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SENATE FILE 2273  
BY COMMITTEE ON STATE GOVERNMENT  
(formerly SSB 2123)  
*Approved 3/7 (p. 624)*

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

A BILL FOR

1 An Act relating to the election of directors of a local school  
2 district, merged area, and area education agency, and  
3 providing an effective date.

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

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S.F. 2273

1 Section 1. Section 39.24, Code 1985, is amended to read as  
2 follows:

3 39.24 SCHOOL OFFICERS.

4 Members of boards of directors of community and independent  
5 school districts, and boards of directors of merged areas  
6 shall be elected at the school election. Their terms of  
7 office shall be ~~three~~ four years, except as otherwise provided  
8 by section 275.23A, ~~or 280A.11, 280A.12, or 280A.13.~~

5322-9 Sec. 2. Section 49.19, Code 1985, is amended to read as  
10 follows:

11 49.19 UNPAID OFFICIALS, PAPER BALLOTS OPTIONAL FOR CERTAIN  
12 CITY ELECTIONS.

13 The commissioner may appoint unpaid election precinct  
14 officials to election boards, as provided by sections 49.15,  
15 49.16 and 49.20, or elect not to use voting machines even  
16 though they are available, as permitted by section 49.26, or  
17 both, for any election held for a city, even if the city has a  
18 population of more than three thousand five hundred, if there  
19 is no contest for any office on the ballot and no public  
20 question is being submitted to the voters at that election.

21 The commissioner may use paper ballots or an additional  
22 machine in a precinct in which all qualified voters are not  
23 eligible to vote for all offices or issues on the ballot at  
24 the regular school election pursuant to section 277.1 and the  
25 regular city election pursuant to section 376.1.

26 Sec. 3. Section 273.8, subsection 1, Code Supplement 1985,  
27 is amended to read as follows:

28 1. BOARD OF DIRECTORS. The board of directors of an area  
29 education agency shall consist of not less than five nor more  
30 than nine members, each a resident of and elected in the  
31 manner provided in this section from a director district that  
32 is approximately equal in population to the other director  
33 districts in the area education agency. Each director shall  
34 serve a ~~three-year~~ four-year term which commences at the  
35 organization meeting.

1     Sec. 4. Section 273.8, subsection 2, unnumbered paragraph  
2 2, Code Supplement 1985, is amended to read as follows:

3     The director district conventions shall be called and the  
4 locations of the conventions shall be determined by the area  
5 education agency administrator. ~~Annually~~ Biennially the  
6 director district conventions shall be held within two weeks  
7 following the regular school election. Notice of the time,  
8 date, and place of a director district convention shall be  
9 published by the area education agency administrator at least  
10 forty-five days prior to the day of the district conventions  
11 in at least one newspaper of general circulation in the  
12 director district. The cost of publication shall be paid by  
13 the area education agency.

14     Sec. 5. Section 273.8, subsection 3, unnumbered paragraph  
15 1, Code Supplement 1985, is amended to read as follows:

16     The board of directors of each area education agency shall  
17 meet and organize at the first regular meeting in ~~October~~ July  
18 of each odd-numbered year at a suitable place designated by  
19 the president. Directors whose terms commence at the  
20 organization meeting shall qualify by taking the oath of  
21 office required by section 277.28 at or before the  
22 organization meeting.

23     Sec. 6. Section 274.7, Code 1985, is amended to read as  
24 follows:

25     274.7 DIRECTORS.

26     The affairs of each school corporation shall be conducted  
27 by a board of directors, the members of which in all community  
28 or independent school districts shall be chosen for a term of  
29 ~~three~~ four years.

30     Sec. 7. Section 275.12, subsection 2, Code 1985, is  
31 amended to read as follows:

32     2. The petition filed under subsection 1 shall also state  
33 the name of the proposed school district and the number of  
34 directors which may be either five or seven and the method of  
35 election of the school directors of the proposed district.

1 The method of election of the directors shall be one of the  
2 following optional plans:

3 a. Election at large from the entire district by the  
4 electors of the entire district.

5 b. Division of the entire school district into designated  
6 geographical subdistricts on the basis of population, to be  
7 known as director districts, each of which ~~director-districts~~  
8 shall be represented on the school board by one director who  
9 shall be a resident of ~~such~~ the director district but who  
10 shall be elected by the vote of the electors of the entire  
11 school district. The school district shall be divided into  
12 the same number of director districts as the number of school  
13 directors the district is authorized by law. The boundaries  
14 of ~~such~~ the director districts and the area and population  
15 included within each district shall be ~~such~~ as justice,  
16 equity, and the interests of the people may require. Changes  
17 in the boundaries of director districts shall not be made  
18 during a period commencing sixty days prior to the date of the  
19 ~~annual~~ regular school election. ~~Insofar~~ As far as may-be  
20 practicable, the boundaries of ~~such~~ the districts shall follow  
21 established political or natural geographical divisions.

22 c. Election of not more than one-half of the total number  
23 of school directors at large from the entire district and the  
24 remaining directors from and as residents of designated  
25 single-member or ~~multi-member~~ multimember director districts  
26 into which the entire school district shall be divided on the  
27 basis of population for each director. In ~~such~~ this case, all  
28 directors shall be elected by the electors of the entire  
29 school district. Changes in the boundaries of director  
30 districts shall not be made during a period commencing sixty  
31 days prior to the date of the ~~annual~~ regular school election.

32 d. Division of the entire school district into designated  
33 geographical subdistricts on the basis of population, to be  
34 known as director districts, each of which ~~director-districts~~  
35 shall be represented on the school board by one director who

1 shall be a resident of ~~such~~ that director district and who  
2 shall be elected by the voters of ~~said~~ that director district.  
3 Place of voting in ~~such~~ director districts shall be designated  
4 by the commissioner of elections. Changes in the boundaries  
5 of director districts shall not be made during a period  
6 commencing sixty days prior to the date of the ~~annual~~ regular  
7 school election.

8 e. In districts having seven directors, election of three  
9 directors at large by the electors of the entire district, ~~one~~  
10 no more than two at ~~each-annual~~ a regular school election, and  
11 election of the remaining directors as residents of and by the  
12 electors of individual geographic subdistricts established on  
13 the basis of population and identified as director districts.  
14 Boundaries of the subdistricts shall follow precinct  
15 boundaries, ~~insofar~~ as far as practicable, and shall not be  
16 changed less than sixty days prior to the ~~annual~~ regular  
17 school election.

5340 18 Sec. 8. Section 275.23A, subsection 1, Code 1985, is  
19 amended by striking the subsection and inserting the  
20 following:

21 1. School districts which have directors who represent  
22 director districts as provided in section 275.12, subsection  
23 2, paragraphs "b" through "e", shall be divided into director  
24 districts on the basis of population as determined from the  
25 most recent federal decennial census. The director districts  
26 shall be as nearly equal in population as practicable, giving  
27 due consideration to voting precinct boundaries and other  
28 natural boundaries, and maintaining present director district  
29 boundaries if possible. The director districts shall be  
30 composed of contiguous territory as compact as practicable.

