

Senate Study Bill 3104 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON SINCLAIR)

A BILL FOR

1 An Act relating to entities supported in whole or in part
2 by public moneys, including the sale of public bonds,
3 the duties and responsibilities of school boards, school
4 districts, the department of education, the board of
5 educational examiners, and accredited nonpublic schools, and
6 the membership of county conference boards.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
BOND SALES

Section 1. Section 75.2, Code 2022, is amended to read as follows:

75.2 Notice of sale.

When public bonds are offered for sale, the official in charge of the bond issue shall, ~~by advertisement published at least once, the last one of which shall be not less than four nor more than twenty days before the sale in a newspaper located in the county or a county contiguous to the place of sale,~~ give notice of the time and place of sale of the bonds, the amount to be offered for sale, and any further information which the official deems pertinent by publishing the time and place of sale of the bonds, the amount to be offered for sale, and any additional information the official deems pertinent to the bond issue not less than four nor more than twenty days before the sale in at least one electronic or written publication with nationwide circulation that is recognized for providing information regarding the sale of public bonds.

Sec. 2. Section 75.14, Code 2022, is amended to read as follows:

75.14 Electronic bidding.

Notwithstanding contrary provisions of [this chapter](#), including section 75.3, a public body authorized to issue bonds, notes, or other obligations may elect to receive bids to purchase such bonds, notes, or other obligations by means of electronic, internet, or wireless communication; a proprietary bidding procedure or system; or by facsimile transmission to a location deemed appropriate by the governing body, in each instance as may be approved by the governing body and provided for in the notice of sale. An electronic bid shall be submitted in substantial conformity with the requirements of [chapter 554D](#) and any rules adopted pursuant to that chapter with respect to the acceptance of electronic records by a governmental agency. Additionally, before approving the use

1 of an electronic bidding procedure, the public body shall find
2 and determine that the specific procedure to be used will
3 provide reasonable security and maintain the integrity of
4 the competitive bidding process, and facilitate the delivery
5 of bids by interested parties under the circumstances of the
6 particular sale.

7 DIVISION II

8 SCHOOL BOARD DUTIES AND RESPONSIBILITIES

9 Sec. 3. Section 279.6, subsection 1, paragraph a, Code 2022,
10 is amended to read as follows:

11 a. Except as provided in paragraph "b" and subsection 2,
12 vacancies occurring among the officers or members of a school
13 board shall be filled by the board by appointment. A person
14 so appointed to fill a vacancy in an elective office shall
15 hold office until a successor is elected and qualified at the
16 next regular school election, unless there is an intervening
17 special election for the school district, in which event a
18 successor shall be elected at the intervening special election,
19 in accordance with section 69.12. To fill a vacancy occurring
20 among the members of a school board, the board shall publish
21 notice either on the board's internet site or in the manner
22 prescribed by section 279.36, stating that the board intends to
23 fill the vacancy by appointment but that the electors of the
24 school district have the right to file a petition requiring
25 that the vacancy be filled by a special election conducted
26 pursuant to section 279.7. The board may publish notice in
27 advance if a member of the board submits a resignation to take
28 effect at a future date. The board may make an appointment to
29 fill the vacancy after the notice is published or after the
30 vacancy occurs, whichever is later.

31 Sec. 4. Section 279.6, subsection 1, paragraph b,
32 subparagraphs (1) and (2), Code 2022, are amended to read as
33 follows:

34 (1) If within fourteen days after ~~publication of a~~ providing
35 notice required pursuant to paragraph "a" for a vacancy that

1 occurs more than one hundred eighty days before the next
2 regular school election, or after the filing period closes
3 pursuant to [section 277.4, subsection 1](#), for the next regular
4 school election, there is filed with the secretary of the
5 school board a petition requesting a special election to fill
6 the vacancy, an appointment to fill the vacancy is temporary
7 until a successor is elected and qualified, and the board shall
8 call a special election pursuant to [section 279.7](#), to fill the
9 vacancy for the remaining balance of the unexpired term.

10 (2) If within fourteen days after ~~publication of a~~ providing
11 notice required pursuant to paragraph "a" for a vacancy that
12 occurs one hundred eighty days or less but more than forty days
13 before the next regular school election there is filed with the
14 secretary of the school board a petition requesting to fill
15 the vacancy by election, an appointment to fill the vacancy is
16 temporary until a successor is elected and qualified, and the
17 school board shall require that the remaining balance of the
18 unexpired term be filled at the next regular school election.

