

FILED IN 2700

EDUCATION  
SENATE FILE 2043  
BY WARNSTADT

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the dissolution of a school district by its  
2 board of directors and the electors of the district, and the  
3 reorganization of the school district by the state board of  
4 education.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2043  
EDUCATION

1 Section 1. Section 275.1, Code 2003, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 7. "State board" means the state board of  
4 education.

5 Sec. 2. NEW SECTION. 275.71 REORGANIZATION BY STATE  
6 BOARD.

7 1. As an alternative to school district reorganization and  
8 dissolution prescribed in this chapter, the board of directors  
9 of a school district and the electors of the district may vote  
10 to dissolve the school district and transfer responsibility  
11 for reorganizing the school district to the state board.

12 2. A board of directors that wishes to consider dissolving  
13 the school district and transferring reorganization authority  
14 to the state board shall hold a public hearing on the question  
15 of dissolution and transferring reorganization authority. The  
16 board shall set forth its proposal in a resolution and shall  
17 publish the notice of the time and place of a public hearing  
18 on the resolution. Notice of the time and place of the public  
19 hearing shall be published not less than ten and not more than  
20 twenty days before the public hearing in a newspaper of  
21 general circulation in the school district. At the hearing,  
22 or no later than thirty days after the date of the hearing,  
23 the board of directors shall take action on the resolution.  
24 If the board by at least a two-thirds vote adopts the  
25 resolution, the board shall direct the county commissioner of  
26 elections to submit the question at the next regular school  
27 election or at a special election. If a majority of those  
28 voting on the question at the election favors dissolution of  
29 the district and transfer of reorganization authority to the  
30 state board, the state board shall attach the territory of the  
31 school district to one or more contiguous school districts.  
32 Division of assets and liabilities of the dissolving school  
33 district shall be as provided in sections 275.29 through  
34 275.31.

35 3. The state board shall adopt rules establishing

1 standards and criteria for the attachment of all of the school  
2 district to one or more contiguous school districts. Priority  
3 shall be given to attaching all or the majority of the  
4 dissolving school district to the contiguous school district  
5 with the highest total assessed valuation of taxable property.  
6 Standards and criteria developed shall include, but are not  
7 limited to, consideration of such factors as pupil  
8 transportation distances and costs, school district facilities  
9 and maintenance, and population trends.

10 4. The attachment of territory by the state board pursuant  
11 to this section is effective July 1 following the election  
12 approving dissolution.

13 5. If the certified enrollment of the school district  
14 dissolving pursuant to this section is fewer than six hundred,  
15 the territory located in the school district that dissolved is  
16 eligible, if approved by the director of the department of  
17 education, for the reduced foundation property tax as provided  
18 in section 257.3, subsection 2. If the director approves a  
19 reduction in the foundation property tax as provided in this  
20 subsection, the director shall notify the director of the  
21 department of management of the reduction.

22 6. The provisions of section 275.57 relating to changing  
23 director district boundaries shall apply to a school district  
24 receiving attachments of a dissolving district pursuant to  
25 this section.

26 EXPLANATION

27 This bill provides school districts with a third  
28 reorganization option by allowing a school board's members and  
29 the school district's electors to vote to dissolve the  
30 district and to transfer authority over the district's  
31 reorganization to the state board of education.

32 The board of directors of the school district contemplating  
33 dissolution must publish notice of a public hearing, where it  
34 will set forth its proposal in a resolution. If the board  
35 adopts the resolution by a two-thirds vote, the question is

1 submitted at the next regular school election or at a special  
2 election. If a majority of electors favors dissolution of the  
3 district and the transfer of reorganization authority to the  
4 state board, the state board shall attach the territory of the  
5 school district to one or more contiguous school districts.

6 The state board is directed to adopt rules establishing  
7 standards and criteria for the attachment of district  
8 territory, with priority to be given to attaching all or the  
9 majority of the dissolving school district to the contiguous  
10 school district with the highest total assessed valuation of  
11 taxable property. The bill provides for the division of  
12 assets and liabilities and for the changing of director  
13 district boundaries.

14 The bill makes territory within the dissolving district  
15 eligible for a reduced foundation property tax with the  
16 approval of the director of the department of education.

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