

CHAPTER 1216

EDUCATIONAL PROGRAMMING AND RELATED PROVISIONS AND APPROPRIATIONS

S.F. 2366

AN ACT relating to the licensing and employment of practitioners and the school districts employing them, making appropriations, and including retroactive applicability and effective date provisions.

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

Section 1. DEPARTMENT OF EDUCATION. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For ^{*1}frontier school or ^{*1} extended school year grants:

.....	\$	1,500,000
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^{*2}Of the funds appropriated in this subsection, \$300,000 shall be used to provide grants in the amount of \$50,000 each to six school districts for extended year school pilot projects, and the department of education shall expend up to \$75,000 to contract with an accredited private postsecondary institution or an institution of higher learning under the control of the state board of regents to conduct a study of the effectiveness of extended school years on student achievement.

By September 1, 1998, the department shall establish criteria and a process for the awarding of grants for planning or implementation purposes. Grants shall be equitably distributed geographically among rural and urban areas. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year for the purposes of this subsection.

- 2. To the board of educational examiners, for purposes of developing and implementing a multi-level voluntary para-educator licensing system in accordance with section 272.12, if enacted:^{*3}

.....	\$	75,000
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- 3. For deposit in the Iowa empowerment fund if legislation providing for the creation of an Iowa empowerment board, an Iowa empowerment fund, and for the appropriation of moneys to be administered by a community empowerment area, is enacted by the Seventy-seventh General Assembly, 1998 Session:^{*4}

.....	\$	5,200,000
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- 4. For deposit in the national board for professional teaching standards certification fund in accordance with section 256.44, if enacted:^{*5}

.....	\$	250,000
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- ^{*15}. For beginning teacher induction program grants as provided in chapter 256E, if enacted:

.....	\$	240,000
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It is the intent of the general assembly that grants awarded from funds appropriated under this subsection shall provide support to a minimum of one hundred thirty-three teams of mentors and beginning teachers.^{*1}

- 6. For purposes of the practitioner performance improvement program as provided in section 279.14A, if enacted:^{*6}

.....	\$	300,000
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- 7. ^{*1}For the establishment and implementation of an instructional leadership pilot program as provided in sections 279.59 through 279.61, if enacted:

.....	\$	1,000,000 ^{*1}
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^{*1} Item veto; see message at end of the Act

^{*2} See Chapter 1215, §16 herein

^{*3} See §23 of this chapter herein

^{*4} See Chapter 1206 herein

^{*5} See §5 of this chapter herein

^{*6} See §25 of this chapter herein

By January 15, 1999, the department of education shall prepare and submit a proposal for a program for leadership development of practitioners and school board members to the chairpersons and ranking members of the house and senate standing education committees and of the joint subcommittee on education appropriations.

**Sec. 2. Section 256.16, Code 1997, is amended to read as follows:*

256.16 SPECIFIC CRITERIA FOR ~~TEACHER PRACTITIONER PREPARATION AND CERTAIN EDUCATORS.~~

1. Pursuant to section 256.7, subsection 5, the state board shall adopt rules requiring all higher education institutions providing practitioner preparation to ~~include in the professional education program, preparation~~ demonstrate that each student who graduates from the practitioner preparation program successfully completed the following:

a. Preparation that contributes to education of students with disabilities and students who are gifted and talented, which must be successfully completed before graduation from the practitioner preparation program.

b. Preparation for recognizing at-risk students, and for understanding and ameliorating the behavior of at-risk students. For purposes of this section, "at-risk students" shall include students who are "at-risk" as defined under administrative rules adopted by the state board of education, or who are at risk of becoming a substance abuser, or who have been identified as a substance abuser.

c. Preparation for accelerating the achievement of students through the use of learning techniques that shall include, but are not limited to, reading instruction in phonics.

*2. A person initially applying for a license shall successfully complete a professional education program containing the subject matter specified in this section, before the initial action by the board of educational examiners takes place.**

**Sec. 3. NEW SECTION. 256.17A TEACHER INTERNSHIP PILOT PROGRAM.*

1. If the general assembly appropriates moneys for a teacher internship pilot program, the department of education shall, by November 1, 1998, establish and implement a competitive pilot program approval process open to Iowa colleges and universities with master's programs in practitioner preparation approved by the state board.

2. To be eligible to receive a grant under this section, an eligible institution shall submit to the department of education a plan for an internship program that, at a minimum, includes the following:

a. Student interns enrolled in the program shall complete a one-year teaching experience conducted in a collaborating school district. A student intern shall have graduated from an approved practitioner preparation program offered by an institution of higher education under the state board of regents or an accredited private institution as defined in section 261.9. A student intern shall be an employee of the participating school district. The amount of money a school district shall pay to a student intern shall be negotiated by the school district and the eligible institution in consultation with the department of education.

b. Application of the best teaching practices in diverse settings and in responding to diverse student needs under the supervision of selected district teachers and personnel employed by the eligible institution.

c. Seminars and special projects designed to meet student intern needs.

d. Collaboration and support from a participating school district relating to supervision and assessment of the student intern's performance.

e. Collaboration and support from the eligible institution in developing rigorous graduate coursework and in matters relating to supervision, instruction, and evaluation of the student intern in conjunction with personnel employed by the participating school district.

3. Student interns who enroll in the program shall receive graduate credit for successful completion of teacher internship program coursework. The successful completion of a one-year teacher internship under the program shall be recognized as the equivalent of one year of teaching experience.

** Item veto; see message at end of the Act*

4. A teacher who is employed by a school district and who acts as a clinical supervisor for the teacher internship pilot program shall be eligible for a stipend of one thousand dollars per semester of participation in the program. The stipend and the costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system established under chapter 294, for such amounts by the district, shall be paid from moneys received by the participating school district from moneys appropriated to the department of education pursuant to this section.

5. Moneys received by a school district under this section shall not be commingled with state aid payments made under section 257.16 to a school district and shall be accounted for by the school district separately from state aid payments.

6. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 and are considered encumbered. A school district shall maintain a separate budget listing for payments received and expenditures made pursuant to this section.