31 This section does not establish a percent of variance to  
32 which the director district populations must comply.

33 Sec. 9. Section 275.25, subsection 3, Code Supplement  
34 1985, is amended to read as follows:

35 3. The directors who are elected ~~to-serve~~ shall serve

1 until their successors are elected and qualify. At the  
2 special election, the three newly elected director directors  
3 receiving the most votes shall be elected to serve until the  
4 ~~director's successor qualifies~~ their successors qualify after  
5 the fourth third regular school election date occurring after  
6 the effective date of the reorganization; and the two newly  
7 elected directors receiving the next largest number of votes  
8 shall be elected to serve until the directors' successors  
9 qualify after the third second regular school election date  
10 occurring after the effective date of the reorganization; ~~and~~  
11 ~~the two newly elected directors receiving the next largest~~  
12 ~~number of votes shall be elected to serve until the directors'~~  
13 ~~successors qualify after the second regular school election~~  
14 ~~date occurring after the effective date of the reorganization.~~  
15 However, in districts that include all or a part of a city of  
16 fifteen thousand or more population and in districts in which  
17 the proposition to establish a new corporation provides for  
18 the election of seven directors, the three four newly elected  
19 directors receiving the most votes shall be elected to serve  
20 until the directors' successors qualify after the fourth third  
21 regular school election date occurring after the effective  
22 date of the reorganization and the three newly elected  
23 directors receiving the next largest number of votes shall be  
24 elected to serve until the directors' successors qualify after  
25 the second regular school election date occurring after the  
26 effective date of the reorganization.

27 Sec. 10. Section 275.36, Code 1985, is amended to read as  
28 follows:

29 275.36 SUBMISSION OF CHANGE TO ELECTORS.

30 If a petition for a change in the number of directors or in  
31 the method of election of school directors, describing the  
32 boundaries of the proposed director districts, if any, signed  
33 by eligible electors of the school district equal in number to  
34 at least thirty percent of those who voted in the last  
35 previous annual regular school election in the school

1 district, but not less than twenty-five persons, and  
2 accompanied by affidavit as required by section 275.13 be, is  
3 filed with the school board of a school district, not earlier  
4 than six months and not later than two months before a regular  
5 or special school election, the school board shall submit ~~such~~  
6 the proposition to the voters at ~~such~~ the election. If a  
7 proposition for a change in the number of directors or in the  
8 method of election of school directors submitted to the voters  
9 under this section is rejected, it shall not be resubmitted to  
10 the voters of the district in substantially the same form  
11 within the next three years; if it is approved, no other  
12 proposal ~~may~~ shall be submitted to the voters of the district  
13 under this section within the next six years.

14 Sec. 11. Section 275.37, Code 1985, is amended to read as  
15 follows:

16 275.37 INCREASE IN NUMBER OF DIRECTORS.

17 At the next succeeding ~~annual~~ regular school election in a  
18 district where the number of directors has been increased from  
19 five to seven, and directors are elected at large, ~~there-shall~~  
20 ~~be-elected~~ a director shall be elected to succeed each  
21 incumbent director whose term is expiring in that year, and  
22 two additional directors. Upon organizing as required by  
23 section 279.1, either one or two of the newly elected ~~director~~  
24 directors who received the fewest votes in the election shall  
25 be assigned a term of ~~either-one-year-or~~ two years if as  
26 necessary in order that as nearly as possible ~~one-third~~ one-  
27 half of the members of the board shall be elected ~~each-year~~  
28 biennially.

29 Sec. 12. Section 275.38, Code 1985, is amended to read as  
30 follows:

31 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

32 If a change in the method of election of school directors  
33 is approved at a regular or special school election, the  
34 directors who were serving unexpired terms or were elected  
35 concurrently with approval of the change of method shall serve

1 out the terms for which they were elected. If the plan  
2 adopted is that described in section 275.12, subsection 2,  
3 paragraph "b," "c," "d," or "e," the board shall at the  
4 earliest practicable time designate the districts from which  
5 residents are to be elected as school directors at each of the  
6 next ~~three~~ two succeeding ~~annual~~ regular school elections,  
7 arranging so far as possible for elections of directors as  
8 residents of the respective districts to coincide with the  
9 expiration of terms of incumbent members residing in those  
10 districts. If an increase in the size of the board from five  
11 to seven members is approved concurrently with the change in  
12 method of election of directors, the board shall make the  
13 necessary adjustment in the manner prescribed in section  
14 275.37, as well as providing for implementation of the  
15 districting plan under this section.

16 Sec. 13. Section 275.41, subsections 4, 5, 6, and 7, Code  
17 Supplement 1985, are amended to read as follows:

18 4. If the total number of directors determined under  
19 subsection 2 or 3 is an odd number, the board of the district  
20 with the largest population shall designate the term of office  
21 of one of the members who is retained to commence at the  
22 organizational meeting of the board of the newly formed  
23 district and to end at the organizational meeting following  
24 the ~~fourth~~ third regular school election held ~~thereafter~~ after  
25 the effective date of the merger, in the manner specified in  
26 the reorganization petition.

27 If the total number of directors determined under  
28 subsection 2 or 3 is an even number, that number of directors  
29 shall function until a special election can be held, at which  
30 time an additional director shall be elected ~~to-a-term~~ from  
31 the newly formed district to a term ending at the  
32 organizational meeting following the ~~fourth~~ third regular  
33 school election held ~~thereafter~~ after the effective date of  
34 the merger. The procedure for calling the special election  
35 shall be the procedure specified in section 275.25.

1 5. The boards of directors of school districts which are  
2 involved in the merger which have three or more directors who  
3 are retained, shall each designate two of the directors who  
4 are retained to serve terms that expire at the organizational  
5 meeting following the second first regular school election  
6 held thereafter after the effective date of the merger. All  
7 other directors who are retained shall serve terms that expire  
8 at the organizational meeting following the third second  
9 regular school election held thereafter after the effective  
10 date of the merger. If there is an insufficient number of  
11 board members eligible to be retained from a former school  
12 district, the board of the former school district may appoint  
13 members to fill the vacancies. A vacancy occurs if there is  
14 an insufficient number of former board members who reside in  
15 the newly formed district or if there is an insufficient  
16 number who are willing to serve on the board of the newly  
17 formed district.

18 6. At the second first regular school election held after  
19 the effective date of the merger, the two vacancies which will  
20 occur on the board shall be filled in a manner specified in  
21 the reorganization petition.

22 7. At the third second regular school election held after  
23 the effective date of the merger, if a five-member board is  
24 specified in the reorganization petition, two directors shall  
25 be elected in the manner specified in the reorganization  
26 petition and if a seven-member board is specified in the  
27 reorganization petition, four directors shall be elected, two  
28 for one-year two-year terms and two for three-year four-year  
29 terms, in the manner specified in the reorganization petition.

30 Sec. 14. Section 277.1, Code 1985, is amended to read as  
31 follows:

32 277.1 REGULAR ELECTION.

33 The regular election shall be held annually biennially on  
34 the second first Tuesday in-September following the first  
35 Monday in June of each odd-numbered year in each school

1 district for the election of officers of the district and  
2 merged area and for the purpose of submitting to the voters  
3 any matter authorized by law.

4 Sec. 15. Section 277.2, Code 1985, is amended to read as  
5 follows:

6 277.2 SPECIAL ELECTION.

7 The board of directors in any school corporation may call a  
8 special election at which ~~election~~ the voters shall have the  
9 powers exercised at the regular election with reference to the  
10 sale of school property and the application to be made of the  
11 proceeds, the authorization to change the method of election  
12 of school directors to any method authorized by section  
13 275.12, the authorization of seven members on the board of  
14 directors, the authorization to establish or change the  
15 boundaries of director districts, and the authorization of a  
16 schoolhouse tax or indebtedness, as provided by law.

17 Sec. 16. Section 277.20, unnumbered paragraph 1, Code  
18 1985, is amended to read as follows:

19 On the next ~~Friday~~ Monday after the regular school  
20 election, the county board of supervisors shall canvass the  
21 returns made to the county commissioner of elections from the  
22 several precinct polling places and the absentee ballot  
23 counting board, ascertain the result of the voting with regard  
24 to every matter voted upon and cause a record to be made  
25 thereof of the results as required by section 50.24. Special  
26 elections held in school districts shall be canvassed at the  
27 time and in the manner required by that section. The board  
28 shall declare the results of the voting for members of boards  
29 of directors of school corporations nominated pursuant to  
30 section 277.4, and the commissioner shall at once issue a  
31 certificate of election to each person declared elected. The  
32 board shall also declare the results of the voting on any  
33 public question submitted to the voters of a single school  
34 district, and the commissioner shall certify the result as  
35 required by section 50.27.

