

February 26, 1957

House File 158

(As passed by the House)

Passed on File.

By COMMITTEE ON SCHOOLS,
LIBRARIES AND STATE
EDUCATIONAL INSTITUTIONS.

Passed House, Date 2-26 Passed Senate, Date 4-17

Vote: Ayes 103 Nays 2 Vote: Ayes 46 Nays 2

Approved by Gov 4-25-57

A BILL FOR

New Bill

An Act relating to the reorganization of school districts *House concurs in Sen. amendments 4-18*
7 votes -
95 ayes 3 nays

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

1 Section 1. Section two hundred seventy-five point nine
2 (275.9), Code 1954, is hereby amended by striking from lines
3 five (5) and six (6) the words "one of the methods" and inserting
4 in lieu thereof the words "the method".
5 Said section is further amended by adding at the end
6 thereof the following: "The provisions of sections two hundred
7 seventy-five point one (275.1) to two hundred seventy-five point
8 five (275.5), inclusive, of the Code, relating to studies,
9 surveys, hearings, and adoption of county plans shall constitute
10 a mandatory prerequisite to the effectuation of any proposal
11 for district boundary change. It shall be the mandatory duty
12 of the county board or joint county boards to dismiss the
13 petition if the above provisions are not complied with fully."

1 Sec. 2. Section two hundred seventy-five point ten (275.10),
2 Code 1954, is hereby repealed.

1 Sec. 3. Section two hundred seventy-five point eleven
2 (275.11), Code 1954, is hereby amended by striking in line
3 three (3) thereof the word "three" and inserting in lieu thereof
4 the word "two".

1 Sec. 4. Section two hundred seventy-five point seventeen

2 (275.17). Code 1954, is hereby repealed.

1 Sec. 5. Section two hundred seventy-five point twenty

2 (275.20), Code 1954, is hereby repealed and the following enacted

3 in lieu thereof:

4 "The voters residing within the proposed boundaries shall
5 vote separately in each existing school district affected or
6 portion thereof upon the proposition to create such new
7 corporation. School districts affected or portion thereof shall
8 be defined to mean that area included in the proposed new school
9 district. If the proposition receives a majority of the votes
10 cast in each of at least seventy-five percent (75%) of the said
11 districts or portions thereof, and also a majority of the total
12 number of votes cast in all of said districts and portions
13 thereof, the proposition shall be deemed carried."

1 Sec. 6. Section two hundred seventy-five point twenty-one

2 (275.21), Code 1954, is hereby repealed.

1 Sec. 7. Section two hundred seventy-five point twenty-three

2 (275.23), Code 1954, is amended as follows:

3 1. By inserting in line seven (7) after the word

4 "proposition" the words "as provided in section two hundred
5 seventy-five point twenty (275.20)".

6 2. By striking all after the word "organized" in line
7 eight (8) and substituting in lieu thereof a period.

8 3. By adding the following sentence: "The county
9 superintendent shall file a written description of the boundaries
10 as provided in chapter one hundred thirty-five (135), Acts of
11 the Fifty-sixth General Assembly."

1 Sec. 8. Section two hundred seventy-five point twenty-four

2 (275.24), Code 1954, is hereby amended by striking in lines

3 three (3), four (4) and five (5) thereof the following:

4 "provided in section 275.10 or the method provided in
5 sections 275.11 to 275.23 hereof" and substitute in lieu thereof
6 the words "hereinabove provided".

1 Sec. 9. Section two hundred seventy-five point twenty-five
2 (275.25), Code 1954, is amended by striking from lines three (3)
3 and four (4) the words "provided in sections 275.11 to 275.23
4 hereof" and substitute in lieu thereof the words "hereinabove
5 provided".

1 Sec. 10. Section two hundred seventy-five point twenty-six
2 (275.26), Code 1954, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words
4 "by either of the said methods".

5 2. By inserting after the word "is" in line seven (7) the
6 following: "dismissed or".

1 Sec. 11. Section two hundred seventy-five point eight
2 (275.8), Code 1954, is amended by adding at the end of said
3 section the following: "An aggrieved party is hereby defined
4 as the board of directors of a school district whose directors
5 are elected at large, or, if said board is elected from director
6 districts, then that membership of the board of directors whose
7 districts are included in the proposed reorganized area, or a
8 county board of education.