7. Moneys received by a school district under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

8. Annually on or by January 15, the eligible institution shall submit a report describing activities associated with the program to the department of education, which shall summarize the reports received and submit the summary to the chairpersons and ranking members of the standing house and senate education committees.

9. a. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the sum of two hundred twenty thousand dollars for the teacher internship pilot program.

b. There is appropriated from the general fund of the state to the department of education for each fiscal year of the fiscal period beginning July 1, 1999, and ending June 30, 2001, the sum of five hundred seventy-five thousand dollars for the teacher internship pilot program.*

Sec. 4. NEW SECTION. 256.22 *FRONTIER SCHOOL AND* EXTENDED YEAR SCHOOL GRANT PROGRAM.

1. Subject to an appropriation of sufficient funds by the general assembly, the department shall establish a *frontier school and* extended year school grant program to provide for the allocation of grants to school districts, or a collaboration of school districts, to provide technical assistance for conversion of an existing school *to a frontier school or* to an extended school year calendar, or for investigating the possibility of converting an existing school within a district *to a frontier school or* to an extended school year calendar. *A district that wants to participate in the program shall submit to the department a written request for a grant by September 1, 1998. The school district or collaboration of school districts shall agree to appoint a planning committee composed of parents, guardians, teachers, administrators, and individuals representing business, and the local community. The school district or collaboration shall also indicate in its request its intention to use any grant moneys received under this section to examine, at a minimum, all of the following:

- a. Mission and instructional focus of the school.
- b. Organizational structure and management of the school.
- c. Impact of labor agreements and contracts on the success of the school.
- d. Roles and responsibilities of all involved constituencies.
- e. Arrangements for special needs students.
- f. Connection of the school to the district.
- g. Facility and operation costs.
- h. Measurement of results including student achievement results.*

2. Grant moneys shall be distributed to qualifying school districts by the department no later than October 15, 1998. Grant amounts shall be distributed as determined by the department. *Not more than fifteen of the grants awarded per year in accordance with this section shall be used for purposes of frontier school planning or conversion.*

* Item veto; see message at end of the Act

3. For purposes of this section, "frontier school" means a school that is nonsectarian in its program, admission policies, employment practices, and all other operations. The school is a public school and is part of the state's system of public education. The primary focus of a frontier school shall be to provide a comprehensive program of instruction for at least one grade or age group from five through eighteen years of age. Frontier schools may be designed to allow significant autonomy to the schools. However, frontier schools shall be accountable for significant results.

4. By February 15, 1999, a school district or collaboration of districts receiving moneys under this section shall submit an interim report to the department describing the planning activities conducted by the school district or the collaboration and providing preliminary conclusions. The school district or collaboration shall submit a final report by June 1, 1999, to the department. The department shall summarize the school district reports in a final report to the chairpersons and ranking members of the house and senate standing education committees by January 1, 2000.

5. Except as provided in this subsection, frontier schools are exempt from all statutes and rules applicable to a school, a school board, or a school district, although a frontier school may elect to comply with one or more provisions of statute or rule. However, a frontier school shall meet all applicable state and local health and safety requirements; the frontier school shall be organized and operated as a nonprofit cooperative association under chapter 498 or nonprofit corporation under chapter 504A; the provisions of chapters 21 and 22 shall apply to meetings and records of the frontier school board; and frontier schools are subject to and shall comply with chapters 216 and 216A relating to civil and human rights, and sections 275.55A, 279.9A, 280.17B, 280.21B, and 282.4, relating to suspension and expulsion of a student. The frontier school shall employ or contract with necessary teachers, as defined in section 272.1, who hold a valid license with an endorsement for the type of service for which the teacher is employed. Frontier schools are subject to the same financial audits, audit procedures, and audit requirements as a school district. The audits shall be consistent with the requirements of sections 11.6, 11.14, 11.19, 256.9, subsection 19, and section 279.29, except to the extent deviations are necessary because of the program at the school. The department, auditor of state, or the legislative fiscal bureau may conduct financial, program, or compliance audits. The provisions of chapter 20 shall not apply to the board of directors of a frontier school or its employees.

Sec. 5. NEW SECTION. 256.44 NATIONAL BOARD CERTIFICATION AWARD — APPROPRIATION.

1. A teacher, as defined in section 272.1, who registers for a national board for professional teaching standards certificate and is employed by a school district in Iowa shall be eligible for a registration award as provided in subsection 2, and upon achievement of a national board for professional teaching standards certificate, is eligible for an annual award of ten thousand dollars for each year the certificate is valid as provided in this section.

2. To receive a partial registration award in the amount of one-half of the registration fee charged by the national board for professional teaching standards, the teacher shall apply to the department of education within one year of registration, submitting to the department any documentation the department requires. A teacher shall receive a final registration award in the amount of the remaining registration fee charged by the national board if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

3. To receive a five-year annual award for achieving certification by the national board of professional teaching standards, a teacher shall apply to the department within one year of eligibility. Payment for awards shall be made only upon departmental approval of an application or recertification of eligibility. A nonrenewable term of eligibility shall be for five years or for the years the certificate is valid, whichever time period is shorter. In order to continue receipt of payments, a recipient shall annually recertify eligibility.

4. A national board for professional teaching standards certification fund is established in the office of treasurer of state to be administered by the department. Moneys appropriated by the general assembly for deposit in the fund shall be paid as follows:

a. Upon receipt of award documentation as provided in subsection 2.

b. On January 15 to teachers whose applications and recertifications for annual awards as provided in subsection 3 are approved by the department. The treasurer of state shall act as custodian of the fund and may invest the moneys deposited in the fund. The income from any investment shall be credited to and deposited in the fund. The director of revenue and finance shall issue warrants upon the fund pursuant to the order of the department and such warrants shall be paid from the fund by the treasurer of state. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in the fund on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for subsequent fiscal years for the purposes of this section.

5. An individual shall not qualify for a term of annual award eligibility unless the individual applies, certifying eligibility, to the department prior to June 30, 2003.

Sec. 6. Section 256.45, unnumbered paragraphs 1, 3, and 4, Code 1997, are amended to read as follows:

The department of education shall establish ~~within the department and administer~~ the position of ambassador to education. It shall be the function of the ambassador to education to act as an education liaison to primary and secondary schools in this state. The ambassador to education position shall be filled by the educator selected as teacher of the year by the governor, but only if that person agrees to fill the ambassador to education position.

