

LAWS
OF THE
1978 Regular Session
OF THE
Sixty-seventh General Assembly
OF THE
STATE OF IOWA

PASSED AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE
NINTH DAY OF JANUARY, AND ENDED ON THE SIXTEENTH
DAY OF JULY, A. D. 1978, IN THE ONE HUNDRED THIRTY-
SECOND YEAR OF THE STATE.

APPROPRIATIONS
AND
GENERAL LAWS

CHAPTER 1001
BLIND COMMISSION, HIGHER EDUCATION, REGENTS,
EDUCATIONAL TELEVISION AND PUBLIC INSTRUCTION
APPROPRIATIONS

S. F. 2125

An Act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978 and ending June 30, 1979, the following sums, or so much thereof as may be necessary, to be used by the following agencies for the purposes designated:

1978-1979
Fiscal Year

1. IOWA COMMISSION FOR THE
BLIND

For salaries, support, maintenance and miscellaneous purposes..... \$ 742,300

2. BONUS BOARD

a. For the war orphans educational aid fund created by section thirty-five point eight (35.8) of the Code..... \$ 40,000

b. For salaries, support, maintenance and miscellaneous purposes of the bonus board..... \$ 60,400

Sec. 2. There is appropriated from the general fund of the state to the higher education facilities commission for the fiscal year beginning July 1, 1978 and ending June 30, 1979, the following sums or so much thereof as may be necessary, to be used for the funding of the following programs for the purposes designated:

1978-1979
Fiscal Year

1. HIGHER EDUCATION FACILITIES
COMMISSION

For salaries, support, maintenance and miscellaneous purposes..... \$ 220,000

2. TUITION GRANT PROGRAM

To supplement the appropriation provided in subsection one (1) of section two hundred sixty-one point twenty-five (261.25) of the Code for tuition grants to full-time resident students attending accredited private institutions of higher education in Iowa under sections two hundred sixty-one point nine (261.9) to two hundred sixty-one point sixteen (261.16) of the Code..... \$ 2,180,000

3. VOCATIONAL TECHNICAL TUITION GRANT PROGRAM

To supplement the appropriation provided in subsection three (3) of section two hundred sixty-

one point twenty-five (261.25)
of the Code for tuition grants
to full-time resident students
in a vocational-technical pro-
gram in Iowa as provided in sec-
tion two hundred sixty-one point
seventeen (261.17) of the Code..... \$ 200,000

Sec. 3.

1. There is appropriated from the general fund of the state for the fiscal year commencing July 1, 1978 and ending June 30, 1979 to the higher education facilities commission the sum of ninety thousand (90,000) dollars, or so much thereof as may be necessary, to be used for the purposes provided in sections two hundred sixty-one point twenty-six (261.26) and two hundred sixty-one point twenty-seven (261.27) of the Code. From the funds appropriated by this section thirty thousand (30,000) dollars shall be allocated to the class which commenced its first academic year in 1976, thirty thousand (30,000) dollars shall be allocated for the class which commenced its academic year in 1977, and thirty thousand (30,000) dollars shall be allocated for the class which commenced its academic year in 1978.

2. In addition to the requirements of sections two hundred sixty-one point twenty-six (261.26) and two hundred sixty-one point twenty-seven (261.27) of the Code, the availability of funds appropriated by this section shall be subject to the following conditions:

a. One-half of the funds shall not be released until delivery of the June 30, 1977 financial audits conducted by an independent third party of the participating colleges of optometry to the legislative fiscal bureau.

b. The remaining one-half of the funds appropriated by subsection one (1) of this section shall not be released until the delivery of the June 30, 1978 financial audits conducted by an independent third party of the participating colleges of optometry to the legislative fiscal bureau.

Sec. 4.

