

House Study Bill 118 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON WHEELER)

A BILL FOR

1 An Act relating to entities supported in whole or in part by
2 public moneys, including the sale of public bonds, the
3 duties and responsibilities of the directors and officers
4 of school boards, school districts, the department of
5 education, the department of health and human services,
6 accredited nonpublic schools, charter schools, community
7 colleges, institutions under the control of the state board
8 of regents, area education agencies, election commissioners
9 and children's residential facilities, and the membership
10 and voting units of county and city conference boards.
11 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 2023, 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 or in a newspaper located in the county or a county contiguous to the place of sale.~~

Sec. 2. Section 75.14, Code 2023, 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

1 with respect to the acceptance of electronic records by a
2 governmental agency. Additionally, before approving the use
3 of an electronic bidding procedure, the public body shall find
4 and determine that the specific procedure to be used will
5 provide reasonable security and maintain the integrity of
6 the competitive bidding process, and facilitate the delivery
7 of bids by interested parties under the circumstances of the
8 particular sale.

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DIVISION II

10 SCHOOL BOARD AND OFFICERS — DUTIES AND RESPONSIBILITIES

11 Sec. 3. Section 256.11, subsection 9, Code 2023, is amended
12 to read as follows:

13 9. ~~Beginning July 1, 2006, each~~ A school district shall
14 have a qualified teacher librarian who shall be licensed by the
15 board of educational examiners under [chapter 272](#). The state
16 board shall establish in rule a definition of and standards for
17 an articulated sequential kindergarten through grade twelve
18 media program. ~~A school district that entered into a contract
19 with an individual for employment as a media specialist or
20 librarian prior to June 1, 2006, shall be considered to be
21 in compliance with [this subsection](#) until June 30, 2011, if
22 the individual is making annual progress toward meeting the
23 requirements for a teacher librarian endorsement issued by the
24 board of educational examiners under [chapter 272](#). A school
25 district that entered into a contract with an individual for
26 employment as a media specialist or librarian who holds at
27 least a master's degree in library and information studies
28 shall be considered to be in compliance with this subsection
29 until the individual leaves the employ of the school district.~~

30 Sec. 4. Section 279.6, subsection 1, paragraph a, Code 2023,
31 is amended to read as follows:

32 a. Except as provided in paragraph "b" and [subsection 2](#),
33 vacancies occurring among the officers or members of a school
34 board shall be filled by the board by appointment. A person
35 so appointed to fill a vacancy in an elective office shall

1 hold office until a successor is elected and qualified at the
2 next regular school election, unless there is an intervening
3 special election for the school district, in which event a
4 successor shall be elected at the intervening special election,
5 in accordance with [section 69.12](#). To fill a vacancy occurring
6 among the members of a school board, the board shall publish
7 notice either on the board's internet site or in the manner
8 prescribed by [section 279.36](#), stating that the board intends to
9 fill the vacancy by appointment but that the electors of the
10 school district have the right to file a petition requiring
11 that the vacancy be filled by a special election conducted
12 pursuant to [section 279.7](#). The board may publish notice in
13 advance if a member of the board submits a resignation to take
14 effect at a future date. The board may make an appointment to
15 fill the vacancy after the notice is published or after the
16 vacancy occurs, whichever is later.

17 Sec. 5. Section 279.6, subsection 1, paragraph b,
18 subparagraphs (1) and (2), Code 2023, are amended to read as
19 follows:

20 (1) If within fourteen days after ~~publication of a~~ providing
21 notice required pursuant to paragraph "a" for a vacancy that
22 occurs more than one hundred eighty days before the next
23 regular school election, or after the filing period closes
24 pursuant to [section 277.4, subsection 1](#), for the next regular
25 school election, there is filed with the secretary of the
26 school board a petition requesting a special election to fill
27 the vacancy, an appointment to fill the vacancy is temporary
28 until a successor is elected and qualified, and the board shall
29 call a special election pursuant to [section 279.7](#), to fill the
30 vacancy for the remaining balance of the unexpired term.

31 (2) If within fourteen days after ~~publication of a~~ providing
32 notice required pursuant to paragraph "a" for a vacancy that
33 occurs one hundred eighty days or less but more than forty days
34 before the next regular school election there is filed with the
35 secretary of the school board a petition requesting to fill

1 the vacancy by election, an appointment to fill the vacancy is
2 temporary until a successor is elected and qualified, and the
3 school board shall require that the remaining balance of the
4 unexpired term be filled at the next regular school election.

5 Sec. 6. Section 279.8, subsection 1, Code 2023, is amended
6 to read as follows:

7 1. The board shall make rules for its own government and
8 that of the directors, officers, employees, teachers and
9 pupils, and for the care of the schoolhouse, grounds, and
10 property of the school corporation, and shall aid in the
11 enforcement of the rules, and require the performance of duties
12 imposed by law and the rules. ~~The board shall include in its
13 rules provisions regulating the loading and unloading of pupils
14 from a school bus stopped on the highway during a period of
15 reduced highway visibility caused by fog, snow or other weather
16 conditions.~~ The board shall have the authority to include in
17 its rules provisions allowing school corporation employees to
18 use school credit cards to pay for the actual and necessary
19 expenses incurred in the performance of work-related duties.

