

House Study Bill 89 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to education by modifying the duties and
2 operations of the department of education, community
3 colleges, the school budget review committee, and local
4 school boards, eliminating a reporting requirement relating
5 to vocational education funds, and including applicability
6 provisions.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.5A, Code 2013, is amended to read as
2 follows:

3 **256.5A Nonvoting member.**

4 1. a. The governor shall appoint the one nonvoting
5 student member of the state board for a term of ~~one-year~~ two
6 years beginning and ending as provided in section 69.19. The
7 nonvoting student member shall be appointed from a list of
8 names submitted by the state board of education. Students
9 enrolled in ~~either grade ten or eleven~~ in a public school
10 may apply to the state board to serve as a nonvoting student
11 member.

12 b. The department shall develop an application process that
13 requires the consent of the student's parent or guardian if
14 the student is a minor, initial application approval by the
15 school district in which the student applicant is enrolled, and
16 submission of approved applications by a school district to the
17 department.

18 2. The nonvoting student member's school district of
19 enrollment shall notify the student's parents if the student's
20 grade point average falls during the period in which the
21 student is a member of the state board.

22 3. The state board shall adopt rules under chapter 17A
23 specifying criteria for the selection of applicants whose names
24 shall be submitted to the governor. Criteria shall include~~7~~
25 but are not limited to~~7~~ academic excellence, participation
26 in extracurricular and community activities, and interest in
27 serving on the board. Rules adopted by the state board shall
28 also require, if the student is a minor, supervision of the
29 student by the student's parent or guardian while the student
30 is engaged in authorized state board business at a location
31 other than the community in which the student resides, unless
32 the student's parent or guardian submits to the state board a
33 signed release indicating the parent or guardian has determined
34 that supervision of the student by the parent or guardian is
35 unnecessary.

1 4. The nonvoting student member appointment is not subject
2 to section 69.16 or 69.16A.

3 5. The nonvoting student member shall have been enrolled
4 in a public school in Iowa for at least one year prior to the
5 member's appointment. ~~A nonvoting student member who will not~~
6 ~~graduate from high school prior to the end of a second term may~~
7 ~~apply to the state board for submission of candidacy to the~~
8 ~~governor for a second one-year term.~~

9 6. A nonvoting student member shall be paid a per diem as
10 provided in section 7E.6 and the student and the student's
11 parent or guardian shall be reimbursed for actual and necessary
12 expenses incurred in the performance of the student's duties as
13 a nonvoting member of the state board.

14 7. A vacancy in the membership of the nonvoting student
15 member shall not be filled until the expiration of the term.

16 Sec. 2. Section 256.30, Code 2013, is amended to read as
17 follows:

18 **256.30 Educational expenses for American Indians.**

19 1. For the fiscal year beginning July 1, 2011, and ending
20 June 30, 2012, and for each succeeding fiscal year, there
21 is appropriated from the general fund of the state to the
22 department the sum of one hundred thousand dollars. The
23 department shall distribute the appropriation to the tribal
24 council of the Sac and Fox Indian settlement for expenses of
25 educating American Indian children residing in the Sac and Fox
26 Indian settlement on land held in trust by the secretary of
27 the interior of the United States in excess of federal moneys
28 paid to the tribal council for educating the American Indian
29 children ~~when moneys are appropriated for that purpose. The~~
30 ~~tribal council shall administer the moneys distributed pursuant~~
31 ~~to this section and shall submit an annual report and other~~
32 ~~reports as required by the department to the department on the~~
33 ~~expenditure of the moneys.~~

34 2. The tribal council shall administer the moneys
35 distributed by the department pursuant to subsection 1 and

1 shall first use moneys distributed ~~to it by the department~~
2 ~~of education for the purposes of this section~~ to pay the
3 additional costs of salaries for licensed instructional staff
4 for educational attainment and full-time equivalent years
5 of experience to equal the salaries listed on the proposed
6 salary schedule for the school at the Sac and Fox Indian
7 settlement for that school year, but the salary for a licensed
8 instructional staff member employed on a full-time basis shall
9 not be less than eighteen thousand dollars. The department of
10 management shall approve allotments of moneys appropriated in
11 and distributed pursuant to this section ~~when the department of~~
12 ~~education certifies to the department of management that the~~
13 ~~requirements of this section have been met.~~