1     Sec. 17. Section 277.23, unnumbered paragraph 2, Code  
2 1985, is amended to read as follows:

3     A change from five to seven directors shall be effected in  
4 a district at the first regular election after authorization  
5 by the voters or when a district becomes wholly or in part  
6 within a city of fifteen thousand population or more in the  
7 following manner: If the term of ~~one-director~~ two directors  
8 of the five-member board expires at the time of ~~said the~~ the  
9 regular election, ~~three~~ four directors shall be elected to  
10 serve until the ~~third~~ second following regular election  
11 thereafter; if the terms of ~~two~~ three directors expire at the  
12 time of ~~said the~~ the regular election, three directors shall be  
13 elected to serve until the ~~third~~ second following regular  
14 election thereafter and ~~one-director~~ two directors shall be  
15 elected to serve ~~a-term-the-expiration-of-which-coincides-with~~  
16 ~~the-expiration-of-the-term-of-the-director-heretofore-singly~~  
17 elected until the next regular election.

18     Sec. 18. Section 277.25, Code 1985, is amended to read as  
19 follows:

20     277.25 DIRECTORS IN NEW DISTRICTS.

21     At the first election in newly organized districts the  
22 directors shall be elected as follows:

23     1. In districts having three directors, ~~one-director~~ two  
24 directors shall be elected for ~~one-year,~~ one-for two years,  
25 and one for ~~three~~ four years.

26     2. In districts having five directors, ~~two~~ three shall be  
27 elected for ~~one-year,~~ two-for two years, and ~~one~~ two for ~~three~~  
28 four years.

29     3. In districts having seven directors, ~~two~~ four shall be  
30 elected for ~~one-year,~~ two-for two years, and three for ~~three~~  
31 four years.

32     Sec. 19. Section 277.27, Code 1985, is amended to read as  
33 follows:

34     277.27 QUALIFICATION.

35     A Notwithstanding section 71.1, a school officer or member

1 of the board shall, at the time of election or appointment, be  
2 an eligible elector of the corporation or subdistrict.

3 ~~Notwithstanding any contrary provision of the Code, no member  
4 of the board of directors of any school district, or  
5 director's spouse, shall receive compensation directly from  
6 the school board. No director or spouse affected by this  
7 provision on July 1, 1972, whose term of office for which  
8 elected has not expired, or whose contract of employment has a  
9 fixed date of expiration and has not expired, shall be  
10 affected by this provision until the expiration of the term of  
11 office to which elected, or the expiration date of the  
12 contract for which employed. A member of the board of  
13 directors shall not be an employee of the school district. A  
14 board member is entitled to receive compensation in an amount  
15 determined by the board and necessary expenses incurred while  
16 engaged in official duties.~~

17 Sec. 20. Section 277.28, unnumbered paragraph 1, Code  
18 1985, is amended to read as follows:

19 Each director elected at a regular district or director  
20 district election, ~~as the case may be,~~ shall qualify by taking  
21 the oath of office on or before the time set for the  
22 organization meeting of the board the ~~third-Monday-in~~  
23 September first day in July which is not a Sunday of each odd-  
24 numbered year, and the election and qualification shall be  
25 entered of record by the secretary. The oath may be  
26 administered by any a qualified member of the board or the  
27 secretary of the board and may be taken in substantially the  
28 following form:

29 Sec. 21. Section 279.1, Code 1985, is amended to read as  
30 follows:

31 279.1 ORGANIZATION.

32 The board of directors of each school corporation shall  
33 meet and organize at two o'clock p.m., or at seven-thirty  
34 o'clock p.m., if so ordered by the president of the board, on  
35 the third-Monday-in-September first day in July which is not a

1 Sunday of each odd-numbered year at some a suitable place to  
2 be designated by the secretary. Notice of the place and hour  
3 of ~~such~~ the meeting shall be given by the secretary to each  
4 member and each member-elect of the board.

5 ~~Such~~ The organization shall be effected by the election of  
6 a president from the members of the board, ~~who shall be.~~ The  
7 president is entitled to vote as a member.

8 Sec. 22. Section 279.32, unnumbered paragraph 1, Code  
9 1985, is amended to read as follows:

10 The board shall fix the compensation to be paid the  
11 secretary. ~~No~~ A member of the board shall not receive  
12 compensation for official services except as provided in  
13 section 277.27. The board may pay a school treasurer a  
14 reasonable compensation.

15 Sec. 23. Section 280A.11, unnumbered paragraph 1, Code  
16 1985, is amended to read as follows:

17 The governing board of a merged area is a board of  
18 directors composed of one member elected from each director  
19 district in the area by the qualified electors of the  
20 respective district. Members of the board shall be residents  
21 of the district from which elected. Successors shall be  
22 chosen at the ~~annual~~ regular school elections for members  
23 whose terms expire. The term of a member of the board of  
24 directors is ~~three~~ four years and commences at the  
25 organization meeting. Vacancies on the board which occur more  
26 than ninety days prior to the next regular school election may  
27 be filled at the next regular meeting of the board by  
28 appointment by the remaining members of the board. A member  
29 so chosen shall be a resident of the district in which the  
30 vacancy occurred and shall serve until a member is elected  
31 pursuant to section 69.12 to fill the vacancy for the balance  
32 of the unexpired term. A vacancy is defined in section  
33 277.29. A member shall not serve on the board of directors  
34 who is a member of a board of directors of a local school  
35 district or a member of an area education agency board. A

1 member of the board of directors of a merged area shall not be  
2 an employee of the merged area.

3 Sec. 24. Section 280A.12, Code 1985, is amended to read as  
4 follows:

5 280A.12 DIRECTORS OF MERGED AREA.

6 In each merged area, the initial board of directors elected  
7 at the special election shall organize within fifteen days  
8 following the election and may ~~thereafter~~ proceed with the  
9 establishment of the designated area vocational school or area  
10 community college. The board of directors of the merged area  
11 shall organize at the first regular meeting in ~~October~~ July of  
12 each odd-numbered year. Organization of the board shall be  
13 effected by the election of a president and other officers  
14 from the board membership as board members determine. The  
15 board of directors shall appoint a secretary and a treasurer  
16 who shall each give bond as prescribed in section 291.2 and  
17 who shall each receive the salary determined by the board.  
18 The secretary and treasurer shall perform duties under chapter  
19 291 and additional duties the board of directors deems  
20 necessary. However, the board may appoint one person to serve  
21 as the secretary and treasurer. If one person serves as the  
22 secretary and treasurer, only one bond is necessary for that  
23 person. The frequency of meetings other than organizational  
24 meetings shall be as determined by the board of directors but  
25 the president or a majority of the members may call a special  
26 meeting at any time.

27 Sec. 25. Section 280A.13, subsection 1, Code 1985, is  
28 amended to read as follows:

29 1. The board of a merged area may change the number of  
30 directors on the board and shall make corresponding changes in  
31 the boundaries of director districts. Changes shall be  
32 completed not later than July 1 of a fiscal year for the next  
33 regular school election ~~to-be-held-the-next-following~~  
34 September.

35 Sec. 26. Section 280A.13, subsection 4, Code 1985, is

1 amended to read as follows:

2 4. To the extent possible the board shall provide that  
3 changes in the boundary lines of director districts of merged  
4 areas do not lengthen or diminish the term of office of a  
5 director of the board. Initial terms of office shall be set  
6 by the board so that as nearly as possible the terms of one-  
7 third one-half of the members expire annually biennially.