20 Sec. 7. Section 279.20, subsection 2, Code 2023, is amended
21 to read as follows:

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

1 Sec. 8. Section 279.69, subsection 1, Code 2023, is amended
2 to read as follows:

3 1. Prior to hiring an applicant for a school employee
4 position, a school district shall have access to and shall
5 review the information in the Iowa court information system
6 available to the general public, the sex offender registry
7 information under [section 692A.121](#) available to the general
8 public, the central registry for child abuse information
9 established under [section 235A.14](#), and the central registry for
10 dependent adult abuse information established under section
11 235B.5 for information regarding the applicant. ~~A school~~
12 ~~district shall follow the same procedure by June 30, 2014, for~~
13 ~~each school employee employed by the school district as of July~~
14 ~~1, 2013.~~ A school district shall implement a consistent policy
15 to follow the same procedure for each school employee employed
16 by the school district ~~on or after July 1, 2013,~~ at least every
17 five years after the school employee's initial date of hire. A
18 school district ~~shall not~~ may charge an employee for the cost
19 of the registry checks conducted pursuant to [this subsection](#),
20 not to exceed the actual cost of the registry checks. A school
21 district shall maintain documentation demonstrating compliance
22 with [this subsection](#).

23 Sec. 9. Section 280.5, subsection 2, Code 2023, is amended
24 to read as follows:

25 2. ~~The board of directors of each~~ Each public school
26 district shall administer the pledge of allegiance in grades
27 one through twelve each school day. Each classroom in which
28 the pledge of allegiance is recited pursuant to [this subsection](#)
29 shall display the United States flag during the recitation. A
30 student shall not be compelled against the student's objections
31 or those of the student's parent or guardian to recite the
32 pledge.

33 Sec. 10. Section 291.1, Code 2023, 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 on behalf of the corporation in all actions brought by
4 or against it, unless individually a party, in which case this
5 duty shall be performed by the secretary. The president or the
6 president's designee shall have the authority to enter into
7 original contracts or electronic contracts pursuant to chapter
8 554D and sign, using an original, ~~or facsimile,~~ or electronic
9 signature, as defined in section 554D.103, all school district
10 payments drawn and authorize electronic funds transfers as
11 provided by law. The board of directors, by resolution, may
12 designate an individual, who shall not be the secretary, to
13 sign payments or authorize electronic funds transfers on behalf
14 of the president pursuant to this section.

15 Sec. 11. Section 291.4, Code 2023, is amended to read as
16 follows:

17 **291.4 Oath.**

18 Each shall take the oath required of civil officers, ~~which~~
19 ~~shall be endorsed upon the bond,~~ and shall complete the
20 qualification within ten days.

21 DIVISION III

22 RESPONSIBILITIES AND REQUIREMENTS RELATING TO HEALTH

23 Sec. 12. Section 8A.318, subsections 1 and 3, Code 2023, are
24 amended to read as follows:

25 1. *Findings and intent.* The general assembly finds that
26 human beings are vulnerable to and may be severely affected by
27 exposure to chemicals, hazardous waste, and other environmental
28 hazards. The federal environmental protection agency estimates
29 that human exposure to indoor air pollutants can be two to
30 five times, and up to one hundred times, higher than outdoor
31 levels. ~~Children, teachers, janitors, and other staff members~~
32 ~~spend a significant amount of time inside school buildings.~~
33 ~~Likewise, state~~ State employees and citizens of this state
34 spend a significant amount of time inside state buildings.
35 These individuals are continuously exposed to chemicals from

1 cleaners, waxes, deodorizers, and other maintenance products.

2 3. *Use of environmentally preferable cleaning and maintenance*
3 *products.*

4 a. ~~All school districts in this state, community colleges,~~
5 ~~institutions under the control of the state board of regents,~~
6 ~~and state agencies utilizing state buildings,~~ are encouraged
7 to conform to an environmentally preferable cleaning policy
8 designed to facilitate the purchase and use of environmentally
9 preferable cleaning and maintenance products for purposes of
10 ~~public school, community college, regents institution, and~~
11 ~~state building cleaning and maintenance.~~

