 2005, is amended
1 16 by adding the following new subsection:

1 17 NEW SUBSECTION. 9. Beginning July 1, 2006, each school
1 18 district shall have a qualified teacher librarian who shall be
1 19 licensed by the board of educational examiners under chapter
1 20 272. The state board shall establish in rule a definition of
1 21 and standards for an articulated sequential kindergarten
1 22 through grade twelve media program. A school district that
1 23 entered into a contract with an individual for employment as a
1 24 media specialist or librarian prior to June 1, 2006, shall be
1 25 considered to be in compliance with this subsection until the
1 26 individual leaves the employ of the school district.

1 27 Sec. 3. Section 256.11A, Code 2005, is amended to read as
1 28 follows:

1 29 256.11A ~~GUIDANCE PROGRAM~~ TEACHER LIBRARIAN == MEDIA
1 30 ~~SERVICES PROGRAM~~ == WAIVER.

1 31 1. ~~Schools and school districts unable to meet the~~
1 32 ~~standard adopted by the state board requiring each school or~~
1 33 ~~school district operating a kindergarten through grade twelve~~
1 34 ~~program to provide an articulated sequential elementary-~~
1 35 ~~secondary guidance program~~ The board of directors of a school
2 1 district may, not later than August 1, 1995 2006, for the
2 2 school year beginning July 1, 1995 2006, file a written
2 3 request to the department of education that the department
2 4 wave the requirement for adopted by the state board pursuant

2 5 to section 256.11, subsection 9, that school or the school
2 6 district have a qualified teacher librarian. The procedures
2 7 specified in subsection 3 apply to the request. Not later
2 8 than August 1, ~~1996~~ 2007, for the school year beginning July
2 9 1, ~~1996~~ 2007, the board of directors of a school district ~~or~~
2 10 the authorities in charge of a nonpublic school may request a
2 11 one-year extension of the waiver.

~~2 12 2. Not later than August 1, 1995, for the school year
2 13 beginning July 1, 1995, the board of directors of a school
2 14 district, or authorities in charge of a nonpublic school, may
2 15 file a written request with the department of education that
2 16 the department waive the rule adopted by the state board to
2 17 establish and operate a media services program to support the
2 18 total curriculum for that district or school. The procedures
2 19 specified in subsection 3 apply to the request. Not later
2 20 than August 1, 1996, for the school year beginning July 1,
2 21 1996, the board of directors of a school district or the
2 22 authorities in charge of a nonpublic school may request an
2 23 additional one-year extension of the waiver.~~

2 24 3- 2. A request for a waiver filed by the board of
2 25 directors of a school district ~~or authorities in charge of a~~
2 26 ~~nonpublic school~~ shall describe actions being taken by the
2 27 district ~~or school~~ to meet the requirement for which the
2 28 district ~~or school~~ has requested a waiver.

2 29 Sec. 4. Section 256.44, subsection 1, paragraph a, Code
2 30 Supplement 2005, is amended to read as follows:

2 31 a. If a teacher registers for national board for
2 32 professional teaching standards certification prior to June
2 33 30, ~~2006~~ 2007, a one-time initial reimbursement award in the
2 34 amount of up to one-half of the registration fee paid by the
2 35 teacher for registration for certification by the national
3 1 board for professional teaching standards. The teacher shall
3 2 apply to the department of education within one year of
3 3 registration, submitting to the department any documentation
3 4 the department requires. A teacher who receives an initial
3 5 reimbursement award shall receive a one-time final
3 6 registration award in the amount of the remaining national
3 7 board registration fee paid by the teacher if the teacher
3 8 notifies the department of the teacher's certification
3 9 achievement and submits any documentation requested by the
3 10 department.

3 11 Sec. 5. Section 284.1, unnumbered paragraph 1, Code 2005,
3 12 is amended to read as follows:

3 13 A student achievement and teacher quality program is
3 14 established to promote high student achievement. The program
3 15 shall consist of the following ~~four~~ five major elements:

3 16 Sec. 6. Section 284.1, Code 2005, is amended by adding the
3 17 following new subsection:

3 18 NEW SUBSECTION. 5. Evaluation of teachers against the
3 19 Iowa teaching standards.

3 20 Sec. 7. Section 284.2, subsection 1, Code 2005, is amended
3 21 to read as follows:

3 22 1. "Beginning teacher" means an individual serving under
3 23 an initial or intern license, issued by the board of
3 24 educational examiners under chapter 272, who is assuming a
3 25 position as a ~~classroom~~ teacher. For purposes of the
3 26 beginning teacher mentoring and induction program created
3 27 pursuant to section 284.5, "beginning teacher" also includes
3 28 preschool teachers who are licensed by the board of
3 29 educational examiners under chapter 272 and are employed by a
3 30 school district or area education agency.

3 31 Sec. 8. Section 284.2, subsection 2, Code 2005, is amended
3 32 by striking the subsection.

3 33 Sec. 9. Section 284.2, subsection 8, Code 2005, is amended
3 34 to read as follows:

3 35 8. "Mentor" means an individual employed by a school
4 1 district or area education agency as a ~~classroom~~ teacher or a
4 2 retired teacher who holds a valid license issued under chapter
4 3 272. The individual must have a record of four years of
4 4 successful teaching practice, must be employed on a
4 5 nonprobationary basis, and must demonstrate professional
4 6 commitment to both the improvement of teaching and learning
4 7 and the development of beginning teachers.

4 8 Sec. 10. Section 284.2, subsection 12, Code 2005, is
4 9 amended to read as follows:

4 10 12. "Teacher" means an individual holding a practitioner's
4 11 license issued under chapter 272, who is employed in a
4 12 nonadministrative position as a teacher, teacher librarian,
4 13 ~~media specialist~~, preschool teacher, or counselor by a school
4 14 district or area education agency pursuant to a contract
4 15 issued by a board of directors under section 279.13. However,

4 16 an individual who is employed by an area education agency
4 17 shall only be considered a teacher for purposes of this
4 18 chapter if the individual directly delivers instruction to
4 19 school or school district students for fifty percent or more
4 20 of the individual's contracted time. A teacher may be
4 21 employed in both an administrative and a nonadministrative
4 22 position by a board of directors and shall be considered a
4 23 part-time teacher for the portion of time that the teacher is
4 24 employed in a nonadministrative position. "Teacher" includes
4 25 a licensed individual employed on a less than full-time basis
4 26 by a school district through a contract between the school
4 27 district and an institution of higher education with a
4 28 practitioner preparation program in which the licensed teacher
4 29 is enrolled.

4 30 Sec. 11. Section 284.4, subsection 1, paragraph e, Code
4 31 Supplement 2005, is amended to read as follows:

4 32 e. Adopt a teacher evaluation plan that, at minimum,
4 33 requires a performance review of teachers in the ~~participating~~
4 34 district at least once every three years based upon the Iowa
4 35 teaching standards and individual career development plans,
5 1 and requires administrators to complete evaluator training in
5 2 accordance with section 284.10.

5 3 Sec. 12. Section 284.5, subsections 1, 3, 4, and 7, Code
5 4 Supplement 2005, are amended to read as follows:

5 5 1. A beginning teacher mentoring and induction program is
5 6 created to promote excellence in teaching, enhance student
5 7 achievement, build a supportive environment within school
5 8 districts and area education agencies, increase the retention
5 9 of promising beginning teachers, and promote the personal and
5 10 professional well-being of ~~classroom~~ teachers.