8 Sec. 27. Section 280A.15, subsection 1, Code 1985, is  
9 amended to read as follows:

10 1. Regular elections held annually by the merged area for  
11 the election of members of the board of directors as required  
12 by section 280A.11, for the renewal of the twenty and one-  
13 fourth cents per thousand dollars of assessed valuation levy  
14 authorized in section 280A.22, or for any other matter  
15 authorized by law and designated for election by the board of  
16 directors of the merged area, shall be held on the date of the  
17 school election as fixed by section 277.1. The election  
18 notice shall be made a part of the local school election  
19 notice published as provided in section 49.53 in each local  
20 school district where voting is to occur in the merged area  
21 election and the election shall be conducted by the county  
22 commissioner of elections pursuant to chapters 39 to 53 and  
23 section 277.20.

24 Sec. 28. Section 280A.15, subsection 4, Code 1985, is  
25 amended to read as follows:

26 4. The votes cast in the election shall be canvassed and  
27 abstracts of the votes cast shall be certified as required by  
28 section 277.20. In each county whose commissioner of  
29 elections is responsible under section 47.2 for conducting  
30 elections held for a merged area, the county board of  
31 supervisors shall convene at ten o'clock a.m. on the ~~last~~  
53 22 32 Monday in September after the regular school election, canvass  
33 the abstracts of votes cast and declare the results of the  
34 voting. The commissioner shall at once issue certificates of  
35 election to each person declared elected, and shall certify to

1 the merged area board in substantially the manner prescribed  
2 by section 50.27 the result of the voting on any public  
3 question submitted to the voters of the merged area. Members  
4 elected to the board of directors of a merged area shall  
5 qualify by taking the oath of office prescribed in section  
6 277.28.

7 Sec. 29. Section 280A.22, subsection 1, paragraph a, Code  
8 1985, is amended to read as follows:

9 a. In addition to the tax authorized under section  
10 280A.17, the voters in any a merged area may at the annual  
11 regular school election vote a tax not exceeding twenty and  
12 one-fourth cents per thousand dollars of assessed value in any  
13 one year for a period not to exceed ten years for the purchase  
14 of grounds, construction of buildings, payment of debts  
15 contracted for the construction of buildings, purchase of  
16 buildings and equipment for buildings, and the acquisition of  
17 libraries, and for the purpose of maintaining, remodeling,  
18 improving, or expanding the area vocational school or area  
19 community college of the merged area. The tax shall be  
20 collected by the county treasurers and remitted to the  
21 treasurer of the merged area as provided in section 331.552,  
22 subsection 29. The proceeds of the tax shall be deposited in  
23 a separate and distinct fund to be known as the voted tax  
24 fund, to be paid out upon warrants drawn by the president and  
25 secretary of the board of directors of the merged area  
26 district for the payment of costs incurred in providing the  
27 school facilities for which the tax was voted.

28 Sec. 30.

29 1. In order to accomplish the transition from election of  
30 directors of community and independent school districts,  
31 merged areas, and area education agencies annually for terms  
32 of three years each, to election of such directors biennially  
33 for terms of four years each, the following adjustments in  
34 terms and times of election shall be made, notwithstanding  
35 other provisions of law:

1 a. The term of office of each director of a community or  
2 an independent school district, merged area, and area  
3 education agency board whose term expires in the years 1987  
4 and 1988 shall expire at noon on July 1, 1987 and the  
5 successors shall be elected at the regular election in 1987 or  
6 in the case of the area education agency, at the director  
7 district convention in 1987.

8 b. In community, independent, and consolidated school  
9 districts, merged areas, and area education agencies having  
10 five-member boards of directors, the persons elected as  
11 directors in 1987 who receive the greatest and the next  
12 greatest number of votes in that election shall serve terms of  
13 four years each and the other persons so elected shall serve  
14 terms of two years each.

15 c. In community, independent, and consolidated school  
16 districts, merged areas, and area education agencies having  
17 seven-member boards of directors, the persons elected as  
18 directors in 1987 who receive the greatest, the next greatest,  
19 and the third greatest number of votes shall serve terms of  
20 four years each, and the other persons so elected shall serve  
21 terms of two years each.

22 d. In merged areas and area education agencies having more  
23 than seven members, the persons elected as directors in 1987  
24 who receive the greatest, the next greatest, the third  
25 greatest, and the fourth greatest number of votes shall serve  
26 terms of four years each, and the other persons so elected  
27 shall serve terms of two years each.

28 2. Notwithstanding section 275.12, at least a majority of  
29 the board of directors of each school district shall be  
30 elected from director districts pursuant to section 275.23A,  
31 subsection 1 by the regular school election in 1989. The  
32 remaining members may be elected at large from the entire  
33 district by the electors of the entire district.

34 At the regular school election in 1989 the community,  
35 independent, and consolidated school districts having five-

1 member boards of directors shall elect the three vacant  
2 positions from director districts unless at least a majority  
3 of the board of directors was elected from director districts  
4 in 1987.

5 At the regular school election in 1989, the community,  
6 independent, and consolidated school districts having seven-  
7 member boards of directors shall elect the five vacant  
8 positions from director districts unless at least a majority  
9 of the board of directors was elected from director districts  
10 in 1987.

11 Sec. 31. This Act takes effect January 1, 1987.

12 EXPLANATION

13 This bill changes the regular school election from the  
14 second Tuesday of September of each year to the first Tuesday  
15 following the first Monday in June of each odd-numbered year.  
16 The terms of board members for local school districts, merged  
17 area schools, and area education agencies change from three  
18 years to four years.

19 The bill permits anyone in a school district, merged area,  
20 or area education agency to serve on the board of directors  
21 except actual employees of the respective educational sector.

22 School board members of a local school district are  
23 permitted to receive compensation determined by the board.

24 The bill requires that by 1989, at least a majority of the  
25 members of a local school district be elected from director  
26 districts.

27 The bill provides transitional language for the length of  
28 terms changing from three years to four years and for election  
29 by director districts.

30 The bill takes effect January 1, 1987.

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SENATE FILE 2273

S-5322

- 1 Amend Senate File 2273 as follows:
- 2 1. Page 1, by striking lines 9 through 25.
- 3 2. Page 14, by striking line 32 and inserting the
- 4 following: "Monday in September June, canvass".

S-5322 Filed March 11, 1986 BY CARR

*Adopted 2/13 (p. 714)*

SENATE FILE 2273

S-5340

- 1 Amend Senate File 2273 as follows:
- 2 1. Page 4, by striking lines 18 through 32.

S-5340 Filed and adopted March 13, 1986 BY BROWN

*Adopted 2/13 (p. 718)*

SENATE FILE 2273

S-5346

- 1 Amend Senate File 2273 as follows:
- 2 1. Page 11, by striking lines 3 through 6 and
- 3 inserting in lieu thereof the following:
- 4 "Notwithstanding any contrary provision of the Code,
- 5 no member of the board of directors of any school
- 6 district, or director's spouse, shall receive
- 5371 7 compensation directly from the school board. No
- 8 ~~director-or-spouse-affected-by-this~~".

S-5346 Filed March 13, 1986 BY PETERSON

SENATE FILE 2273

S-5371

- 1 Amend amendment S-5346 to Senate File 2273 as
- 2 follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "board" the following: "except a director or
- 5 director's spouse may be employed by the district in a
- 6 noncertificated position on a half-time basis or
- 7 less".

S-5371 Filed March 17, 1986

BY BROWN

S-5383

1 Amend Senate File 2273 as follows:

2 1. Page 11, by striking lines 3 through 6 and  
3 inserting the following: "~~Notwithstanding any~~  
4 ~~contrary provision of the Code, no~~ A member of the  
5 board of directors of any school district, or  
6 director's spouse, shall not receive compensation  
7 directly from the school board, except a director's  
8 spouse may be employed by the district in a  
9 noncertificated position, or in a certificated  
10 position on a half-time basis or less. No director or  
11 spoused affected by this".