12 b. ~~Each school district, community college, institution~~
13 ~~under the control of the state board of regents, or state~~
14 ~~agency utilizing public buildings shall conduct an evaluation~~
15 ~~and assessment regarding implementation of an environmentally~~
16 ~~preferable cleaning policy pursuant to [this section](#). ~~On or~~~~
17 ~~after July 1, 2012, all All state agencies, and all school~~
18 ~~districts, community colleges, and institutions under the~~
19 ~~control of the state board of regents which have not opted~~
20 ~~out of compliance pursuant to paragraph "c", shall purchase~~
21 ~~only cleaning and maintenance products identified by the~~
22 ~~department or that meet nationally recognized standards.~~
23 ~~School districts, community colleges, institutions under the~~
24 ~~control of the state board of regents, and state State agencies~~
25 ~~procuring supplies for schools and state buildings may deplete~~
26 ~~their existing cleaning and maintenance supply stocks and~~
27 ~~implement the new requirements in the procurement cycle for~~
28 ~~the following year. [This section](#) shall not be interpreted~~
29 ~~in a manner that prohibits the use of disinfectants,~~
30 ~~disinfecting cleaners, sanitizers, or any other antimicrobial~~
31 ~~product regulated by the federal Insecticide, Fungicide,~~
32 ~~and Rodenticide Act, 7 U.S.C. §136 et seq., when necessary~~
33 ~~to protect public health and provided that the use of these~~
34 ~~products is in accordance with responsible cleaning procedure~~
35 ~~requirements.~~

1 ~~c. A school district, community college, or institution~~
2 ~~under the control of the state board of regents may, based upon~~
3 ~~the evaluation and assessment conducted pursuant to paragraph~~
4 ~~"b", opt out of compliance with the requirements of this section~~
5 ~~upon the affirmative vote of a majority of the members of the~~
6 ~~board of directors of the school district or a determination by~~
7 ~~the president of the community college or by the president or~~
8 ~~administrative officer of the regents institution. A school~~
9 ~~district, community college, or regents institution opting~~
10 ~~out of compliance pursuant to this paragraph shall notify the~~
11 ~~department of education, the state board of education, or the~~
12 ~~state board of regents, as appropriate, of this decision.~~

13 Sec. 13. Section 256.11, subsection 9B, Code 2023, is
14 amended to read as follows:

15 9B. ~~Beginning July 1, 2007, each~~ A school district shall
16 have a school nurse to provide health services to its students.
17 ~~Each school district shall work toward the goal of having one~~
18 ~~school nurse for every seven hundred fifty students enrolled in~~
19 ~~the school district. For purposes of this subsection, "school~~
20 ~~nurse" means a person who holds an endorsement or a statement of~~
21 ~~professional recognition for school nurses issued by the board~~
22 ~~of educational examiners under chapter 272.~~

23 Sec. 14. Section 280.7A, subsection 1, Code 2023, is amended
24 by striking the subsection.

25 Sec. 15. DEPARTMENT OF EDUCATION — HEALTH CARE-RELATED
26 TRAINING FOR SCHOOL PERSONNEL WORK GROUP.

27 1. The department of education shall convene and provide
28 administrative support to a health care-related training
29 for school personnel work group. The work group shall
30 review and develop a plan to ensure Iowa educators have the
31 health care training necessary to perform their duties and
32 responsibilities, and shall consider and submit recommendations
33 for delivery and implementation of training required under
34 state law or rule.

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

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

7 (2) One member who is a staff member from the Iowa
8 department of health and human services.

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

10 (1) One member from a statewide organization representing
11 teachers.

12 (2) One member from a statewide organization representing
13 school board members.

14 (3) One member from a statewide organization representing
15 school administrators.

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

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

19 (6) One member from a statewide organization representing
20 physicians.

21 (7) One member from a statewide organization representing
22 athletic trainers.

23 (8) One member from a statewide organization representing
24 emergency management services.

25 (9) One member from a statewide organization representing
26 health care organizations.

27 (10) One member from a statewide organization representing
28 school nurses.

29 3. Any expenses incurred by a member of the work group
30 shall be the responsibility of the individual member or the
31 respective entity represented by the member.

32 4. The director of the department of education or the
33 director's designee shall compile and provide to the work group
34 a list of, and the purposes for, the health care training
35 programs that school personnel are required to complete, as

1 well as any requirements school personnel must meet following
2 such training, in order be in compliance with state law or
3 administrative rule.

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

5 a. Identify which trainings can be best provided over the
6 internet, and how such training can be rotated on a five-year
7 basis for school personnel.

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

14 c. Standardize the process of establishing new training
15 requirements in state law or rule to manage stakeholder
16 expectations relating to the timeline for establishing the
17 requirements.

18 d. Create an ongoing review process to find efficiencies,
19 identify training options that better utilize time and
20 financial resources, and offer a continuous improvement model
21 for the system moving forward.

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

26 f. Ensure a public comment process for patient advocacy
27 groups and parents to provide input on the recommendations of
28 the work group.

29 6. If the work group recommends elimination or significant
30 modification of certain health care-related training for
31 school personnel, the department of education shall identify
32 stakeholders who would potentially be affected by such
33 change, and shall invite representatives from organizations
34 representing such stakeholders to submit comments before or
35 at an upcoming work group meeting before the work group makes

1 final recommendations.