The ambassador to education shall receive, in lieu of compensation from the district in which the ambassador is regularly employed, a salary ~~which is~~ equal to the amount of salary ~~received by the person during the previous~~ would have received from the district in the person's regular position during the school year for which the person serves as ambassador, or thirty thousand dollars, whichever amount is greater. The ambassador shall also be compensated for actual expenses incurred as a result of the performance of duties under this section.

~~The district which~~ department shall grant funds in an amount equal to the salary and benefits the person selected as ambassador to education would have received from the district, or thirty thousand dollars, whichever amount is greater, to the school district that employs the person selected as the ambassador to education. The department shall also reimburse the school district for actual expenses incurred as a result of the performance of duties under this section. The school district shall grant the person a one-year sabbatical in order to allow the person to be the ambassador to education, and during the sabbatical, shall pay the salary and benefits of the ambassador with funds granted by the department. The person selected as the ambassador to education shall be entitled to return to the person's same or a comparable position without loss of accrued benefits or seniority.

*Sec. 7. NEW SECTION. 256E.1 BEGINNING TEACHER INDUCTION PROGRAM ESTABLISHED — GRANTS.

*If the general assembly appropriates moneys for purposes of teacher induction, the department of education shall coordinate a beginning teacher induction program to promote excellence in teaching, to build a supportive environment within school districts, to increase the retention of promising beginning teachers, and to promote the personal and professional well-being of teachers. The department of education shall develop a process for awarding beginning teacher induction grants to school districts, and shall adopt rules pursuant to chapter 17A relating to the equitable distribution of grants to school districts to reflect diversity geographically and by population.**

*Sec. 8. NEW SECTION. 256E.2 DEFINITIONS.

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

1. "Beginning teacher" means an individual serving under an initial provisional or

* Item veto; see message at end of the Act

conditional license, issued by the board of educational examiners under chapter 272, who is assuming a position as a classroom teacher.

2. "Board of directors" means the board of directors of a school district or a collaboration of boards of directors of school districts.

3. "Classroom teacher" means an individual who holds a valid practitioner's license and who is employed by a school district under sections 279.13 through 279.19 in a school district or area education agency in this state to provide instruction to students.

4. "Department" means the department of education.

5. "Director" means the director of the department of education.

6. "District facilitator" means a licensed professional pursuant to chapter 272 who is appointed by the board of directors, or a collaboration of districts, to serve as the liaison between the board of directors and the department for the beginning teacher induction program.

7. "Mentor" means an individual employed by a school district or area education agency as a classroom teacher and who holds a valid license to teach issued under chapter 272.*

*Sec. 9. NEW SECTION. 256E.3 DISTRICT PLAN.

1. A board of directors of a school district or the boards of directors of a collaboration of school districts participating in the beginning teacher induction program shall appoint a district facilitator, whose duties shall include, but are not limited to, overseeing the development of a plan for meeting the goals of the program as set forth in section 256E.1, and composing a district committee pursuant to subsection 2. The board of directors may contract with a public or private postsecondary institution with an approved practitioner preparation program, or with a member of the instructional staff of an approved practitioner preparation program, to perform the duties of the district facilitator in accordance with this chapter.

2. The membership of the district committee composed by the district facilitator shall include, but is not limited to, licensed practitioners and an area education agency staff development professional.

3. The district committee shall adopt a plan and written procedures for a mentor program consistent with this chapter. The plan and the written procedures shall, at a minimum, provide the process for the selection of and the number of mentors; the mentor training process; the timetable by which the plan shall be implemented; placement of mentors and beginning teachers; the minimum amount of contact time between mentors and beginning teachers; the minimum amount of release time for mentors and beginning teachers for meetings for planning, demonstration, observation, feedback, and workshops; the process for dissolving mentoring partnerships; and the process for measuring the results of the program. The district committee shall recommend to the board of directors or boards of directors of a collaboration the names of classroom teachers eligible to be mentors.

4. The district facilitator shall submit the plan, and the proposed costs of implementing the plan, to the board of directors or boards of directors of a collaboration, which shall consider the plan and, once approved, submit the plan and a reasonable cost proposal to the department of education, which shall award grants as equitably as possible based on the geographic and population diversity of the school districts submitting plans. Grants may be awarded in subsequent years based upon the most recent plan on file with the department.

5. The district committee is encouraged to work with area education agencies and postsecondary institutions in the preparation and implementation of a plan.*

*Sec. 10. NEW SECTION. 256E.4 BEGINNING TEACHER AND MENTOR SELECTION AND PLACEMENT.

1. To be eligible to be a mentor, a licensed practitioner shall, at a minimum, be employed by a school district as a classroom teacher, have a record of at least four years of effective practice, have been employed for one full year in the district on a nonprobationary basis, and demonstrate professional commitment to the improvement of teaching and learning, and the development of beginning teachers.

2. The district facilitator shall place beginning teachers in a manner that provides the greatest opportunity to participate with the largest number of mentors.*

* Item veto; see message at end of the Act

**Sec. 11. NEW SECTION. 256E.5 BEGINNING TEACHER INDUCTION STATE SUBSIDY — FUND.*

1. A teacher who is enrolled as a mentor in an approved beginning teacher induction program shall be eligible for an award of five hundred dollars per semester of participation in the program, which shall be paid from moneys received pursuant to this section by the school district employing the mentor.

2. Moneys received by a school district pursuant to this chapter shall be expended to provide mentors with awards in accordance with subsection 1, to implement the plan, to provide for a stipend for the district facilitator, and to pay the costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system or a pension and annuity retirement system established under chapter 294, for such amounts paid by the district.

3. Moneys received by a school district under this chapter are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each local school district shall maintain a separate listing within their budget for payments received and expenditures made pursuant to this section.

4. Moneys received for purposes of this chapter shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

5. A beginning teacher induction fund is established in the office of the treasurer of state to be administered by the department. Moneys appropriated by the general assembly for deposit in the fund shall be used to provide funding to school districts pursuant to the requirements of this section.

6. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure in the following fiscal year for the purposes of this section.*

**Sec. 12. NEW SECTION. 256E.6 REPORTS.*

The board of directors of a school district or the boards of directors of a collaboration of school districts implementing an approved beginning teacher induction program as provided in this chapter shall submit an assessment of the program's results by July 1 of the fiscal year succeeding the year in which the school district or the collaboration of school districts received moneys under this chapter. The department shall annually report the statewide results of the program to the chairpersons and the ranking members of the house and senate education committees by January 1.*

**Sec. 13. NEW SECTION. 256F.1 LEGISLATIVE FINDINGS AND INTENT.*

The general assembly finds that it is in the best interest of the state to encourage and fund early education programs focused on kindergarten through grade three in the public school districts. The goal of these programs is to improve student achievement in the basic educational subject matters of reading, language arts, and mathematics, and to accomplish proficiency in those subjects by grade four. Toward that goal, it is the intent of this chapter to establish and fund an early childhood education imperatives program.*

**Sec. 14. NEW SECTION. 256F.2 EARLY CHILDHOOD EDUCATION IMPERATIVES PROGRAM APPROPRIATION.*

1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1998, and for each succeeding fiscal year, the sum of nine million dollars for the early childhood education imperatives program.

2. For each fiscal year for which moneys are appropriated in subsection 1, the amount of moneys allocated to school districts shall be in the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state for the budget year. However, a district shall not receive less than seven thousand five hundred dollars in a fiscal year.

3. For each year for which an appropriation is made to the early childhood education imperatives program, the department of education shall notify the department of revenue and

* Item veto; see message at end of the Act

finance of the amount to be paid to each school district based upon the distribution plan set forth for the appropriation made pursuant to this section. The allocation to each school district under this section shall be made in one payment on or about October 15 of the fiscal year for which the appropriation is made, taking into consideration the relative budget and cash position of the state resources. Prior to the receipt of moneys, school districts shall provide to the department of education adequate assurance that they have developed or are developing an early childhood education plan as required by section 256F.3 and that moneys received under this section will be used in accordance with the required early childhood education plan.

4. Moneys received under this section shall not be commingled with state aid payments made under sections 257.16 to a school district and shall be accounted for by the school district separately from state aid payments.

5. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each school district shall maintain a separate listing within their budgets for payments received and expenditures made pursuant to this section.

6. Moneys received under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.*

***Sec. 15. NEW SECTION. 256F.3 EARLY CHILDHOOD EDUCATION IMPERATIVES PROGRAM — REPORTS.**

1. Progress, as determined by school districts through appropriate assessments, for children enrolled in kindergarten through grade three in attaining or surpassing student achievement goals as established under the accreditation process in chapter 256, and an accounting of the use of the moneys received by the school districts in accordance with this chapter, shall be submitted in an annual report to the department of education by September 1 in the fiscal year beginning July 1, 1999, and in each succeeding year. Each school district shall also certify, in the annual report to the department, that the school districts used the moneys received under this chapter to supplement, and not to supplant, the moneys otherwise received and used by the school district for kindergarten through grade three education purposes.

2. The department shall submit, to the chairpersons and ranking members of the house and senate education committees by January 1, 2000, a report describing the ways in which the school districts are making use of the moneys received under this chapter, and including the school districts, if any, that used moneys received under this chapter to supplant funds the school district was already receiving for kindergarten through grade three education purposes.

3. The department shall submit, to the chairpersons and ranking members of the house and senate education committees by January 1, 2002, a report describing school district progress on attaining or surpassing student achievement goals.*

***Sec. 16. NEW SECTION. 256F.4 EARLY CHILDHOOD EDUCATION IMPERATIVES PROGRAM EXPENDITURES.**

School districts shall expend funds received pursuant to section 256F.2 to support reading instruction in phonics, and other education practices, programs, or assistance for kindergarten through grade three that may include, but are not limited to, the following: reducing adult to student ratios through the hiring of teachers, former teachers, and para-educator teaching assistants; talented and gifted programs; and implementation of instructional programs designed to improve student achievement in the areas of reading, language arts, and mathematics.*

***Sec. 17. NEW SECTION. 256F.5 REPEAL.**

This chapter is repealed effective July 1, 2001, except that section 256F.3 is not repealed until January 1, 2002.*

***Sec. 18.** Section 257.1, subsection 2, unnumbered paragraph 3, Code 1997, is amended to read as follows:

* Item veto; see message at end of the Act

For the budget year commencing July 1, ~~1995~~ 1999, the department of management shall add the amount of the additional budget adjustment computed in section 257.14, subsection 2, to the combined foundation base.*

*Sec. 19. NEW SECTION. 257.13 ON-TIME FUNDING FOR INCREASED ENROLLMENT.

1. If a district's actual enrollment for the budget year, determined under section 257.6, is greater than its budget enrollment for the budget year, the district may submit a request to the school budget review committee for on-time funding for increased enrollment. The school budget review committee shall consider the relative increase in enrollment on a district-by-district basis, in determining whether to approve the request, and shall determine the amount of additional funding to be provided if the request is granted. An application for on-time funding must be received by the department of education by October 1. Written notice of the committee's decision shall be given through the department of education to the school board for a district.

2. If the school budget review committee approves a request for on-time funding for increased enrollment, the funding shall be in an amount up to the product of one-third of the state cost per pupil for the budget year multiplied by the difference between the actual enrollment for the budget year and the budget enrollment for the budget year. The additional funding received under this section is miscellaneous income to the district.

3. Moneys appropriated by the general assembly for purposes of this section shall be paid to school districts in one lump sum within thirty days of notification by the school budget review committee of approval for on-time funding for increased enrollment for a budget year. If the requests approved by the school budget review committee exceed the appropriation made for purposes of this section, the payments to school districts receiving approval for on-time funding shall be prorated such that each school district approved for on-time funding shall receive an amount of on-time funding equal to the percentage that the on-time funding to be provided to the district bears to the total amount of on-time funding to be provided to all districts receiving approval.

4. If the board of directors of a school district determines that a need exists for additional funds exceeding the amount provided in this section, a request for supplemental aid based upon increased enrollment may be submitted to the school budget review committee as provided in section 257.31.