9 For purposes of this chapter the planning of joint
10 districts is defined to include all of the following acts:

11 1. Preparation of a written joint plan in which contiguous
12 territory in two or more counties is considered as a part of
13 a potential school district in the county on behalf of which
14 such county plan is filed with the state department of public

15 instruction by the county board of education in and for such
16 county.

17 2. Adoption of such plan at a joint session of the
18 several county boards of education in whose counties such
19 territory is situated.

20 3. Filing said plan with the state department of public
21 instruction.

22 For purposes of subsection one (1) hereof, joint planning
23 shall be evidenced by filing the following items with the
24 state department of public instruction:

25 a. A plat of the entire area of such potential district.

26 b. A statement of the number of pupils residing within
27 the area of said potential district enrolled in public schools
28 in the preceding school year.

29 c. A statement of the assessed valuation of taxable
30 property located within such potential district.

31 d. An affidavit signed on behalf of each of said county
32 boards of education by a member of such board stating the
33 boundaries as shown on such plat have been agreed upon by the
34 respective boards as a part of the overall county plan of
35 school district reorganization of each such school."

1 Sec. 12. Section two hundred seventy-five point twelve
2 (275.12), Code 1954, is hereby repealed and the following
3 substituted in lieu thereof:

4 "A petition describing the boundaries, or accurately
5 describing the area included therein by legal descriptions,
6 of the proposed district, which boundaries or area described
7 shall conform to county plan or the petition shall request
8 change of the county plan, shall be filed with the superintendent

9 of schools of the county in which the greatest number of electors
10 reside. Such petition shall be signed by voters in each
11 existing school district affected or portion thereof equal
12 in number to at least thirty-three and one-third percent
13 ($33\frac{1}{3}\%$) of the number of eligible voters or five hundred
14 (500) voters, whichever is the smaller number. School
15 districts affected or portion thereof shall be defined to
16 mean that area to be included in the plan of the proposed
17 new school district.”

1 Sec. 13 Section two hundred seventy-five point
2 thirteen (275.13), Code 1954, is amended by striking from
3 line four (4) the words “the territory” and substituting in
4 lieu thereof the following words: “each affected district or
5 portion thereof.”

1 Sec. 14. Section two hundred seventy-five point fifteen
2 (275.15), Code 1954, is amended by inserting a period after
3 the word “petition” in line eleven (11), and by striking lines
4 twelve (12) through eighteen (18), inclusive, and the words
5 “which shall be final.” on line nineteen (19).

6 Said section is further amended by adding at the end
7 thereof the following:

8 “Within twenty (20) days after the publication thereof the
9 decision rendered by the county board of education may be
10 appealed to a court of record in the county involved by any
11 school district affected or portion thereof.”

1 Sec. 15. Section two hundred seventy-five point sixteen
2 (275.16), Code 1954, is amended by striking in lines ten (10) and
3 eleven (11) the words “not disqualified under 275.17 hereof”
4 and by inserting a period (.) after the word “quorum” in line

5 fourteen (14) and striking the balance of the section.

6 Said section is further amended by adding at the end
7 thereof the following:

8 "The joint boards acting as a single board shall determine
9 whether the petition conforms to county plans or, if the
10 petition requests a change in county plans, whether such change
11 should be made, and shall have the authority to change the plans
12 of any or all the county boards affected by the petition, and
13 it shall determine and fix boundaries for the proposed
14 corporation as provided in section 275.15 of the Code or
15 dismiss the petition. The county superintendent shall at
16 once publish this decision in the same newspaper in which
17 the original notice was published.

18 In case a controversy arises from such meeting, the county
19 board or boards or any school district aggrieved may bring
20 the controversy to the state department of public instruction,
21 as provided in section two hundred seventy-five point eight
22 (275.8) of the Code, within twenty (20) days from the
23 publication of this order, and if said controversy is taken
24 to the state department of public instruction, a ten-day notice
25 in writing shall be given to all county boards and school
26 districts affected or portions thereof. The state department
27 shall have the authority to affirm the action of the joint
28 boards, to vacate, to dismiss all proceedings or to make such
29 modification of the action of the joint boards as in their
30 judgment would serve the best interest of all the counties.
31 This decision may be appealed to a court of record in one of
32 the counties by any aggrieved party to the controversy as
33 defined in section two hundred seventy-five point eight (275.8),

34 within thirty days after the decision of the state department of
35 public instruction."