2 7. The department of education shall compile the work
3 group's findings and recommendations and shall submit the
4 compilation, including any proposal for legislation, in a
5 report to the general assembly, the governor, and the state
6 board of education by December 1, 2023.

7 DIVISION IV

8 STATEWIDE SCHOOL INFRASTRUCTURE FUNDING

9 Sec. 16. Section 423F.3, subsections 2 and 4, Code 2023, are
10 amended to read as follows:

11 2. A revenue purpose statement in existence for the
12 expenditure of local sales and services tax for school
13 infrastructure purposes imposed by a county pursuant to
14 section 423E.2, Code Supplement 2007, prior to July 1, 2008,
15 shall remain in effect until amended or extended. The board
16 of directors of a school district may take action to adopt
17 or amend a revenue purpose statement specifying the specific
18 purposes for which the revenues received from the secure an
19 advanced vision for education fund will be expended. ~~If a~~
20 ~~school district is located in a county which has imposed a~~
21 ~~local sales and services tax for school infrastructure purposes~~
22 ~~prior to July 1, 2008, this action shall be taken before~~
23 ~~expending or anticipating revenues to be received after the~~
24 ~~unextended term of the tax unless the school district elects to~~
25 ~~adopt a revenue purpose statement as provided in subsection 3.~~

26 4. The revenues received pursuant to [this chapter](#) shall
27 be expended for the purposes specified in the revenue purpose
28 statement. If a board of directors has not approved a revenue
29 purpose statement, the revenues shall be expended in the order
30 listed in [subsection 1](#) except that the payment of bonds for
31 which the revenues have been pledged shall be paid first.
32 Once approved, a revenue purpose statement is effective until
33 amended or repealed by the foregoing procedures. A revenue
34 purpose statement shall not be amended or repealed to reduce
35 the amount of revenue pledged to the payment of principal and

1 interest on bonds as long as any bonds authorized by sections
2 423E.5 and 423F.4 are outstanding unless funds sufficient
3 to pay principal, interest, and premium, if any, on the
4 outstanding obligations at or prior to maturity have been
5 properly set aside and pledged for that purpose. A school
6 district affected by a reorganization under chapter 275 that
7 has issued bonds under section 423E.5 or 423F.4 and that has
8 not approved a revenue purpose statement shall first use
9 revenues to make timely and sufficient payment of principal and
10 interest, and premium if applicable, on the outstanding bonds.

11 Sec. 17. Section 423F.3, subsection 3, paragraph c, Code
12 2023, is amended by striking the paragraph.

13 Sec. 18. Section 423F.3, subsection 3, paragraph d, Code
14 2023, is amended to read as follows:

15 d. The board secretary shall notify the county commissioner
16 of elections of the intent to take an issue to the voters
17 pursuant to paragraph "b" ~~or "e"~~. The county commissioner of
18 elections shall publish the notices required by law for special
19 or general elections, and the election shall be held on a date
20 specified in section 39.2, subsection 4, paragraph "c". A
21 majority of those voting on the question must favor approval
22 of the revenue purpose statement. If the proposal is not
23 approved, the school district shall not submit the same or new
24 revenue purpose statement to the electors for a period of six
25 months from the date of the previous election.

26 Sec. 19. Section 423F.3, subsection 6, paragraph a,
27 subparagraph (1), Code 2023, is amended to read as follows:

28 (1) For purposes of this chapter, "school infrastructure"
29 means those activities ~~authorized in section 423E.1, subsection~~
30 ~~3, Code 2007~~ for which a school district is authorized to
31 contract indebtedness and issue general obligation bonds under
32 section 296.1, except those activities related to a teacher's
33 or superintendent's home or homes.

34 Sec. 20. Section 423F.3, subsection 6, paragraph a, Code
35 2023, is amended by adding the following new subparagraphs:

1 NEW SUBPARAGRAPH. (5) Additionally, "school infrastructure"
2 includes the construction, reconstruction, repair, demolition
3 work, purchasing, or remodeling of schoolhouses, stadiums,
4 gymnasiums, fieldhouses, and school bus garages, the
5 procurement of schoolhouse construction sites, the making of
6 site improvements, and those activities for which revenues
7 under section 298.3 or chapter 300 may be spent.

8 NEW SUBPARAGRAPH. (6) Additionally, "school infrastructure"
9 includes a joint infrastructure project with one or more school
10 districts or one or more school districts and a community
11 college established under chapter 260C, for which buildings
12 or facilities are constructed or leased for the purpose of
13 offering classes under a district-to-community college sharing
14 agreement or concurrent enrollment program that meets the
15 requirements for funding under section 257.11, subsection 3.