S-5383 Filed March 18, 1986

BY PETERSON, BROWN

FISCAL NOTE TO  
SENATE FILE 2273

In compliance with a written request received March 7, 1986, a fiscal note for SENATE FILE 2273 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2273 changes the frequency of elections and the length of term for members of boards of directors of school districts, merged areas and area education agencies beginning January 1, 1987. Under current law, elections are conducted annually to elect directors for terms of three years each. The proposal provides for the election of directors biennially for four year terms. The proposal also authorizes school boards to pay its members compensation for necessary expenses incurred while engaged in official duties.

Assumptions:

1. The estimated average cost to hold a regular school election is \$1.00 per pupil, or \$485,600. The estimated cost to hold merged area regular elections is \$71,174. The election costs will remain at current levels through the fiscal year beginning July 1, 1988.
2. Compensation applies to school district board members only.
3. All school districts hold at least one scheduled board meeting per month. Of the 436 school districts, 58 hold two scheduled board meetings per month.
4. Of the 436 school districts, 352 have five member school boards, and 84 have seven member school boards.
5. Board members will be compensated \$25 per regular meeting.
6. School districts hold on the average a minimum of one special meeting per month.
7. All school districts will compensate their board members for one special meeting per month at \$25 per meeting.

Fiscal Effect: The proposal reduces the number of school elections by one half, therefore the cost of school elections would be reduced by an estimated \$278,400. The cost to a school district for compensation of board members would be an estimated \$811,200 for regular meetings and \$58,800 for special meetings, or an estimated total of \$870,000.

Source: Department of Public Instruction  
Filed March 21, 1986 by the Sec. of the Senate

(LSB 7624S, TLJ)  
DENNIS C. PROUTY, DIRECTOR  
LEGISLATIVE FISCAL BUREAU

*New  
SF 2273*

SENATE FILE **2273**  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL)

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

**A BILL FOR**

1 An Act relating to the election of directors of a local school  
2 district, merged area, and area education agency, and  
3 providing an effective date.

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

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1 Section 1. Section 39.24, Code 1985, is amended to read as  
2 follows:

3 39.24 SCHOOL OFFICERS.

4 Members of boards of directors of community and independent  
5 school districts, and boards of directors of merged areas  
6 shall be elected at the school election. Their terms of  
7 office shall be three four years, except as otherwise provided  
8 by section 275.23A, or 280A.11, 280A.12, or 280A.13.

9 Sec. 2. Section 49.19, Code 1985, is amended to read as  
10 follows:

11 49.19 UNPAID OFFICIALS, PAPER BALLOTS OPTIONAL FOR CERTAIN  
12 ~~EFFY~~ ELECTIONS.

13 The commissioner may appoint unpaid election precinct  
14 officials to election boards, as provided by sections 49.15,  
15 49.16 and 49.20, or elect not to use voting machines even  
16 though they are available, as permitted by section 49.26, or  
17 both, for any election held for a city, even if the city has a  
18 population of more than three thousand five hundred, if there  
19 is no contest for any office on the ballot and no public  
20 question is being submitted to the voters at that election.  
21 The commissioner may use paper ballots or an additional  
22 machine in a precinct in which all qualified voters are not  
23 eligible to vote for all offices or issues on the ballot at  
24 the regular school election pursuant to section 277.1 and the  
25 regular city election pursuant to section 376.1.

26 Sec. 3. Section 273.8, subsection 1, Code Supplement 1985,  
27 is amended to read as follows:

28 1. BOARD OF DIRECTORS. The board of directors of an area  
29 education agency shall consist of not less than five nor more  
30 than nine members, each a resident of and elected in the  
31 manner provided in this section from a director district that  
32 is approximately equal in population to the other director  
33 districts in the area education agency. Each director shall  
34 serve a three-year four-year term which commences at the  
35 organization meeting.

1 Sec. 4. Section 273.8, subsection 2, unnumbered paragraph  
2 2, Code Supplement 1985, is amended to read as follows:

3 The director district conventions shall be called and the  
4 locations of the conventions shall be determined by the area  
5 education agency administrator. ~~Annually~~ Biennially the  
6 director district conventions shall be held within two weeks  
7 following the regular school election. Notice of the time,  
8 date, and place of a director district convention shall be  
9 published by the area education agency administrator at least  
10 forty-five days prior to the day of the district conventions  
11 in at least one newspaper of general circulation in the  
12 director district. The cost of publication shall be paid by  
13 the area education agency.

14 Sec. 5. Section 273.8, subsection 3, unnumbered paragraph  
15 1, Code Supplement 1985, is amended to read as follows:

16 The board of directors of each area education agency shall  
17 meet and organize at the first regular meeting in ~~October~~ July  
18 of each odd-numbered year at a suitable place designated by  
19 the president. Directors whose terms commence at the  
20 organization meeting shall qualify by taking the oath of  
21 office required by section 277.28 at or before the  
22 organization meeting.

23 Sec. 6. Section 274.7, Code 1985, is amended to read as  
24 follows:

25 274.7 DIRECTORS.

26 The affairs of each school corporation shall be conducted  
27 by a board of directors, the members of which in all community  
28 or independent school districts shall be chosen for a term of  
29 ~~three~~ four years.

30 Sec. 7. Section 275.12, subsection 2, Code 1985, is  
31 amended to read as follows:

32 2. The petition filed under subsection 1 shall also state  
33 the name of the proposed school district and the number of  
34 directors which may be either five or seven and the method of  
35 election of the school directors of the proposed district.

1 The method of election of the directors shall be one of the  
2 following optional plans:

3 a. Election at large from the entire district by the  
4 electors of the entire district.

5 b. Division of the entire school district into designated  
6 geographical subdistricts on the basis of population, to be  
7 known as director districts, each of which ~~director-districts~~  
8 shall be represented on the school board by one director who  
9 shall be a resident of ~~such~~ the director district but who  
10 shall be elected by the vote of the electors of the entire  
11 school district. The school district shall be divided into  
12 the same number of director districts as the number of school  
13 directors the district is authorized by law. The boundaries  
14 of ~~such~~ the director districts and the area and population  
15 included within each district shall be ~~such~~ as justice,  
16 equity, and the interests of the people may require. Changes  
17 in the boundaries of director districts shall not be made  
18 during a period commencing sixty days prior to the date of the  
19 ~~annual~~ regular school election. ~~Insofar~~ As far as may be  
20 practicable, the boundaries of ~~such~~ the districts shall follow  
21 established political or natural geographical divisions.

22 c. Election of not more than one-half of the total number  
23 of school directors at large from the entire district and the  
24 remaining directors from and as residents of designated  
25 single-member or ~~multi-member~~ multimember director districts  
26 into which the entire school district shall be divided on the  
27 basis of population for each director. In ~~such~~ this case, all  
28 directors shall be elected by the electors of the entire  
29 school district. Changes in the boundaries of director  
30 districts shall not be made during a period commencing sixty  
31 days prior to the date of the ~~annual~~ regular school election.

32 d. Division of the entire school district into designated  
33 geographical subdistricts on the basis of population, to be  
34 known as director districts, each of which ~~director-districts~~  
35 shall be represented on the school board by one director who

1 shall be a resident of such that director district and who  
2 shall be elected by the voters of ~~said~~ that director district.  
3 Place of voting in such director districts shall be designated  
4 by the commissioner of elections. Changes in the boundaries  
5 of director districts shall not be made during a period  
6 commencing sixty days prior to the date of the ~~annual~~ regular  
7 school election.

8 e. In districts having seven directors, election of three  
9 directors at large by the electors of the entire district, ~~one~~  
10 no more than two at ~~each-annual~~ a regular school election, and  
11 election of the remaining directors as residents of and by the  
12 electors of individual geographic subdistricts established on  
13 the basis of population and identified as director districts.  
14 Boundaries of the subdistricts shall follow precinct  
15 boundaries, ~~insofar~~ as far as practicable, and shall not be  
16 changed less than sixty days prior to the ~~annual~~ regular  
17 school election.