5 11 3. Each school district and area education agency shall
5 12 provide a beginning teacher mentoring and induction program
5 13 for all ~~classroom~~ teachers who are beginning teachers, and
5 14 notwithstanding section 284.4, subsection 1, a school district
5 15 and an area education agency shall be eligible to receive
5 16 moneys under section 284.13, subsection 1, paragraph "b", for
5 17 purposes of implementing a beginning teacher mentoring and
5 18 induction program in accordance with this section.

5 19 4. Each ~~participating~~ school district and area education
5 20 agency shall develop an initial beginning teacher mentoring
5 21 and induction plan. A school district shall include its plan
5 22 in the school district's comprehensive school improvement plan
5 23 submitted pursuant to section 256.7, subsection 21. The
5 24 beginning teacher mentoring and induction plan shall, at a
5 25 minimum, provide for a two-year sequence of induction program
5 26 content and activities to support the Iowa teaching standards
5 27 and beginning teacher professional and personal needs; mentor
5 28 training that includes, at a minimum, skills of classroom
5 29 demonstration and coaching, and district expectations for
5 30 beginning teacher competence on Iowa teaching standards;
5 31 placement of mentors and beginning teachers; the process for
5 32 dissolving mentor and beginning teacher partnerships; district
5 33 organizational support for release time for mentors and
5 34 beginning teachers to plan, provide demonstration of classroom
5 35 practices, observe teaching, and provide feedback; structure
6 1 for mentor selection and assignment of mentors to beginning
6 2 teachers; a district facilitator; and program evaluation.

6 3 7. If a beginning teacher who is participating in a
6 4 mentoring and induction program leaves the employ of a
6 5 ~~participating~~ school district or area education agency prior
6 6 to completion of the program, the ~~participating~~ school
6 7 district or area education agency subsequently hiring the
6 8 beginning teacher shall credit the beginning teacher with the
6 9 time earned in the program prior to the subsequent hiring.

6 10 Sec. 13. Section 284.6, subsection 1, unnumbered paragraph
6 11 1, Code 2005, is amended to read as follows:

6 12 The department shall coordinate a statewide network of
6 13 career development for Iowa teachers. A ~~participating~~ school
6 14 district or career development provider that offers a career
6 15 development program in accordance with section 256.9,
6 16 subsection 50, shall demonstrate that the program contains the
6 17 following:

6 18 Sec. 14. Section 284.6, subsections 3 and 4, Code 2005,
6 19 are amended to read as follows:

6 20 3. A ~~participating~~ school district shall incorporate a
6 21 district career development plan into the district's
6 22 comprehensive school improvement plan submitted to the
6 23 department in accordance with section 256.7, subsection 21.
6 24 The district career development plan shall include a
6 25 description of the means by which the school district will
6 26 provide access to all teachers in the district to career

6 27 development programs or offerings that meet the requirements
6 28 of subsection 1. The plan shall align all career development
6 29 with the school district's long-range student learning goals
6 30 and the Iowa teaching standards. The plan shall indicate the
6 31 school district's approved career development provider or
6 32 providers.

6 33 4. In cooperation with the teacher's evaluator, the career
6 34 teacher employed by a ~~participating~~ school district shall
6 35 develop an individual teacher career development plan. The
7 1 evaluator shall consult with the teacher's supervisor on the
7 2 development of the individual teacher career development plan.
7 3 The purpose of the plan is to promote individual and group
7 4 career development. The individual plan shall be based, at
7 5 minimum, on the needs of the teacher, the Iowa teaching
7 6 standards, and the student achievement goals of the attendance
7 7 center and the school district as outlined in the
7 8 comprehensive school improvement plan.

7 9 Sec. 15. Section 284.7, unnumbered paragraph 1, Code
7 10 Supplement 2005, is amended to read as follows:

7 11 To promote continuous improvement in Iowa's quality
7 12 teaching workforce and to give Iowa teachers the opportunity
7 13 for career recognition that reflects the various roles
7 14 teachers play as educational leaders, an Iowa teacher career
7 15 path is established for teachers employed by ~~participating~~
7 16 school districts. A ~~participating~~ school district shall use
7 17 funding allocated under section 284.13, subsection 1,
7 18 paragraph ~~"d"~~ "h", to raise teacher salaries to meet the
7 19 requirements of this section. The Iowa teacher career path
7 20 and salary minimums are as follows:

7 21 Sec. 16. Section 284.7, subsection 1, unnumbered paragraph
7 22 1, Code Supplement 2005, is amended to read as follows:

7 23 ~~Effective July 1, 2001, the~~ The following career path
7 24 levels are established and shall be implemented in accordance
7 25 with this chapter:

7 26 Sec. 17. Section 284.7, subsection 1, paragraph a,
7 27 subparagraph (1), subparagraph subdivisions (a) and (b), Code
7 28 2005, are amended to read as follows:

7 29 (a) Has successfully completed an approved practitioner
7 30 preparation program as defined in section 272.1 or holds an
7 31 intern teacher license issued by the board of educational
7 32 examiners under chapter 272.

7 33 (b) Holds an initial or intern teacher license issued by
7 34 the board of educational examiners.

7 35 Sec. 18. Section 284.7, subsection 1, paragraph a,
8 1 subparagraph (2), Code Supplement 2005, is amended by striking
8 2 the subparagraph and inserting in lieu thereof the following:

8 3 (2) Beginning July 1, 2006, the minimum salary for a
8 4 beginning teacher shall be twenty-five thousand five hundred
8 5 dollars.

8 6 Sec. 19. Section 284.7, subsection 1, paragraph b,
8 7 subparagraph (2), Code Supplement 2005, is amended by striking
8 8 the subparagraph and inserting in lieu thereof the following:

8 9 (2) Beginning July 1, 2006, the minimum salary for a
8 10 first-year career teacher shall be twenty-six thousand five
8 11 hundred dollars and the minimum salary for all other career
8 12 teachers shall be twenty-seven thousand five hundred dollars.

8 13 Sec. 20. Section 284.7, subsection 5, Code Supplement
8 14 2005, is amended to read as follows:

8 15 5. A teacher employed in a ~~participating~~ district shall
8 16 not receive less compensation in that ~~participating~~ district
8 17 than the teacher received in the school year preceding
8 18 participation, as set forth in section 284.4 due to
8 19 implementation of this chapter. A teacher who achieves
8 20 national board for professional teaching standards
8 21 certification and meets the requirements of section 256.44
8 22 shall continue to receive the award as specified in section
8 23 256.44 in addition to the compensation set forth in this
8 24 section.