1. There is appropriated from the general fund of the state to the higher education facilities commission for the fiscal year beginning July 1, 1978 and ending June 30, 1979 the sum of one million two hundred thousand (1,200,000) dollars, or so much thereof as may be necessary, to be paid to the college of osteopathic medicine and surgery for the

subvention program created pursuant to sections two hundred sixty-one point eighteen (261.18) and two hundred sixty-one point nineteen (261.19) of the Code. The subvention shall be used for the admission and education of not more than thirty percent of each of the three classes of students in the college of osteopathic medicine and surgery for the fiscal year beginning July 1, 1978 and ending June 30, 1979. Funds shall only be expended for resident students and funds expended on behalf of each class shall not exceed four hundred thousand (400,000) dollars.

2. In addition to the requirements of sections two hundred sixty-one point eighteen (261.18) and two hundred sixty-one point nineteen (261.19) of the Code, the availability of funds appropriated by this section shall be subject to the following conditions:

a. One-half of the funds shall not be released until delivery of the June 30, 1977 financial audit conducted by an independent third party of the college of osteopathic medicine and surgery to the legislative fiscal bureau.

b. The remaining one-half of the funds appropriated by subsection one (1) of this section shall not be released until the delivery of the June 30, 1978 financial audit conducted by an independent third party of the college of osteopathic medicine and surgery to the legislative fiscal bureau.

Sec. 5. There is appropriated from the general fund of the state to the higher education facilities commission for the fiscal year beginning July 1, 1978, and ending June 30, 1979, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, to provide for a national guard enlistment program. Funds shall only be expended for Iowa residents enlisting in the Iowa national guard between July 1, 1978, and February 1, 1979, who enroll as an undergraduate in an Iowa post secondary educational institution and funds expended on behalf of each qualified enlistee shall not exceed two hundred fifty (250) dollars per year.

Sec. 6. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978 and ending June 30, 1979 to the department of public instruction the following amounts, or so much thereof as may be necessary, to be used in the manner designated:

1978-1979

Fiscal Year

1. GENERAL OFFICE ADMINISTRATION

- a. For salaries, support, maintenance and miscellaneous purposes..... \$ 2,550,000
- b. For fire service education..... \$ 200,000

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance and miscellaneous purposes..... \$ 585,500

3. VOCATIONAL EDUCATION

a. For vocational education aid to secondary schools..... \$ 3,000,000

Funds appropriated by this paragraph are to be used for aid to school districts for development and the conduct of both continuing and new vocational programs, services and activities of vocational education through secondary schools in accordance with the provisions of chapter two hundred fifty-eight (258) and chapter two hundred eighty A (280A) of the Code, to purchase instructional equipment for vocational and technical courses of instruction in such schools, and to match federal reimbursement for continuing and new secondary vocational programs.

b. For existing jointly administered secondary vocational education programs..... \$ 150,000

Funds appropriated by this paragraph are to be used to support existing jointly administered secondary vocational programs in accordance with provisions of chapter two hundred fifty-eight (258) and chapter two hundred eighty A (280A) of the Code.

4. VOCATIONAL REHABILITATION

For salaries, support, maintenance and miscellaneous purposes..... \$ 2,340,000

5. MIGRANT EDUCATION

For reimbursement to school districts and merged area schools operating education programs for migratory workers and children of migratory workers..... \$ 50,000

6. PROFESSIONAL TEACHING PRACTICES COMMISSION

For the use of the professional teaching practices commission to carry out the provisions of chapter two hundred seventy-two

A (272A) of the Code..... \$ 37,300

7. VOCATIONAL YOUTH ORGANIZATION FUND

To carry out the provisions of section two hundred fifty-eight point fourteen (258.14) of the Code..... \$ 10,000

8. SCHOOL FOOD SERVICE

For the purpose of providing assistance to students enrolled in public school districts and nonpublic schools of the state for breakfasts, lunches and minimal equipment programs with the funds being used as state matching funds for federal programs and which shall be disbursed according to federal regulations..... \$ 3,322,000

9. TRANSPORTATION OF NON-PUBLIC SCHOOL PUPILS

For costs of providing transportation to each resident pupil of a public school district who attends a nonpublic school and who is entitled to transportation under chapter two hundred eighty-five (285) of the Code..... \$ 4,041,000

10. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school district or authorized by section three hundred one point one (301.1) of the Code. Such funding shall be limited to seven dollars and fifty cents per pupil and shall not exceed the comparable services offered to resident public school pupils..... \$ 400,000

11. COMPACT FOR EDUCATION

For membership fees for Iowa as a member of the education commission of the states as provided in chapter two hundred seventy-two B (272B) of the Code.....\$ 15,750

12. MERGED AREA SCHOOLS

a. For general state financial aid to merged areas as defined in section two hundred eighty A point two (280A.2) of the Code the amount of thirty-seven million fifty thousand (37,050,000) dollars to be allocated as follows:

- (1) Merged Area I..... \$ 1,732,626
- (2) Merged Area II..... \$ 2,476,198
- (3) Merged Area III..... \$ 2,248,231
- (4) Merged Area IV..... \$ 755,039
- (5) Merged Area V..... \$ 2,784,581
- (6) Merged Area VI..... \$ 2,426,053
- (7) Merged Area VII..... \$ 2,657,243
- (8) Merged Area IX..... \$ 2,810,818
- (9) Merged Area X..... \$ 4,403,929
- (10) Merged Area XI..... \$ 5,593,837
- (11) Merged Area XII..... \$ 1,720,141
- (12) Merged Area XIII..... \$ 2,637,192
- (13) Merged Area XIV..... \$ 956,902
- (14) Merged Area XV..... \$ 2,034,507
- (15) Merged Area XVI..... \$ 1,812,703

b. To provide for equipment replacement and upgrading in all merged area schools on a pro-rated basis consistent with past allocations made from equipment inventory listings..... \$ 1,350,000

c. To provide funds for matching federal reimbursement for continuing and new vocational education programs in merged area schools in accordance with

the provisions of chapter two hundred fifty-eight (258) and chapter two hundred eighty A (280A) of the Code, and to purchase instructional equipment for vocational and technical courses of instruction in such schools..... \$ 8,700,000

d. FOR MERGED AREA XII

For operation of the radio station..... \$ 120,000

e. For added enrollment in merged area schools to be allocated on the basis of the following priorities:

(1) To add additional sections of preparatory vocational programs in merged area schools where the number of students seeking enrollment exceed the number of spaces available;

(2) To add new sections of preparatory vocational programs in merged area schools to accommodate students seeking enrollment that could not be accommodated in similar programs in other merged area schools;

(3) To add sections of preparatory career programs in merged area schools that are not currently available in the state if student interest and a survey of employers indicate a definite need for such new programs..... \$ 250,000

Sec. 7. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1978 and ending June 30, 1979 the following amounts, or so much thereof as may be necessary to be used for the following purposes, however, as a condition for the appropriation of these funds, the state board of regents, for purposes of implementing collective bargaining pursuant to chapter twenty (20) of the Code, shall act as the exclusive

"public employer" for its academic, professional and scientific employees.

1978-1979
Fiscal Year

1. OFFICE OF STATE BOARD OF REGENTS

- a. For salaries, support, maintenance, equipment, and miscellaneous purposes, including state board of regents members receiving a per diem not to exceed forty dollars per day..... \$ 275,000
- b. For continuing education..... \$ 100,000
- c. For enrollment increase costs..... \$ 1,500,000
- d. For merit salary annualization..... \$ 1,500,000

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory.

For salaries, support, maintenance, equipment, and miscellaneous purposes and for the pediatric department of the college of medicine to continue to fund the program of research at the current level in the cause, course, treatment, cure, and management of diabetes mellitus..... \$65,476,000

b. University hospitals

For salaries, support, maintenance, equipment, and miscellaneous purposes; for medical and surgical treatment of indigent patients as provided in chapter two hundred fifty-five (255) of the Code..... \$16,320,000

c. Psychiatric hospital

(1) For salaries, support, maintenance, equipment, and miscellaneous purposes and for the care, treatment and maintenance of committed and voluntary