5. A school district which is receiving a budget adjustment for a budget year pursuant to section 257.14 shall receive on-time funding for increased enrollment, reduced by the amount of the budget adjustment for that budget year.

6. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1999, and for each succeeding fiscal year, the sum of four million dollars or as much thereof as is necessary to pay additional funding authorized under this section.*

*Sec. 20. Section 257.14, Code Supplement 1997, is amended to read as follows:

257.14 BUDGET ADJUSTMENT.

1. For the budget years commencing July 1, 1997, ~~and~~ July 1, 1998, and July 1, 1999, if the department of management determines that the regular program district cost of a school district for a budget year is less than the total of the regular program district cost plus any adjustment added under this section for the base year for that school district, the department of management shall provide a budget adjustment for that district for that budget year that is equal to the difference.

2. For the budget year beginning July 1, ~~1995~~ 1999, if the department of management determines that the regular program district cost plus the budget adjustment computed under subsection 1 of a school district is less than one hundred one percent of the total of the regular program district cost plus any adjustment added under this section for the base year for that school district, the department of management shall provide an additional budget adjustment for that budget year that is equal to the difference.*

* Item veto; see message at end of the Act

*Sec. 21. Section 257.20, subsection 2, paragraph a, Code 1997, is amended to read as follows:

a. However, for the fiscal year beginning July 1, 1998, moneys appropriated under this subsection shall not exceed the amount of moneys appropriated as instructional support state aid for the budget year which commenced on July 1, 1992. For the fiscal year beginning July 1, 1999, and for each succeeding fiscal year, moneys appropriated under this subsection shall not exceed the sum of sixteen million seven hundred ninety-eight thousand two hundred twenty-seven dollars.*

Sec. 22. Section 272.1, Code 1997, is amended by adding the following new subsection:
NEW SUBSECTION. 4A. "Para-educator" means a person who is licensed to assist a teacher in the performance of instructional tasks to support and assist classroom instruction and related school activities.

Sec. 23. **NEW SECTION.** 272.12 PARA-EDUCATOR LICENSES.

1. The board of educational examiners shall adopt rules pursuant to chapter 17A relating to a multi-level voluntary licensing system ranging from para-educator generalist to para-educator specialist. The rules shall outline the instructional and other school activity tasks the individuals licensed under this section may perform. The board shall determine whether an applicant is qualified to perform the duties for which a para-educator license is sought.

2. Applicants for a para-educator license as a generalist must hold a high school diploma from an accredited secondary school or a high school equivalency diploma issued in accordance with chapter 259A. The applicant must also have completed additional in-service training in at least all of the following areas:

- a. Behavior management.
- b. Ethical responsibilities and behavior.
- c. Exceptional child and at-risk child behavior.
- d. Collaboration skills and interpersonal relations.
- e. Child and youth development.

3. Applicants for a para-educator license as a specialist must meet the requirements of subsection 2 and additional requirements as prescribed by rule.

4. A public school district, area education agency, community college, institution of higher education under the state board of regents, or an accredited private institution as defined in section 261.9, subsection 1, with a program approved by the state board of education, may train and recommend individuals for board licensure.

5. Applicants shall be disqualified for any of the following reasons:

- a. The applicant is less than eighteen years of age.
- b. The applicant has a record of founded child abuse.
- c. The applicant has been convicted of a felony.
- d. The applicant's application is fraudulent.
- e. The applicant's license or certification from another state is suspended or revoked.
- f. The applicant fails to meet board standards for application for an initial or renewed license.

6. Qualifications or criteria for the granting or revocation of a license or the determination of an individual's professional standing shall not include membership or nonmembership in any teachers' organization.

Sec. 24. Section 279.14, Code 1997, is amended to read as follows:

279.14 EVALUATION CRITERIA AND PROCEDURES.

1. The board shall establish evaluation criteria and shall implement evaluation procedures. If an exclusive bargaining representative has been certified, the board shall negotiate in good faith with respect to evaluation procedures pursuant to chapter 20.

2. Notwithstanding chapter 20, any challenge to an evaluation raised after the service of the notice of intent to recommend termination of a teacher's continuing contract in

accordance with section 279.15 shall be brought only in the hearing before the school board held in accordance with section 279.16.

Sec. 25. NEW SECTION. 279.14A PRACTITIONER PERFORMANCE IMPROVEMENT PROGRAM.

1. The department of education shall establish and implement a voluntary practitioner performance improvement program that shall provide technical assistance to teachers and administrators from each public school district and area education agency. Individuals under contract with a school district may receive technical assistance in accordance with this subsection. The department shall consult with the Iowa state education association, the Iowa association of school boards, the school administrators of Iowa, the professional educators of Iowa, and, as practicable, other entities providing similar programs, in developing the program. At a minimum, the program shall provide administrators with training, including but not limited to, seminars and written materials, relating to the areas of employment policies and procedures, employment documentation, performance evaluations, corrective performance techniques, discipline, termination, and support by qualified individuals for implementation of the program. Training received by an administrator in accordance with this section shall apply toward an administrator's evaluator approval renewal.

2. The department shall submit an annual report to the chairpersons and ranking members of the house and senate standing education committees summarizing program activities and describing the department's plans for improving or changing the program.

Sec. 26. Section 279.19, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The first ~~two~~ three consecutive years of employment of a teacher in the same school district are a probationary period. However, a if the teacher has successfully completed a probationary period of employment for another school district located in Iowa, the probationary period in the current district of employment shall not exceed one year. A board of directors may waive the probationary period for any teacher who previously has served a probationary period in another school district and the board may extend the probationary period for an additional year with the consent of the teacher.