14 Sec. 3. Section 257.6, subsection 1, paragraph a,
15 subparagraph (3), Code 2013, is amended to read as follows:

16 (3) Shared-time and part-time pupils of school age enrolled
17 in public schools within the district, irrespective of the
18 districts in which the pupils reside, in the proportion that
19 the time for which they are enrolled or receive instruction for
20 the school year is to the time that full-time pupils carrying
21 a normal course schedule, at the same grade level, in the
22 same school district, for the same school year, are enrolled
23 and receive instruction. Tuition charges to the parent or
24 guardian of a shared-time or part-time nonresident pupil shall
25 be reduced by the amount of any increased state aid received by
26 the district by the counting of the pupil. This subparagraph
27 applies to pupils enrolled in grades nine through twelve under
28 section 299A.8 and to pupils from accredited nonpublic schools
29 accessing classes or services on the accredited nonpublic
30 school premises or the school district site, but excludes
31 accredited nonpublic school pupils receiving classes or
32 services funded by federal grants or allocations.

33 Sec. 4. Section 257.11, subsection 3, paragraph c, Code
34 2013, is amended by striking the paragraph.

35 Sec. 5. Section 257.11, Code 2013, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 7A. *District to community college*
3 *innovative sharing project.* A school district that collaborates
4 with a community college to provide pupils enrolled in the
5 school district's high school with a class that uses an
6 activities-based, project-based, and problem-based learning
7 approach that is offered through a partnership with a
8 nationally recognized provider of rigorous and innovative
9 science, technology, engineering, and mathematics curriculum
10 for schools, which provider is exempt from taxation under
11 section 501(c)(3) of the Internal Revenue Code, is eligible to
12 assign its resident pupils attending the class an additional
13 weighting of the percentage of the pupil's school day during
14 which the pupil attends a class described in this subsection
15 times seventy hundredths. To qualify for additional weighting,
16 the class must supplement, not supplant, high school courses
17 required to be offered pursuant to section 256.11, subsection
18 5.

19 Sec. 6. Section 257.31, subsection 2, Code 2013, is amended
20 to read as follows:

21 2. The committee shall ~~specify~~ publish on the department
22 of education's internet site the number of hearings held
23 annually by the committee during the most recent fiscal year,
24 ~~the reasons for the committee's recommendations,~~ a summary of
25 the committee's decisions and recommendations issued during
26 the most recent fiscal year, information about the amounts of
27 property tax levied by school districts for a cash reserve,
28 and other information the committee deems advisable ~~on the~~
29 ~~department of education's internet website.~~

30 Sec. 7. Section 257.37, subsection 4, Code 2013, is amended
31 to read as follows:

32 4. "*Enrollment served*" means the basic enrollment plus the
33 number of nonpublic school pupils served with media services
34 or educational services, as applicable, except that if a
35 nonpublic school pupil or a pupil attending another district

1 under a whole grade sharing agreement or open enrollment
2 receives services through an area other than the area of the
3 pupil's residence, the pupil shall be deemed to be served by
4 the area of the pupil's residence, which shall by contractual
5 arrangement reimburse the area through which the pupil actually
6 receives services. Each school district shall include in
7 the enrollment report submitted pursuant to section 257.6,
8 subsection 1, the number of nonpublic school pupils within each
9 school district for media and educational services served by
10 the area. However, the school district shall not include in
11 the enrollment report nonpublic school pupils receiving classes
12 or services funded by federal grants or allocations.

13 Sec. 8. Section 258.12, Code 2013, is amended to read as
14 follows:

15 **258.12 Custodian of funds — reports.**

16 The treasurer of state shall be custodian of the funds
17 paid to the state from the appropriations made under said Act
18 of Congress, and shall disburse the same on vouchers audited
19 as provided by law. ~~The treasurer of state shall report~~
20 ~~the receipts and disbursements of said funds to the general~~
21 ~~assembly at each biennial session.~~

22 Sec. 9. Section 259A.1, Code 2013, is amended to read as
23 follows:

24 **259A.1 Tests.**

25 The department of education shall cause to be made
26 available for qualified individuals a high school equivalency
27 diploma. The diploma shall be issued on the basis of
28 satisfactory competence as shown by tests covering all of the
29 following: reading, ~~arts~~, language arts, ~~writing~~ literacy,
30 mathematics, science, and social studies.

31 Sec. 10. Section 259A.2, unnumbered paragraph 2, Code 2013,
32 is amended to read as follows:

33 Application shall be made to a testing center approved by the
34 department of education, accompanied by an application fee in
35 an amount prescribed by the department. The test scores shall

1 be forwarded by the ~~testing center~~ scorer of the test to the
2 department.