19 Sec. 5. Section 279.20, subsection 2, Code 2022, is amended
20 to read as follows:

21 2. The board of directors of a school district may delegate
22 the authority to hire support personnel and sign the support
23 personnel employment contracts, if applicable, if the board
24 adopts a policy authorizing the superintendent to perform
25 such duties and specifying the positions the superintendent
26 is authorized to fill. The board of directors of a school
27 district and the superintendent, if authorized pursuant to
28 this subsection, may use electronic signatures and electronic
29 contracts pursuant to chapter 554D and facsimile signatures
30 when entering into the contracts described in this subsection.
31 For purposes of [this subsection](#), the term "*support personnel*"
32 includes, but is not limited to, bus drivers, custodians,
33 educational associates, and clerical and food service
34 employees.

35 Sec. 6. Section 280.5, subsection 2, Code 2022, is amended

1 responsibilities, and shall consider and submit recommendations
2 for delivery and implementation of training required under
3 state law or rule.

4 2. The work group shall include all of the following:

5 a. (1) Two members who are staff members from the
6 department of education, one of whom shall be an administrative
7 consultant in the bureau of nutrition and health services.
8 A member appointed under this subparagraph shall coordinate
9 the work group and act as chairperson for the organizational
10 meeting.

11 (2) One member who is a staff member from the Iowa
12 department of public health.

13 b. Members who shall represent each of the following:

14 (1) One member from a statewide organization representing
15 teachers.

16 (2) One member from a statewide organization representing
17 school board members.

18 (3) One member from a statewide organization representing
19 school administrators.

20 (4) One member from a statewide organization representing
21 authorities in charge of accredited nonpublic schools.

22 (5) One member representing the area education agencies.

23 (6) One member from a statewide organization representing
24 physicians.

25 (7) One member from a statewide organization representing
26 athletic trainers.

27 (8) One member from a statewide organization representing
28 emergency management services.

29 (9) One member from a statewide organization representing
30 health care organizations.

31 (10) One member from a statewide organization representing
32 school nurses.

33 3. Any expenses incurred by a member of the work group
34 shall be the responsibility of the individual member or the
35 respective entity represented by the member.

1 4. The director of the department of education or the
2 director's designee shall compile and provide to the work group
3 a list of, and the purposes for, the health care training
4 programs that school personnel are required to complete, as
5 well as any requirements school personnel must meet following
6 such training, in order be in compliance with state law or
7 administrative rule.

8 5. The work group shall do all of the following:

9 a. Identify which trainings can be best provided online,
10 and how such training can be rotated on a five-year basis for
11 school personnel.

12 b. Develop a plan for a regular cycle of health care-related
13 training for school personnel review, with the goal of removing
14 or modifying training or training programs that are no longer
15 relevant, and identifying less costly and more efficient
16 options that still provide the appropriate level of training to
17 school personnel.

18 c. Standardize the process of establishing new training
19 requirements in state law or rule to manage stakeholder
20 expectations relating to the timeline for establishing the
21 requirements.

22 d. Create an ongoing review process to find efficiencies,
23 identify training options that better utilize time and
24 financial resources, and offer a continuous improvement model
25 for the system moving forward.

26 e. Study and make any recommended changes on rules adopted
27 by the state board of education under 281 IAC ch. 14, relating
28 to individual health plans prepared for students with various
29 health conditions.

30 f. Ensure a public comment process for patient advocacy
31 groups and parents to provide input on the recommendations of
32 the work group.

33 6. If the work group recommends elimination or significant
34 modification of certain health care-related training for
35 school personnel, the department of education shall identify

1 stakeholders who would potentially be affected by such
2 change, and shall invite representatives from organizations
3 representing such stakeholders to submit comments before or
4 at an upcoming work group meeting before the work group makes
5 final recommendations.

6 7. The department of education shall compile the work
7 group's findings and recommendations and shall submit the
8 compilation, including any proposal for legislation, in a
9 report to the general assembly, the governor, and the state
10 board of education by December 1, 2022.