8 25 Sec. 21. Section 284.7, subsection 6, paragraphs a and b,
8 26 Code Supplement 2005, are amended to read as follows:

8 27 a. If the licensed employees of a school district or area
8 28 education agency receiving funds pursuant to section 284.13,
8 29 subsection 1, paragraph ~~"d"~~ "h" or ~~"e"~~ "i", for purposes of
8 30 this section, are organized under chapter 20 for collective
8 31 bargaining purposes, the board of directors and the certified
8 32 bargaining representative for the licensed employees shall
8 33 mutually agree upon a formula for distributing the funds among
8 34 the teachers employed by the school district or area education
8 35 agency. However, the school district must comply with the
9 1 salary minimums provided for in this section. The parties
9 2 shall follow the negotiation and bargaining procedures

9 3 specified in chapter 20 except that if the parties reach an
9 4 impasse, neither impasse procedures agreed to by the parties
9 5 nor sections 20.20 through 20.22 shall apply and the funds
9 6 shall be paid as provided in paragraph "b". Negotiations
9 7 under this section are subject to the scope of negotiations
9 8 specified in section 20.9. If a board of directors and the
9 9 certified bargaining representative for licensed employees
9 10 have not reached mutual agreement for the distribution of
9 11 funds received pursuant to section 284.13, subsection 1,
9 12 paragraph "~~d~~" "h" or "~~e~~" "i", by July 15 of the fiscal year
9 13 for which the funds are distributed, paragraph "b" of this
9 14 subsection shall apply.

9 15 b. If, once the minimum salary requirements of this
9 16 section have been met by the school district or area education
9 17 agency, and the school district or area education agency
9 18 receiving funds pursuant to section 284.13, subsection 1,
9 19 paragraph "~~d~~" "h" or "~~e~~" "i", for purposes of this section,
9 20 and the certified bargaining representative for the licensed
9 21 employees have not reached an agreement for distribution of
9 22 the funds remaining, in accordance with paragraph "a", the
9 23 board of directors shall divide the funds remaining among
9 24 full-time teachers employed by the district or area education
9 25 agency whose regular compensation is equal to or greater than
9 26 the minimum career teacher salary specified in this section.
9 27 The payment amount for teachers employed on less than a
9 28 full-time basis shall be prorated.

9 29 Sec. 22. Section 284.8, subsection 1, Code 2005, is
9 30 amended to read as follows:

9 31 1. A ~~participating~~ school district shall review a
9 32 teacher's performance at least once every three years for
9 33 purposes of assisting teachers in making continuous
9 34 improvement, documenting continued competence in the Iowa
9 35 teaching standards, identifying teachers in need of
10 1 improvement, or to determine whether the teacher's practice
10 2 meets school district expectations for career advancement in
10 3 accordance with section 284.7. The review shall include, at
10 4 minimum, classroom observation of the teacher, the teacher's
10 5 progress, and implementation of the teacher's individual
10 6 career development plan; shall include supporting
10 7 documentation from other evaluators, teachers, parents, and
10 8 students; and may include video portfolios as evidence of
10 9 teaching practices.

10 10 Sec. 23. Section 284.10, subsection 5, Code 2005, is
10 11 amended to read as follows:

10 12 5. By July 1, ~~2005~~ 2007, the director shall develop and
10 13 implement an evaluator training certification renewal program
10 14 for administrators and other practitioners who need to renew a
10 15 certificate issued pursuant to this section.

10 16 Sec. 24. Section 284.11, Code 2005, is amended by striking
10 17 the section and inserting in lieu thereof the following:

10 18 284.11 MARKET FACTOR TEACHER SALARIES.

10 19 1. The general assembly finds that Iowa school districts
10 20 need to be more competitive in recruiting and retaining
10 21 talented professionals into the teaching profession. To
10 22 ensure that school districts in all areas of the state have
10 23 the ability to attract highly qualified teachers, it is the
10 24 intent of the general assembly to encourage school districts
10 25 to establish teacher compensation opportunities that recognize
10 26 the need for geographic or other locally determined wage
10 27 differentials and provide incentives for traditionally
10 28 hard-to-staff schools and subject-area shortages. This
10 29 section provides for state assistance to allow school
10 30 districts to add a market factor to teacher salaries paid by
10 31 the school districts.

10 32 2. A school district shall be paid annually, from moneys
10 33 allocated for market factor salaries pursuant to section
10 34 284.13, subsection 1, paragraph "f", an amount of state
10 35 assistance to create market factor incentives for classroom
11 1 teachers in the school district. Market factor incentives may
11 2 include but are not limited to improving salaries due to
11 3 geographic differences, recruitment and retention needs of the
11 4 school district in such areas as hard-to-staff schools,
11 5 subject-area shortages, or improving the racial or ethnic
11 6 diversity on local teaching staffs. The school district shall
11 7 have the sole discretion to award funds received by the school
11 8 district in accordance with section 284.13, subsection 1,
11 9 paragraph "f", to classroom teachers on an annual basis. The
11 10 funds shall supplement, but not supplant, wages and salaries
11 11 paid as a result of a collective bargaining agreement reached
11 12 pursuant to chapter 20 or as a result of funds appropriated
11 13 elsewhere in this chapter, in chapter 256D, or in chapter

11 14 294A.

11 15 3. The allocations to each school district shall be made
11 16 in one payment on or about October 15 of the fiscal year for
11 17 which the appropriation is made, taking into consideration the
11 18 relative budget and cash position of the state resources.
11 19 Moneys received under this section shall not be commingled
11 20 with state aid payments made under section 257.16 to a school
11 21 district and shall be accounted for by the local school
11 22 district separately from state aid payments. Payments made to
11 23 school districts under this section are miscellaneous income
11 24 for purposes of chapter 257. A school district shall maintain
11 25 a separate listing within its budget for payments received and
11 26 expenditures made pursuant to this section. A school district
11 27 shall certify to the department of education how the school
11 28 district allocated the funds and that moneys received under
11 29 this section were used to supplement, not supplant, the salary
11 30 the school district would otherwise pay the teacher.

11 31 4. The department shall include market factor salaries
11 32 when reporting teacher salaries in the annual condition of
11 33 education report.

11 34 Sec. 25. Section 284.13, subsection 1, Code Supplement
11 35 2005, is amended to read as follows:

12 1 1. For each fiscal year in which moneys are appropriated
12 2 by the general assembly for purposes of the student
12 3 achievement and teacher quality program, the moneys shall be
12 4 allocated as follows in the following priority order:

12 5 a. For each fiscal year of the fiscal year period
12 6 beginning July 1, ~~2005 2006~~, and ending June 30, ~~2006 2009~~, to
12 7 the department of education, the amount of two million two
12 8 hundred fifty thousand dollars for the issuance of national
12 9 board certification awards in accordance with section 256.44.
12 10 Of the amount allocated under this paragraph, up to two
12 11 hundred fifty thousand dollars may be used to support the
12 12 implementation of a national board certification support
12 13 program, and not less than eighty-five thousand dollars shall
12 14 be used to administer the ambassador to education position in
12 15 accordance with section 256.45.

12 16 b. For the fiscal year beginning July 1, ~~2005 2006~~, and
12 17 succeeding fiscal years, an amount up to four million ~~two six~~
12 18 hundred fifty thousand dollars for first-year and second-year
12 19 beginning teachers, to the department of education for
12 20 distribution to school districts and area education agencies
12 21 for purposes of the beginning teacher mentoring and induction
12 22 programs. A school district or area education agency shall
12 23 receive one thousand three hundred dollars per beginning
12 24 teacher participating in the program. If the funds
12 25 appropriated for the program are insufficient to pay mentors,
12 26 ~~and~~ school districts, and area education agencies as provided
12 27 in this paragraph, the department shall prorate the amount
12 28 distributed to school districts and area education agencies
12 29 based upon the amount appropriated. Moneys received by a
12 30 school district or area education agency pursuant to this
12 31 paragraph shall be expended to provide each mentor with an
12 32 award of five hundred dollars per semester, at a minimum, for
12 33 participation in the school district's or area education
12 34 agency's beginning teacher mentoring and induction program; to
12 35 implement the plan; and to pay any applicable costs of the
13 1 employer's share of contributions to federal social security
13 2 and the Iowa public employees' retirement system or a pension
13 3 and annuity retirement system established under chapter 294,
13 4 for such amounts paid by the district or area education
13 5 agency.