3 Sec. 11. Section 273.3, subsection 12, Code 2013, is amended
4 to read as follows:

5 12. Prepare an annual budget estimating income and
6 expenditures for programs and services as provided in sections
7 273.1, 273.2, this section, sections 273.4 to 273.9, and
8 chapter 256B within the limits of funds provided under section
9 256B.9 and chapter 257. The board shall give notice of a
10 public hearing on the proposed budget by publication in an
11 official county newspaper in each county in the territory
12 of the area education agency in which the principal place
13 of business of a school district that is a part of the area
14 education agency is located. The notice shall specify the
15 date, which shall be not later than March 1 of each year, the
16 time, and the location of the public hearing. The proposed
17 budget as approved by the board shall then be submitted to the
18 state board of education, on forms provided by the department,
19 no later than March 15 preceding the next fiscal year for
20 approval. The state board shall review the proposed budget of
21 each area education agency and shall before ~~April~~ May 1, either
22 grant approval or return the budget without approval with
23 comments of the state board included. An unapproved budget
24 shall be resubmitted to the state board for final approval not
25 later than ~~April~~ May 15. ~~For the fiscal year beginning July~~
26 ~~1, 1999, and each succeeding fiscal year, the~~ The state board
27 shall give final approval only to budgets submitted by area
28 education agencies accredited by the state board or that have
29 been given conditional accreditation by the state board.

30 Sec. 12. Section 273.13, Code 2013, is amended to read as
31 follows:

32 **273.13 Administrative expenditures.**

33 ~~During the budget year beginning July 1, 1989, and the~~
34 ~~three succeeding budget years, the board of directors of~~
35 ~~an area education agency in which the~~ The administrative

1 expenditures as a percent of ~~the~~ an area education agency's
 2 ~~operating general~~ fund for a base year shall not exceed five
 3 percent ~~shall reduce its administrative expenditures to five~~
 4 ~~percent of the area education agency's operating fund.~~ During
 5 each of the four years, ~~the board of directors shall reduce~~
 6 ~~administrative expenditures by twenty-five percent of the~~
 7 ~~reduction in administrative expenditure required by this~~
 8 ~~section.~~ Thereafter, ~~the administrative expenditures shall~~
 9 ~~not exceed five percent of the operating fund.~~ Annually, the
 10 board of directors shall certify to the department of education
 11 the amounts of the area education agency's expenditures and
 12 its operating general fund. For the purposes of this section,
 13 "base year" and "budget year" ~~mean~~ means the same as defined in
 14 ~~section 442.6, Code 1989, and section 257.2, and "administrative~~
 15 ~~expenditures"~~ means expenditures for executive administration.

16 Sec. 13. Section 273.23, subsection 5, Code 2013, is amended
 17 to read as follows:

18 5. The initial board, or new board if established in time
 19 under subsection 3, of the newly formed agency shall prepare an
 20 annual budget estimating income and expenditures for programs
 21 and services as provided in sections 273.1 through 273.9
 22 and chapter 256B within the limits of funds provided under
 23 section 256B.9 and chapter 257. The board shall give notice
 24 of a public hearing on the proposed budget by publication in
 25 an official county newspaper in each county in the territory
 26 of the area education agency in which the principal place
 27 of business of a school district that is a part of the area
 28 education agency is located. The notice shall specify the
 29 date, which shall not be later than March 1, the time, and
 30 the location of the public hearing. The proposed budget as
 31 approved by the board shall be submitted to the state board,
 32 on forms provided by the department, no later than March 15
 33 for approval. The state board shall review the proposed
 34 budget of the newly formed area education agency and shall,
 35 before ~~April~~ May 1, either grant approval or return the budget

1 without approval with comments of the state board included. An
2 unapproved budget shall be resubmitted to the state board for
3 final approval not later than ~~April~~ May 15. The state board
4 shall give final approval only to budgets submitted by area
5 education agencies accredited by the state board or that have
6 been given conditional accreditation by the state board.