16 Sec. 21. Section 423F.4, Code 2023, is amended to read as
17 follows:

18 **423F.4 Borrowing authority for school districts.**

19 1. Subject to the conditions established under subsection
20 2, a school district may anticipate its share of the revenues
21 under ~~section 423F.2~~ by ~~issuing bonds in the manner provided~~
22 ~~in section 423E.5, Code 2019~~ this section. However, to the
23 extent any school district has issued bonds anticipating the
24 proceeds of an extended local sales and services tax for school
25 infrastructure purposes imposed by a county pursuant to former
26 chapter 423E, Code and Code Supplement 2007, prior to July 1,
27 2008, the pledge of such revenues for the payment of principal
28 and interest on such bonds shall be replaced by a pledge of its
29 share of the revenues under section 423F.2.

30 2. a. Bonds issued on or after July 1, 2019, shall not be
31 sold at public sale as provided in chapter 75, or at a private
32 sale, without notice and hearing. Notice of the time and place
33 of the public hearing shall be published not less than ten nor
34 more than twenty days before the public hearing in a newspaper
35 which is a newspaper of general circulation in the school

1 district. This paragraph does not apply to the refinancing of
2 bonds.

3 *b.* For bonds subject to the requirements of paragraph
4 “*a*”, if at any time prior to the fifteenth day following the
5 hearing, the secretary of the board of directors receives a
6 petition containing the required number of signatures and
7 asking that the question of the issuance of such bonds be
8 submitted to the voters of the school district, the board shall
9 either rescind its adoption of the resolution or direct the
10 county commissioner of elections to submit the question to the
11 registered voters of the school district at an election held
12 on a date specified in [section 39.2, subsection 4](#), paragraph
13 “*c*”. The petition must be signed by eligible electors equal
14 in number to not less than one hundred or thirty percent of
15 the number of voters at the last preceding election of school
16 officials under [section 277.1](#), whichever is greater. If the
17 board submits the question at an election and a majority of
18 those voting on the question favors issuance of the bonds, the
19 board shall be authorized to issue the bonds.

20 *c.* After fourteen days from the date of the hearing under
21 paragraph “*a*” or fourteen days after the date of the election
22 held under paragraph “*b*”, if applicable, whichever is later,
23 an action shall not be brought questioning the legality of
24 any bonds or the power of the authority to issue any bonds
25 or to the legality of any proceedings in connection with the
26 authorization or issuance of the bonds.

27 3. The repeal of section 423E.5 shall not affect the
28 validity of any previously issued bonds or other evidences of
29 indebtedness.

30 4. The board of directors of a school district may issue
31 negotiable, interest-bearing school bonds, without election,
32 and utilize tax receipts derived from the secure an advanced
33 vision for education fund for principal and interest repayment.
34 Proceeds of the bonds issued pursuant to this subsection shall
35 be utilized solely for school infrastructure as defined in

1 section 423F.3, subsection 6, paragraph "a". Bonds issued
2 under this subsection may be sold at public sale as provided
3 in chapter 75, or at private sale, without notice and hearing.
4 Bonds may bear dates, bear interest at rates not exceeding that
5 permitted by chapter 74A, mature in one or more installments,
6 be in registered form, carry registration and conversion
7 privileges, be payable as to principal and interest at times
8 and places, be subject to terms of redemption prior to maturity
9 with or without premium, and be in one or more denominations,
10 all as provided by the resolution of the board of directors
11 authorizing the issuance. The resolution may also prescribe
12 additional provisions, terms, conditions, and covenants which
13 the board of directors deems advisable, including provisions
14 for creating and maintaining reserve funds, the issuance of
15 additional bonds ranking on a parity with such bonds and
16 additional bonds junior and subordinate to such bonds, and
17 that such bonds shall rank on a parity with or be junior and
18 subordinate to any bonds which may be then outstanding. Bonds
19 may be issued to refund outstanding and previously issued
20 bonds under this subsection. The bonds are a contractual
21 obligation of the school district, and the resolution issuing
22 the bonds and its share of the revenues distributed pursuant
23 to section 423F.2 to the payment of principal and interest on
24 the bonds is a part of the contract. Bonds issued pursuant to
25 this subsection shall not constitute indebtedness within the
26 meaning of any constitutional or statutory debt limitation or
27 restriction, and shall not be subject to any other law relating
28 to the authorization, issuance, or sale of bonds.

29 5. a. A school district may enter into an agreement
30 pursuant to chapter 28E with one or more cities or a county
31 whose boundaries encompass all or a part of the area of the
32 school district. A city entering into an agreement with a
33 school district pursuant to chapter 28E may expend the city's
34 designated portion of the revenues for any valid purpose
35 permitted in this chapter or authorized by the governing body

1 of the city. A county entering into an agreement with a school
2 district pursuant to chapter 28E may expend its designated
3 portion of the revenues to provide property tax relief within
4 the boundaries of the school district located in the county.