13 6 c. For each fiscal year of the fiscal year period
13 7 beginning July 1, ~~2005 2006~~, and ending June 30, ~~2006 2009~~, up
13 8 to ~~four six~~ hundred ~~eighty-five~~ ninety-five thousand dollars
13 9 to the department of education for purposes of implementing
13 10 the career development program requirements of section 284.6,
13 11 the review panel requirements of section 284.9, and the
13 12 evaluator training program in section 284.10. ~~From the moneys~~
13 13 ~~allocated to the department pursuant to this paragraph, not~~
13 14 ~~less than ten thousand dollars shall be distributed to the~~
13 15 ~~board of educational examiners for purposes of convening an~~
13 16 ~~educator licensing review working group. From the moneys~~
13 17 ~~allocated to the department pursuant to this paragraph, not~~
13 18 ~~less than eighty-five thousand dollars shall be used to~~
13 19 ~~administer the ambassador to education position in accordance~~
13 20 ~~with section 256.45. A portion of the funds allocated to the~~
13 21 ~~department for purposes of this paragraph may be used by the~~
13 22 ~~department for administrative purposes. Notwithstanding~~
13 23 ~~section 8.33, moneys allocated for purposes of this paragraph~~
13 24 ~~prior to July 1, 2004, which remain unobligated or unexpended~~

~~13 25 at the end of the fiscal year for which the moneys were~~
~~13 26 appropriated, shall remain available for expenditure for the~~
~~13 27 purposes for which they were allocated, for the fiscal year~~
~~13 28 beginning July 1, 2004, and ending June 30, 2005.~~

~~13 29 d. For each fiscal year in which funds are appropriated~~
~~13 30 for purposes of this chapter, the moneys remaining after~~
~~13 31 distribution as provided in paragraphs "a" through "c" and "e"~~
~~13 32 shall be allocated to school districts for salaries and career~~
~~13 33 development in accordance with the following formula:~~

~~13 34 (1) Fifty percent of the allocation shall be in the~~
~~13 35 proportion that the basic enrollment of a school district~~
~~14 1 bears to the sum of the basic enrollments of all school~~
~~14 2 districts in the state for the budget year.~~

~~14 3 (2) Fifty percent of the allocation shall be based upon~~
~~14 4 the proportion that the number of full-time equivalent~~
~~14 5 teachers employed by a school district bears to the sum of the~~
~~14 6 number of full-time equivalent teachers who are employed by~~
~~14 7 all school districts in the state for the base year.~~

~~14 8 e. From moneys available under paragraph "d", the~~
~~14 9 department shall allocate to area education agencies an amount~~
~~14 10 per classroom teacher employed by an area education agency~~
~~14 11 that is approximately equivalent to the average per teacher~~
~~14 12 amount allocated to the districts. The average per teacher~~
~~14 13 amount shall be calculated by dividing the total number of~~
~~14 14 classroom teachers employed by school districts and the~~
~~14 15 classroom teachers employed by area education agencies into~~
~~14 16 the total amount of moneys available under paragraph "d".~~

~~14 17 f. d. For the fiscal year beginning July 1, 2005 2006,~~
~~14 18 and ending June 30, 2006 2007, up to ten million dollars to~~
~~14 19 the department of education for use by school districts to add~~
~~14 20 one additional teacher contract day to the school calendar.~~
~~14 21 The department shall distribute funds allocated for the~~
~~14 22 purpose of this paragraph based on the average per diem~~
~~14 23 contract salary for each district as reported to the~~
~~14 24 department for the school year beginning July 1, 2004 2005,~~
~~14 25 multiplied by the total number of full-time equivalent~~
~~14 26 teachers in the base year. The department shall adjust each~~
~~14 27 district's average per diem salary by the allowable growth~~
~~14 28 rate established under section 257.8 for the fiscal year~~
~~14 29 beginning July 1, 2005 2006. The contract salary amount shall~~
~~14 30 be the amount paid for their regular responsibilities but~~
~~14 31 shall not include pay for extracurricular activities. School~~
~~14 32 districts shall distribute funds to teachers based on~~
~~14 33 individual teacher per diem amounts. These funds shall not~~
~~14 34 supplant existing funding for professional development~~
~~14 35 activities. Notwithstanding any provision to the contrary,~~

~~15 1 moneys received by a school district under this paragraph~~
~~15 2 shall not revert but shall remain available for the same~~
~~15 3 purpose in the succeeding fiscal year. A school district~~
~~15 4 shall submit a report to the department in a manner determined~~
~~15 5 by the department describing its use of the funds received~~
~~15 6 under this paragraph. The department shall submit a report on~~
~~15 7 school district use of the moneys distributed pursuant to this~~
~~15 8 paragraph to the chairpersons and ranking members of the house~~
~~15 9 and senate standing committees on education, the joint~~
~~15 10 appropriations subcommittee on education, and the legislative~~
~~15 11 services agency not later than January 15, 2006 2007.~~

~~15 12 g. e. For the fiscal year beginning July 1, 2005 2006,~~
~~15 13 and ending June 30, 2006 2007, up to six million six hundred~~
~~15 14 twenty-five thousand dollars to the department of education~~
~~15 15 for use by school districts for either salaries or~~
~~15 16 professional development, or both, as determined by the school~~
~~15 17 district. Funds received by a school district for purposes of~~
~~15 18 this paragraph shall be distributed using the formula provided~~
~~15 19 in paragraph "d" "h" and are subject to the provisions of~~
~~15 20 section 284.7, subsection 6. A school district shall submit a~~
~~15 21 report to the department in a manner determined by the~~
~~15 22 department describing its use of the funds received under this~~
~~15 23 paragraph. The department shall submit a report on school~~
~~15 24 district use of the funds distributed pursuant to this~~
~~15 25 paragraph to the chairpersons and ranking members of the house~~
~~15 26 and senate standing committees on education, the joint~~
~~15 27 appropriations subcommittee on education, and the legislative~~
~~15 28 services agency not later than January 15, 2006 annually.~~

~~15 29 f. For purposes of market factor teacher salaries pursuant~~
~~15 30 to section 284.11, the following amounts are allocated to the~~
~~15 31 department for the following fiscal years:~~

~~15 32 (1) For the fiscal year beginning July 1, 2006, and ending~~
~~15 33 June 30, 2007, the sum of three million three hundred ninety~~
~~15 34 thousand dollars.~~

~~15 35 (2) For the fiscal year beginning July 1, 2007, and ending~~

16 1 June 30, 2008, the sum of seven million five hundred thousand
16 2 dollars.

16 3 (3) For the fiscal year beginning July 1, 2008, and ending
16 4 June 30, 2009, the sum of ten million dollars.