7 Sec. 14. Section 275.23A, subsection 2, Code 2013, is
8 amended to read as follows:

9 2. Following each federal decennial census the school
10 board shall determine whether the existing director district
11 boundaries meet the standards in subsection 1 according to
12 the most recent federal decennial census. In addition to the
13 authority granted to voters to change the number of directors
14 or method of election as provided in sections 275.35, 275.36,
15 and 278.1, the board of directors of a school district may,
16 following a federal decennial census, by resolution and in
17 accordance with this section, authorize a change in the method
18 of election as set forth in section 275.12, subsection 2, or
19 a change to either five or seven directors after the board
20 conducts a hearing on the resolution. If the board proposes to
21 change the number of directors from seven to five directors,
22 the resolution shall include a plan for reducing the number
23 of directors. If the board proposes to increase the number
24 of directors to seven directors, two directors shall be
25 added according to the procedure described in section 277.23,
26 subsection 2. If necessary, the board of directors shall
27 redraw the director district boundaries. The director district
28 boundaries shall be described in the resolution adopted by
29 the school board. The resolution shall be adopted no earlier
30 than November 15 of the second year immediately following the
31 year in which the federal decennial census is taken nor later
32 than May 15 of the ~~second~~ third year immediately following
33 the year in which the federal decennial census is taken.
34 A copy of the plan shall be filed with the area education
35 agency administrator of the area education agency in which the

1 school's electors reside. If the board does not provide for
2 an election as provided in sections 275.35, 275.36, and 278.1
3 and adopts a resolution to change the number of directors or
4 method of election in accordance with this subsection, the
5 district shall change the number of directors or method of
6 election as provided unless, within twenty-eight days following
7 the action of the board, the secretary of the board receives a
8 petition containing the required number of signatures, asking
9 that an election be called to approve or disapprove the action
10 of the board in adopting the resolution. The petition must be
11 signed by eligible electors equal in number to not less than
12 one hundred or thirty percent of the number of voters at the
13 last preceding regular school election, whichever is greater.
14 The board shall either rescind its action or direct the
15 county commissioner of elections to submit the question to the
16 registered voters of the school district at an election held
17 on a date specified in section 39.2, subsection 4, paragraph
18 "c". If a majority of those voting on the question at the
19 election favors disapproval of the action of the board, the
20 district shall not change the number of directors or method of
21 election. If a majority of those voting on the question does
22 not favor disapproval of the action, the board shall certify
23 the results of the election to the department of management and
24 the district shall change the number of directors or method of
25 election as provided in this subsection. At the expiration of
26 the twenty-eight-day period, if no petition is filed, the board
27 shall certify its action to the department of management and
28 the district shall change the number of directors or method of
29 election as provided in this subsection.

30 Sec. 15. Section 278.1, subsection 1, paragraph e, Code
31 2013, is amended to read as follows:

32 e. Direct the transfer of any surplus in the debt service
33 fund, physical plant and equipment levy fund, or other capital
34 ~~projects~~ project funds, or public education and recreation levy
35 fund to the general fund.

1 Sec. 16. Section 279.30, Code 2013, is amended to read as
2 follows:

3 **279.30 Exceptions.**

4 Each payment must be made payable to the person entitled to
5 receive the money or deposited directly into an account at a
6 financial institution, as defined in section 527.2, specified
7 by the person entitled to receive the money. The board of
8 directors of a school district or an area education agency may
9 by resolution authorize the secretary, upon approval of the
10 superintendent or designee, or administrator, in the case of
11 an area education agency, to issue payments when the board
12 of directors is not in session in payment of reasonable and
13 necessary expenses, but only upon verified bills filed with the
14 secretary or administrator, and for the payment of salaries
15 pursuant to the terms of a written contract. Each payment
16 must be made payable only to the person performing the service
17 or presenting the verified bill, and must state the purpose
18 for which the payment is issued. All bills and salaries for
19 which payments are issued prior to audit and allowance by the
20 board must be passed upon by the board of directors at the next
21 meeting and be entered in the regular minutes of the secretary.

22 Sec. 17. Section 279.42, Code 2013, is amended to read as
23 follows:

24 **279.42 Gifts to schools.**

25 The board of directors of a school district ~~which~~ that
26 receives funds through ~~gifts, devises, and bequests~~ a gift,
27 devise, or bequest shall deposit ~~these~~ the funds in a trust
28 ~~and~~ fund, permanent fund, or agency fund and shall use ~~them~~
29 the funds in accordance with the terms of the gift, devise, or
30 bequest.

31 Sec. 18. Section 279.45, Code 2013, is amended to read as
32 follows:

33 **279.45 Administrative expenditures.**

34 ~~For the budget year beginning July 1, 1989, and each of~~
35 ~~the following three budget years, the board of directors of a~~

~~1 school district in which the~~ The administrative expenditures
2 as a percent of the a school district's operating general fund
3 for a base year shall not exceed five percent, ~~shall reduce its~~
4 ~~administrative expenditures so that they are one-half percent~~
5 ~~less as a percent of the school district's operating fund than~~
6 ~~they were for the base year. However, a school district is~~
7 ~~not required to reduce its administrative expenditures below~~
8 ~~five percent of its operating fund. Thereafter, a school~~
9 ~~district shall not increase the percent of its administrative~~
10 ~~expenditures compared to its operating fund. Annually,~~
11 the board of directors shall certify to the department of
12 education the amounts of the school district's administrative
13 expenditures and its operating general fund. For the purposes
14 of this section, "*base year*" and ~~"budget year"~~ mean means
15 the same as defined in ~~section 442.6, Code 1989,~~ and section
16 257.2, and "*administrative expenditures*" means expenditures for
17 executive administration.