1 Sec. 16. Chapter two hundred seventy-five (275), Code
2 1954, is hereby amended by adding thereto the following section:

3 "The aggrieved party, as defined in section two hundred
4 seventy-five point eight (275.8) of the Code, shall initiate
the appeal or appeals to a court of record, as provided for
5 in this chapter, only upon a petition of the majority of the
6 eligible voters in the district affected or portion thereof."

1 Sec. 17. This Act being deemed of immediate importance
2 shall be in full force and effect from and after its passage
3 and publication in The Gowrie News, a newspaper published at
4 Gowrie, Iowa, and The Marcus News, a newspaper published at
5 Marcus, Iowa.

EXPLANATION OF HOUSE FILE 158

This bill revises the reorganization law by clarifying the planning to be carried on by county boards of education, defining the state department's responsibility in appeals to only the planning stage, and clarifying the procedure to be followed in reorganizing school districts.

HOUSE FILE 158
(Committee amendment)

1 Amend House File 158 as follows:

2 1. Section 5, by striking lines 4 through 13 and inserting
3 in lieu thereof the following: "The voters residing within
4 the proposed boundaries shall vote separately in each exist-
5 ing school district affected upon the proposition to create
6 such new corporation. School districts affected shall be
7 defined as those districts, all or any portion of which
8 are within the area included in the proposed new school
9 district. If the proposition receives a majority of the
10 votes cast in each of at least seventy-five per cent (75%)
11 of the said districts, and also a majority of the total
12 number of votes cast in all of said districts, the proposi-
13 tion shall be deemed carried. Provided, however, that if two
14 or more of the school districts affected have a resident
15 average daily attendance in public schools of three hundred
16 (300) or more pupils who were enrolled in public schools in
17 the preceeding school year, the proposition must also receive
18 a majority of the votes cast in each of said districts in
19 order to be deemed carried." *am. on Schools 3-19*

20 2. Section 9, by adding to line 5 the following: "By striking in the
21 second paragraph thereof the lines one (1) to nine (9), inclusive, and
22 inserting in lieu thereof the following: 'Provided, however, in cases
23 involving two (2) districts only, where the population of the new
24 district
25 does not exceed the population of the more populous of said districts
26 by
27 more than twenty-five percent (25%), the incumbent board members
28 of
29 said more populous district shall continue to hold office as director of
30 the new district for the remainder of their elective terms.'" *Schools*

31 3. Section 12, by striking in line 13 the words "of the number of
32 eligible
33 voters" and inserting in lieu thereof the words "of those voting at the
34 last
35 regular school election". *Schools 3-19*

36 4. Section 16, by striking in lines 8 and 7 the words "the majority
37 of
38 the eligible voters in the district affected or portion thereof" and
39 inserting
40 in lieu thereof the words "eligible voters in any district affected equal
41 in
42 number to fifty-one percent (51%) of the number voting at the last
43 regular
44 school election in said district".

45 5. By adding a new section following section 16 and renumbering the
46 sections:

47 "Sec. . Amend section two hundred seventy-five point five
48 (275.5),

49 Code 1954, as follows:

50 1. By striking the words 'one of the methods' in line twenty-five
51 (25)
52 and inserting in lieu thereof the words 'the method'.

53 2. Further amend said section by inserting after the word 'district'
54 in line twenty-eight (28) the words 'or districts'."

Filed
March 19, 1957

Adopted 4-17

By COMMITTEE ON SCHOOLS AND
EDUCATIONAL INSTITUTIONS,
W. C. MOLISON, Chairman.

HOUSE FILE 158

1 Amend House File 158, Section 5 line 18
2 by adding the following thereto:
3 "Where an urban school district merges with another district
4 said school district shall retain its independent status. Where a
5 city or town annexes territory, said territory shall become a part
6 of the urban school district. The entire school district in which
7 the annexed territory formerly vested may vote at a special
8 election held in conformance with this chapter and if the
9 proposition carries by a majority vote, the entire territory shall
10 become a part of the urban school district."