Sec. 27. Section 279.46, Code 1997, is amended to read as follows:

279.46 RETIREMENT INCENTIVES — TAX.

The board of directors of a school district may adopt a program for payment of a monetary bonus, continuation of health or medical insurance coverage, or other incentives for encouraging its employees to retire before the normal retirement date as defined in chapter 97B. The program is available only to employees between ~~fifty-nine~~ fifty-five and sixty-five years of age who notify the board of directors prior to ~~March~~ April 1 of the fiscal year that they intend to retire not later than the next following June 30. However, the age at which employees shall be designated eligible for the program, within the age range of fifty-five to sixty-five years of age, shall be at the discretion of the board. An employee retiring under this section shall apply for a retirement allowance under chapter 97B or chapter 294. ~~If The board may include in the district management levy an amount to pay the total estimated accumulated cost to a the school district of the health or medical insurance coverage, bonus, or other incentives for employees who retire under this section does not exceed the estimated savings in salaries and benefits for employees who replace the employees who retire under the program, the board may include in the district management levy an amount to pay the costs of the program provided in this section.~~

*Sec. 28. NEW SECTION. 279.59 STATEMENT OF PURPOSE.

The purpose of the instructional leadership pilot program is to recognize and reward teachers and administrators for outstanding leadership, performance, and service. The program is intended to encourage and reinforce masterful teaching and leadership, and provide

extensive professional and financial recognition to teachers and administrators who are achieving outstanding results in their work with students.*

*Sec. 29. NEW SECTION. 279.60 INSTRUCTIONAL LEADERSHIP PILOT PROGRAM.

1. Subject to an appropriation of sufficient funds by the general assembly, the department shall establish and implement an instructional leadership pilot program to be administered in cooperation with school districts in the state. The instructional leadership pilot program shall include, but not be limited to, all of the following:

a. A nomination procedure that permits nominations to be made by a practitioner or other individuals.

b. Award distribution to individual practitioners or to nominated teams of practitioners.

c. Award eligibility based upon a satisfactory or higher ranking on a performance evaluation by the practitioner's administrator or a recommendation from the board of directors of the school district, and certification by the school district that the practitioner improved student achievement in the school year of award eligibility. To receive an award a practitioner must have successfully completed at least three consecutive years of service under contract with a school district in this state.

d. Voluntary participation by a nominee.

e. Use of objective methods for measuring improvement in student achievement. Multiple measurement and assessment tools may be used to measure student achievement. However, the practitioner or the school district may request approval from the director of the department of education to use an alternative method for measuring improvement in student achievement. The director's decision shall be final.

2. The department shall develop and distribute to school districts a weighting system for criteria evaluation to be used by districts in making awards to practitioners that ranks the criteria in the following order of priority: improvement in student achievement, practitioner participation as a member or leader of a team, initiative to improve student achievement and student change, practitioner advancement through education or professional designation achievement, and community involvement. In addition to the criteria established in accordance with this section, a school district may provide additional weighted criteria for evaluation, including, but not limited to, classroom or school environment and objective measures of teaching skill.

3. To nominate a practitioner or team of practitioners for an award, an individual shall submit an application and report, on a form designed and distributed to school districts by the department of education, to a local school district coordinator designated by the board of directors of the school district. The form shall be completed by the practitioner, one colleague, one administrator, and three parents selected by the practitioner, and shall be forwarded to the local school district coordinator.

4. The local school district coordinator shall submit the forms to the department, which shall tabulate and rank for each school district the applications received according to the minimum criteria established in accordance with subsection 2.

5. The board of directors shall also consult with practitioners to plan appropriate recognition events within the school district for presentation of the awards.

6. Applications submitted under this section shall be considered confidential personnel records under section 22.7.

7. A teacher receiving a national board certification registration or annual award under section 256.44 shall be ineligible for an award under the instructional leadership pilot program as established in this section.

For purposes of this section, "practitioner" means the same as defined in section 272.1.*

*Sec. 30. NEW SECTION. 279.61 INSTRUCTIONAL LEADERSHIP PILOT PROGRAM — FUNDING.

1. Subject to an appropriation of sufficient funds by the general assembly, and the establishment of an instructional leadership pilot program, by September 15, each school district

* Item veto; see message at end of the Act

willing to participate in the instructional leadership pilot program shall notify the department of education of the intent to participate in the program.

2. From the moneys appropriated for purposes of this program, the amount of moneys allocated to school districts that have notified the department of the intent to participate in the program shall be in the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state for the budget year that are willing to participate in the program. However, the amount of an award to a school district shall not exceed the sum of one hundred thousand dollars.

3. For each year in which an appropriation is made to the instructional leadership pilot program, the department of education shall notify the department of revenue and finance of the amount to be paid to each school district based upon the distribution plan set forth for the appropriation made pursuant to this section. The allocation to each school district under this section shall be made in one payment on or about January 15 of the fiscal year in which the appropriation is made, taking into consideration the relative budget and cash position of the state resources.

4. Moneys received under this section shall not be commingled with state aid payments made under section 257.16 to a school district and shall be accounted for by the local school district separately from state aid payments.

5. Payments made to school districts under this section are miscellaneous income for purposes of chapter 257 or are considered encumbered. Each local school district shall maintain a separate listing within their budget for payments received and expenditures made pursuant to this section.

6. Moneys received under this section shall not be used for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20.

7. Awards to practitioners under this program shall not be built into the base pay for the practitioner, but shall be included in the calculation to determine pension contributions in the year in which the award is received.*

*Sec. 31. NEW SECTION. 279.62 FUTURE REPEAL.

This section and sections 279.59 through 279.61 are repealed effective July 1, 2003.*

Sec. 32. Section 280.18, unnumbered paragraph 2, Code 1997, is amended to read as follows:

In order to achieve the goal of improving student achievement and performance on a statewide basis, the board of directors of each school district shall adopt goals that will improve student achievement at each grade level in the skills listed in this section and other skills deemed important by the board. ~~Not later than July 1, 1989, the~~ At a minimum, each board shall adopt a goal of addressing the educational inequities among Iowa's minority students and develop plans for improving minority student academic performance. The board of each district shall transmit to the department of education its plans for achieving the goals it has adopted and the periodic assessment that will be used to determine whether its goals have been achieved. The committee appointed by the board under section 280.12 shall advise the board concerning the development of goals, the assessment process to be used, and the measurements to be used.

Sec. 33. Section 294A.5, Code 1997, is amended to read as follows:

294A.5 MINIMUM SALARY SUPPLEMENT.

1. For the school year beginning July 1, ~~1987~~ 1998, and succeeding school years, the minimum annual salary paid to a full-time teacher as regular compensation shall be ~~eighteen~~ twenty-three thousand dollars.

