

House File 370 - Reprinted

HOUSE FILE 370
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 118)

(As Amended and Passed by the House March 16, 2023)

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
8 board of regents, area education agencies, and election
9 commissioners, and the membership and voting units of county
10 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
33 2, vacancies occurring among the officers or members of a
34 school board shall be filled by the board by appointment. A
35 person so appointed to fill a vacancy in an elective office

1 shall hold office until a successor is elected and qualified
2 at the next regular school election, unless there is an
3 intervening special election for the school district, in which
4 event a successor shall be elected at the intervening special
5 election, in accordance with [section 69.12](#). To fill a vacancy
6 occurring among the members of a school board, the board shall
7 publish notice on the board's internet site and 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 279.8, subsection 1, Code 2023, is amended
18 to read as follows:

19 1. The board shall make rules for its own government and
20 that of the directors, officers, employees, teachers and
21 pupils, and for the care of the schoolhouse, grounds, and
22 property of the school corporation, and shall aid in the
23 enforcement of the rules, and require the performance of duties
24 imposed by law and the rules. ~~The board shall include in its~~
25 ~~rules provisions regulating the loading and unloading of pupils~~
26 ~~from a school bus stopped on the highway during a period of~~
27 ~~reduced highway visibility caused by fog, snow or other weather~~
28 ~~conditions.~~ The board shall have the authority to include in
29 its rules provisions allowing school corporation employees to
30 use school credit cards to pay for the actual and necessary
31 expenses incurred in the performance of work-related duties.

32 Sec. 6. NEW SECTION. **279.8C Board of directors — access**
33 **to information.**

34 1. The board of directors of a school district shall have
35 access to and may review any of the following:

1 *a.* The curriculum associated with any instruction provided
2 to students enrolled in the school district.

3 *b.* Materials located in a library operated by the school
4 district, including a library located in a classroom.

5 2. A school district shall not prohibit a member of the
6 board of directors of the school district from attending
7 classes taught by teachers employed by the school district
8 to observe classroom instruction, not for the purpose of
9 evaluation, if the member has provided reasonable prior notice
10 to the superintendent and principal of the attendance center
11 in which the classes are taught and to the teacher providing
12 the instruction.

13 3. *a.* A school district shall not prohibit a member of
14 the board of directors of the school district from accessing
15 materials used in a professional development program that
16 the school district, or an administrator employed by the
17 school district, requires employees of the school district to
18 attend. This paragraph shall not be construed to authorize
19 a member of the board of directors of the school district to
20 access an individual teacher professional development plan
21 developed pursuant to section 284.6 or any materials related
22 to an intensive assistance program a teacher is required to
23 participate in pursuant to section 284.8.

24 *b.* A school district, or an administrator employed by the
25 school district, shall provide copies of materials used in a
26 professional development program that the school district, or
27 an administrator employed by the school district, requires
28 employees of the school district to attend to a member of the
29 board of directors of the school district upon request. This
30 paragraph shall not be construed to require a school district,
31 or an administrator employed by the school district, to provide
32 copies of an individual teacher professional development plan
33 developed pursuant to section 284.6, or any materials related
34 to an intensive assistance program a teacher is required to
35 participate in pursuant to section 284.8, to a member of the

1 board of directors of the school district.

2 4. For purposes of this section, "*professional development*
3 *program*" means the same as defined in section 272.1.

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

6 2. The board of directors of a school district may delegate
7 the authority to hire support personnel and sign the support
8 personnel employment contracts, if applicable, if the board
9 adopts a policy authorizing the superintendent to perform
10 such duties and specifying the positions the superintendent
11 is authorized to fill. The board of directors of a school
12 district and the superintendent, if authorized pursuant to
13 this subsection, may use electronic signatures and electronic
14 contracts pursuant to chapter 554D and facsimile signatures
15 when entering into the contracts described in this subsection.
16 For purposes of *this subsection*, the term "*support personnel*"
17 includes, but is not limited to, bus drivers, custodians,
18 educational associates, and clerical and food service
19 employees.

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

22 1. Prior to hiring an applicant for a school employee
23 position, a school district shall have access to and shall
24 review the information in the Iowa court information system
25 available to the general public, the sex offender registry
26 information under [section 692A.121](#) available to the general
27 public, the central registry for child abuse information
28 established under [section 235A.14](#), and the central registry for
29 dependent adult abuse information established under section
30 235B.5 for information regarding the applicant. ~~A school~~
31 ~~district shall follow the same procedure by June 30, 2014, for~~
32 ~~each school employee employed by the school district as of July~~
33 ~~1, 2013.~~ A school district shall implement a consistent policy
34 to follow the same procedure for each school employee employed
35 by the school district ~~on or after July 1, 2013,~~ at least every

1 five years after the school employee's initial date of hire.
2 A school district shall not charge an employee for the cost
3 of the registry checks conducted pursuant to this subsection.
4 A school district shall maintain documentation demonstrating
5 compliance with [this subsection](#).