16 5 The department shall use the formula set forth in paragraph
16 6 "h" to distribute moneys allocated under this paragraph.

16 7 g. For purposes of the pay-for-performance program
16 8 established pursuant to section 284.14, the following amounts
16 9 are allocated to the department of management for the
16 10 following fiscal years:

16 11 (1) For the fiscal year beginning July 1, 2006, and ending
16 12 June 30, 2007, the sum of one million dollars. Of the amount
16 13 allocated under this subparagraph, an amount equal to one
16 14 hundred fifty thousand dollars shall be distributed to the
16 15 institute for tomorrow's workforce created pursuant to section
16 16 7K.1 for the activities of the institute.

16 17 (2) For the fiscal year beginning July 1, 2007, and ending
16 18 June 30, 2008, the sum of two million five hundred thousand
16 19 dollars.

16 20 (3) For the fiscal year beginning July 1, 2008, and ending
16 21 June 30, 2009, the sum of five million dollars.

16 22 h. For each fiscal year in which funds are appropriated
16 23 for purposes of this chapter, the moneys remaining after
16 24 distribution as provided in paragraphs "a" through "g" shall
16 25 be allocated to school districts for salaries and career
16 26 development in accordance with the following formula:

16 27 (1) Fifty percent of the allocation shall be in the
16 28 proportion that the basic enrollment of a school district
16 29 bears to the sum of the basic enrollments of all school
16 30 districts in the state for the budget year.

16 31 (2) Fifty percent of the allocation shall be based upon
16 32 the proportion that the number of full-time equivalent
16 33 teachers employed by a school district bears to the sum of the
16 34 number of full-time equivalent teachers who are employed by
16 35 all school districts in the state for the base year.

17 1 i. From moneys available under paragraph "h", the
17 2 department shall allocate to area education agencies an amount
17 3 per classroom teacher employed by an area education agency
17 4 that is approximately equivalent to the average per teacher
17 5 amount allocated to the districts. The average per teacher
17 6 amount shall be calculated by dividing the total number of
17 7 classroom teachers employed by school districts and the
17 8 classroom teachers employed by area education agencies into
17 9 the total amount of moneys available under paragraph "h".

17 10 h. j. Notwithstanding section 8.33, any moneys remaining
17 11 unencumbered or unobligated from the moneys allocated for
17 12 purposes of paragraph "a", or "b", or "c" shall not revert but
17 13 shall remain available in the succeeding fiscal year for
17 14 expenditure for the purposes designated. The provisions of
17 15 section 8.39 shall not apply to the funds appropriated
17 16 pursuant to this subsection.

17 17 Sec. 26. Section 284.13, subsection 2, Code Supplement
17 18 2005, is amended to read as follows:

17 19 2. A school district that is unable to meet the provisions
17 20 of section 284.7, subsection 1, with funds allocated pursuant
17 21 to subsection 1, paragraph "d" "h", may request a waiver from
17 22 the department to use funds appropriated under chapter 256D to
17 23 meet the provisions of section 284.7, subsection 1, if the
17 24 difference between the funds allocated to the school district
17 25 pursuant to subsection 1, paragraph "d" "h", and the amount
17 26 required to comply with section 284.7, subsection 1, is not
17 27 less than ten thousand dollars. The department shall consider
17 28 the average class size of the school district, the school
17 29 district's actual unspent balance from the preceding year, and
17 30 the school district's current financial position.

17 31 Sec. 27. NEW SECTION. 284.14 PAY=FOR=PERFORMANCE
17 32 PROGRAM.

17 33 1. COMMISSION.

17 34 a. A pay-for-performance commission is established to
17 35 design and implement a pay-for-performance program and provide
18 1 a study relating to teacher and staff compensation containing
18 2 a pay-for-performance component. The study shall measure the
18 3 cost and effectiveness in raising student achievement of a
18 4 compensation system that provides financial incentives based
18 5 on student performance. The commission is part of the
18 6 executive branch of government. The legislative services
18 7 agency shall, upon request, provide technical and
18 8 administrative support to the commission.

18 9 The commission shall select its own chairperson and
18 10 establish its own rules of procedure. A majority of the
18 11 voting members of the commission shall constitute a quorum.

18 12 b. Any vacancy on the commission shall be filled by the
18 13 appropriate appointing authority. Members shall receive a per
18 14 diem. Membership of the commission shall be as follows:
18 15 (1) One classroom teacher selected jointly by the Iowa
18 16 state educational association and the professional educators
18 17 of Iowa.
18 18 (2) One principal selected by the school administrators of
18 19 Iowa.
18 20 (3) One private sector representative selected by the Iowa
18 21 business council. This representative must meet all of the
18 22 following qualifications:
18 23 (a) Possess a degree in education and have teaching
18 24 experience.
18 25 (b) Be employed in a business employing at least two
18 26 hundred persons that has an employee performance pay program.
18 27 (c) Have served as a school board member.
18 28 (4) One industrial engineer appointed by the American
18 29 society of engineers, who has technical knowledge and
18 30 experience in the design and implementation of individual and
18 31 group pay-for-performance incentive programs.
18 32 (5) One small business private sector employer, who
18 33 employs at least fifty people in a targeted industry, selected
18 34 by the governor, who has general management experience and top
18 35 line and bottom line responsibilities.
19 1 (6) One professional economist with a doctoral degree with
19 2 experience and knowledge in student achievement using test
19 3 scores to measure student progress, selected by the voting
19 4 members of the commission, after they convene.
19 5 (7) One representative from the department of education
19 6 who shall serve as a nonvoting member.
19 7 (8) Two members of the senate and two members of the house
19 8 of representatives who shall serve as nonvoting members for
19 9 two-year terms coinciding with the legislative biennium.
19 10 c. Voting members shall serve three-year terms except for
19 11 the terms of the initial members, which shall be staggered so
19 12 that two members' terms expire each calendar year. A vacancy
19 13 in the membership of the board shall be filled by appointment
19 14 by the initial appointing authority.
19 15 d. The pay-for-performance commission is not subject to
19 16 the provisions of section 69.16 or 69.16A.
19 17 2. DEVELOPMENT OF PROGRAM. Beginning July 1, 2006, the
19 18 commission shall gather sufficient information to identify a
19 19 pay-for-performance program based upon student achievement
19 20 gains and global content standards where student achievement
19 21 gains cannot be easily measured. The commission shall review
19 22 pay-for-performance programs in both the public and private
19 23 sector. Based on this information, the commission shall
19 24 design a program utilizing both individual and group incentive
19 25 components. At least half of any available funding identified
19 26 by the commission shall be designated for individual
19 27 incentives.
19 28 a. Commencing with the school year beginning July 1, 2007,
19 29 the commission shall initiate demonstration projects, in
19 30 selected kindergarten through grade twelve schools, to test
19 31 the effectiveness of the pay-for-performance program. The
19 32 purpose of the demonstration projects is to identify the
19 33 strengths and weaknesses of the pay-for-performance program
19 34 design, evaluate cost effectiveness, analyze student
19 35 achievement gains, test assessments, allow thorough review of
20 1 data, and make necessary adjustments before implementing the
20 2 pay-for-performance program statewide.
20 3 b. The commission shall select ten school districts as
20 4 demonstration projects. To the extent practicable,
20 5 participants shall represent geographically distinct rural,
20 6 urban, and suburban areas of the state. Participants shall
20 7 provide reports or other information as required by the
20 8 commission.
20 9 c. Commencing with the school year beginning July 1, 2008,
20 10 the commission shall select twenty additional school districts
20 11 as demonstration projects.
20 12 3. REPORTS AND FINAL STUDY. Based on the information
20 13 generated by the demonstration projects, the commission shall
20 14 prepare an interim report by January 15, 2007, followed by
20 15 interim progress reports annually, followed by a final study
20 16 report analyzing the effectiveness of pay-for-performance in
20 17 raising student achievement levels. The final study report
20 18 shall be completed no later than six months after the
20 19 completion of the demonstration projects. The commission
20 20 shall provide copies of the final study report to the
20 21 department of education and to the chairpersons and ranking
20 22 members of the senate and house standing committees on

20 23 education.