*Adopt
4-17*

Filed
April 15, 1957.

By SCHROEDER.

HOUSE FILE 158

1 Amend House File 158, section 14, by striking the following
2 words from line 11: "or portion thereof".

Filed
April 16, 1957.

*adopted
4-17*
By SHAFF.

HOUSE FILE 158

1 Amend House File 158 by adding after the period in
2 Section 16, line 7 the following:
3 "Nothing herein shall be construed as affecting the
4 rights of any school district, person or persons from
5 bringing or engaging in any action in law or equity now
6 granted or preserved to such school district, person
7 or persons."

Filed and adopted
April 17, 1957.

By ELWOOD.

HOUSE FILE 158

1 Amend House File 158, section 17 by striking the period
2 (.) at the end thereof and adding the following:
3 "; provided, however, that this Act shall not affect
4 any reorganization proposal for which a petition has been
5 filed prior to the effective date of this Act with the
6 superintendent of schools."

Filed and adopted
April 17, 1957.

By SHAFF.

HOUSE FILE 158

1 Amend House File 158 section 15 by adding the following
2 at the end of said section:
3 "The court on appeal shall have the same authority as
4 is granted in this section to the state department of public
5 instruction."

Filed and adopted
April 17, 1957.

By SHAFF.

HOUSE FILE 158

1 Amend House File 158, Section 12 by striking from lines
2 12, 13 and 14 the following:
3 "thirty-three and one-third percent (33 $\frac{1}{3}$ %) of the
4 number of eligible voters or five hundred (500) voters,
5 whichever is the smaller number." and substituting in
6 lieu thereof the following "twenty percent (20%) of the
7 number of eligible voters or four hundred (400) voters,
8 whichever is the smaller number."

Filed and adopted
April 17, 1957.

By Elwood.

HOUSE FILE 158

- 1 Amend the committee amendment to House File 158,
- 2 by striking all of lines 28, 29, and 30.

Filed and adopted
April 17, 1957.

By ELWOOD.

HOUSE FILE 158

- 1 Amend House File 158, section 16, line 6, by striking
- 2 the comma (,) following the word "chapter" and inserting in
- 3 lieu thereof a period (.) and striking the balance of the
- 4 section.

Filed and adopted
April 17, 1957.

By SHAFF.

January 31, 1957.
Passed on File.

House File 158
By COMMITTEE ON SCHOOLS,
LIBRARIES AND STATE
EDUCATIONAL INSTITUTIONS.

Passed House, Date 2-26
Vote: Ayes 103 Nays 2
Approved.....

Passed Senate, Date.....
Vote: Ayes..... Nays.....

A BILL FOR

*See Preceding
Bill
for
final
vote*

An Act relating to the reorganization of school districts.

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

1 Section 1. Section two hundred seventy-five point nine
2 (275.9), Code 1954, is hereby amended by striking from lines
3 five (5) and six (6) the words "one of the methods" and inserting
4 in lieu thereof the words "the method".

5 Said section is further amended by adding at the end
6 thereof the following: "The provisions of sections two hundred
7 seventy-five point one (275.1) to two hundred seventy-five point
8 five (275.5), inclusive, of the Code, relating to studies,
9 surveys, hearings, and adoption of county plans shall constitute
10 a mandatory prerequisite to the effectuation of any proposal
11 for district boundary change. It shall be the mandatory duty
12 of the county board or joint county boards to dismiss the
13 petition if the above provisions are not complied with fully."

1 Sec. 2. Section two hundred seventy-five point ten (275.10),
2 Code 1954, is hereby repealed.

1 Sec. 3. Section two hundred seventy-five point eleven
2 (275.11), Code 1954, is hereby amended by striking in line
3 three (3) thereof the word "three" and inserting in lieu thereof
4 the word "two".

1 Sec. 4. Section two hundred seventy-five point seventeen

2 (275.17), Code 1954, is hereby repealed.

