

House File 2543

H-8311

1 Amend House File 2543 as follows:

2 1. Page 1, line 9, after <salary supplement> by inserting  
3 <state>

4 2. By striking page 1, line 21, through page 2, line 7.

5 3. Page 2, by striking lines 13 through 15 and inserting <or  
6 vacant property owned by a school district pursuant to section  
7 297.24.>

8 4. Page 2, line 32, after <for> by inserting <nonpublic  
9 schools and>

10 5. Page 3, line 6, after <allow> by inserting <nonpublic  
11 schools and>

12 6. Page 3, lines 15 and 16, by striking <a charter school>  
13 and inserting <an educational institution>

14 7. Page 3, line 31, by striking <schools — right of first  
15 refusal for charter schools> and inserting <schools>

16 8. Page 3, after line 32 by inserting:

17 <a. "Educational institution" means all of the following:

18 (1) A school district.

19 (2) A nonpublic school.

20 (3) A charter school established pursuant to chapter 256E.

21 (4) A charter school or innovation zone school established  
22 pursuant to chapter 256F.

23 (5) An institution of higher education under the control of  
24 the state board of regents.

25 (6) A community college established under chapter 260C.

26 (7) The state training school established under chapter  
27 233A.

28 (8) An accredited private institution as defined in section  
29 256.183.>

30 9. Page 3, line 33, by striking <a.> and inserting <b.>

31 10. Page 4, line 5, by striking <b.> and inserting <c.>

32 11. Page 4, by striking lines 11 through 22 and inserting  
33 <property to an educational institution.>

34 12. By striking page 4, line 23, through page 5, line 6, and  
35 inserting:

1 <3. a. The board of directors of a school district shall  
2 not sell or lease underutilized property or vacant property  
3 unless the board of directors of the school district first  
4 provides notice to each educational institution that is located  
5 within the school district that describes the underutilized  
6 property or vacant property and offers to sell or lease the  
7 underutilized property or vacant property to the educational  
8 institution at a price that is to be determined pursuant to  
9 paragraph "b".

10 b. (1) If an educational institution desires to purchase  
11 or lease underutilized property or vacant property described  
12 in a notice provided under paragraph "a", the educational  
13 institution shall provide notice to the school district  
14 within a reasonable time after receipt of the notice provided  
15 under paragraph "a" indicating the educational institution's  
16 preliminary intent to purchase or lease such property, pending  
17 the determination of the purchase or lease price of the  
18 property under subparagraph (2).

19 (2) If the school district and the educational institution  
20 cannot agree on the purchase or lease price of the  
21 underutilized property or vacant property, the purchase or  
22 lease price of the underutilized property or vacant property  
23 shall be an amount equal to the average of the fair market  
24 purchase or lease value of the underutilized property or vacant  
25 property as determined by two independent appraisals prepared  
26 by certified appraisers. The board of directors of the school  
27 district shall select, and pay the costs associated with, one  
28 certified appraiser, and the educational institution electing  
29 to purchase or lease the underutilized property or vacant  
30 property shall select, and pay the costs associated with, the  
31 other certified appraiser.

32 (3) If, within a reasonable time after the determination  
33 of the purchase or lease price of the underutilized property  
34 or vacant property under subparagraph (2), an educational  
35 institution elects to purchase or lease the underutilized

1 property or vacant property, the educational institution shall  
2 provide notice to the board of directors of the school district  
3 indicating the educational institution's election to purchase  
4 or lease such property, and the board of directors of the  
5 school district and the educational institution shall proceed  
6 to negotiate the additional terms of, and effectuate, the sale  
7 or lease.

8 4. Subsection 3 shall be construed as independent of  
9 the power vested in the electors by section 278.1, and as  
10 additional to such power. If a board of directors of a school  
11 district has exercised its independent power under subsection 3  
12 regarding selling or leasing underutilized property or vacant  
13 property to an educational institution that is located within  
14 the school district, and has by resolution approved such  
15 action, the electors shall not subsequently proceed to exercise  
16 their power under section 278.1 for a purpose directly contrary  
17 to the action previously approved by the board of directors in  
18 accordance with subsection 3.