20 24 4. STATEWIDE IMPLEMENTATION == REMEDIATION. Commencing
20 25 with the school year beginning July 1, 2009, the
20 26 pay-for-performance program shall be implemented statewide,
20 27 notwithstanding the provisions of chapters 20 and 279 to the
20 28 contrary.

20 29 a. The commission, in consultation with the department of
20 30 education, shall develop a system which will provide for
20 31 valid, reliable tracking and measuring of enhanced student
20 32 achievement under the pay-for-performance program. Where
20 33 possible, student performance shall be based solely on student
20 34 achievement, objectively measured by academic gains made by
20 35 individual students using valid, reliable, and nonsubjective
21 1 assessment tools such as the dynamic indicators of basic early
21 2 literacy skills (DIBELS), the Iowa test of basic skills, or
21 3 the Iowa test of educational development.

21 4 b. The commission shall develop a pay-for-performance pay
21 5 plan for teacher compensation. The plan shall establish
21 6 salary adjustments which vary directly with the enhancement of
21 7 student achievement. The plan shall include teacher
21 8 performance standards which identify the following five levels
21 9 of teacher performance with standards to measure each level:

21 10 (1) Superior performance.
21 11 (2) Exceeds expectations.
21 12 (3) Satisfactory.
21 13 (4) Emerging.
21 14 (5) In need of remediation.

21 15 No individual salary adjustments under an individual
21 16 incentive component of a pay-for-performance program shall be
21 17 provided to teachers whose students do not demonstrate at
21 18 least a satisfactory level of performance.

21 19 c. The department of education, in conjunction with the
21 20 commission, shall create a teacher remediation program to
21 21 provide counseling and assistance for teachers whose students
21 22 do not demonstrate adequate increases in achievement.

21 23 5. STAFFING. The legislative services agency may annually
21 24 use up to fifty thousand dollars of the moneys appropriated
21 25 for the pay-for-performance program to provide technical and
21 26 administrative assistance to the commission and monitoring of
21 27 the program. The commission may annually use up to two
21 28 hundred thousand dollars of the moneys appropriated for
21 29 consultation services in coordination with the legislative
21 30 services agency.

21 31 6. IOWA EXCELLENCE FUND. An Iowa excellence fund is
21 32 created within the office of the treasurer of state, to be
21 33 administered by the commission. Notwithstanding section 8.33,
21 34 moneys in the fund that remain unencumbered or unobligated at
21 35 the close of the fiscal year shall not revert but shall remain
22 1 in the fund.

22 2 The commission may provide grants from this fund, according
22 3 to criteria developed by the commission, for implementation of
22 4 the pay-for-performance program.

22 5 Sec. 28. NEW SECTION. 284A.1 DEFINITIONS.

22 6 As used in this chapter, unless the context otherwise
22 7 requires:

22 8 1. "Administrator" means an individual holding a
22 9 professional administrator license issued under chapter 272,
22 10 who is employed in a school district administrative position
22 11 by a school district or area education agency pursuant to a
22 12 contract issued by a board of directors under section 279.23.
22 13 An administrator may be employed in both an administrative and
22 14 a nonadministrative position by a board of directors and shall
22 15 be considered a part-time administrator for the portion of
22 16 time that the individual is employed in an administrative
22 17 position.

22 18 2. "Beginning administrator" means an individual serving
22 19 under an initial administrator license, issued by the board of
22 20 educational examiners under chapter 272, who is assuming a
22 21 position as a school district administrator for the first
22 22 time.

22 23 3. "Department" means the department of education.

22 24 4. "Mentor" means an individual employed by a school
22 25 district or area education agency as a school district
22 26 administrator or a retired administrator who holds a valid
22 27 license issued under chapter 272. The individual must have a
22 28 record of four years of successful administrative experience
22 29 and must demonstrate professional commitment to both the
22 30 improvement of teaching and learning and the development of
22 31 beginning administrators.

22 32 5. "School board" means the board of directors of a school
22 33 district or a collaboration of boards of directors of school

22 34 districts.

22 35 6. "State board" means the state board of education.

23 1 Sec. 29. NEW SECTION. 284A.2 BEGINNING ADMINISTRATOR

23 2 MENTORING AND INDUCTION PROGRAM.

23 3 1. A beginning administrator mentoring and induction

23 4 program is created to promote excellence in school leadership,

23 5 improve classroom instruction, enhance student achievement,

23 6 build a supportive environment within school districts,

23 7 increase the retention of promising school leaders, and

23 8 promote the personal and professional well-being of

23 9 administrators.

23 10 2. The department, in collaboration with other educational

23 11 partners, shall develop a model beginning administrator

23 12 mentoring and induction program for all beginning

23 13 administrators.

23 14 3. Each school board shall establish an administrator

23 15 mentoring program for all beginning administrators. The

23 16 school board may adopt the model program developed by the

23 17 department pursuant to subsection 2. Each school board's

23 18 beginning administrator mentoring and induction program shall,

23 19 at a minimum, provide for one year of programming. Each

23 20 school board shall develop an initial beginning administrator

23 21 mentoring and induction plan. The plan shall describe the

23 22 mentor selection process, describe supports for beginning

23 23 administrators, describe program organizational and

23 24 collaborative structures, provide a budget, provide for

23 25 sustainability of the program, and provide for program

23 26 evaluation. The school board employing an administrator shall

23 27 determine the conditions and requirements of an administrator

23 28 participating in a program established pursuant to this

23 29 section. A school board shall include its plan in the school

23 30 district's comprehensive school improvement plan submitted

23 31 pursuant to section 256.7, subsection 21.

23 32 4. By the end of a beginning administrator's second year

23 33 of employment, the beginning administrator may be

23 34 comprehensively evaluated at the discretion of the school

23 35 board.

24 1 Sec. 30. NEW SECTION. 284A.3 PROGRAM APPROPRIATION.

24 2 1. For the fiscal year beginning July 1, 2006, and each

24 3 succeeding fiscal year, there is appropriated from the general

24 4 fund of the state to the department of education the sum of

24 5 two hundred fifty thousand dollars for purposes of

24 6 administering the beginning administrator mentoring and

24 7 induction program established pursuant to this chapter.