2. The minimum salary supplement shall be the sum of the following, as applicable:

a. For the school year beginning July 1, ~~1987~~ 1998, for phase I, each school district and area education agency shall certify to the department of education by the third Friday in September the names of all teachers employed by the district or area education agency whose regular compensation is less than ~~eighteen~~ twenty-three thousand dollars per year

* Item veto; see message at end of the Act

for that year and the amounts needed as minimum salary supplements. The minimum salary supplement for each eligible teacher is the total of the difference between ~~eighteen~~ twenty-three thousand dollars and the teacher's regular compensation plus the amount required to pay the employer's share of the federal social security and Iowa public employees' retirement system, or a pension and annuity retirement system established under chapter 294, payments on the additional salary moneys. However, for purposes of this paragraph, a teacher's regular compensation for the school year beginning July 1, 1998, shall not be lower than eighteen thousand dollars.

b. The total minimum salary supplement paid to a school district under phase I for the school year beginning July 1, 1997.

3. The board of directors shall report the salaries of teachers employed on less than a full-time equivalent basis, and the amount of minimum salary supplement shall be prorated.

Sec. 34. Section 294A.6, unnumbered paragraph 1, Code 1997, is amended to read as follows:

For the school year beginning July 1, ~~1987~~ 1998, the department of education shall notify the department of revenue and finance of the total minimum salary supplement, as described in section 294A.5, subsection 2, paragraphs "a" and "b", to be paid to each school district and area education agency under phase I and the department of revenue and finance shall make the payments. For school years after the school year beginning July 1, ~~1987~~ 1998, if a school district or area education agency reduces the number of its full-time equivalent teachers below the number employed during the school year beginning July 1, ~~1987~~ 1998, the department of revenue and finance shall reduce the total minimum salary supplement payable to that school district or area education agency so that the amount paid is equal to the ratio of the number of full-time equivalent teachers employed in the school district or area education agency for that school year divided by the number of full-time equivalent teachers employed in the school district or area education agency for the school year beginning July 1, ~~1987~~ 1998, and multiplying that fraction by the total minimum salary supplement paid to that school district or area education agency for the school year beginning July 1, ~~1987~~ 1998.

Sec. 35. Section 294A.25, subsection 1, Code Supplement 1997, is amended to read as follows:

1. For the fiscal year beginning July 1, ~~1990~~ 1998, and for each succeeding year, there is appropriated from the general fund of the state to the department of education the amount of ~~ninety-two~~ eighty-two million ~~one~~ eight hundred ~~ninety-one~~ thirty-six thousand ~~eighty-five~~ three hundred ~~thirty-six~~ thirty-six dollars to be used to improve teacher salaries. ~~For each fiscal year in the fiscal period commencing July 1, 1991, and ending June 30, 1993, there is appropriated an amount equal to the amount appropriated for the fiscal year beginning July 1, 1990, plus an amount sufficient to pay the costs of the additional funding provided for school districts and area education agencies under sections 294A.9 and 294A.14. For each fiscal year beginning on or after July 1, 1995, there is appropriated the sum which was appropriated for the previous fiscal year, including supplemental payments.~~ The moneys shall be distributed as provided in this section.

Sec. 36. Section 294A.25, subsection 7, Code Supplement 1997, is amended to read as follows:

7. Commencing with the fiscal year beginning July 1, 1990, the amount of ~~sixty seventy-five~~ sixty seven thousand dollars for the ambassador to education program under section ~~256.43~~ 256.45.

Sec. 37. Section 669.14, Code 1997, is amended by adding the following new subsection: NEW SUBSECTION. 14. Any claim arising in respect to technical assistance provided by the department of education pursuant to section 279.14A.

Sec. 38. CURRENT NATIONAL BOARD CERTIFICATE HOLDERS. In order to receive payment under section 256.44, as enacted by this Act, a teacher who by July 1, 1998, meets the qualifications for an award under section 256.44 shall apply to the department for payment under section 256.44 by June 30, 1999.

Sec. 39. CONTINGENT APPROPRIATION — TAXABLE VALUATION INCREASE. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, if the actual taxable valuation of real property located in this state, based upon January 1, 1997, assessments, which is used in the computation of property taxes payable in the fiscal year beginning July 1, 1998, increases from the estimate of such taxable valuation, there is appropriated from the general fund of the state the lesser of \$4,000,000 or the amount of the reduction in state foundation aid under section 257.1 as a result of such increase in taxable valuation to be used to fund section 257.13, as enacted by this Act, and the moneys shall be allocated as provided in section 257.13, subsection 2, as enacted by this Act.

Sec. 40. EMERGENCY RULES. The department may adopt emergency rules as necessary for the administration of chapter 256E and sections 256.17A and 279.60, if enacted.**

Sec. 41. APPLICABILITY. Section 279.19, as amended by this Act, shall not apply to a teacher employed by a school district prior to July 1, 1998. Section 279.19, Code 1997, shall remain applicable to a teacher employed by a school district prior to July 1, 1998.

Sec. 42. EFFECTIVE DATE. Section 2 of this Act, relating to preparation for recognizing at-risk students and for accelerating the achievement growth of students through the use of learning techniques, takes effect July 1, 1999.

Sec. 43. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. The section of this Act that amends section 279.46, being deemed of immediate importance, takes effect upon enactment and applies retroactively to retirement incentive programs in existence after December 31, 1997.

Sec. 44. EFFECTIVE DATE. Section 19 of this Act, relating to on-time funding for increased enrollment, being deemed of immediate importance, takes effect upon enactment for the purpose of computations required for payment of state aid to school districts for budget years beginning on or after July 1, 1998. Section 19 of this Act remains in effect until the repeal of chapter 257 on July 1, 2001.

