

CHAPTER 61
SCHOOL BOARDS

H. F. 418

AN ACT relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section two hundred seventy-five point twelve (275.12), subsection two (2), Code 1979, is amended by adding the following new paragraph:

NEW PARAGRAPH. In districts having seven directors, election of three directors at large by the electors of the entire district, one at each annual school election, and election of the remaining directors as residents of and by the electors of individual geographic subdistricts established on the basis of population and identified as director districts. Boundaries of the subdistricts shall follow precinct boundaries, insofar as practicable, and shall not be changed less than sixty days prior to the annual school election.

Sec. 2. Section two hundred seventy-five point thirty-six (275.36), Code 1979, is amended to read as follows:

275.36 SUBMISSION OF CHANGE TO ELECTORS. If a petition for a change in the number of directors or in the method of election of school directors, describing the boundaries of the proposed director districts, if any, signed by at-least-one-third-of-the-voters-residing-within-the eligible electors of the school district equal in number to at least thirty percent of those who voted in the last previous annual school election in the school district, but not less than twenty-five persons, and accompanied by affidavit as required by section 275.13 be filed with the school board of a school district, not earlier than six months and not later than two months before a regular or special school election, the school board shall submit such proposition to the voters at such election. If a proposition for a change in the number of directors or in the method of election of school directors submitted to the voters under this section is rejected, it shall not be resubmitted to the voters of the district in substantially the same form within the next three years; if it is approved, no other proposal may be submitted to the voters of the district under this section within the next six years.

Sec. 3. Section two hundred seventy-five point thirty-eight (275.38), Code 1979, is amended to read as follows:

275.38 IMPLEMENTING CHANGED METHOD OF ELECTION. If change in the method of election of school directors is approved at a regular or special school election, the directors who were serving unexpired terms or were elected concurrently with approval of the change of method shall serve out the terms

for which they were elected. If the plan adopted is that described in section 275.12, subsection 2, paragraph "b," "c" ~~or~~, "d," or section one (1) of this Act the board shall at the earliest practicable time designate the districts from which residents are to be elected as school directors at each of the next three succeeding annual school elections, arranging so far as possible for elections of directors as residents of the respective districts to coincide with the expiration of terms of incumbent members residing in those districts. If an increase in the size of the board from five to seven members is approved concurrently with the change in method of election of directors, the board shall make the necessary adjustment in the manner prescribed in section 275.37, as well as providing for implementation of the districting plan under this section.

Sec. 4. Section two hundred seventy-eight point one (278.1), subsection nine (9), Code 1979, is amended to read as follows:

9. Authorize the establishment or abandonment of director districts or a change of boundaries of director districts. If a proposition submitted to the voters under this subsection or subsection eight (8) of this section is rejected, it may not be resubmitted to the voters of the district in substantially the same form within the next three years; if it is approved, no other proposal may be submitted to the voters of the district under this subsection or subsection eight (8) of this section within the next six years.

Sec. 5. Section two hundred seventy-eight point two (278.2), Code 1979, is amended to read as follows:

278.2 SUBMISSION OF PROPOSITION. The board may, and upon the written request of twenty-five eligible electors of any district having a population of five thousand or less, or of fifty eligible electors of any other district, shall direct the county commissioner of elections to provide in the notice of the regular election for submitting any proposition authorized by law to the voters. However, when in the case of a proposition authorized by section two hundred seventy-eight point one (278.1), subsections eight (8) or nine (9) of the Code, the requirements of section two hundred seventy-five point thirty-six (275.36) of the Code shall govern with respect to the number of signatures required on a petition for submission of the proposition. When the board has directed the commissioner to submit to the voters a proposition authorized by section 278.1, subsections eight (8) or 9 ~~or 10~~, it shall not thereafter direct him or her to submit at the same election any other proposition under either of these subsections.

Approved June 7, 1979