18 Sec. 19. Section 282.10, subsection 4, Code 2013, is amended
19 to read as follows:

20 4. A whole grade sharing agreement shall be signed by the
21 boards of the districts involved in the agreement not later
22 than February 1 of the school year preceding the school year
23 for which the agreement is to take effect. The boards of
24 the districts shall negotiate as part of the new or existing
25 agreement the disposition of ~~teacher quality~~ funding provided
26 under chapter 284.

27 Sec. 20. Section 282.20, unnumbered paragraph 3, Code 2013,
28 is amended to read as follows:

29 On or before February 15 and ~~June~~ July 15 of each year
30 the secretary of the creditor district shall deliver to the
31 secretary of the debtor district an itemized statement of such
32 tuition fees.

33 Sec. 21. Section 291.1, Code 2013, is amended to read as
34 follows:

35 **291.1 President — duties.**

1 The president of the board of directors shall preside at
2 all of its meetings, sign all contracts made by the board, and
3 appear ~~in~~ on behalf of the corporation in all actions brought
4 by or against it, unless individually a party, in which case
5 this duty shall be performed by the secretary. The president
6 or the president's designee shall sign, using an original or
7 facsimile signature, all school district ~~warrants~~ payments
8 drawn and authorize electronic funds transfers as provided by
9 law. The board of directors, by resolution, may designate an
10 individual, who shall not be the secretary, to sign ~~warrants~~
11 payments or authorize electronic funds transfers on behalf of
12 the president.

13 Sec. 22. Section 291.6, subsection 3, Code 2013, is amended
14 by striking the subsection and inserting in lieu thereof the
15 following:

16 3. *Accounting records.* Keep an accurate accounting record
17 of each payment or electronic funds transfer from each fund
18 which shall be provided monthly to the board of directors. The
19 secretary of the creditor district shall prepare and deliver to
20 debtor districts an itemized statement of tuition fees charged
21 in accordance with sections 275.55A and 282.11, and section
22 282.24, subsection 1.

23 Sec. 23. Section 291.6, subsection 4, Code 2013, is amended
24 to read as follows:

25 4. *Claims.* Keep an accurate ~~account~~ accounting of all
26 expenses incurred by the corporation, and present the same to
27 the board for audit and payment.

28 Sec. 24. Section 291.7, Code 2013, is amended to read as
29 follows:

30 **291.7 Monthly receipts, disbursements, and balances.**

31 The secretary of each district shall file monthly with the
32 board of directors a complete statement of all receipts and
33 disbursements from ~~the various funds~~ each individual fund
34 during the preceding month, and also the balance remaining on
35 hand in ~~the various funds~~ each individual fund at the close of

1 the period covered by the statement, which monthly statements
2 shall be open to public inspection.

3 Sec. 25. Section 291.8, Code 2013, is amended by striking
4 the section and inserting in lieu thereof the following:

5 **291.8 Payments and electronic funds transfers.**

6 The secretary shall make each authorized payment,
7 countersign using an original or facsimile signature, and
8 maintain accounting records of the payments or electronic funds
9 transfers, showing the number, date, payee, originating fund,
10 the purpose, and the amount, and shall provide to the board at
11 each regular annual meeting a copy of the accounting records
12 maintained by the secretary.

13 Sec. 26. Section 291.12, Code 2013, is amended to read as
14 follows:

15 **291.12 Duties of treasurer — ~~payment of warrants receipts~~
16 and expenditures.**

17 The treasurer shall receive all moneys belonging to the
18 corporation, pay the same out only upon the order of the
19 president countersigned by the secretary, ~~keeping and shall~~
20 keep an accurate account accounting record of all receipts
21 and expenditures ~~in a book provided for that purpose.~~ The
22 treasurer shall register all ~~orders drawn~~ payments and
23 electronic funds transfers made and reported to the treasurer
24 by the secretary, showing the number, date, to whom drawn, the
25 fund ~~upon~~ from which drawn each payment and transfer was made,
26 the purpose and amount.

