

**Senate File 2362 - Reprinted**

SENATE FILE 2362  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3104)

(As Amended and Passed by the Senate February 23, 2022)

**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, accredited nonpublic  
5 schools, charter schools, and children's residential  
6 facilities, and the membership and voting units of county  
7 and city conference boards.

8 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 to read as follows:

2     2. ~~The board of directors of each~~ Each public school  
3 district shall administer the pledge of allegiance in grades  
4 one through twelve each school day. Each classroom in which  
5 the pledge of allegiance is recited pursuant to this subsection  
6 shall display the United States flag during the recitation. A  
7 student shall not be compelled against the student's objections  
8 or those of the student's parent or guardian to recite the  
9 pledge.

10     Sec. 7. Section 291.1, Code 2022, is amended to read as  
11 follows:

12     **291.1 President — duties.**

13     The president of the board of directors shall preside at  
14 all of its meetings, sign all contracts made by the board, and  
15 appear on behalf of the corporation in all actions brought by  
16 or against it, unless individually a party, in which case this  
17 duty shall be performed by the secretary. The president or the  
18 president's designee shall have the authority to enter into  
19 original contracts or electronic contracts pursuant to chapter  
20 554D and sign, using an original, ~~or~~ facsimile, or electronic  
21 signature, as defined in section 554D.103, all school district  
22 payments drawn and authorize electronic funds transfers as  
23 provided by law. The board of directors, by resolution, may  
24 designate an individual, who shall not be the secretary, to  
25 sign payments or authorize electronic funds transfers on behalf  
26 of the president pursuant to this section.

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DIVISION III

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DEPARTMENT OF EDUCATION WORK GROUP

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Sec. 8. DEPARTMENT OF EDUCATION — HEALTH CARE-RELATED  
30 TRAINING FOR SCHOOL PERSONNEL WORK GROUP.

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1. The department of education shall convene and provide  
32 administrative support to a health care-related training  
33 for school personnel work group. The work group shall  
34 review and develop a plan to ensure Iowa educators have the  
35 health care training necessary to perform their duties and

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 sold  
16 at public sale as provided in [chapter 75](#), or at a private sale,  
17 without notice and hearing. Notice of the time and place of  
18 the public hearing shall be published not less than ten nor  
19 more than twenty days before the public hearing in a newspaper  
20 which is a newspaper of general circulation in the school  
21 district. This paragraph does not apply to the refinancing of  
22 bonds.

23 DIVISION V

24 COUNTY CONFERENCE BOARD

25 Sec. 10. Section 441.2, Code 2022, is amended to read as  
26 follows:

27 **441.2 Conference board.**

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



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

28 DIVISION VI

29 CHILDREN'S RESIDENTIAL FACILITIES

30 Sec. 11. Section 282.34, Code 2022, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 6. For children requiring admission to  
33 a residential treatment facility, the residential treatment  
34 facility shall complete and provide to the district of  
35 residence the documentation necessary to seek Medicaid

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1 reimbursement for eligible services.