19 5. The state board of education shall adopt rules pursuant  
20 to chapter 17A to administer this section. The rules shall  
21 include provisions that determine which educational institution  
22 shall be allowed to purchase or lease underutilized property  
23 or vacant property when more than one educational institution  
24 provides notice to the board of directors of a school district  
25 pursuant to subsection 3, paragraph "b", subparagraph (3),  
26 indicating the educational institution's election to purchase  
27 or lease the same underutilized property or vacant property.>

28 13. Page 5, after line 17 by inserting:

29 <DIVISION \_\_\_\_

30 CHARTER SCHOOLS — PARTICIPATION IN SCHOOL ACTIVITIES

31 Sec. \_\_\_\_ . NEW SECTION. 256E.13 Students receiving  
32 instruction over the internet — participation in activities in  
33 district of residence.

34 1. A student enrolled in a charter school who receives  
35 educational instruction and course content primarily over the

1 internet may participate in any cocurricular or extracurricular  
2 activities offered to children in the student's grade or group  
3 and sponsored by the district of residence under the same  
4 conditions and requirements as the students enrolled in the  
5 district of residence. The student may participate in not more  
6 than two cocurricular or extracurricular activities during a  
7 school year unless the resident district approves the student's  
8 participation in additional activities. The student shall  
9 comply with the eligibility, conduct, and other requirements  
10 relating to the activity that are established by the district  
11 of residence for any student who applies to participate or who  
12 is participating in the activity.

13 2. If a student participates in a cocurricular or  
14 extracurricular activity in accordance with this section,  
15 the district of residence may charge the charter school  
16 up to two hundred dollars per activity, for up to two  
17 activities. For a cocurricular activity, one semester shall  
18 equal one activity. Extracurricular activities for which a  
19 resident district may charge up to two hundred dollars per  
20 activity for up to two activities under this section include  
21 interscholastic athletics, music, drama, and any other activity  
22 with a general fund expenditure exceeding five thousand  
23 dollars annually. A student may participate in additional  
24 extracurricular activities at the discretion of the resident  
25 district. The resident district may charge the student a fee  
26 for participation in such cocurricular or extracurricular  
27 activities equivalent to the fee charged to and paid in the  
28 same manner by other resident students.

29 Sec. \_\_\_\_\_. Section 280.13A, subsection 1, Code 2024, is  
30 amended to read as follows:

31 1. If a school district, or nonpublic school, or charter  
32 school operating under section 256E.5 does not provide an  
33 interscholastic activity for its students, the board of  
34 directors of that school district, or the authorities in  
35 charge of the nonpublic school, or governing board of the

1 charter school may complete an agreement with another school  
2 district, ~~or~~ nonpublic school, or charter school operating  
3 under section 256E.5 to provide for the eligibility of its  
4 students in interscholastic activities provided by that other  
5 school district, ~~or~~ nonpublic school, or charter school. A  
6 copy of each agreement completed under [this section](#) shall be  
7 filed with the appropriate organization as organization is  
8 defined in [section 280.13](#) not later than April 30 of the school  
9 year preceding the school year in which the agreement takes  
10 effect, unless an exception is granted by the organization  
11 for good cause. An agreement completed under [this section](#)  
12 shall be deemed approved unless denied by the organization  
13 within ten days after its receipt. The organization shall  
14 determine whether an agreement would substantially prejudice  
15 the interscholastic activities of other schools. An agreement  
16 denied by the organization under [this section](#) may be appealed  
17 to the state board of education under [chapter 290](#).>

18 14. Title page, by striking lines 1 through 5 and inserting  
19 <An Act relating to education, including by establishing  
20 requirements related to the sale or lease of underutilized  
21 property or vacant property by school districts, modifying  
22 charter school funding and charter school board member  
23 requirements, and authorizing students enrolled in charter  
24 schools who receive instruction primarily over the internet to  
25 participate in activities offered by school districts.>

26 15. By renumbering as necessary.

---

GEHLBACH of Dallas