27 Sec. 27. Section 291.14, Code 2013, is amended to read as
28 follows:

29 **291.14 Financial statement.**

30 The treasurer shall render a statement of the finances of the
31 corporation whenever required by the board, and the treasurer's
32 ~~books~~ accounting records shall always be open for inspection.

33 Sec. 28. Section 298.2, subsections 1 and 5, Code 2013, are
34 amended to read as follows:

35 1. A physical plant and equipment levy of not exceeding

1 one dollar and sixty-seven cents per thousand dollars of
 2 assessed valuation in the district is established except as
 3 otherwise provided in this subsection. The physical plant
 4 and equipment levy consists of the regular physical plant
 5 and equipment levy of not exceeding thirty-three cents per
 6 thousand dollars of assessed valuation in the district and
 7 a voter-approved physical plant and equipment levy of not
 8 exceeding one dollar and thirty-four cents per thousand
 9 dollars of assessed valuation in the district. However, the
 10 voter-approved physical plant and equipment levy may consist
 11 of a combination of a physical plant and equipment property
 12 tax levy and a physical plant and equipment income surtax
 13 as provided in subsection 4 with the maximum amount levied
 14 and imposed limited to an amount that could be raised by a
 15 one dollar and thirty-four cent property tax levy. ~~The levy~~
 16 ~~limitations of this subsection are subject to subsection 6.~~

17 5. a. The proposition to levy the voter-approved physical
 18 plant and equipment levy is not affected by a change in
 19 the boundaries of the school district, except as otherwise
 20 provided in this section. If each school district involved
 21 in a school reorganization under chapter 275 has adopted
 22 the voter-approved physical plant and equipment levy ~~or the~~
 23 ~~sixty seven and one half cents per thousand dollars of assessed~~
 24 ~~value schoolhouse levy under section 278.1, subsection 7,~~
 25 ~~Code 1989, prior to July 1, 1991,~~ and if the voters have not
 26 voted upon the proposition to levy the voter-approved physical
 27 plant and equipment levy in the reorganized district, the
 28 existing voter-approved physical plant and equipment levy ~~or~~
 29 ~~the existing schoolhouse levy, as applicable,~~ is in effect for
 30 the reorganized district for the least amount and the shortest
 31 time for which it is in effect in any of the districts.

32 b. ~~Authorized levies~~ An authorized levy for the period of
 33 time approved ~~are~~ is not affected as a result of a failure of a
 34 proposition proposed to expand the purposes for which the funds
 35 may be expended.

1 Sec. 29. Section 298.2, subsection 6, Code 2013, is amended
2 by striking the subsection.

3 Sec. 30. Section 298.3, subsection 1, Code 2013, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *n.* The purchase, lease, or lease-purchase of
6 desks, furniture, or fixtures exceeding five hundred dollars in
7 value per purchase, lease, or lease-purchase transaction. Each
8 transaction may include multiple desk, furniture, or fixture
9 units.

10 Sec. 31. Section 298A.4, Code 2013, is amended to read as
11 follows:

12 **298A.4 Physical plant and equipment levy fund.**

13 The physical plant and equipment levy fund is a ~~special~~
14 ~~revenue~~ capital project fund. A physical plant and equipment
15 levy fund must be established in any school corporation which
16 levies the tax authorized, whether regular or voter-approved,
17 under section 298.2.

18 Sec. 32. Section 298A.9, Code 2013, is amended to read as
19 follows:

20 **298A.9 Capital project funds.**

21 A capital project fund must be established in any school
22 corporation which issues bonds or other authorized indebtedness
23 for capital projects or which initiates a capital project, or
24 which receives grants or other funds for capital projects.
25 Boards are authorized to establish more than one capital
26 project fund as necessary. Any balance remaining in a capital
27 project fund after the capital project is completed may be
28 retained for future capital projects in accordance with the
29 original purpose of the bond issue or voter-approved levy; or
30 may be transferred, by board resolution, to the debt service
31 fund, to the physical plant and equipment levy fund or another
32 capital project fund, or ~~either~~ to the fund from which the
33 surplus originated; or transferred to the general fund in
34 accordance with section 278.1, subsection 1, paragraph "e".

35 Sec. 33. Section 298A.13, Code 2013, is amended to read as

1 follows:

2 **298A.13 Trust, permanent, or agency funds.**

3 Trust, permanent, or agency funds shall be established by
4 any school corporation to account for gifts it receives to
5 be used for a particular purpose or to account for money and
6 property received and administered by the district as trustee
7 or custodian or in the capacity of an agent. Boards may
8 establish trust ~~and~~, permanent, or agency funds as necessary.