1 Sec. 5. Section two hundred seventy-five point twenty
2 (275.20), Code 1954, is hereby repealed and the following enacted
3 in lieu thereof:

4 "The voters residing within the proposed boundaries shall
5 vote separately in each existing school district affected or
6 portion thereof upon the proposition to create such new
7 corporation. School districts affected or portion thereof shall
8 be defined to mean that area included in the proposed new school
9 district. If the proposition receives a majority of the votes
10 cast in each of at least seventy-five percent (75%) of the said
11 districts or portions thereof, and also a majority of the total
12 number of votes cast in all of said districts and portions
13 thereof, the proposition shall be deemed carried."

1 Sec. 6. Section two hundred seventy-five point twenty-one
2 (275.21), Code 1954, is hereby repealed.

1 Sec. 7. Section two hundred seventy-five point twenty-three
2 (275.23), Code 1954, is amended as follows:

3 1. By inserting in line seven (7) after the word
4 "proposition" the words "as provided in section two hundred
5 seventy-five point twenty (275.20)".

6 2. By striking all after the word "organized" in line
7 eight (8) and substituting in lieu thereof a period.

8 3. By adding the following sentence: "The county
9 superintendent shall file a written description of the boundaries
10 as provided in chapter one hundred thirty-five (135), Acts of
11 the Fifty-sixth General Assembly."

1 Sec. 8. Section two hundred seventy-five point twenty-four
2 (275.24), Code 1954, is hereby amended by striking in lines

3 three (3), four (4) and five (5) thereof the following:

4 "provided in section 275.10 or the method provided in
5 sections 275.11 to 275.23 hereof" and substitute in lieu thereof
6 the words "hereinabove provided".

1 Sec. 9. Section two hundred seventy-five point twenty-five
2 (275.25), Code 1954, is amended by striking from " three (3)
3 and four (4) the words "provided in sections 275.11 to 275.23
4 hereof" and substitute in lieu thereof the words "hereinabove
5 provided".

1 Sec. 10. Section two hundred seventy-five point twenty-six
2 (275.26), Code 1954, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words
4 "by either of the said methods".

5 2. By inserting after the word "is" in line seven (7) the
6 following: "dismissed or".

1 Sec. 11. This Act being deemed of immediate importance
2 shall be in full force and effect from and after its passage
3 and publication in The Gowrie News, a newspaper published at
4 Gowrie, Iowa, and The Marcus News, a newspaper published at
5 Marcus, Iowa.

EXPLANATION OF HOUSE FILE 158

This bill revises the reorganization law by clarifying the planning to be carried on by county boards of education, defining the state department's responsibility in appeals to only the planning stage, and clarifying the procedure to be followed in reorganizing school districts.

*See Preceding Bill
for final note*

- 1 Amend House File 158 as follows:
- 2 1. By striking the period in section two (2), line two (2),
- 3 and adding the following "and the following is enacted
- 4 in lieu thereof.
- 5 "Pursuant to county plan and upon
- 6 the approval of the county board of education, the boards of
- 7 directors of any two school districts, one of which school
- 8 districts being a community school district having a school
- 9 census of twelve thousand or more and having a common boundary
- 10 may by concurrent action merge such districts or adjust their
- 11 boundary line between such districts at their regular meetings
- 12 in July, or at special meetings thereafter called for that
- 13 purpose; provided however, that a written request for such
- 14 action is filed prior thereto by any ten legal voters residing
- 15 in each of said districts or, if there be not ten, then a
- 16 majority of such voters, has been filed with their respective
- 17 board of directors and the proposed boundary changes are
- 18 approved by the legal voters in each of said districts at an
- 19 election which shall be called and conducted as provided in
- 20 chapter two hundred seventy-seven (277). In all districts
- 21 where a majority of the votes cast are in favor of the change
- 22 the same shall go into effect on the first day of July following
- 23 the election. Not more than one election shall be held in any
- 24 twelve calendar months affecting the same districts."
- 25 2. Strike section three (3).
- 26 3. Strike section eight (8) *Lost 2-26*
- 27 4. Strike section nine (9).
- 28 5. Strike lines three (3) and four (4) of section ten (10).
- 29 6. Renumber the sections

Originally filed
February 11, 1957.