18 Sec. 8. Section 275.23A, subsection 1, Code 1985, is  
19 amended by striking the subsection and inserting the  
20 following:

21 1. School districts which have directors who represent  
22 director districts as provided in section 275.12, subsection  
23 2, paragraphs "b" through "e", shall be divided into director  
24 districts on the basis of population as determined from the  
25 most recent federal decennial census. The director districts  
26 shall be as nearly equal in population as practicable, giving  
27 due consideration to voting precinct boundaries and other  
28 natural boundaries, and maintaining present director district  
29 boundaries ~~whenever~~ if possible. The director districts shall  
30 be composed of contiguous territory as compact as practicable.  
31 ~~Nothing-in-this~~ This section ~~shall-be-construed-to~~ does not  
32 establish a percent of variance to which the director district  
33 populations must comply.

34 Sec. 9. Section 275.25, subsection 3, Code Supplement  
35 1985, is amended to read as follows:

1 3. The directors who are elected to-serve shall serve  
2 until their successors are elected and qualify. At the  
3 special election, the three newly elected director directors  
4 receiving the most votes shall be elected to serve until the  
5 ~~director's-successor-qualifies~~ their successors qualify after  
6 the ~~fourth~~ third regular school election date occurring after  
7 the effective date of the reorganization; and the two newly  
8 elected directors receiving the next largest number of votes  
9 shall be elected to serve until the directors' successors  
10 qualify after the ~~third~~ second regular school election date  
11 occurring after the effective date of the reorganization; ~~and~~  
12 ~~the-two-newly-elected-directors-receiving-the-next-largest~~  
13 ~~number-of-votes-shall-be-elected-to-serve-until-the-directors'~~  
14 ~~successors-qualify-after-the-second-regular-school-election~~  
15 ~~date-occurring-after-the-effective-date-of-the-reorganization.~~  
16 However, in districts that include all or a part of a city of  
17 fifteen thousand or more population and in districts in which  
18 the proposition to establish a new corporation provides for  
19 the election of seven directors, the three four newly elected  
20 directors receiving the most votes shall be elected to serve  
21 until the directors' successors qualify after the ~~fourth~~ third  
22 regular school election date occurring after the effective  
23 date of the reorganization and the three newly elected  
24 directors receiving the next largest number of votes shall be  
25 elected to serve until the directors' successors qualify after  
26 the second regular school election date occurring after the  
27 effective date of the reorganization.

28 Sec. 10. Section 275.36, Code 1985, is amended to read as  
29 follows:

30 275.36 SUBMISSION OF CHANGE TO ELECTORS.

31 If a petition for a change in the number of directors or in  
32 the method of election of school directors, describing the  
33 boundaries of the proposed director districts, if any, signed  
34 by eligible electors of the school district equal in number to  
35 at least thirty percent of those who voted in the last

1 previous ~~annual~~ regular school election in the school  
2 district, but not less than twenty-five persons, and  
3 accompanied by affidavit as required by section 275.13 ~~be, is~~  
4 filed with the school board of a school district, not earlier  
5 than six months and not later than two months before a regular  
6 or special school election, the school board shall submit ~~such~~  
7 the proposition to the voters at ~~such~~ the election. If a  
8 proposition for a change in the number of directors or in the  
9 method of election of school directors submitted to the voters  
10 under this section is rejected, it shall not be resubmitted to  
11 the voters of the district in substantially the same form  
12 within the next three years; if it is approved, no other  
13 proposal ~~may~~ shall be submitted to the voters of the district  
14 under this section within the next six years.

15 Sec. 11. Section 275.37, Code 1985, is amended to read as  
16 follows:

17 275.37 INCREASE IN NUMBER OF DIRECTORS.

18 At the next succeeding ~~annual~~ regular school election in a  
19 district where the number of directors has been increased from  
20 five to seven, and directors are elected at large, ~~there-shall~~  
21 ~~be-elected~~ a director shall be elected to succeed each  
22 incumbent director whose term is expiring in that year, and  
23 two additional directors. Upon organizing as required by  
24 section 279.1, either one or two of the newly elected director  
25 directors who received the fewest votes in the election shall  
26 be assigned a term of ~~either-one-year-or~~ two years if as  
27 necessary in order that as nearly as possible ~~one-third~~ one-  
28 half of the members of the board shall be elected ~~each-year~~  
29 biennially.

30 Sec. 12. Section 275.38, Code 1985, is amended to read as  
31 follows:

32 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

33 If a change in the method of election of school directors  
34 is approved at a regular or special school election, the  
35 directors who were serving unexpired terms or were elected

1 concurrently with approval of the change of method shall serve  
2 out the terms for which they were elected. If the plan  
3 adopted is that described in section 275.12, subsection 2,  
4 paragraph "b," "c," "d," or "e," the board shall at the  
5 earliest practicable time designate the districts from which  
6 residents are to be elected as school directors at each of the  
7 next three two succeeding annual regular school elections,  
8 arranging so far as possible for elections of directors as  
9 residents of the respective districts to coincide with the  
10 expiration of terms of incumbent members residing in those  
11 districts. If an increase in the size of the board from five  
12 to seven members is approved concurrently with the change in  
13 method of election of directors, the board shall make the  
14 necessary adjustment in the manner prescribed in section  
15 275.37, as well as providing for implementation of the  
16 districting plan under this section.

17 Sec. 13. Section 275.41, subsections 4, 5, 6, and 7, Code  
18 Supplement 1985, are amended to read as follows:

19 4. If the total number of directors determined under  
20 subsection 2 or 3 is an odd number, the board of the district  
21 with the largest population shall designate the term of office  
22 of one of the members who is retained to commence at the  
23 organizational meeting of the board of the newly formed  
24 district and to end at the organizational meeting following  
25 the fourth third regular school election held thereafter after  
26 the effective date of the merger, in the manner specified in  
27 the reorganization petition.

28 If the total number of directors determined under  
29 subsection 2 or 3 is an even number, that number of directors  
30 shall function until a special election can be held, at which  
31 time an additional director shall be elected to-a-term from  
32 the newly formed district to a term ending at the  
33 organizational meeting following the fourth third regular  
34 school election held thereafter after the effective date of  
35 the merger. The procedure for calling the special election

1 shall be the procedure specified in section 275.25.

2 5. The boards of directors of school districts which are  
3 involved in the merger which have three or more directors who  
4 are retained, shall each designate two of the directors who  
5 are retained to serve terms that expire at the organizational  
6 meeting following the second first regular school election  
7 held thereafter after the effective date of the merger. All  
8 other directors who are retained shall serve terms that expire  
9 at the organizational meeting following the third second  
10 regular school election held thereafter after the effective  
11 date of the merger. If there is an insufficient number of  
12 board members eligible to be retained from a former school  
13 district, the board of the former school district may appoint  
14 members to fill the vacancies. A vacancy occurs if there is  
15 an insufficient number of former board members who reside in  
16 the newly formed district or if there is an insufficient  
17 number who are willing to serve on the board of the newly  
18 formed district.

19 6. At the second first regular school election held after  
20 the effective date of the merger, the two vacancies which will  
21 occur on the board shall be filled in a manner specified in  
22 the reorganization petition.

23 7. At the third second regular school election held after  
24 the effective date of the merger, if a five-member board is  
25 specified in the reorganization petition, two directors shall  
26 be elected in the manner specified in the reorganization  
27 petition and if a seven-member board is specified in the  
28 reorganization petition, four directors shall be elected, two  
29 for one-year two-year terms and two for three-year four-year  
30 terms, in the manner specified in the reorganization petition.