11 DIVISION IV

12 STATEWIDE SCHOOL INFRASTRUCTURE FUNDING

13 Sec. 9. Section 423F.4, subsection 2, paragraph a, Code
14 2022, is amended to read as follows:

15 a. Bonds issued on or after July 1, 2019, shall not be
16 sold at public sale as provided in [chapter 75](#), or at a private
17 sale, without notice and hearing. Notice of the time and
18 place of the public hearing shall be published not less than
19 ten nor more than twenty days before the public hearing in a
20 ~~newspaper which is a newspaper of general circulation in the~~
21 school district at least one electronic or written publication
22 with nationwide circulation that is recognized for providing
23 information regarding the sale of public bonds. This paragraph
24 does not apply to the refinancing of bonds.

25 DIVISION V

26 COUNTY CONFERENCE BOARD

27 Sec. 10. Section 441.2, Code 2022, is amended to read as
28 follows:

29 **441.2 Conference board.**

30 In each county and each city having an assessor there shall
31 be established a conference board. In counties the conference
32 board shall consist of the mayors or a designated member of a
33 city council of all incorporated cities in the county whose
34 property is assessed by the county assessor, one representative
35 from the board of directors of each high school district of

1 the county, who is a resident of the county, ~~said board of~~
2 ~~directors appointing said representative for a one-year term~~
3 ~~and notifying the clerk of the conference board as to their~~
4 ~~representative,~~ and members of the board of supervisors. In
5 cities having an assessor the conference board shall consist
6 of the members of the city council, school board, and county
7 board of supervisors. In the counties the chairperson of the
8 board of supervisors shall act as chairperson of the conference
9 board, in cities having an assessor the mayor of the city
10 council shall act as chairperson of the conference board. In
11 any action taken by the conference board, the mayors of all
12 incorporated cities in the county whose property is assessed
13 by the county assessor shall constitute one voting unit, the
14 members of the city board of education or one representative
15 from the board of directors of each high school district of
16 the county shall constitute one voting unit, the members of
17 the city council shall constitute one voting unit, and the
18 county board of supervisors shall constitute one voting unit,
19 each unit having a single vote and no action shall be valid
20 except by the vote of not less than two out of the three units.
21 The majority vote of the members present of each unit shall
22 determine the vote of the unit. The assessor shall be clerk of
23 the conference board.

24 DIVISION VI

25 SEIZURE ACTION PLAN AND TRAINING REQUIREMENTS

26 Sec. 11. NEW SECTION. 280.13D Seizure action plan and
27 training requirements.

28 1. For purposes of this section, unless the context
29 otherwise requires:

30 a. "Individual health plan" means the confidential, written,
31 preplanned, and ongoing special health service developed for a
32 student who requires such service to be incorporated with the
33 student's educational program.

34 b. "School personnel" means principals, guidance counselors,
35 teachers, and other relevant employees who have direct contact

1 with and supervise children, including school bus drivers and
2 paraeducators.

3 *c. "Seizure action plan"* means a written set of instructions
4 designed to direct caregivers and staff to intervene in the
5 event of a seizure occurrence and is considered a plan for
6 emergencies as a part of an individual health plan.

7 2. *a.* Commencing with the school year beginning July 1,
8 2023, the board of directors of each school district and the
9 authorities in charge of each nonpublic school shall have
10 at least one school employee at each school who has met the
11 training requirements necessary to administer or assist with
12 the self-administration of all of the following:

13 (1) A seizure rescue medication or medication prescribed
14 to treat seizure disorder symptoms as approved by the United
15 States food and drug administration.

16 (2) A manual dose of prescribed electrical stimulation
17 using a vagus nerve stimulator magnet as approved by the United
18 States food and drug administration.

19 *b.* The presence of a registered nurse employed full-time
20 by a school district or nonpublic school who assumes
21 responsibility for the administration of seizure medications,
22 and the administration oversight of vagus nerve stimulation,
23 fulfills the requirements of paragraph "a". This section shall
24 not be construed to require school personnel, other than a
25 registered nurse, to administer a suppository to a student.

26 3. Every school attendance center shall provide training
27 to all school personnel on the recognition of the signs and
28 symptoms of seizures and the appropriate steps for seizure
29 first aid.

30 4. Any training programs or guidelines adopted by any state
31 agency for the training of school personnel in the health care
32 needs of students diagnosed with a seizure disorder shall
33 be fully consistent with training programs and guidelines
34 developed by the epilepsy foundation of America and any
35 successor organization.