Approved May 8, 1998, except the items which I hereby disapprove and which are designated as that portion of Section 1, subsection 1 which is herein bracketed in ink and initialed by me; Section 1, subsection 5 in its entirety; that portion of Section 1, subsection 7 which is herein bracketed in ink and initialed by me; Sections 2 and 3 in their entirety; those portions of Section 4, subsection 1 which are herein bracketed in ink and initialed by me; that portion of Section 4, subsection 2 which is herein bracketed in ink and initialed by me; Section 4, subsection 3 in its entirety; Section 4, subsection 5 in its entirety; Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 in their entirety; Sections 28, 29, 30, and 31 in their entirety; Section 39 in its entirety; Section 42 in its entirety; and Section 44 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 2366, an Act relating to licensing and employment of practitioners and the school districts employing them, making appropriations, and including retroactive applicability and effective date provisions.

Senate File 2366 as amended by House File 2533 comprises this General Assembly's education "reform" package. This legislation was passed in response to the recommendations of the

* Item veto; see message at end of the Act

** See this chapter and chapter 1215, §58

Commission on Educational Excellence for the 21st Century. I used the visionary framework for education reform developed by this Commission as a basis for my recommendations for a five-year plan to move Iowa schools from adequacy to excellence.

I am disappointed with the General Assembly's response to my and the Commission's recommendations. Encompassed in this bill are halting, hesitant, half steps toward education reform. Far too frequently this legislation uses pilot projects and the proffering of more money to existing programs as the basis for education "reform." Iowa's school children instead need dramatic and bold steps to reform our education system.

While I am acutely aware of the limitations of the legislative process, I believe it is wrong to measure the success of this legislation against the political realities of the day. What is right for kids may not always be good politics and may not always be embraced by the interest groups.

What is right for Iowa's kids is a good teacher for every child. What is right for Iowa's kids is access to the highest quality of education that can be provided anywhere in the world. It is against that measure and not the standards of political realities that we will all be measured in our efforts to provide a good education to Iowa's children. And in that regard, this legislation is tentative and incomplete.

I am pleased that this legislature did take some steps to provide for some limited reforms. Raising the minimum salary for teachers to \$23,000 and providing stipends for teachers who receive national certification are certainly steps in the right direction. With this action I am approving those provisions, without the unnecessary limitations that were included in the legislation.

Moreover, as a result of my item vetoes, reasonable steps can be taken toward providing real incentives to those school districts that provide for an extended school year for their children. This is critically important if Iowa's children are to compete with students around the world.

In addition, I commend the legislature for passing necessary educational accountability provisions and actions to help every child become ready to start school at an early age. I am separately approving those initiatives. But the significant reform stopped there.

While the legislature took appropriate action in this legislation to deal with teachers who aren't passing muster, too little was done to provide rewards for teachers who are doing well.

We all know that access to a great teacher is the key to obtaining a great education. We must do more to prepare and reward those teachers who are doing a great job for Iowa's school children.

Specifically, the legislature failed to adopt the groundbreaking teacher merit pay program that I recommended to them. My recommendation would have provided significant financial incentives to up to 6,000 of our best teachers over the next 5 years. The alternative suggested by this legislation is inadequate, unworkable, and falls short of the meaningful change in the method of paying our teachers that is needed to keep our best teachers in the profession.

In addition, I have disapproved those provisions of this legislation that fail to appropriately reform the way we prepare teachers for the classroom. Fundamental redesign of the teacher preparation programs is necessary and the pilot intern and induction programs included in this legislation are clearly off the mark.

This legislation fails to provide the opportunity for all Iowa's school children to have access to all-day everyday kindergarten. It is wrong for any of Iowa's school children to be denied early access to opportunity.

The legislature did include several provisions that provide substantial additional money to existing education programs. However, education reform is not about just spending more money. It is about fundamentally changing the way we teach our children.

The Center for Continuous Quality Improvement was recommended to help support best practices, efficiency and effectiveness, to sustain relationships integral to the improvement of the teaching profession, and to monitor our progress toward excellence. The legislature failed to commit to these continuous quality improvement concepts supported not only by the Commission, but also by corporations and organizations throughout the world.

I cannot approve these additional appropriations without the fundamental reform that must accompany them. As a result, I am disapproving the K-3 block grant, the advanced increased enrollment funding, the 101% guarantee funding, the extension of the 100% guarantee, and the instructional support increase. Taken together, these programs provide an additional \$17.4 million in additional annual general fund spending and an additional \$6.2 million property tax increases. In the future, I am willing to consider these proposed spending increases if they are accompanied by the necessary reforms that will make a difference in the education of our kids. But simply providing these additional funds without that reform is unacceptable.

In addition, I have disapproved the proposed frontier school legislation that is included in Senate File 2366. This new program raises serious questions of educational policy and this method of dealing with our schools. Nevertheless, with some modifications and improvements, I am willing to consider this concept along with the other recommendations for reform recommended by the Commission and not acted upon by this General Assembly.

In short, I have approved those items in Senate File 2366 that are consistent with the recommendations of the Commission on Educational Excellence and provide for fundamental reform. However, those reforms are few and far between in this legislation. I have disapproved the other provisions of this legislation that take only tentative, half steps toward education reform or provide more money without the necessary reforms.

It is critically important that we provide all Iowa school children with the best possible teachers by reforming the teacher preparation system and rewarding teachers for outstanding performance. And we should no longer deny Iowa school children the right to all-day everyday kindergarten. These are reforms that should not wait.

I am willing to consider the items that I have disapproved in this legislation in conjunction with these additional fundamental reforms. Providing the best for Iowa's school children leaves no room for partisan politics. I am prepared to work with the members of the General Assembly yet this year in a cooperative effort to pass these necessary reforms. It is not important to me who gets the credit for those actions. It is not important to me which party is perceived the winner in that legislative effort. All I care about is what is best for the kids of Iowa.

Senate File 2366 is, therefore, approved on this date with the following exceptions, which I hereby disapprove, for the reasons stated above:

The designated portion of Section 1, subsection 1; Section 1, subsection 5, in its entirety; the designated portion of Section 1, subsection 7; Sections 2 and 3, in their entirety; the designated portions of Section 4, subsection 1; the designated portions of Section 4, subsection 2; Section 4, subsection 3, in its entirety; Section 4, subsection 5, in its entirety; Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, in their entirety; Sections 28, 29, 30, and 31, in their entirety; Section 39, in its entirety; Section 42, in its entirety; and Section 44, in its entirety.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2366 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*