31 Sec. 14. Section 277.1, Code 1985, is amended to read as  
32 follows:

33 277.1 REGULAR ELECTION.

34 The regular election shall be held ~~annually~~ biennially on  
35 the second first Tuesday ~~in~~-September following the first

1 Monday in June of each odd-numbered year in each school  
2 district for the election of officers of the district and  
3 merged area and for the purpose of submitting to the voters  
4 any matter authorized by law.

5 Sec. 15. Section 277.2, Code 1985, is amended to read as  
6 follows:

7 277.2 SPECIAL ELECTION.

8 The board of directors in any school corporation may call a  
9 special election at which ~~election~~ the voters shall have the  
10 powers exercised at the regular election with reference to the  
11 sale of school property and the application to be made of the  
12 proceeds, the authorization to change the method of election  
13 of school directors to any method authorized by section  
14 275.12, the authorization of seven members on the board of  
15 directors, the authorization to establish or change the  
16 boundaries of director districts, and the authorization of a  
17 schoolhouse tax or indebtedness, as provided by law.

18 Sec. 16. Section 277.20, unnumbered paragraph 1, Code  
19 1985, is amended to read as follows:

20 On the next Friday Monday after the regular school  
21 election, the county board of supervisors shall canvass the  
22 returns made to the county commissioner of elections from the  
23 several precinct polling places and the absentee ballot  
24 counting board, ascertain the result of the voting with regard  
25 to every matter voted upon and cause a record to be made  
26 thereof of the results as required by section 50.24. Special  
27 elections held in school districts shall be canvassed at the  
28 time and in the manner required by that section. The board  
29 shall declare the results of the voting for members of boards  
30 of directors of school corporations nominated pursuant to  
31 section 277.4, and the commissioner shall at once issue a  
32 certificate of election to each person declared elected. The  
33 board shall also declare the results of the voting on any  
34 public question submitted to the voters of a single school  
35 district, and the commissioner shall certify the result as

1 required by section 50.27.

2 Sec. 17. Section 277.23, unnumbered paragraph 2, Code  
3 1985, is amended to read as follows:

4 A change from five to seven directors shall be effected in  
5 a district at the first regular election after authorization  
6 by the voters or when a district becomes wholly or in part  
7 within a city of fifteen thousand population or more in the  
8 following manner: If the term of ~~one-director~~ two directors  
9 of the five-member board expires at the time of ~~said~~ the  
10 regular election, ~~three~~ four directors shall be elected to  
11 serve until the ~~third~~ second following regular election  
12 thereafter; if the terms of ~~two~~ three directors expire at the  
13 time of ~~said~~ the regular election, three directors shall be  
14 elected to serve until the ~~third~~ second following regular  
15 election thereafter and ~~one-director~~ two directors shall be  
16 elected to serve ~~a-term-the-expiration-of-which-coincides-with~~  
17 ~~the-expiration-of-the-term-of-the-director-heretofore-singiy~~  
18 elected until the next regular election.

19 Sec. 18. Section 277.25, Code 1985, is amended to read as  
20 follows:

21 277.25 DIRECTORS IN NEW DISTRICTS.

22 At the first election in newly organized districts the  
23 directors shall be elected as follows:

24 1. In districts having three directors, ~~one-director~~ two  
25 directors shall be elected for ~~one-year,~~ one-for two years,  
26 and one for ~~three~~ four years.

27 2. In districts having five directors, ~~two~~ three shall be  
28 elected for ~~one-year,~~ two-for two years, and ~~one~~ two for ~~three~~  
29 four years.

30 3. In districts having seven directors, ~~two~~ four shall be  
31 elected for ~~one-year,~~ two-for two years, and three for ~~three~~  
32 four years.

33 Sec. 19. Section 277.27, Code 1985, is amended to read as  
34 follows:

35 277.27 QUALIFICATION.

1     A Notwithstanding section 71.1, a school officer or member  
2 of the board shall, at the time of election or appointment, be  
3 an eligible elector of the corporation or subdistrict.  
4 ~~Notwithstanding any contrary provision of the Code, no member~~  
5 ~~of the board of directors of any school district, or~~  
6 ~~director's spouse, shall receive compensation directly from~~  
7 ~~the school board. No director or spouse affected by this~~  
8 ~~provision on July 1, 1972, whose term of office for which~~  
9 ~~elected has not expired, or whose contract of employment has a~~  
10 ~~fixed date of expiration and has not expired, shall be~~  
11 ~~affected by this provision until the expiration of the term of~~  
12 ~~office to which elected, or the expiration date of the~~  
13 ~~contract for which employed.~~ A member of the board of  
14 directors shall not be an employee of the school district. A  
15 board member is entitled to receive compensation in an amount  
16 determined by the board and necessary expenses incurred while  
17 engaged in official duties.

18     Sec. 20. Section 277.28, unnumbered paragraph 1, Code  
19 1985, is amended to read as follows:

20     Each director elected at a regular district or director  
21 district election, ~~as the case may be,~~ shall qualify by taking  
22 the oath of office on or before the time set for the  
23 organization meeting of the board the ~~third Monday in~~  
24 September first day in July which is not a Sunday of each odd-  
25 numbered year, and the election and qualification shall be  
26 entered of record by the secretary. The oath may be  
27 administered by ~~any~~ a qualified member of the board or the  
28 secretary of the board and may be taken in substantially the  
29 following form:

30     Sec. 21. Section 279.1, Code 1985, is amended to read as  
31 follows:

32     279.1 ORGANIZATION.

33     The board of directors of each school corporation shall  
34 meet and organize at two o'clock p.m., or at seven-thirty  
35 o'clock p.m., if so ordered by the president of the board, on

1 the ~~third-Monday-in-September~~ first day in July which is not a  
2 Sunday of each odd-numbered year at ~~some~~ a suitable place to  
3 be designated by the secretary. Notice of the place and hour  
4 of ~~such~~ the meeting shall be given by the secretary to each  
5 member and each member-elect of the board.

6 ~~Such~~ The organization shall be effected by the election of  
7 a president from the members of the board, ~~who shall be~~. The  
8 president is entitled to vote as a member.

9 Sec. 22. Section 279.32, unnumbered paragraph 1, Code  
10 1985, is amended to read as follows:

11 The board shall fix the compensation to be paid the  
12 secretary. ~~No~~ A member of the board shall not receive  
13 compensation for official services except as provided in  
14 section 277.27. The board may pay a school treasurer a  
15 reasonable compensation.

16 Sec. 23. Section 280A.11, unnumbered paragraph 1, Code  
17 1985, is amended to read as follows:

18 The governing board of a merged area is a board of  
19 directors composed of one member elected from each director  
20 district in the area by the qualified electors of the  
21 respective district. Members of the board shall be residents  
22 of the district from which elected. Successors shall be  
23 chosen at the ~~annual~~ regular school elections for members  
24 whose terms expire. The term of a member of the board of  
25 directors is ~~three~~ four years and commences at the  
26 organization meeting. Vacancies on the board which occur more  
27 than ninety days prior to the next regular school election may  
28 be filled at the next regular meeting of the board by  
29 appointment by the remaining members of the board. A member  
30 so chosen shall be a resident of the district in which the  
31 vacancy occurred and shall serve until a member is elected  
32 pursuant to section 69.12 to fill the vacancy for the balance  
33 of the unexpired term. A vacancy is defined in section  
34 277.29. A member shall not serve on the board of directors  
35 who is a member of a board of directors of a local school

1 district or a member of an area education agency board. A  
2 member of the board of directors of a merged area shall not be  
3 an employee of the merged area.

4 Sec. 24. Section 280A.12, Code 1985, is amended to read as  
5 follows:

6 280A.12 DIRECTORS OF MERGED AREA.