5 b. A school district may enter into an agreement pursuant to
6 chapter 28E with another school district, a community college,
7 or an area education agency which is located partially or
8 entirely in or is contiguous to the county where the school
9 district is located. The school district or community college
10 shall only expend its designated portion of the revenues
11 for infrastructure purposes. The area education agency
12 shall only expend its designated portion of the revenues for
13 infrastructure and maintenance purposes.

14 DIVISION V

15 COUNTY CONFERENCE BOARD

16 Sec. 22. Section 441.2, Code 2023, is amended to read as
17 follows:

18 **441.2 Conference board.**

19 In each county and each city having an assessor there
20 shall be established a conference board. In counties the
21 conference board shall consist of the mayors or a designated
22 member of a city council of all incorporated cities in the
23 county whose property is assessed by the county assessor; one
24 representative from the board of directors of each high school
25 district ~~of~~ containing a high school in the county, who is a
26 resident of the county, ~~said board of directors appointing said~~
27 ~~representative for a one-year term and notifying the clerk of~~
28 ~~the conference board as to their representative;~~ and members
29 of the board of supervisors. In cities having an assessor
30 the conference board shall consist of the members of the city
31 council, ~~school board~~ the board of directors of each school
32 district containing a high school in the city, and county board
33 of supervisors. In the counties the chairperson of the board
34 of supervisors shall act as chairperson of the conference
35 board, in cities having an assessor the mayor of the city

1 council shall act as chairperson of the conference board. In
2 any action taken by the conference board, the mayors of all
3 incorporated cities in the county whose property is assessed
4 by the county assessor shall constitute one voting unit, the
5 members of the ~~city board of education~~ board of directors of
6 each school district containing a high school in the city or
7 one representative from the board of directors of each high
8 school district ~~of~~ containing a high school in the county shall
9 constitute one voting unit, the members of the city council
10 shall constitute one voting unit, and the county board of
11 supervisors shall constitute one voting unit, each unit having
12 a single vote and no action shall be valid except by the vote of
13 not less than two out of the three units. In any action taken
14 by the conference board, if a city or a county contains only
15 one school district containing a high school, the members of
16 or the representative of the board of directors of the school
17 district, as applicable, shall constitute one voting unit.
18 The majority vote of the members present of each unit shall
19 determine the vote of the unit. The assessor shall be clerk of
20 the conference board.

21 DIVISION VI

22 CHILDREN'S RESIDENTIAL FACILITIES

23 Sec. 23. Section 282.34, Code 2023, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 6. For children requiring admission to
26 a residential treatment facility, the residential treatment
27 facility shall complete and provide to the district of
28 residence the documentation necessary to seek Medicaid
29 reimbursement for eligible services.

30 DIVISION VII

31 AREA EDUCATION AGENCY BOARDS — POSTING OF NOTICE OF PROPOSED
32 BUDGET

33 Sec. 24. Section 273.3, subsection 12, Code 2023, is amended
34 to read as follows:

35 12. Prepare an annual budget estimating income and

1 expenditures for programs and services as provided in sections
2 273.1, 273.2, this section, sections 273.4 through 273.8, and
3 chapter 256B within the limits of funds provided under section
4 256B.9 and chapter 257. The board shall post notice of a
5 public hearing on the proposed budget on the area education
6 agency's internet site ~~and by publication in the newspaper of~~
7 ~~general circulation in the territory of the area education~~
8 ~~agency in which the principal place of business of a school~~
9 ~~district that is a part of the area education agency is located~~
10 or in the manner prescribed in section 279.36. The notice
11 shall specify the date, which shall be not later than March
12 1 of each year, the time, and the location of the public
13 hearing. The proposed budget as approved by the board shall
14 then be submitted to the state board of education, on forms
15 provided by the department, no later than March 15 preceding
16 the next fiscal year for approval. The state board shall
17 review the proposed budget of each area education agency and
18 shall before May 1, either grant approval or return the budget
19 without approval with comments of the state board included. An
20 unapproved budget shall be resubmitted to the state board for
21 final approval not later than May 15. The state board shall
22 give final approval only to budgets submitted by area education
23 agencies accredited by the state board or that have been given
24 conditional accreditation by the state board.

25 DIVISION VIII

26 ELECTION COMMISSIONERS

27 Sec. 25. Section 47.6, subsection 2, Code 2023, is amended
28 to read as follows:

29 2. For the purpose of this section, a conflict between two
30 elections exists only when some but not all of the registered
31 voters of any precinct would be entitled to vote in one of
32 the elections and all of the registered voters of the same
33 precinct would be entitled to vote in the other election.
34 Nothing in this subsection shall deny a commissioner who is
35 responsible for conducting the election discretionary authority

1 to approve holding a special election on the same date as
2 another election, even though the two elections may be defined
3 as being in conflict, if the commissioner concludes that to do
4 so will cause no undue difficulties.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill relates to entities supported in whole or in part
9 by public moneys, including the sale of public bonds, the
10 duties and responsibilities of the directors and officers of
11 school boards, school districts, the department of education,
12 the department of health and human services, accredited
13 nonpublic schools, charter schools, community colleges,
14 institutions under the control of the state board of regents,
15 area education agencies, election commissioners, and children's
16 residential facilities, and the membership and voting units of
17 county and city conference boards.