24 8 2. A school district shall receive one thousand three

24 9 hundred dollars per beginning administrator participating in

24 10 the program. If the funds appropriated for the program are

24 11 insufficient to pay mentors and school districts as provided

24 12 in this subsection, the department shall prorate the amount

24 13 distributed to school districts based upon the amount

24 14 appropriated. Moneys received by a school district pursuant

24 15 to this subsection shall be expended to provide each mentor

24 16 with an award of five hundred dollars per semester, at a

24 17 minimum, for participation in the school district's beginning

24 18 administrator mentoring and induction program; to implement

24 19 the plan; and to pay any applicable costs of the employer's

24 20 share of contributions to federal social security and the Iowa

24 21 public employees' retirement system or a pension and annuity

24 22 retirement system established under chapter 294, for such

24 23 amounts paid by the district.

24 24 3. Notwithstanding section 8.33, any moneys remaining

24 25 unobligated or unexpended from the moneys appropriated under

24 26 subsection 1 shall not revert, but shall remain available in

24 27 the succeeding fiscal year for expenditure for the purposes

24 28 designated. The provisions of section 8.39 shall not apply to

24 29 the funds appropriated pursuant to this section.

24 30 Sec. 31. INSTITUTE FOR TOMORROW'S WORKFORCE == IOWA

24 31 EDUCATION EFFICIENCY AND IMPROVEMENT PLAN. The institute for

24 32 tomorrow's workforce shall develop an Iowa education

24 33 efficiency and improvement plan, the goal of which is to

24 34 establish a new educational delivery system. In developing

24 35 the plan, the institute shall address issues concerning the

25 1 alignment of school districts, area education agencies, public

25 2 postsecondary institutions, and the department of education,

25 3 focusing on specific quantitative and qualitative indicators,

25 4 management, governance, services, boundaries, infrastructure

25 5 and efficiencies, and administrative efficiencies. The

25 6 institute shall submit the plan and any recommendations for

25 7 changes to state law and administrative rules to the general

25 8 assembly, the governor, and the department of education by

25 9 January 15, 2007. The plan shall be implemented by the

25 10 general assembly and the governor unless rejected by the
25 11 general assembly and the governor by June 30, 2007.
25 12 Sec. 32. STATE MANDATE FUNDING SPECIFIED. In accordance
25 13 with section 25B.2, subsection 3, the state cost of requiring
25 14 compliance with any state mandate included in this Act shall
25 15 be paid by a school district from state school foundation aid
25 16 received by the school district under section 257.16. This
25 17 specification of the payment of the state cost shall be deemed
25 18 to meet all the state funding-related requirements of section
25 19 25B.2, subsection 3, and no additional state funding shall be
25 20 necessary for the full implementation of this Act by and
25 21 enforcement of this Act against all affected school districts.

25 22 DIVISION II
25 23 EDUCATION POLICY

25 24 DEPARTMENT OF EDUCATION

25 25 Sec. 33. There is appropriated from the general fund of
25 26 the state to the department of education for the fiscal year
25 27 beginning July 1, 2006, and ending June 30, 2007, the
25 28 following amount, or so much thereof as is necessary, to be
25 29 used for the purpose designated:

25 30 To assist school districts with the implementation of
25 31 statewide graduation requirements as provided in division III
25 32 of this Act:

25 33 \$ 130,000

25 34 DIVISION III

25 35 MISCELLANEOUS EDUCATION PROVISIONS

26 1 Sec. 34. Section 261.25, subsection 1A, as enacted by 2006
26 2 Iowa Acts, House File 2527, if enacted, is amended to read as
26 3 follows:

26 4 1A. There is appropriated from the general fund of the
26 5 state to the commission for each fiscal year the sum of five
26 6 million one hundred sixty-seven thousand three hundred fifty-
26 7 eight dollars for ~~proprietary~~ tuition grants for students
26 8 attending for-profit accredited private institutions.

26 9 Sec. 35. Section 257.4, subsection 1, Code 2005, is
26 10 amended to read as follows:

26 11 1. COMPUTATION OF TAX.

26 12 a. A school district shall cause an additional property
26 13 tax to be levied each year. The rate of the additional
26 14 property tax levy in a school district shall be determined by
26 15 the department of management and shall be calculated to raise
26 16 the difference between the combined district cost for the
26 17 budget year and the sum of the products of the regular program
26 18 foundation base per pupil times the weighted enrollment in the
26 19 district and the special education support services foundation
26 20 base per pupil times the special education support services
26 21 weighted enrollment in the district.

26 22 b. For the budget year beginning July 1, 2006, and
26 23 succeeding budget years, the department of management shall
26 24 determine an adjusted additional property tax levy and a
26 25 statewide maximum adjusted additional property tax levy rate.
26 26 For purposes of this paragraph, the adjusted additional
26 27 property tax levy shall be that portion of the additional
26 28 property tax levy corresponding to the state cost per pupil
26 29 multiplied by a school district's weighted enrollment, and
26 30 then multiplied by one hundred percent less the regular
26 31 program foundation base per pupil percentage pursuant to
26 32 section 257.1. The district shall receive adjusted additional
26 33 property tax levy aid in an amount equal to the difference
26 34 between the adjusted additional property tax levy rate and the
26 35 statewide maximum adjusted additional property tax levy rate,
27 1 as applied per thousand dollars of assessed valuation on all
27 2 taxable property in the district. The statewide maximum
27 3 adjusted additional property tax levy rate shall be annually
27 4 determined by the department taking into account amounts
27 5 allocated pursuant to section 257.15, subsection 4.

27 6 Sec. 36. Section 257.15, Code 2005, is amended by adding
27 7 the following new subsection:

27 8 NEW SUBSECTION. 4. The department of management shall
27 9 allocate from amounts appropriated pursuant to section 257.16,
27 10 subsection 1, for the purpose of calculating the statewide
27 11 maximum adjusted additional property tax levy rate and
27 12 providing adjusted additional property tax levy aid as
27 13 provided in section 257.4, subsection 1, paragraph "b", an
27 14 amount not to exceed the following:

27 15 a. For the budget year beginning July 1, 2006, six million
27 16 dollars.

27 17 b. For the budget year beginning July 1, 2007, twelve
27 18 million dollars.

27 19 c. For the budget year beginning July 1, 2008, eighteen
27 20 million dollars.

27 21 d. For the budget year beginning July 1, 2009, and
27 22 succeeding budget years, twenty-four million dollars.
27 23 Sec. 37. Section 257.16, subsection 1, Code 2005, is
27 24 amended to read as follows:

27 25 1. There is appropriated each year from the general fund
27 26 of the state an amount necessary to pay the foundation aid,
27 27 ~~and supplementary aid under section 257.4, subsection 2, and~~
27 28 ~~adjusted additional property tax levy aid under section~~
27 29 ~~257.15, subsection 4.~~

27 30 Sec. 38. Section 257.31, subsection 5, paragraph j, Code
27 31 2005, is amended to read as follows:

27 32 j. Unusual need to continue providing a program or other
27 33 special assistance to non-English speaking pupils after the
27 34 expiration of the ~~three-year~~ four-year period specified in
27 35 section 280.4.