1 5. Each school district shall require school personnel or
2 volunteers responsible for the supervision or care of students
3 to undergo approved seizure recognition and first aid training
4 on a biennial basis.

5 6. Nothing in this section shall be construed to limit the
6 authority of a school district or the department of education
7 to require additional seizure disorder training.

8 7. *a.* Prior to school personnel administering a seizure
9 rescue medication or medication prescribed to treat a student's
10 seizure disorder symptoms, the student's parent or guardian
11 shall provide the school with a signed and dated written
12 authorization requesting medication administration at school
13 that meets the requirements of the school's medication
14 administration policy and procedures established in accordance
15 with 281 IAC 14.1.

16 *b.* The parent or guardian of each student diagnosed with
17 a seizure disorder may collaborate with licensed health care
18 professionals, including the school nurse or education team,
19 in the development of an individual health plan, and a seizure
20 action plan if appropriate, consistent with rules adopted by
21 the state board of education. The individual health plan or
22 seizure action plan, based on the student's needs, may include
23 but is not limited to assessment, nursing diagnosis, outcomes,
24 planning, interventions, student goals if applicable, and a
25 plan for emergencies to provide direction in managing the
26 student's health needs. The plan shall be updated consistent
27 with timelines for individual health plans and with rules
28 adopted by the state board of education. Personal information
29 in the plan regarding the student shall be kept confidential
30 as required under the federal Family Educational Rights and
31 Privacy Act, 20 U.S.C. §1232g.

32 *c.* Each school district and nonpublic school attendance
33 center shall keep the written authorization, individual health
34 plan, and seizure action plan on file in the office of the
35 school nurse or school administrator.

1 8. Each school district and nonpublic school attendance
2 center shall distribute information regarding the seizure
3 action plan to any school personnel or volunteers responsible
4 for the supervision or care of the student.

5 9. The authorization for the administration to administer
6 medication provided in accordance with subsection 7, paragraph
7 "a", shall be effective for the school year in which the
8 authorization is granted and must be renewed each following
9 school year.

10 10. The requirements of subsections 7, 8, and 9 shall apply
11 only to school district and nonpublic school attendance centers
12 that have a student enrolled who has a known epilepsy diagnosis
13 or seizure disorder or has a seizure rescue medication or
14 medication prescribed to treat seizure disorder symptoms
15 approved by the United States food and drug administration
16 prescribed by the student's health care provider.

17 11. Every school district attendance center may provide an
18 age-appropriate seizure education program to all students on
19 seizures and seizure disorders. The seizure education program
20 shall be consistent with guidelines published by the epilepsy
21 foundation of America and any successor organization. The
22 state board of education shall adopt rules pursuant to chapter
23 17A for implementation of this section.

24 12. A school district or nonpublic school, school district
25 or nonpublic school employee, or school district or nonpublic
26 school agent acting in good faith and in compliance with the
27 student's individual health plan and the instructions of the
28 student's licensed health care professional, and who provides
29 assistance or services under this section, shall not be
30 liable for any claim for injuries or damages arising from the
31 provision of services provided under this section to students
32 with epilepsy or seizure disorders.

33 13. The department of education shall develop and implement
34 a seizure education program statewide.

35 Sec. 12. DEPARTMENT OF EDUCATION — SCHOOL DISTRICT

1 HEALTH-RELATED TRAINING REQUIREMENTS TASK FORCE.

2 1. The department of education, in collaboration with the
3 department of public health, shall convene a school district
4 health-related training requirements task force to review
5 health-related training requirements established in the Code
6 and the administrative code, with which school districts must
7 comply. The task force shall review the current requirements
8 to determine whether the current training requirements are
9 appropriate, identify the classifications of school personnel
10 for whom such training is warranted, develop timelines for
11 frequency of such training and training updates for the
12 classifications of school personnel, and propose modification
13 or elimination of requirements that are outdated. The task
14 force shall develop a uniform training framework that school
15 districts may follow to provide health-related training in the
16 most efficient and effective manner.

17 2. Voting members of the task force shall include persons
18 deemed appropriate by the department of education, in
19 collaboration with the department of public health.

20 3. The department of education and the department of
21 public health shall work cooperatively to provide staffing and
22 administrative support to the task force.