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

32 Code section 75.14 provides that, notwithstanding contrary
33 provisions of Code chapter 75 (authorization and sale of public
34 bonds), a public body authorized to issue bonds or other
35 obligations may elect to receive bids to purchase such bonds

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

6 DIVISION II — SCHOOL BOARD AND OFFICERS — DUTIES AND
7 RESPONSIBILITIES. Current law provides that individuals who
8 either have a master's degree or are making annual progress
9 toward meeting the requirements for a teacher librarian
10 endorsement issued by the board of educational examiners are
11 considered to be in compliance with rules associated with
12 media specialists or librarians. The division strikes these
13 provisions.

14 Code section 279.6 provides a process to fill vacancies
15 occurring among the members of a school board. This process
16 requires, among other things, the publication in a newspaper of
17 notice stating that the board intends to fill the vacancy by
18 appointment. The division authorizes notice to be provided by
19 publication on the board's internet site as well.

20 The division strikes a provision requiring school boards to
21 have rules regulating the loading and unloading of pupils from
22 a school bus stopped on the highway during inclement weather.

23 The division authorizes the board of directors of a
24 school district and the superintendent, in certain specified
25 circumstances, to use electronic signatures and electronic
26 contracts pursuant to Code chapter 554D (electronic
27 transactions) and facsimile signatures when entering into
28 contracts to hire support personnel.

29 Currently, school districts are prohibited from charging
30 employees for the cost of registry checks. The bill provides
31 that a school district may charge an employee for the cost
32 of the registry checks, not to exceed the actual cost. The
33 division strikes obsolete language relating to school employee
34 registry checks.

35 Current law requires the board of directors of each public

1 school district to administer the pledge of allegiance in
2 grades 1 through 12 each school day. The division modifies
3 this provision to require each public school district to
4 administer the pledge of allegiance in grades 1 through 12 each
5 school day.

6 The division authorizes the president of the board of
7 directors of a school district, or the president's designee, to
8 enter into original contracts or electronic contracts pursuant
9 to chapter 554D and sign, using an original, facsimile, or
10 electronic signature, all school district payments drawn and
11 authorize electronic funds transfers as provided by law.

12 Current law requires the secretary and treasurer of a
13 school district to execute to the school corporation a surety
14 bond in an amount sufficient to cover current operations as
15 determined by the board. Current law also requires the oath
16 required of civil officers to be endorsed upon the bond. The
17 division strikes the requirement that the oath required of
18 civil officers be endorsed upon the bond.

19 DIVISION III — RESPONSIBILITIES AND REQUIREMENTS RELATING
20 TO HEALTH. The division strikes requirements that school
21 districts, community colleges, and institutions under the
22 control of the state board of regents conduct an evaluation
23 and assessment regarding implementation of an environmentally
24 preferable cleaning policy and, unless the school districts,
25 community colleges, or institutions under the control of the
26 state board of regents opt out of compliance, to purchase only
27 cleaning and maintenance products identified by the department
28 of administrative services as being environmentally preferable
29 or that meet nationally recognized standards.

30 The division strikes the requirement that each school
31 work toward a goal of having one school nurse for every 750
32 students, and instead authorizes a school district to have a
33 school nurse to provide health care to students.

34 The division strikes a provision requiring that every
35 parent or guardian of a child registered for kindergarten or

1 preschool be provided with a student vision card provided by
2 the Iowa optometric association and approved by the department
3 of education with a goal of every child receiving an eye
4 examination by age seven.

5 The division requires the department of education to
6 convene and provide administrative support to a health
7 care-related training for school personnel group. The bill
8 requires the group to review and develop a plan to ensure
9 that Iowa educators have the health care training necessary
10 to perform their duties and to submit recommendations for
11 delivery and implementation of training required under state
12 law or rule. The bill specifies the members the group shall
13 include. The bill requires the group to submit its findings
14 and recommendations in a report to the general assembly, the
15 governor, and the state board of education by December 1, 2023.

16 DIVISION IV — STATEWIDE SCHOOL INFRASTRUCTURE FUNDING.
17 Current law provides that if a school district is located in
18 a county which has imposed a local sales and services tax for
19 school infrastructure purposes prior to July 1, 2008, the board
20 of directors of a school district is required to take action
21 to adopt or amend a revenue purpose statement specifying the
22 specific purposes for which the revenues received from the
23 secure an advanced vision for education fund will be expended
24 before expending or anticipating revenues to be received after
25 the unextended term of the tax unless the school district
26 elects to adopt a revenue purpose statement. The division
27 strikes this provision.