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

8 2. ~~The board of directors of each~~ Each public school
9 district shall administer the pledge of allegiance in grades
10 one through twelve each school day. Each classroom in which
11 the pledge of allegiance is recited pursuant to [this subsection](#)
12 shall display the United States flag during the recitation. A
13 student shall not be compelled against the student's objections
14 or those of the student's parent or guardian to recite the
15 pledge.

16 Sec. 10. Section 291.1, Code 2023, is amended to read as
17 follows:

18 **291.1 President — duties.**

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

33 Sec. 11. Section 291.4, Code 2023, is amended to read as
34 follows:

35 **291.4 Oath.**

1 Each shall take the oath required of civil officers, ~~which~~
2 ~~shall be endorsed upon the bond,~~ and shall complete the
3 qualification within ten days.

4 DIVISION III

5 RESPONSIBILITIES AND REQUIREMENTS RELATING TO HEALTH

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

8 1. *Findings and intent.* The general assembly finds that
9 human beings are vulnerable to and may be severely affected by
10 exposure to chemicals, hazardous waste, and other environmental
11 hazards. The federal environmental protection agency estimates
12 that human exposure to indoor air pollutants can be two to
13 five times, and up to one hundred times, higher than outdoor
14 levels. ~~Children, teachers, janitors, and other staff members~~
15 ~~spend a significant amount of time inside school buildings.~~
16 ~~Likewise, state~~ State employees and citizens of this state
17 spend a significant amount of time inside state buildings.
18 These individuals are continuously exposed to chemicals from
19 cleaners, waxes, deodorizers, and other maintenance products.

20 3. *Use of environmentally preferable cleaning and maintenance*
21 *products.*

22 a. ~~All school districts in this state, community colleges,~~
23 ~~institutions under the control of the state board of regents,~~
24 ~~and state agencies utilizing state buildings,~~ are encouraged
25 to conform to an environmentally preferable cleaning policy
26 designed to facilitate the purchase and use of environmentally
27 preferable cleaning and maintenance products for purposes of
28 ~~public school, community college, regents institution, and~~
29 state building cleaning and maintenance.

30 b. ~~Each school district, community college, institution~~
31 ~~under the control of the state board of regents, or state~~
32 agency utilizing public buildings shall conduct an evaluation
33 and assessment regarding implementation of an environmentally
34 preferable cleaning policy pursuant to [this section](#). ~~On or~~
35 ~~after July 1, 2012, all~~ All state agencies, ~~and all school~~

1 ~~districts, community colleges, and institutions under the~~
2 ~~control of the state board of regents which have not opted~~
3 ~~out of compliance pursuant to paragraph "c",~~ shall purchase
4 only cleaning and maintenance products identified by the
5 department or that meet nationally recognized standards.
6 ~~School districts, community colleges, institutions under the~~
7 ~~control of the state board of regents, and state~~ State agencies
8 procuring supplies for schools and state buildings may deplete
9 their existing cleaning and maintenance supply stocks and
10 implement the new requirements in the procurement cycle for
11 the following year. **This section** shall not be interpreted
12 in a manner that prohibits the use of disinfectants,
13 disinfecting cleaners, sanitizers, or any other antimicrobial
14 product regulated by the federal Insecticide, Fungicide,
15 and Rodenticide Act, 7 U.S.C. §136 et seq., when necessary
16 to protect public health and provided that the use of these
17 products is in accordance with responsible cleaning procedure
18 requirements.

19 ~~c. A school district, community college, or institution~~
20 ~~under the control of the state board of regents may, based upon~~
21 ~~the evaluation and assessment conducted pursuant to paragraph~~
22 ~~"b", opt out of compliance with the requirements of this section~~
23 ~~upon the affirmative vote of a majority of the members of the~~
24 ~~board of directors of the school district or a determination by~~
25 ~~the president of the community college or by the president or~~
26 ~~administrative officer of the regents institution. A school~~
27 ~~district, community college, or regents institution opting~~
28 ~~out of compliance pursuant to this paragraph shall notify the~~
29 ~~department of education, the state board of education, or the~~
30 ~~state board of regents, as appropriate, of this decision.~~

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

33 9B. ~~Beginning July 1, 2007, each~~ A school district shall
34 ~~have a~~ employ at least one school nurse to provide health
35 services to its students. ~~Each school district shall work~~

1 ~~toward the goal of having one school nurse for every seven~~
2 ~~hundred fifty students enrolled in the school district.~~ For
3 purposes of **this subsection**, "school nurse" means a person who
4 holds an endorsement or a statement of professional recognition
5 for school nurses issued by the board of educational examiners
6 under **chapter 272**.