FROMMELT of Dubuque

HOUSE FILE 158

- 1 Amend House File 158, section five (5), by adding
- 2 thereto the following:
- 3 "Provided, however, that any existing school
- 4 districts having three hundred (300) or more persons
- 5 of school age enrolled in public schools in the
- 6 preceding school year shall not be voted into the
- 7 proposed new school corporation unless the
- 8 proposition receives a majority of the votes cast
- 9 in said district."

Filed
February 12, 1957.

RIEHM of Hancock
FRED of Webster.
KAISER of Cerro Gordo.
PAUL of Poweshiek
JOHNS of Tama.
CHRISTOPHEL of Bremer.
MCNEAL of Wight.
HOLDSWORTH of Crawford.
LUCKEN of Plymouth.
MILROY of Benton.
GRAY of Mahaska.
SWISHER of Johnson.

*100 (unsubstantiated)
Amended
Lost 2-13*

HOUSE FILE 158

- 1 Amend the Riehm amendment, filed February 12, 1957, by
- 2 inserting i. line six (6) after the word "year" the following
- 3 "and which has reorganized prior to this date under the
- 4 provisions of Chapter 275, Code of Iowa."

Offered and adopted
February 13, 1957

WHITNEY of Cherokee.

HOUSE FILE 158

(Substitute for the Whitney amendment)

- 1 Amend the Riehm amendment line four (4) after the
- 2 word "district" by inserting the words "having twelve
- 3 grades and".

Offered and lost
February 13, 1957

RIEHM of Hancock.

HOUSE FILE 158

- 1 Amend House File 158 as follows:
 - 2 1. By striking all of line two (2) of section one (1) after the
 - 3 all of lines three (3) and four (4), and line five (5) to the word
- word "amended",
"by".

Filed
February 13, 1957.

Accepted
2-26
FROMMELT of Dubuque.

1 Amend House File 158 by adding thereto the following
2 sections after section 10, and by renumbering section 11
3 accordingly:

4 Sec. 11. Section two hundred seventy-five point eight
5 (275.8), Code 1954, is amended by adding at the end of said
6 section the following: "An aggrieved party is hereby defined
7 as a school district or portion thereof referred to in section
8 two hundred seventy-five point twelve (275.12) or a county
9 board of education.

10 For the purposes of this chapter the planning of joint
11 districts is defined to include all of the following acts:

12 1. Preparation of a written joint plan in which contiguous
13 territory in two or more counties is considered as a part of
14 a potential school district in the county on behalf of which
15 such county plan is filed with the state department of public
16 instruction by the county board of education in and for such
17 county.

18 2. Adoption of such plan at a joint session of the
19 several county boards of education in whose counties such
20 territory is situated.

21 3. Filing said plan with the state department of public
22 instruction.

23 For purposes of subsection one (1) hereof, joint planning
24 shall be evidenced by filing the following items with the
25 state department of public instruction:

26 a. A plat of the entire area of such potential district.

27 b. A statement of the number of pupils residing within
28 the area of said potential district enrolled in public schools
29 in the preceding school year.

30 c. A statement of the assessed valuation of taxable
31 property located within such potential district.

32 d. An affidavit signed on behalf of each of said county
33 boards of education by a member of such board stating the
34 boundaries as shown on such plat have been agreed upon by the
35 respective boards as a part of the overall county plan of
36 school district reorganization of each such school."

37 Sec. 12. Section two hundred seventy-five point twelve
38 (275.12), Code 1954, is hereby repealed and the following
39 substituted in lieu thereof:

40 "A petition describing the boundaries, or accurately
41 describing the area included therein by legal descriptions,
42 of the proposed district, which boundaries or area described
43 shall conform to county plan or the petition shall request
44 change of the county plan, shall be filed with the superintendent
45 of schools of the county in which the greatest number of electors
46 reside. Such petition shall be signed by voters in each
47 existing school district affected or portion thereof equal
48 in number to at least thirty-three and one-third percent
49 (33 1/3%) of the number of eligible voters or five hundred
50 (500) voters, whichever is the smaller number. School
51 districts affected or portion thereof shall be defined to
52 mean that area to be included in the plan of the proposed
53 new school district."

54 Sec. 13. Amend section two hundred seventy-five point
55 thirteen (275.13), Code 1954, by striking from line four (4)
56 the words "the territory" and substituting in lieu thereof the
57 following words: "each affected district or portion thereof."