7 In each merged area, the initial board of directors elected  
8 at the special election shall organize within fifteen days  
9 following the election and may thereafter proceed with the  
10 establishment of the designated area vocational school or area  
11 community college. The board of directors of the merged area  
12 shall organize at the first regular meeting in ~~October~~ July of  
13 each odd-numbered year. Organization of the board shall be  
14 effected by the election of a president and other officers  
15 from the board membership as board members determine. The  
16 board of directors shall appoint a secretary and a treasurer  
17 who shall each give bond as prescribed in section 291.2 and  
18 who shall each receive the salary determined by the board.  
19 The secretary and treasurer shall perform duties under chapter  
20 291 and additional duties the board of directors deems  
21 necessary. However, the board may appoint one person to serve  
22 as the secretary and treasurer. If one person serves as the  
23 secretary and treasurer, only one bond is necessary for that  
24 person. The frequency of meetings other than organizational  
25 meetings shall be as determined by the board of directors but  
26 the president or a majority of the members may call a special  
27 meeting at any time.

28 Sec. 25. Section 280A.13, subsection 1, Code 1985, is  
29 amended to read as follows:

30 1. The board of a merged area may change the number of  
31 directors on the board and shall make corresponding changes in  
32 the boundaries of director districts. Changes shall be  
33 completed not later than July 1 of a fiscal year for the next  
34 regular school election ~~to-be-held-the-next-following~~  
35 September.

1 Sec. 26. Section 280A.13, subsection 4, Code 1985, is  
2 amended to read as follows:

3 4. To the extent possible the board shall provide that  
4 changes in the boundary lines of director districts of merged  
5 areas do not lengthen or diminish the term of office of a  
6 director of the board. Initial terms of office shall be set  
7 by the board so that as nearly as possible the terms of one-  
8 third one half of the members expire ~~annually~~ biennially.

9 Sec. 27. Section 280A.15, subsection 1, Code 1985, is  
10 amended to read as follows:

11 1. Regular elections held ~~annually~~ by the merged area for  
12 the election of members of the board of directors as required  
13 by section 280A.11, for the renewal of the twenty and one-  
14 fourth cents per thousand dollars of assessed valuation levy  
15 authorized in section 280A.22, or for any other matter  
16 authorized by law and designated for election by the board of  
17 directors of the merged area, shall be held on the date of the  
18 school election as fixed by section 277.1. The election  
19 notice shall be made a part of the local school election  
20 notice published as provided in section 49.53 in each local  
21 school district where voting is to occur in the merged area  
22 election and the election shall be conducted by the county  
23 commissioner of elections pursuant to chapters 39 to 53 and  
24 section 277.20.

25 Sec. 28. Section 280A.15, subsection 4, Code 1985, is  
26 amended to read as follows:

27 4. The votes cast in the election shall be canvassed and  
28 abstracts of the votes cast shall be certified as required by  
29 section 277.20. In each county whose commissioner of  
30 elections is responsible under section 47.2 for conducting  
31 elections held for a merged area, the county board of  
32 supervisors shall convene at ten o'clock a.m. on the ~~last~~  
33 Monday in-September after the regular school election, canvass  
34 the abstracts of votes cast and declare the results of the  
35 voting. The commissioner shall at once issue certificates of

1 election to each person declared elected, and shall certify to  
2 the merged area board in substantially the manner prescribed  
3 by section 50.27 the result of the voting on any public  
4 question submitted to the voters of the merged area. Members  
5 elected to the board of directors of a merged area shall  
6 qualify by taking the oath of office prescribed in section  
7 277.28.

8 Sec. 29. Section 280A.22, subsection 1, paragraph a, Code  
9 1985, is amended to read as follows:

10 a. In addition to the tax authorized under section  
11 280A.17, the voters in any a merged area may at the annual  
12 regular school election vote a tax not exceeding twenty and  
13 one-fourth cents per thousand dollars of assessed value in any  
14 one year for a period not to exceed ten years for the purchase  
15 of grounds, construction of buildings, payment of debts  
16 contracted for the construction of buildings, purchase of  
17 buildings and equipment for buildings, and the acquisition of  
18 libraries, and for the purpose of maintaining, remodeling,  
19 improving, or expanding the area vocational school or area  
20 community college of the merged area. The tax shall be  
21 collected by the county treasurers and remitted to the  
22 treasurer of the merged area as provided in section 331.552,  
23 subsection 29. The proceeds of the tax shall be deposited in  
24 a separate and distinct fund to be known as the voted tax  
25 fund, to be paid out upon warrants drawn by the president and  
26 secretary of the board of directors of the merged area  
27 district for the payment of costs incurred in providing the  
28 school facilities for which the tax was voted.

29 Sec. 30.

30 1. In order to accomplish the transition from election of  
31 directors of community and independent school districts,  
32 merged areas, and area education agencies annually for terms  
33 of three years each, to election of such directors biennially  
34 for terms of four years each, the following adjustments in  
35 terms and times of election shall be made, notwithstanding

1 other provisions of law:

2 a. The term of office of each director of a community or  
3 an independent school district, merged area, and area  
4 education agency board whose term expires in the years 1987  
5 and 1988 shall expire at noon on July 1, 1987 and the  
6 successors shall be elected at the regular election in 1987 or  
7 in the case of the area education agency, at the director  
8 district convention in 1987.

9 b. In community, independent, and consolidated school  
10 districts, merged areas, and area education agencies having  
11 five-member boards of directors, the persons elected as  
12 directors in 1987 who receive the greatest and the next  
13 greatest number of votes in that election shall serve terms of  
14 four years each and the other persons so elected shall serve  
15 terms of two years each.

16 c. In community, independent, and consolidated school  
17 districts, merged areas, and area education agencies having  
18 seven-member boards of directors, the persons elected as  
19 directors in 1987 who receive the greatest, the next greatest,  
20 and the third greatest number of votes shall serve terms of  
21 four years each, and the other persons so elected shall serve  
22 terms of two years each.

23 d. In merged areas and area education agencies having more  
24 than seven members, the persons elected as directors in 1987  
25 who receive the greatest, the next greatest, the third  
26 greatest, and the fourth greatest number of votes shall serve  
27 terms of four years each, and the other persons so elected  
28 shall serve terms of two years each.

29 2. Notwithstanding section 275.12, at least a majority of  
30 the board of directors of each school district shall be  
31 elected from director districts pursuant to section 275.23A,  
32 subsection 1 by the regular school election in 1989. The  
33 remaining members may be elected at large from the entire  
34 district by the electors of the entire district.

35 At the regular school election in 1989 the community,

1 independent, and consolidated school districts having five-  
2 member boards of directors shall elect the three vacant  
3 positions from director districts unless at least a majority  
4 of the board of directors was elected from director districts  
5 in 1987.

6 At the regular school election in 1989, the community,  
7 independent, and consolidated school districts having seven-  
8 member boards of directors shall elect the five vacant  
9 positions from director districts unless at least a majority  
10 of the board of directors was elected from director districts  
11 in 1987.

12 Sec. 31. This Act takes effect January 1, 1987.

13

EXPLANATION

14 This bill changes the regular school election from the  
15 second Tuesday of September of each year to the first Tuesday  
16 following the first Monday in June of each odd-numbered year.  
17 The terms of board members for local school districts, merged  
18 area schools, and area education agencies change from three  
19 years to four years.

20 The bill permits anyone in a school district, merged area,  
21 or area education agency to serve on the board of directors  
22 except actual employees of the respective educational sector.

23 School board members of a local school district are  
24 permitted to receive compensation determined by the board.

25 The bill requires that by 1989, at least a majority of the  
26 members of a local school district be elected from director  
27 districts.

28 The bill provides transitional language for the length of  
29 terms changing from three years to four years and for election  
30 by director districts.

31 The bill takes effect January 1, 1987.

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