28 1 Sec. 39. Section 280.4, subsection 3, Code 2005, is
28 2 amended to read as follows:

28 3 3. In order to provide funds for the excess costs of
28 4 instruction of limited English proficient students above the
28 5 costs of instruction of pupils in a regular curriculum,
28 6 students identified as limited English proficient shall be
28 7 assigned an additional weighting of twenty-two hundredths, and
28 8 that weighting shall be included in the weighted enrollment of
28 9 the school district of residence for a period not exceeding
28 10 ~~three~~ four years. However, the school budget review committee
28 11 may grant supplemental aid or modified allowable growth to a
28 12 school district to continue funding a program for students
28 13 after the expiration of the ~~three-year~~ four-year period.

28 14 Sec. 40. Section 423B.7, subsection 6, Code 2005, is
28 15 amended to read as follows:

28 16 6. Local sales and services tax moneys received by a city
28 17 or county may be expended for any lawful purpose of the city
28 18 or county.

28 19 a. Notwithstanding the provisions of this subsection,
28 20 sales and services tax moneys received from a tax imposed by a
28 21 county pursuant to this chapter shall not be expended by or
28 22 for the benefit of a school district located in whole or in
28 23 part in the county unless the county is imposing a local
28 24 option sales and services tax for school infrastructure
28 25 purposes pursuant to chapter 423E.

28 26 b. Paragraph "a" of this subsection is repealed December
28 27 31, 2022.

28 28 Sec. 41. Section 423E.4, Code Supplement 2005, is amended
28 29 by adding the following new subsection:

28 30 NEW SUBSECTION. 7. Notwithstanding subsection 2 of this
28 31 section or any other provision to the contrary, a school
28 32 district that is located in whole or in part in a county that
28 33 has not previously imposed the local sales and services tax
28 34 for school infrastructure, and which votes on and approves the
28 35 tax at a rate of one percent on or before July 1, 2008, shall
29 1 receive an amount equal to its pro rata share of the local
29 2 sales and services tax receipts as provided in section 423E.3,
29 3 subsection 5, paragraph "d", for a period corresponding to
29 4 one-half the duration of the tax authorized by the voters.
29 5 For the second half of the duration of the tax authorized by
29 6 the voters, local sales and services tax receipts shall be
29 7 distributed as otherwise applicable pursuant to subsection 2
29 8 of this section.

29 9 Sec. 42. EQUITY IN PROPERTY TAXATION INTERIM STUDY
29 10 COMMITTEE.

29 11 1. The legislative council is requested to establish an
29 12 equity in property taxation interim study committee to review
29 13 the provisions of chapter 257 and develop one or more
29 14 proposals that will equalize property tax rates applicable
29 15 pursuant to the basic school foundation aid formula. The
29 16 review shall include but not be limited to finance formulas
29 17 that specifically address equalizing property tax rates, and
29 18 shall be authorized for and conducted over a two-year period
29 19 during the 2006 and 2007 legislative interims.

29 20 2. The membership of the committee shall include the
29 21 following:

29 22 a. Two members of the senate standing committee on
29 23 education.

29 24 b. Two members of the house standing committee on
29 25 education.

29 26 c. Two members of the senate standing committee on ways
29 27 and means.

29 28 d. Two members of the house standing committee on ways and
29 29 means.

29 30 e. Persons representing education associations and
29 31 stakeholders, urban and rural property tax interests, and

29 32 other associations, groups, or interested parties as may be
29 33 identified by the council, or added by the chairperson or
29 34 co-chairpersons of the study committee designated by the
29 35 council.

30 1 3. Staffing assistance shall be provided by the department
30 2 of education, with the assistance of the department of
30 3 management and the department of revenue. The committee shall
30 4 report its findings and recommendations, including proposed
30 5 legislation, to the general assembly no later than January 1,
30 6 2008.

30 7 Sec. 43. STATEWIDE GRADUATION REQUIREMENTS.

30 8 The department of education shall use funds appropriated
30 9 for graduation requirements under division II of this Act to
30 10 assist school districts with the implementation of graduation
30 11 requirements established pursuant to section 256.7, subsection
30 12 26, as amended by 2006 Iowa Acts, Senate File 2272, if
30 13 enacted. The department shall survey school districts as to
30 14 their readiness for implementation of the requirements. The
30 15 department shall review Iowa law and administrative rules and
30 16 policies to determine if changes are necessary or beneficial
30 17 to implement the graduation requirements. The department
30 18 shall submit its findings and recommendations in a report to
30 19 the chairpersons and ranking members of the senate and house
30 20 of representatives standing education committees and to the
30 21 chairpersons and ranking members of the joint appropriations
30 22 subcommittee on education by January 1, 2007.

30 23 Sec. 44. PARTICIPATION IN AN INSTRUCTIONAL SUPPORT PROGRAM
30 24 BY SCHOOL DISTRICTS == SUSPENSION OF REQUIREMENTS.

30 25 Notwithstanding any contrary provision in chapter 257,
30 26 including sections 257.18 through 257.21, a school district
30 27 that has participated in a board-approved instructional
30 28 support program during the fiscal year beginning July 1, 2005,
30 29 and ending June 30, 2006, may continue to participate in the
30 30 board-approved instructional support program for the fiscal
30 31 year beginning July 1, 2006, and ending June 30, 2007, to the
30 32 extent established by the board's resolution, as if it had
30 33 complied with those sections, if all of the following apply:

30 34 1. The board of directors of the school district has
30 35 adopted or adopts a resolution not later than May 15, 2006, to
31 1 participate in the board-approved instructional support
31 2 program as otherwise provided in section 257.18. If the board
31 3 of directors has adopted a budget which did not account for
31 4 the board-approved instructional support program, the board of
31 5 directors may adjust its budget to account for the
31 6 board-approved instructional support program as approved by
31 7 the department of management.

31 8 2. The secretary of the board of directors does not
31 9 receive a petition as authorized in section 257.18, subsection
31 10 2, within twenty-eight days following the adoption of the
31 11 resolution by the board of directors of the school district to
31 12 participate in the board-approved instructional support
31 13 program as provided in subsection 1, which asks that an
31 14 election be called to approve or disapprove the action of the
31 15 board of directors in adopting the resolution.

31 16 Sec. 45. EFFECTIVE DATE. Section 44 of this division of
31 17 this Act, being deemed of immediate importance, takes effect
31 18 upon enactment.

31 19 Sec. 46. EFFECTIVE DATE. The sections of this Act
31 20 amending section 257.4, subsection 1, relating to the
31 21 calculation of an adjusted additional property tax levy and a
31 22 statewide maximum adjusted additional property tax levy rate,
31 23 enacting section 257.15, subsection 4, relating to allocating
31 24 funds for calculation of the statewide maximum adjusted
31 25 additional property tax levy rate and providing adjusted
31 26 additional property tax levy aid, amending section 257.16,
31 27 subsection 1, relating to conforming changes, amending section
31 28 423B.7, relating to prohibiting expenditure of sales and
31 29 services tax moneys under specified circumstances, and
31 30 enacting section 423E.4, subsection 7, relating to the
31 31 distribution of local option sales and services tax revenue
31 32 under specified circumstances, take effect upon enactment.

31 33 Sec. 47. EFFECTIVE AND APPLICABILITY DATES. The sections
31 34 of this Act amending sections 257.31 and 280.4, being deemed
31 35 of immediate importance, take effect upon enactment and are
32 1 applicable for the school budget year beginning July 1, 2006,
32 2 and succeeding budget years.

32 3 HF 2792

32 4 kh:nh/es/25