

281—96.1(423E) Definitions. For purposes of these rules, the following definitions shall apply:

“*Actual enrollment*” means the number of students each school district certifies to the department by October 1 of each year in accordance with Iowa Code section 257.6, subsection 1.

“*Base year*” means the school year ending during the calendar year in which the budget is certified.

“*Certificate of need*” means written approval that a school district that has a certified enrollment of fewer than 250 students in the district or that has a certified enrollment of fewer than 100 students in grades 9-12 submits to the department of education on application forms prepared for that purpose to expend the supplemental school infrastructure amount for new construction or for payments for bonds issued for new construction against the supplemental school infrastructure amount.

“*Combined actual enrollment*” means the sum of the students in each school district located in whole or in part in a county who are residents of that county as determined by rule 96.2(423E).

“*Department*” means the state department of education.

“*Guaranteed school infrastructure amount*” means for a school district the statewide tax revenues per student, multiplied by the quotient of the tax rate percent imposed in the county, divided by 1 percent and multiplied by the quotient of the number of quarters the tax is imposed during the fiscal year divided by four quarters.

“*New construction*” means any erection of a facility or any modification or addition to a facility except for repairing existing schoolhouses or school buildings or for construction necessary for compliance with the federal Americans with Disabilities Act pursuant to 42 U.S.C. Section 12101-12117.

“*Nonresident student*” means a student enrolled in a school district who does not meet the requirements of a resident as defined in Iowa Code section 282.1.

“*Reconstruction*” means rebuilding or restoring as an entity a thing that was lost or destroyed.

“*Repair*” means restoring an existing structure or thing to its original condition, as near as may be, after decay, waste, injury, or partial destruction, but does not include maintenance.

“*Resident student*” means a student enrolled in a school district who meets the requirements of a resident as defined in Iowa Code section 282.1.

“*Revenue purpose statement*” means a document prepared by the school district indicating the specific purpose or purposes for which the local sales and services tax for school infrastructure revenue and the supplemental school infrastructure amount will be expended; which was posted at the appropriate polling places of each school district during the hours that the polls were open; and which was published in a newspaper of general circulation in the school district no sooner than 20 days and no later than 10 days prior to the local option sales and services tax for school infrastructure election.

“*Sales tax*” means a local option sales and services tax for school infrastructure imposed in accordance with Iowa Code chapter 423E.

“*Sales tax capacity per student*” means for a school district the estimated amount of revenues that a school district receives or would receive if a local sales and services tax for school infrastructure purposes is imposed at 1 percent in the county, divided by the school district’s actual enrollment.

“*School budget review committee*” or “*SBRC*” means a committee that is established under Iowa Code section 257.30 in the department of education and that consists of the director of the department of education, the director of the department of management, and three members who are knowledgeable in the areas of Iowa school finance or public finance issues and who are appointed by the governor to represent the public.

“*School district*” means a public school district in Iowa accredited by the state department of education.

“*School infrastructure*” means those activities for which a school district is authorized to contract indebtedness and issue general obligation bonds under Iowa Code section 296.1, except those activities related to a teacher’s or superintendent’s home or homes. These activities include the construction, reconstruction, repair, demolition, purchase, or remodeling of schoolhouses, stadiums, gymnasiums, fieldhouses, and bus garages; the procurement of schoolhouse sites and site improvements; and the payment or retirement of general obligation bonds issued for school infrastructure purposes or of local option sales and services tax for school infrastructure revenue bonds. For local option sales and

services tax for school infrastructure elections passed on or after May 30, 2003, the definition of school infrastructure also includes activities for which revenues under Iowa Code sections 298.3 and 300.2 may be spent and property tax relief for the debt service property tax levy, regular physical plant and equipment property tax levy, voter-approved physical plant and equipment income surtax and property tax levy, and the public education and recreation property tax levy.

“Site improvement” means grading, landscaping, paving, seeding, and planting of shrubs and trees; constructing sidewalks, roadways, retaining walls, sewers and storm drains, and installing hydrants; surfacing and soil treatment of athletic fields and tennis courts; exterior lighting, including athletic fields and tennis courts; furnishing and installing flagpoles, gateways, fences, and underground storage tanks which are not parts of building service systems; demolition work; and special assessments against the school district for public improvements defined in Iowa Code section 384.37.

“Statewide tax revenues per student” means the amount per student established by Iowa Code subsection 423E.4(3) “b”(3).

“Supplemental school infrastructure amount” means the guaranteed school infrastructure amount for the school district less the pro rata share of local sales and services tax for school infrastructure purposes.