23 4. The task force shall submit its uniform training
24 framework, findings, and recommendations to the general
25 assembly by December 30, 2022.

26 DIVISION VII

27 NATIONAL CRIMINAL HISTORY RECORD CHECKS

28 Sec. 13. Section 272.2, subsection 17, Code 2022, is amended
29 to read as follows:

30 17. Adopt rules to require that a background investigation
31 be conducted by the division of criminal investigation of the
32 department of public safety on all initial applicants for
33 licensure. The board shall also require all initial applicants
34 to submit a completed fingerprint packet and shall use the
35 packet to facilitate a national criminal history background

1 check. The board shall have access to, and shall review
2 the sex offender registry information under [section 692A.121](#)
3 available to the general public, information in the Iowa court
4 information system available to the general public, the central
5 registry for child abuse information established under chapter
6 235A, and the dependent adult abuse records maintained under
7 chapter 235B for information regarding applicants for license
8 renewal. This subsection shall not be construed to require the
9 board to receive the results of the national criminal history
10 record check before granting a license to an initial applicant
11 that is contingent upon the results of the national criminal
12 history record check.

13 Sec. 14. Section 272.31, subsection 5, Code 2022, is amended
14 to read as follows:

15 5. The board shall adopt rules under [chapter 17A](#) for
16 authorizations, including but not limited to approval of
17 courses, validity and expiration, fees, and suspension and
18 revocation of authorizations. The rules shall not require the
19 board to receive the results of a national criminal history
20 record check before granting an authorization under this
21 section that is contingent upon the results of the national
22 criminal history record check.

23 Sec. 15. Section 279.13, subsection 1, paragraph b,
24 subparagraph (1), Code 2022, is amended to read as follows:

25 (1) Prior to entering into an initial contract with a
26 teacher who holds a license other than an initial license
27 issued by the board of educational examiners under [chapter 272](#),
28 the school district shall initiate a state criminal history
29 record check of the applicant through the division of criminal
30 investigation of the department of public safety, submit the
31 applicant's fingerprints to the division for submission to the
32 federal bureau of investigation for a national criminal history
33 record check, and review the sex offender registry information
34 under [section 692A.121](#) available to the general public, the
35 central registry for child abuse information established

1 under [section 235A.14](#), and the central registry for dependent
2 adult abuse information established under [section 235B.5](#)
3 for information regarding the applicant for employment as a
4 teacher. This subparagraph shall not be construed to require a
5 school district to receive the results of the national criminal
6 history record check before entering into an initial contract
7 with a teacher who holds a license other than an initial
8 license issued by the board of educational examiners under
9 chapter 272 that is contingent upon the results of the national
10 criminal history record check.

11

EXPLANATION

12

The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

14 The bill relates to entities supported in whole or in part by
15 public moneys, including the sale of public bonds, the duties
16 and responsibilities of school boards, school districts, the
17 department of education, the board of educational examiners,
18 and accredited nonpublic schools, and the membership of county
19 conference boards.

20 DIVISION I — BOND SALES. Current law provides that when
21 public bonds are offered for sale, the official in charge
22 of the bond issue shall give notice of the time and place
23 of sale, the amount to be offered for sale, and any further
24 information which the official deems pertinent by publishing
25 an advertisement in a newspaper. The bill modifies this
26 provision to require the official in charge of the bond issue
27 to give notice of the sale by publishing the time and place of
28 sale, the amount to be offered for sale, and any additional
29 information the official deems pertinent to the bond issue in
30 at least one electronic or written publication with nationwide
31 circulation that is recognized for providing information
32 regarding the sale of public bonds.

33 Code section 75.14 provides that, notwithstanding contrary
34 provisions of Code chapter 75 (authorization and sale of public
35 bonds), a public body authorized to issue bonds or other

1 obligations may elect to receive bids to purchase such bonds
2 or other obligations by means of electronic communication, a
3 proprietary bidding procedure, or by facsimile transmission to
4 a location deemed appropriate by the governing body. The bill
5 adds a reference to Code section 75.3 (sealed and open bids) to
6 the notwithstanding provision.

7 DIVISION II — SCHOOL BOARD DUTIES AND RESPONSIBILITIES.

8 Code section 279.6 provides a process to fill vacancies
9 occurring among the members of a school board. This process
10 requires, among other things, the publication in a newspaper
11 of notice stating that the board intends to fill the vacancy
12 by appointment. The bill authorizes notice to be provided by
13 publication on the board's internet site as well.