7 Sec. 14. DEPARTMENT OF EDUCATION — HEALTH CARE-RELATED
8 TRAINING FOR SCHOOL PERSONNEL WORK GROUP.

9 1. The department of education shall convene and provide
10 administrative support to a health care-related training
11 for school personnel work group. The work group shall
12 review and develop a plan to ensure Iowa educators have the
13 health care training necessary to perform their duties and
14 responsibilities, and shall consider and submit recommendations
15 for delivery and implementation of training required under
16 state law or rule.

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

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

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

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

27 (1) One member from a statewide organization representing
28 teachers.

29 (2) One member from a statewide organization representing
30 school board members.

31 (3) One member from a statewide organization representing
32 school administrators.

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

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

1 (6) One member from a statewide organization representing
2 physicians.

3 (7) One member from a statewide organization representing
4 athletic trainers.

5 (8) One member from a statewide organization representing
6 emergency management services.

7 (9) One member from a statewide organization representing
8 health care organizations.

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

11 3. Any expenses incurred by a member of the work group
12 shall be the responsibility of the individual member or the
13 respective entity represented by the member.

14 4. The director of the department of education or the
15 director's designee shall compile and provide to the work group
16 a list of, and the purposes for, the health care training
17 programs that school personnel are required to complete, as
18 well as any requirements school personnel must meet following
19 such training, in order be in compliance with state law or
20 administrative rule.

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

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

25 b. Develop a plan for a regular cycle of health care-related
26 training for school personnel review, with the goal of removing
27 or modifying training or training programs that are no longer
28 relevant, and identifying less costly and more efficient
29 options that still provide the appropriate level of training to
30 school personnel.

31 c. Standardize the process of establishing new training
32 requirements in state law or rule to manage stakeholder
33 expectations relating to the timeline for establishing the
34 requirements.

35 d. Create an ongoing review process to find efficiencies,

1 identify training options that better utilize time and
2 financial resources, and offer a continuous improvement model
3 for the system moving forward.

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

8 f. Ensure a public comment process for patient advocacy
9 groups and parents to provide input on the recommendations of
10 the work group.

11 6. If the work group recommends elimination or significant
12 modification of certain health care-related training for
13 school personnel, the department of education shall identify
14 stakeholders who would potentially be affected by such
15 change, and shall invite representatives from organizations
16 representing such stakeholders to submit comments before or
17 at an upcoming work group meeting before the work group makes
18 final recommendations.

19 7. The department of education shall compile the work
20 group's findings and recommendations and shall submit the
21 compilation, including any proposal for legislation, in a
22 report to the general assembly, the governor, and the state
23 board of education by December 1, 2023.

24 DIVISION IV

25 STATEWIDE SCHOOL INFRASTRUCTURE FUNDING

26 Sec. 15. Section 423F.3, subsections 2 and 4, Code 2023, are
27 amended to read as follows:

28 2. A revenue purpose statement in existence for the
29 expenditure of local sales and services tax for school
30 infrastructure purposes imposed by a county pursuant to
31 section 423E.2, Code Supplement 2007, prior to July 1, 2008,
32 shall remain in effect until amended or extended. The board
33 of directors of a school district may take action to adopt
34 or amend a revenue purpose statement specifying the specific
35 purposes for which the revenues received from the secure an

1 advanced vision for education fund will be expended. ~~If a~~
2 ~~school district is located in a county which has imposed a~~
3 ~~local sales and services tax for school infrastructure purposes~~
4 ~~prior to July 1, 2008, this action shall be taken before~~
5 ~~expending or anticipating revenues to be received after the~~
6 ~~unextended term of the tax unless the school district elects to~~
7 ~~adopt a revenue purpose statement as provided in subsection 3.~~