58 Sec. 14. Section two hundred seventy-five point fifteen
59 (275.15), Code 1954, is amended by inserting a period after
60 the word "petition" in line eleven (11), and by striking lines
61 twelve (12) through eighteen (18), inclusive, and the words
62 "which shall be final" on line nineteen (19).

63 Said section is further amended by adding at the end
64 thereof the following:

65 "Within twenty (20) days after the publication thereof the
66 decision rendered by the county board of education may be
67 appealed to a court of record in the county involved by any
68 school district affected or portion thereof."

69 Sec. 15. Amend two hundred seventy-five point sixteen

79 (275.16), Code 1954, by striking in lines ten (10) and eleven
80 (11) the words "not disqualified under 275.17 hereof" and by
81 inserting a period () after the word "quorum" in line fourteen
82 (14) and striking the balance of the section.

83 Said section is further amended by adding at the end
84 thereof the following:

85 "The joint boards acting as a single board shall determine
86 whether the petition conforms to county plans or, if the
87 petition requests a change in county plans, whether such change
88 should be made, and shall have the authority to change the plans
89 of any or all the county boards affected by the petition, and
90 it shall determine and fix boundaries for the proposed
91 corporation as provided in section 275.15 of the Code or
92 dismiss the petition. The county superintendent shall at
93 once publish this decision in the same newspaper in which
94 the original notice was published.

95 In case a controversy arises from such meeting, the county
96 board or boards or any school district aggrieved may bring
97 the controversy to the state department of public instruction,
98 as provided in section two hundred seventy-five point eight
99 (275.8) of the Code, within twenty (20) days from the
100 publication of this order, and if said controversy is taken
101 to the state department of public instruction, a ten-day notice
102 in writing shall be given to all county boards and school
103 districts affected or portions thereof. The state department
104 shall have the authority to affirm the action of the joint
105 boards, to vacate, to dismiss all proceedings or to make such
106 modification of the action of the joint boards as in their
107 judgment would serve the best interest of all the counties.
108 This decision may be appealed to a court of record in one of
109 the counties by any aggrieved party to the controversy as
110 defined in section 275.8, within thirty days after the decision
111 of the state department of public instruction."

112 . "PLANATION

113 The purpose of this amendment is to give protection to
114 local districts by providing a right of appeal to school
115 districts when only one county board is involved, and to
116 provide protection to county boards and local school districts
117 the right of appeal to the state department of public instruction
118 and from there to a court of record. These protections
119 together with the number of signatures required on the petition
120 from each district should fully protect all the school districts
121 involved and give a clear method of protecting their rights
122 by appeal, which the law did not give before.

Filed
February 20, 1957.

RIEPM of Hancock.

adopted as amended 2-26

HOUSE FILE 158

1 Amend the amendment to House File 158, filed February 20th by
2 Riehm and Freed, by inserting after line 102 the following
3 section:
4 Sec. 16 Chapter two hundred seventy-five (275), Code
5 1954, is hereby amended by adding thereto the following section:
6 "The agrieved party, as defined in section two hundred
7 seventy-five point eight (275.8) of the Code, shall initiate
8 the appeal or appeals to a court of record, as provided for
9 in this chapter, only upon a petition of the majority of the
10 eligible voters in the district affected or portion thereof."

Filed

February 25, 1957.

RIEHM of Hancock.

HOUSE FILE 158

1 Amend the Riehm amendment to House File 158, filed February
2 20, 1957 by striking all after the colon in line six (6)
3 and all of lines seven (7) eight (8) and nine (9) and
4 inserting in lieu thereof the following: "an aggrieved
5 party is hereby defined as the board of directors of a school
6 district whose directors are elected at large, or, if said
7 board is elected from director districts, then that membership
8 of the board of directors whose districts are included in
9 the proposed reorganized area, or a county board of education".

Filed

February 25, 1957.

Accepted 2-26
BROWN of Keokuk.

HOUSE FILE 158

1 Amend the amendment to House File 158 by striking
2 all of Section 2 of the amendment.

Offered and adopted
February 26, 1957.

FROMMELT of Dubuque.