14 The bill authorizes the board of directors of a school
15 district and the superintendent, in certain specified
16 circumstances, to use electronic signatures and electronic
17 contracts pursuant to Code chapter 554D (electronic
18 transactions) and facsimile signatures when entering into
19 contracts to hire support personnel.

20 Current law requires the board of directors of each public
21 school district to administer the pledge of allegiance in
22 grades 1 through 12 each school day. The bill modifies this
23 provision to require each public school district to administer
24 the pledge of allegiance in grades 1 through 12 each school
25 day.

26 The bill authorizes the president of the board of directors
27 of a school district, or the president's designee, to enter
28 into original contracts or electronic contracts pursuant
29 to chapter 554D and sign, using an original, facsimile, or
30 electronic signature, all school district payments drawn and
31 authorize electronic funds transfers as provided by law.

32 DIVISION III — DEPARTMENT OF EDUCATION WORK GROUP. The bill
33 requires the department of education to convene and provide
34 administrative support to a health care-related training for
35 school personnel group. The bill requires the group to review

1 and develop a plan to ensure that Iowa educators have the
2 health care training necessary to perform their duties and
3 to submit recommendations for delivery and implementation of
4 training required under state law or rule. The bill specifies
5 the members the group shall include. The bill requires the
6 group to submit its findings and recommendations in a report
7 to the general assembly, the governor, and the state board of
8 education by December 1, 2022.

9 DIVISION IV — STATEWIDE SCHOOL INFRASTRUCTURE FUNDING.

10 Current law provides that bonds issued under Code chapter
11 423F (statewide school infrastructure funding) on or after
12 July 1, 2019, shall not be sold at a public or private sale
13 without notice and hearing. Current law also provides that
14 notice of the sale shall be published in a newspaper. The bill
15 modifies this provision to require that notice be published in
16 at least one electronic or written publication with nationwide
17 circulation that is recognized for providing information
18 regarding the sale of public bonds. The bill provides that
19 this provision does not apply to the refinancing of bonds.

20 DIVISION V — COUNTY CONFERENCE BOARD. Current law provides
21 that each county and each city having an assessor shall have a
22 conference board. Current law also provides that in counties,
23 the conference board shall consist of the mayors of all
24 incorporated cities in the county whose property is assessed
25 by the county assessor, one representative from the board of
26 directors of each high school district of the county, who is
27 a resident of the county, said board of directors appointing
28 said representative for a one-year term and notifying the
29 clerk of the conference board as to their representative, and
30 members of the board of supervisors. The bill modifies this
31 provision to require that the conference board consist of the
32 mayors or a designated member of a city council, along with
33 the representatives already provided. The bill also strikes
34 the requirement that the board of directors of a high school
35 district appoint a representative for a one-year term and

1 notify the clerk of the conference board as to the identity of
2 the representative.

3 DIVISION VI — SEIZURE ACTION PLAN AND TRAINING
4 REQUIREMENTS. The bill requires school districts and
5 accredited nonpublic schools that have a student enrolled who
6 has a known epilepsy diagnosis or seizure disorder or has a
7 seizure rescue medication or medication prescribed to treat
8 seizure disorder symptoms to have an individual health plan,
9 including a seizure action plan if appropriate, requires school
10 districts and accredited nonpublic schools to provide certain
11 training relating to seizures to relevant school employees,
12 requires the state board of education to adopt rules for
13 implementation of new Code section 280.13D, and requires the
14 department of education to develop and implement a seizure
15 education program statewide.

16 Commencing with the school year beginning July 1, 2023,
17 the bill requires school districts and accredited nonpublic
18 schools to have at least one school employee at each school
19 who has met the training requirements for administering
20 medications and vagus nerve stimulation. The presence of a
21 full-time registered nurse who assumes responsibility for
22 the administration of seizure medications and vagus nerve
23 stimulation meets this requirement. However, school personnel,
24 other than a registered nurse, are not required to administer a
25 suppository to a student.

26 The bill includes definitions and requirements relating to
27 the development of individual health plans and seizure action
28 plans.