8 4. The revenues received pursuant to [this chapter](#) shall
9 be expended for the purposes specified in the revenue purpose
10 statement. If a board of directors has not approved a revenue
11 purpose statement, the revenues shall be expended in the order
12 listed in [subsection 1](#) except that the payment of bonds for
13 which the revenues have been pledged shall be paid first.
14 Once approved, a revenue purpose statement is effective until
15 amended or repealed by the foregoing procedures. A revenue
16 purpose statement shall not be amended or repealed to reduce
17 the amount of revenue pledged to the payment of principal and
18 interest on bonds as long as any bonds authorized by sections
19 423E.5 and [423F.4](#) are outstanding unless funds sufficient
20 to pay principal, interest, and premium, if any, on the
21 outstanding obligations at or prior to maturity have been
22 properly set aside and pledged for that purpose. A school
23 district affected by a reorganization under chapter 275 that
24 has issued bonds under section 423E.5 or 423F.4 and that has
25 not approved a revenue purpose statement shall first use
26 revenues to make timely and sufficient payment of principal and
27 interest, and premium if applicable, on the outstanding bonds.

28 Sec. 16. Section 423F.3, subsection 3, paragraph c, Code
29 2023, is amended by striking the paragraph.

30 Sec. 17. Section 423F.3, subsection 3, paragraph d, Code
31 2023, is amended to read as follows:

32 d. The board secretary shall notify the county commissioner
33 of elections of the intent to take an issue to the voters
34 pursuant to paragraph "b" or "e". The county commissioner of
35 elections shall publish the notices required by law for special

1 or general elections, and the election shall be held on a date
2 specified in [section 39.2, subsection 4](#), paragraph "c". A
3 majority of those voting on the question must favor approval
4 of the revenue purpose statement. If the proposal is not
5 approved, the school district shall not submit the same or new
6 revenue purpose statement to the electors for a period of six
7 months from the date of the previous election.

8 Sec. 18. Section 423F.3, subsection 6, paragraph a,
9 subparagraph (1), Code 2023, is amended to read as follows:

10 (1) For purposes of [this chapter](#), "school infrastructure"
11 means those activities ~~authorized in section 423E.1, subsection~~
12 ~~3, Code 2007~~ for which a school district is authorized to
13 contract indebtedness and issue general obligation bonds under
14 section 296.1, except those activities related to a teacher's
15 or superintendent's home or homes. "School infrastructure"
16 includes the construction, reconstruction, repair, demolition
17 work, purchasing, or remodeling of schoolhouses, stadiums,
18 gymnasiums, fieldhouses, and school bus garages, the
19 procurement of schoolhouse construction sites, the making of
20 site improvements, and those activities for which revenues
21 under section 298.3 or chapter 300 may be spent.

22 Sec. 19. Section 423F.4, Code 2023, is amended to read as
23 follows:

24 **423F.4 Borrowing authority for school districts.**

25 1. Subject to the conditions established under subsection
26 2, a school district may anticipate its share of the revenues
27 under [section 423F.2](#) ~~by issuing bonds in the manner provided~~
28 ~~in [section 423E.5](#), Code 2019~~ this section. However, to the
29 extent any school district has issued bonds anticipating the
30 proceeds of an extended local sales and services tax for school
31 infrastructure purposes imposed by a county pursuant to former
32 chapter 423E, Code and Code Supplement 2007, prior to July 1,
33 2008, the pledge of such revenues for the payment of principal
34 and interest on such bonds shall be replaced by a pledge of its
35 share of the revenues under [section 423F.2](#).

1 2. *a.* Bonds issued on or after July 1, 2019, shall not be
2 sold at public sale as provided in [chapter 75](#), or at a private
3 sale, without notice and hearing. Notice of the time and place
4 of the public hearing shall be published not less than ten nor
5 more than twenty days before the public hearing in a newspaper
6 which is a newspaper of general circulation in the school
7 district. This paragraph does not apply to the refinancing of
8 bonds.

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

26 *c.* After fourteen days from the date of the hearing under
27 paragraph "*a*" or fourteen days after the date of the election
28 held under paragraph "*b*", if applicable, whichever is later,
29 an action shall not be brought questioning the legality of
30 any bonds or the power of the authority to issue any bonds
31 or to the legality of any proceedings in connection with the
32 authorization or issuance of the bonds.

33 3. The repeal of section 423E.5 shall not affect the
34 validity of any previously issued bonds or other evidences of
35 indebtedness.

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

35 5. a. (1) A school district may enter into an agreement

1 pursuant to chapter 28E with one or more cities or a county
2 whose boundaries encompass all or a part of the area of the
3 school district. A city or cities entering into an agreement
4 with a school district pursuant to chapter 28E may expend the
5 city's designated portion of the revenues for any valid purpose
6 permitted in this chapter or authorized by the governing body
7 of the city. A county entering into an agreement with a school
8 district pursuant to chapter 28E may expend its designated
9 portion of the revenues to provide property tax relief within
10 the boundaries of the school district located in the county.