public patients.....	\$ 3,349,000
(2) For mental health re- search.....	\$ 75,000
d. State hygienic laboratory For salaries, support, mainte- nance, equipment, and miscella- neous purposes.....	\$ 1,186,723
e. Hospital school For salaries, support, mainte- nance, equipment, and miscella- neous purposes.....	\$ 2,368,000
f. Oakdale campus For salaries, support, mainte- nance, equipment, and miscella- neous purposes beyond that amount underwritten from charges to coun- ties, agencies, and individual patients at no less than twenty- five percent of per diem cost.....	\$ 1,356,900
3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY	
a. General university For salaries, support, mainte- nance, equipment, and miscella- neous purposes.....	\$53,092,000
b. Agricultural experiment station For salaries, support, mainte- nance, equipment, and miscella- neous purposes.....	\$ 6,101,000
c. Cooperative extension ser- vice in agriculture and home economics For salaries, support, mainte- nance, and miscellaneous purposes.....	\$ 5,369,000
4. UNIVERSITY OF NORTHERN IOWA	
a. For salaries, support, main- tenance, equipment, and miscella- neous purposes.....	\$21,797,000
b. For doctoral program.....	\$ 75,000
5. STATE SCHOOL FOR THE DEAF For salaries, support, mainte- nance, and miscellaneous purposes.....	\$ 2,842,000

6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

For salaries, support, maintenance, and miscellaneous purposes..... \$ 1,529,000

7. FAMILY PRACTICE PROGRAM

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out the provisions of chapter one hundred forty-eight C

(148C) of the Code..... \$ 985,000

Sec. 8. There is appropriated to the state board of regents for the fiscal year beginning July 1, 1978 and ending June 30, 1979, the sum of one million three hundred thousand (1,300,000) dollars, or so much thereof as is necessary, to replace losses of federal funds by the colleges of dentistry, medicine, veterinary medicine, pharmacy, and nursing. The state board of regents shall allocate necessary funds appropriated by this section to the appropriate institution in order to supplement existing appropriations for the loss of federal funds. It is intended that the appropriation made by this section is to supplement existing funds appropriated which are related to educational and capitation grants and such funds are not to be used for solely sponsored research grants to the institutions.

Sec. 9. Section two hundred fifty-seven point twenty-five (257.25), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter ninety-three (93), section one (1), is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the foregoing provisions of this section and as an exception to their requirements, a nonpublic grade school which is reopening shall be approved even if it does not have a complete grade one through grade six program, provided that the nonpublic grade school complies with all other minimum standards established by law and administrative rules adopted pursuant to the law and that the nonpublic grade school shows progress toward reaching a grade one through grade six program.

Sec. 10. Section two hundred sixty-one point twelve (261.12), subsection one (1), paragraph b, Code 1977, is amended to read as follows:

b. One thousand ~~three~~ five hundred dollars.

Sec. 11. Section two hundred sixty-one point nineteen (261.19), Code 1977, is amended to read as follows:

261.19 PAYMENT OF SUBVENTION. The registrar of the college of osteopathic medicine and surgery shall file, not later than August 4 first of each year, a certificate of enrollment which shall include the number, names and addresses of all students enrolled, by class, and shall indicate which students are resident students. If the number of resident students does not equal thirty percent of the total enrollment of a class, the higher education facilities commission shall deduct ~~the sum of twenty thousand dollars~~ an amount which equals the actual state contribution per student for each class member under the required percentage. The higher education facilities commission shall compute the amount of the subvention and shall transmit the funds to the college of osteopathic medicine and surgery by August 45 fifteenth of each year for which funds are appropriated by the general assembly.

Sec. 12. Chapter two hundred eighty-five (285), Code 1977, is amended by adding the following new section:

NEW SECTION. As used in this chapter, the term "nonpublic school" means those nonpublic schools approved by the department of public instruction as provided in section two hundred fifty-seven point twenty-five (257.25) of the Code.

