

**Senate Study Bill 1206 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**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, creating a task force to  
6 review the reporting required of school districts, and  
7 including applicability provisions.  
8 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. SCHOOL DISTRICT REPORTING REQUIREMENT TASK FORCE  
32 — STATE BOARD OF EDUCATION.

33 1. a. A reporting requirement review task force is  
34 established consisting of five members who shall be appointed  
35 by the director of the department of education as follows:

1 (1) One member from nominees submitted by an organization  
2 representing the boards of Iowa school districts.

3 (2) One member from nominees submitted by an organization  
4 representing Iowa school administrators.

5 (3) One member from nominees submitted by a certified  
6 employee organization representing Iowa teachers.

7 (4) One member representing the department of education.

8 (5) One member representing the general public.

9 b. The member representing the department of education  
10 shall convene the initial meeting, at which the members shall  
11 elect a chairperson.

12 2. The department of education shall compile a list of  
13 reports that school districts are required to submit to the  
14 department biennially or more frequently. The department shall  
15 submit the list to the reporting requirement review task force  
16 by September 1, 2013.

17 3. The task force shall review the list submitted by the  
18 department pursuant to subsection 2. For each reporting  
19 requirement listed, the task force shall produce written  
20 justification for continuing, modifying, or eliminating  
21 the requirement. The task force shall compile its written  
22 justifications in a report the task force shall submit to  
23 the state board of education and to the general assembly by  
24 December 1, 2013.

25 4. The state board of education shall review the report  
26 submitted pursuant to paragraph "c", and shall determine which  
27 of the task force recommendations for modifying or eliminating  
28 requirements may be accomplished by administrative rule and  
29 which must be accomplished by statute. The state board shall  
30 submit its findings and recommendations, including plans  
31 for board action relating to administrative rules and board  
32 recommendations for specific statutory changes, in a report to  
33 the general assembly by February 1, 2014.

34 Sec. 38. APPLICABILITY. The following provision or  
35 provisions of this Act apply to school budget years beginning

1 on or after July 1, 2013:

2 1. The section of this Act amending section 298.3,  
3 subsection 1.

4

EXPLANATION

5 This bill makes various changes to Code provisions relating  
6 to education as follows:

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

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

23 ACCREDITED NONPUBLIC SCHOOL PUPIL ENROLLMENT. Code section  
24 257.6 is amended to specify that dual enrolled pupils in  
25 grades 9 through 12 and accredited nonpublic school pupils  
26 enrolled part-time in a school district are eligible to be  
27 counted proportionally as shared-time or part-time pupils  
28 in a school district's enrollment, but accredited nonpublic  
29 pupils receiving classes or services funded by federal grants  
30 or allocations are not eligible to be counted in a school  
31 district's enrollment. The bill makes a corresponding change  
32 to the definition of "enrollment served" in Code section  
33 257.37, subsection 4.

34 VOCATIONAL EDUCATION REPORT. The bill amends Code section  
35 258.12 to eliminate a provision that requires the treasurer of

1 state to annually report to the general assembly the receipts  
2 and disbursements of the funds paid to the state under the  
3 federal Carl D. Perkins Vocational and Technical Education Act  
4 of 1998.

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

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

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

33 AEA BUDGET DEADLINES. Code sections 273.3 and 273.23  
34 are amended to extend by one month the dates by which area  
35 education agency proposed budgets must be reviewed, approved,

1 or returned by the state board and resubmitted to the state  
2 board if the first submission is not approved.

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

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

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

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

1       WHOLE GRADE SHARING AGREEMENTS. Code section 282.10 is  
2 amended to provide that the boards of directors of school  
3 districts must negotiate the disposition of any funding  
4 provided under Code chapter 284, not solely teacher quality  
5 funding.

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

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

19       PHYSICAL PLANT AND EQUIPMENT LEVY. Code section 298A.4  
20 is amended to describe the physical plant and equipment levy  
21 fund as a "capital project fund", rather than a "special  
22 revenue fund". Corresponding changes are made to Code sections  
23 278.1(1)(e), 298.2(5)(a), and 298A.9, while Code sections  
24 298.2(6) and 423F.3(1)(d) are stricken.

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

33       OTHER REPEALS. The bill repeals Code sections relating to  
34 authorization sought by school districts from the department  
35 of education for the maintenance of year around schools, for

1 a grant program to provide sabbaticals for teachers, for  
2 an extended year school grant program, for a pilot project  
3 to encourage the advancement of women and minorities to  
4 administrative positions in a school district, and for the  
5 development of a statewide school-to-work system. The bill  
6 also repeals references to the schoolhouse tax levy and fund.

7 SCHOOL DISTRICT REPORTING REQUIREMENT TASK FORCE —  
8 STATE BOARD OF EDUCATION. The bill establishes a reporting  
9 requirement review task force and directs the department of  
10 education to compile a list of reports that school districts  
11 are required to submit to the department biennially or more  
12 frequently. The department must submit the list to the task  
13 force by September 1, 2013.

14 The task force consists of five members appointed by the  
15 director of the department of education. Three of the five  
16 members shall be appointed from nominees submitted by an  
17 organization representing the boards of Iowa school districts,  
18 an organization representing Iowa school administrators, and  
19 a certified employee organization representing Iowa teachers.  
20 One member shall represent the department of education, and the  
21 final member shall represent the general public.

22 The task force shall review the list submitted by the  
23 department and, for each reporting requirement listed, the  
24 task force shall produce written justification for continuing,  
25 modifying, or eliminating the requirement. The task force  
26 shall compile its written justifications in a report the task  
27 force shall submit to the state board of education and the  
28 general assembly by December 1, 2013.

29 The state board shall review the report and shall determine  
30 which task force recommendations for modifying or eliminating  
31 requirements may be accomplished by administrative rule and  
32 which must be accomplished by statute. The state board shall  
33 submit its findings and recommendations, including plans  
34 for board action relating to administrative rules and board  
35 recommendations for specific statutory changes, in a report to

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1 the general assembly by February 1, 2014.