9 Sec. 34. Section 321.375, subsection 2, Code 2013, is
10 amended to read as follows:

11 2. Prior to hiring an applicant for a school bus driver
12 position, including a contract position, an employer shall have
13 access to and shall review the information in the Iowa court
14 information system available to the general public, the sex
15 offender registry information under section 692A.121 available
16 to the general public, the central registry for child abuse
17 information established under section 235A.14, and the central
18 registry for dependent adult abuse information established
19 under section 235B.5 for information regarding the applicant.
20 An employer shall follow the same procedure ~~every five years~~
21 upon the renewal of an employee's or contract employee's school
22 bus driver's license issued by the department of transportation
23 valid for the operation of a school bus. An employer shall
24 pay for the cost of the registry checks conducted pursuant to
25 this subsection. An employer shall maintain documentation
26 demonstrating compliance with this subsection.

27 Sec. 35. Section 423F.3, subsection 1, paragraph d, Code
28 2013, is amended by striking the paragraph.

29 Sec. 36. REPEAL. Sections 256.20, 256.21, 256.22, 256.23,
30 256.38, 297.35, and 298A.5, Code 2013, are repealed.

31 Sec. 37. APPLICABILITY. The following provision or
32 provisions of this Act apply to school budget years beginning
33 on or after July 1, 2013:

34 1. The section of this Act amending section 298.3,
35 subsection 1.

1 EXPLANATION

2 This bill makes various changes to Code provisions relating
3 to education as follows:

4 STUDENT STATE BOARD OF EDUCATION MEMBER. Code section
5 256.5A is amended to increase the term of the nonvoting student
6 member of the state board of education from one year to two
7 years, and provides that the student must be enrolled in grade
8 10 when applying for the appointment. Currently, a student may
9 be enrolled in grade 10 or 11 at the time the student applies.

10 AMERICAN INDIAN EDUCATION EXPENSES. Code section 256.30
11 provides for the distribution and administration of moneys to
12 pay the expense of educating American Indian children residing
13 in the Sac and Fox Indian settlement. The bill eliminates
14 language that requires the tribal council to submit an annual
15 report and other reports as required to the department of
16 education on the expenditure of the moneys, and eliminates
17 language that requires the department of education to certify
18 compliance before the department of management can approve
19 allotment of the moneys.

20 ACCREDITED NONPUBLIC SCHOOL PUPIL ENROLLMENT. Code section
21 257.6 is amended to specify that dual enrolled pupils in
22 grades 9 through 12 and accredited nonpublic school pupils
23 enrolled part-time in a school district are eligible to be
24 counted proportionally as shared-time or part-time pupils
25 in a school district's enrollment, but accredited nonpublic
26 pupils receiving classes or services funded by federal grants
27 or allocations are not eligible to be counted in a school
28 district's enrollment. The bill makes a corresponding change
29 to the definition of "enrollment served" in Code section
30 257.37, subsection 4.

31 VOCATIONAL EDUCATION REPORT. The bill amends Code section
32 258.12 to eliminate a provision that requires the treasurer of
33 state to annually report to the general assembly the receipts
34 and disbursements of the funds paid to the state under the
35 federal Carl D. Perkins Vocational and Technical Education Act

1 of 1998.

2 HIGH SCHOOL EQUIVALENCY DIPLOMAS. The bill amends Code
3 sections 259A.1 and 259A.2 to change subjects covered by high
4 school equivalency diploma tests by eliminating arts and
5 writing and adding literacy, and to require the test scorer,
6 rather than the testing center, to forward test scores to the
7 department.

8 DISTRICT TO COMMUNITY COLLEGE INNOVATIVE SHARING
9 PROJECT. The bill separates from language that provides for
10 district-to-community college sharing and concurrent enrollment
11 program requirements a provision assigning additional
12 supplementary weighting for high school pupils who are enrolled
13 in a class that uses an activities-based, project-based, and
14 problem-based learning approach offered through a partnership
15 with a nationally recognized nonprofit provider of rigorous and
16 innovative science, technology, engineering, and mathematics
17 curriculum for schools. The bill moves the language to a new
18 subsection of Code section 257.11 and authorizes a school
19 district to assign its resident pupils attending the class an
20 additional weighting of the percentage of the pupil's school
21 day during which the pupil attends such classes times seventy
22 hundredths.