Sec. 13. Chapter three hundred one (301), Code 1977, is amended by adding the following new section:

NEW SECTION. As used in this chapter, the term "nonpublic school" means those nonpublic schools approved by the department of public instruction as provided in section two hundred fifty-seven point twenty-five (257.25) of the Code.

Sec. 14. Section three hundred one point one (301.1), unnumbered paragraph two (2), Code 1977, is amended to read as follows:

Textbooks adopted and purchased by a school district may, and shall to the extent funds are appropriated by the general assembly, be made available to pupils attending nonpublic schools upon request of the pupil or the pupil's parent under the same comparable terms as made available to pupils attending public schools.

Sec. 15. Chapter three hundred one (301), Code 1977, is amended by adding the following new section:

NEW SECTION. PAYMENT OF CLAIMS FOR NONPUBLIC SCHOOL PUPIL TEXTBOOK SERVICES. Boards of directors of school districts

shall be required to provide textbook services to nonpublic school pupils as provided in section three hundred one point one (301.1) of the Code only during school years when the general assembly has appropriated funds to the department of public instruction for the payment of claims for textbook costs submitted by the school district.

If the funds appropriated by the general assembly are not sufficient to pay claims submitted by the school districts, the amount paid to each school district by the department shall be prorated on the basis of funds so appropriated. The difference between the amount of the claim of a school district and the amount of payment received from the department of public instruction shall be paid by the parent or guardian of the nonpublic school pupil served.

The costs of providing textbook services to nonpublic school pupils as provided in section three hundred one point one (301.1) of the Code shall not be included in the computation of district cost under chapter four hundred forty-two (442) of the Code, but shall be shown in the budget as an expense from miscellaneous income. Any textbook reimbursements received by a local school district for serving nonpublic school pupils shall not affect district cost limitations of chapter four hundred forty-two (442) of the Code. The reimbursements provided in this section are miscellaneous income as defined in section four hundred forty-two point five (442.5) of the Code.

Claims for reimbursement shall be made to the department of public instruction by the public school district providing textbook services during a school year on a form prescribed by the department, and the claim shall state the services provided and the actual costs incurred. Claims shall be accompanied by an affidavit of an officer of the public school district affirming the accuracy of the claim. By February first and by July fifteenth of each year the department shall certify to the state comptroller the amounts of approved claims to be paid, and the state comptroller shall draw warrants payable to school districts which have established claims. The public school district in which the pupil resides may contract with the public school district of attendance to have the latter school furnish the services and shall receive reimbursement for the payment of said contract; however, said services must be comparable to the services of the district of residence and cannot exceed the per pupil cost of the program of the district of residence.

Sec. 16. Acts of the Sixty-seventh General Assembly, 1977 Session, chapter two (2), section two (2), subsections thirteen (13), thirty-four (34) and thirty-seven (37), are amended to read as follows:

13. EDUCATIONAL RADIO AND TELEVISION FACILITY BOARD.

Salary of the director ~~\$20,000~~ 26,000 to ~~\$29,000~~ 36,000

34. DEPARTMENT OF PUBLIC INSTRUCTION.

Salary of the superintendent of public instruction ~~\$20,000~~ 35,000 to ~~\$35,200~~ 44,000

37. BOARD OF REGENTS.

Salary of executive secretary ~~\$23,400~~ 31,000 to ~~\$33,600~~ 39,000

Sec. 17. The intent of the general assembly in appropriating funds pursuant to section seven (7) of this Act is to provide additional funds, if needed, during the 1979 Session of the general assembly for the purchase of fuel and electricity if the costs for fuel and electricity will exceed fourteen million two hundred eighty-two thousand (14,282,000) dollars for 1978-79. Any funds remaining which are in excess of such estimated fuel and electricity costs during 1978-79 may be used for other purposes such as maintenance, equipment, and miscellaneous purposes.

Sec. 18. All federal grants to and the federal receipts of agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 19. Moneys appropriated by this Act shall not be used for capital improvements.

Sec. 20. When any laws of this state are in conflict with this Act, the provisions of this Act shall govern for the fiscal year 1978-1979.

Approved March 31, 1978