28 The division requires a school district affected by a
29 reorganization that has issued bonds under Code section 423E.5
30 (school infrastructure funding formula - bonding) or 423F.4
31 (borrowing authority for school districts) and that has not
32 approved a revenue purpose statement to first use revenues to
33 make timely and sufficient payment of principal and interest
34 and premium, if applicable, on the outstanding bonds.

35 The division modifies the definition of "school

1 infrastructure" for purposes of Code chapter 423F (statewide
2 school infrastructure funding) to mean those activities
3 for which a school district is authorized to contract
4 indebtedness and issue general obligation bonds under Code
5 section 296.1 (indebtedness of school corporations), except
6 those activities related to a teacher's or superintendent's
7 home or homes. The division also modifies the definition
8 of "school infrastructure" for purposes of Code chapter
9 423F to include the construction, reconstruction, repair,
10 demolition work, purchasing, or remodeling of schoolhouses,
11 stadiums, gymnasiums, fieldhouses, and school bus garages, the
12 procurement of schoolhouse construction sites, the making of
13 site improvements, those activities for which other specified
14 revenues may be spent, joint infrastructure projects with one
15 or more school districts or one or more school districts and
16 a community college, for which buildings or facilities are
17 constructed or leased for the purpose of offering classes under
18 a district-to-community college sharing agreement or concurrent
19 enrollment program. Additionally, the division modifies the
20 definition of "school infrastructure" for purposes of Code
21 chapter 423F to remove requirements related to the adoption of
22 a revenue purpose statement that is subject to the approval of
23 the electors.

24 Current law provides that bonds issued under Code chapter
25 423F on or after July 1, 2019, shall not be sold at a public
26 or private sale without notice and hearing. Current law
27 also provides that notice of the sale shall be published in
28 a newspaper. The bill provides that this provision does not
29 apply to the refinancing of bonds.

30 The division provides that the repeal of Code section 423E.5
31 (bonding) shall not affect the validity of any previously
32 issued bonds or other evidences of indebtedness. Code chapter
33 423E sunsets on June 30, 2023.

34 The division authorizes the board of directors of a school
35 district to issue negotiable, interest-bearing school bonds,

1 without election, and utilize tax receipts derived from the
2 secure an advanced vision for education fund for principal and
3 interest repayment pursuant to standards established in the
4 division.

5 The division authorizes school districts to enter into an
6 agreement pursuant to chapter 28E with one or more cities,
7 school districts, community colleges, and certain specified
8 counties and area education agencies. The division also
9 establishes how revenues from such agreements may be expended.

10 DIVISION V — COUNTY CONFERENCE BOARD. Current law provides
11 that each county and each city having an assessor shall have a
12 conference board. Current law also provides that in counties,
13 the conference board shall consist of the mayors of all
14 incorporated cities in the county whose property is assessed
15 by the county assessor, one representative from the board of
16 directors of each high school district of the county, who is a
17 resident of the county, said board of directors appointing said
18 representative for a one-year term and notifying the clerk of
19 the conference board as to their representative, and members of
20 the board of supervisors. The division modifies this provision
21 to require that the conference board consist of the mayors
22 or a designated member of a city council. The division also
23 modifies this provision by replacing references to high school
24 districts with references to school districts containing a high
25 school.

26 The division strikes the requirement that the board of
27 directors of a high school district appoint a representative
28 for a one-year term and notify the clerk of the conference
29 board as to the identity of the representative.

30 The division provides that, in any action taken by the
31 conference board, if a city or a county contains only one
32 school district containing a high school, the members of or
33 the representative of the board of directors of the school
34 district, as applicable, shall constitute one voting unit.

35 DIVISION VI — CHILDREN'S RESIDENTIAL CARE FACILITIES. The

1 division provides that, for children requiring admission to
2 a residential treatment facility, the residential treatment
3 facility shall complete and provide to the child's school
4 district of residence the documentation necessary to seek
5 Medicaid reimbursement for eligible services.

6 DIVISION VII — AREA EDUCATION AGENCY BOARDS — POSTING OF
7 NOTICE ON PROPOSED BUDGET. Current law requires area education
8 agency (AEA) boards to give notice of a public hearing on the
9 AEA's proposed budget by publication on the AEA's internet
10 site and by publication in a newspaper. The division strikes
11 the requirement that notice be published in a newspaper. The
12 division authorizes AEA boards to provide notice of a public
13 hearing on the AEA's proposed budget by publication on the
14 AEA's internet site or in accordance with Code section 279.36
15 (publication in a newspaper).

16 DIVISION VIII — ELECTION COMMISSIONERS. The division
17 provides that, for purposes of special elections, nothing
18 shall deny a commissioner who is responsible for conducting
19 the election the discretionary authority to approve holding a
20 special election on the same date as another election, even
21 though the two elections may be defined as being in conflict,
22 if the commissioner concludes that to do so will cause no undue
23 difficulties.