29 Every school attendance center shall provide training to
30 school personnel or volunteers responsible for the supervision
31 or care of students. The training must be fully consistent
32 with programs and guidelines developed by the epilepsy
33 foundation of America.

34 Further, each school district must require all school
35 personnel to undergo approved seizure recognition and first aid

1 training on a biennial basis. The new Code section shall not
2 be construed to limit the authority of a school district or the
3 department to require additional seizure disorder training.

4 Prior to administering medication prescribed to treat a
5 student's seizure disorder symptoms, the student's parent or
6 guardian must provide the school with a written authorization
7 to administer the medication at school.

8 The parent or guardian of a student diagnosed with a
9 seizure disorder may collaborate with licensed health care
10 professionals, including the school nurse or education team,
11 in the development of an individual health plan, and a seizure
12 action plan if appropriate, consistent with the state board's
13 rules. The individual health plan or seizure plan, based
14 on the student's needs, may include assessment, nursing
15 diagnosis, outcomes, planning, interventions, student goals, if
16 applicable, and a plan for emergencies to provide direction in
17 managing the student's health needs. The plan must be updated
18 consistent with individual health plan timelines and state
19 board of education rules.

20 Each school shall keep the parent's written authorization
21 requesting medication administration at school, the individual
22 health plan, and the seizure action plan on file in the office
23 of the school nurse or school administrator, and distribute
24 information regarding the seizure action to any school
25 personnel or volunteers responsible for the student. The
26 health plan information is confidential under federal law.

27 Provisions relating to the administration of medication
28 prescribed to treat a specific student's seizure disorder
29 symptoms, and to distribution of information about a specific
30 student's seizure action plan to persons responsible for the
31 supervision or care of the student apply only to schools that
32 have a student enrolled who has a known epilepsy diagnosis
33 or seizure disorder or has a seizure rescue medication or
34 medication prescribed to treat seizure disorder symptoms.

35 Every school district may provide an age-appropriate seizure

1 education program to all students on seizures and seizure
2 disorders.

3 A school district, school district employee, or agent
4 who acts in good faith to provide assistance or services in
5 compliance with the student's individual health plan and the
6 instructions of the student's licensed health care professional
7 shall not be liable for any claim for injuries or damages
8 arising from the provision of such services to students with
9 epilepsy or seizure disorders.

10 The bill directs the department of education, in
11 collaboration with the department of public health, to
12 convene a school district health-related training requirements
13 task force to review health-related training requirements
14 established in the Code and the Iowa administrative code, with
15 which school districts must comply.

16 Voting members of the task force shall include persons
17 deemed appropriate by the department of education, in
18 collaboration with the department of public health. The
19 departments shall work cooperatively to provide staffing and
20 administrative support to the task force.

21 The task force shall submit its uniform training framework,
22 findings, and recommendations to the general assembly by
23 December 30, 2022.

24 DIVISION VII — NATIONAL CRIMINAL HISTORY RECORD CHECKS.

25 The bill relates to national criminal history record checks for
26 certain specified employees of schools and persons applying for
27 a license from the board of educational examiners (BOEE).

28 Current law requires the BOEE to adopt rules that require
29 all initial applicants to submit a completed fingerprint packet
30 and to use the packet to facilitate a national criminal history
31 background check. The bill provides that this provision shall
32 not be construed to require the BOEE to receive the results of
33 the national criminal history record check before granting a
34 license to an initial applicant that is contingent upon the
35 results of the national criminal history record check.

1 Current law authorizes the BOEE to issue authorizations for
2 coaching, school business officials, and substitute teachers.
3 The bill provides that the rules the BOEE adopts related to
4 issuing these authorizations shall not require the BOEE to
5 receive the results of a national criminal history record check
6 before granting an authorization that is contingent upon the
7 results of the national criminal history record check.

8 Current law provides that prior to entering into an initial
9 contract with a teacher who holds a license other than an
10 initial license issued by the BOEE, a school district shall
11 submit the applicant's fingerprints to the division of criminal
12 investigation of the department of public safety for submission
13 to the federal bureau of investigation for a national criminal
14 history record check. The bill provides that this provision
15 shall not be construed to require a school district to receive
16 the results of the national criminal history record check
17 before entering into an initial contract with a teacher who
18 holds a license other than an initial license issued by the
19 BOEE that is contingent upon the results of the national
20 criminal history record check.