23 SCHOOL BUDGET REVIEW COMMITTEE INTERNET SITE INFORMATION.
24 Code section 257.31 is amended to eliminate a requirement that
25 the school budget review committee specify on its internet
26 site annually the reasons for its recommendations, and to add
27 a requirement that the committee publish a summary of its
28 decisions and recommendations issued during the most recent
29 fiscal year.

30 AEA BUDGET DEADLINES. Code sections 273.3 and 273.23
31 are amended to extend by one month the dates by which area
32 education agency proposed budgets must be reviewed, approved,
33 or returned by the state board and resubmitted to the state
34 board if the first submission is not approved.

35 REDISTRICTING FOLLOWING FEDERAL DECENNIAL CENSUS. Code

1 section 275.23A is amended to move the dates back by which a
2 resolution describing new director district boundaries must be
3 adopted by the school board if the school board redraws its
4 director district boundaries following the federal decennial
5 census. Currently, the resolution can be adopted no earlier
6 than November 15 of the year immediately following the year
7 in which the federal decennial census is taken nor later than
8 May 15 of the second year immediately following the year in
9 which the federal decennial census is taken. The bill moves
10 the timelines to no sooner than November 15 of the second year
11 following the federal decennial census and no later than May 15
12 of the third year following the federal decennial census.

13 SCHOOL AND AEA BOARD PAYMENTS AND WARRANTS. Code section
14 279.30 is amended to allow the board of directors of a
15 school district or of an AEA to direct deposit a payment at
16 a financial institution specified by the person entitled to
17 the money. Code sections 291.1, 291.6, 291.7, 291.8, 291.12,
18 and 291.14 are amended to replace references to "books",
19 "registers", and "warrants" with references to payments,
20 electronic funds transfers, and accounting records and to make
21 related changes.

22 SCHOOL FUNDS FOR GIFTS. Code sections 279.42 and 298A.13 are
23 amended to give school districts the option of establishing a
24 permanent fund for gifts received and to allow school districts
25 to deposit funds received from gifts, devises, and bequests
26 into a trust fund, permanent fund, or agency fund.

27 SCHOOL DISTRICT ADMINISTRATIVE EXPENDITURES. Code sections
28 273.13 and 279.45 are amended to modify language related
29 to a requirement that a school district limit its annual
30 administrative expenses to not more than 5 percent of its
31 general fund for a base year and to replace references to the
32 term "operating fund" with "general fund".

33 WHOLE GRADE SHARING AGREEMENTS. Code section 282.10 is
34 amended to provide that the boards of directors of school
35 districts must negotiate the disposition of any funding

1 provided under Code chapter 284, not solely teacher quality
2 funding.

3 TUITION FEES. The bill amends Code section 282.20 to change
4 the date by which the secretary of a creditor district must
5 deliver to the secretary of a debtor district an itemized
6 statement of the tuition fees for nonresident pupils enrolled
7 by the creditor district.

8 PHYSICAL PLANT AND EQUIPMENT LEVY. Code section 298A.4
9 is amended to describe the physical plant and equipment levy
10 fund as a "capital project fund", rather than a "special
11 revenue fund". Corresponding changes are made to Code sections
12 278.1(1)(e), 298.2(5)(a), and 298A.9, while Code sections
13 298.2(6) and 423F.3(1)(d) are stricken.

14 REVENUES FROM CERTAIN LEVIES. The bill modifies Code
15 section 298.3(1) to allow the revenue from the regular and
16 voter-approved physical plant and equipment levies to be
17 expended for the purchase, lease, or lease-purchase of desks,
18 furniture, or fixtures exceeding \$500 in value per transaction.
19 Each transaction may include multiple units. These provisions
20 apply to school budget years beginning on or after July 1,
21 2013.

22 SCHOOL BUS DRIVERS. The bill amends Code section 321.375 to
23 provide that the employer of a school bus driver must conduct
24 a review of information in the Iowa court information system
25 and the sex offender, child abuse, and dependent adult abuse
26 registries for information about the driver upon renewal of the
27 driver's school bus driver's license. Currently, the review
28 is required to be conducted every five years upon renewal of
29 the license.

30 OTHER REPEALS. The bill repeals Code sections relating to
31 authorization sought by school districts from the department
32 of education for the maintenance of year around schools, for
33 a grant program to provide sabbaticals for teachers, for
34 an extended year school grant program, for a pilot project
35 to encourage the advancement of women and minorities to

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1 administrative positions in a school district, and for the
2 development of a statewide school-to-work system. The bill
3 also repeals references to the schoolhouse tax levy and fund.