11 (2) The governing body of a city may authorize the issuance
12 of bonds which are payable from its designated portion of
13 the revenues to be received under this section, and not
14 from property tax, by following the authorization procedures
15 described in section 384.83. A city may pledge irrevocably any
16 amount derived from its designated portions of the revenues to
17 the support or payment of such bonds.

18 b. A school district may enter into an agreement pursuant to
19 chapter 28E with another school district, a community college,
20 or an area education agency which is located partially or
21 entirely in or is contiguous to the county where the school
22 district is located. The school district or community college
23 shall only expend its designated portion of the revenues
24 for infrastructure purposes. The area education agency
25 shall only expend its designated portion of the revenues for
26 infrastructure and maintenance purposes.

27 DIVISION V

28 COUNTY CONFERENCE BOARD

29 Sec. 20. Section 441.2, Code 2023, is amended to read as
30 follows:

31 **441.2 Conference board.**

32 In each county and each city having an assessor there
33 shall be established a conference board. In counties the
34 conference board shall consist of the mayors or a designated
35 member of a city council of all incorporated cities in the

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

DIVISION VI

AREA EDUCATION AGENCY BOARDS

1 Sec. 21. Section 273.3, subsection 12, Code 2023, is amended
2 to read as follows:

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

28 Sec. 22. Section 273.8, subsection 2, paragraph c, Code
29 2023, is amended to read as follows:

30 c. The board of each separate school district that is
31 located entirely or partially inside an area education agency
32 director district shall cast a vote for director of the area
33 education agency board based upon the ratio that the population
34 of the school district, or portion of the school district, in
35 the director district bears to the total population in the

1 director district. The population of each school district or
2 portion shall be determined by the department of education.
3 The member of the area education agency board to be elected ~~may~~
4 ~~be a member of a local school district board of directors and~~
5 ~~shall be an elector and a resident of the director district,~~
6 ~~but shall not be a school district employee~~ shall be an elector
7 and a resident of the director district and may be a member
8 of a local school district board of directors or a substitute
9 teacher who is employed by the school district and holds a
10 license issued by the board of educational examiners, but shall
11 not be employed by the school district in any other position.

12 DIVISION VII

13 ELECTION COMMISSIONERS

14 Sec. 23. Section 47.6, subsection 2, Code 2023, is amended
15 to read as follows:

16 2. For the purpose of [this section](#), a conflict between two
17 elections exists only when some but not all of the registered
18 voters of any precinct would be entitled to vote in one of
19 the elections and all of the registered voters of the same
20 precinct would be entitled to vote in the other election.
21 Nothing in [this subsection](#) shall deny a commissioner who is
22 responsible for conducting the election discretionary authority
23 to approve holding a special election on the same date as
24 another election, even though the two elections may be defined
25 as being in conflict, if the commissioner concludes that to do
26 so will cause no undue difficulties.

27 DIVISION VIII

28 IOWA SCHOOL PERFORMANCE PROFILES

29 Sec. 24. 2013 Iowa Acts, chapter 121, section 73, subsection
30 2, is amended to read as follows:

31 2. The department shall develop an achievement score that
32 calculates aggregate growth as well as aggregate proficiency
33 of students which when combined with other academic indicators
34 results in an overall school performance grade for each
35 attendance center in the school district. For purposes of

1 calculating the performance grade, if a student returns to
2 the school after dropping out and subsequently drops out
3 again, the student's second or subsequent dropping out of
4 school shall not adversely affect the school's performance
5 grade. The performance grade may also be used as one measure
6 to rank and classify schools into six different performance
7 categories: exceptional, high performing, commendable,
8 acceptable, needs improvement, and priority. The categories
9 may be used to define support and specialized assistance to
10 schools classified as needs improvement or priority as well as
11 to recognize schools designated exceptional or high performing.
12 Additionally, a closing gap score shall be calculated as
13 another measure to determine subgroup performance and to rank
14 and classify attendance centers. Other academic indicators
15 shall be defined as criterion referenced variables that will
16 be utilized in the calculation of the performance grade.
17 Other academic indicators shall include but not be limited
18 to graduation rates, attendance rates, and college-readiness
19 rates. Additional indicators of academic success and progress
20 may include post-graduation data, suspension and expulsion
21 rates, levels of student engagement, parent satisfaction,
22 parent engagement, and staff working conditions.