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EDUCATION: Murphy, Chair: Horn, Dieleman, Taylor and Corning

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SENATE FILE 329
BY HORN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to establish county school districts with component high
2 school districts, to prescribe their governance, and to
3 provide effective dates.

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

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SF 329

1 Section 1. NEW SECTION. 274A.1 COUNTY SCHOOL DISTRICTS.

2 Effective July 1, 1989, there are established not more than
3 one hundred six county school districts. Each county school
4 district shall be coterminous with the boundary lines of the
5 respective counties, except as otherwise provided in this
6 section and sections 274A.4 and 274A.9. The seven county
7 school districts with the largest basic enrollment, as defined
8 in section 442.4, are included as separate county school
9 districts and are not included in the school districts of the
10 counties in which they are located.

11 Within each county school district, there shall be a number
12 of high school districts as provided in this chapter, each
13 containing no fewer than twelve grades. A school district in
14 existence on July 1, 1987 which has only one high school is a
15 high school district, except as modified by county boundary
16 lines or the board of the school district.

17 A school district in existence on July 1, 1989 which has
18 more than one high school located in the district shall
19 organize a separate high school district for each high school
20 and the component elementary schools in the manner provided in
21 this chapter.

22 In addition, a school district in existence on July 1, 1987
23 may join with a contiguous school district or portion of a
24 contiguous school district to form a single high school
25 district in the manner provided in this chapter.

26 Wherever the term "school district" appears in the Code
27 outside this chapter and it is not a part of the phrase
28 "county school district" or "high school district", the term
29 means a county school district created in this chapter.

30 Sec. 2. NEW SECTION. 274A.2 BOUNDARY LINES OF HIGH
31 SCHOOL DISTRICTS.

32 The board of directors of each school district in existence
33 on July 1, 1987 shall hold a public hearing not later than
34 January 1, 1988 for the purpose of soliciting views of resi-
35 dents of the school district and contiguous school districts

1 on the boundary lines of high school districts. The board
2 shall give notice of the location, date, and time of the hear-
3 ing at least fifteen days before the date of the hearing in a
4 newspaper in general circulation in the school district. The
5 cost of the notice shall be paid by the school district.

6 In addition, the board shall meet with other school dis-
7 tricts in the county and with the board of the applicable area
8 education agency for the purpose of determining the boundary
9 lines of the high school districts.

10 The board shall consider the following factors in deter-
11 mining boundary lines:

12 1. The shortest and safest distance for students to be
13 transported to the school facilities.

14 2. The physical condition of the existing facilities.

15 3. The educational program needs of the students of the
16 district.

17 Sec. 3. NEW SECTION. 274A.3 AREA EDUCATION AGENCY
18 ACTION.

19 No later than March 1, 1988 the board of directors of each
20 school district shall send a certified copy of the boundary
21 lines of the proposed high school district or districts to the
22 area education agency board in which the school district is
23 located. The area education agency board shall either approve
24 or reject the boundaries of the proposed high school district
25 by September 1, 1988 and shall notify the board of the school
26 district by registered mail within ten days of its decision.

27 If the area education agency board rejects the boundary lines
28 proposed by a board, it shall also transmit suggestions and
29 recommendations concerning the boundary lines to the board.

30 The board of the school district for which proposed
31 boundary lines of a high school district have been rejected
32 shall hold a second hearing in the same manner as the first
33 hearing was held and shall send a new proposal for the
34 boundary lines of a proposed high school district or districts
35 within thirty days after the rejection by the area education

1 agency board.

2 If the area education agency board rejects the second
3 proposal of the board, for the school year beginning July 1,
4 1989 only, the area education agency board shall temporarily
5 assign boundary lines to form a high school district. The
6 county school district shall then determine the boundary lines
7 of the affected area for the school year beginning July 1,
8 1990.

9 Sec. 4. NEW SECTION. 274A.4 MODIFICATION OF COUNTY
10 SCHOOL DISTRICT BOUNDARY LINES.

11 A person owning land that could conceivably form the
12 boundary line of a county school district may file a petition
13 no later than April 1, 1988 with the area education agency
14 board to alter the boundary line of the proposed county school
15 district to include the land of that person. The area
16 education agency board shall review the request and either
17 approve or deny the request. The decision of the area
18 education agency board may be appealed to the state board of
19 education in the manner provided in chapter 290.

20 A county school district may include land from more than
21 one county. Boards of directors of school districts in
22 existence on July 1, 1987 may request a modification of
23 boundary lines of the county school district at the time the
24 certified copy of boundaries of high school districts is sent
25 to the area education agency board.

26 Sec. 5. NEW SECTION. 274A.5 DIVISION OF ASSETS AND
27 LIABILITIES.

28 The assets and liabilities of each school district in
29 existence on July 1, 1987 shall be divided by the districts.
30 If the boards of directors of the school districts cannot
31 agree upon a division, the matters on which they differ shall
32 be decided by disinterested arbitrators, one selected by each
33 board having an interest, and if the number selected is even,
34 then one shall be added by the area education agency
35 administrator. The decision of the arbitrators shall be made

1 in writing and filed with the secretary of the affected
2 boards, and any party to the proceedings may appeal from the
3 decision to the district court by serving notice on the
4 secretary within twenty days after the decision is filed. An
5 appeal shall be tried in equity and a decree entered
6 determining the entire matter, including the levy, collection,
7 and distribution of any necessary taxes. If necessary to
8 equalize the division, the boards may provide for the levy of
9 additional taxes upon the property of any county school
10 district or part of a county school district and for the
11 distribution of the revenue to effect equalization. The
12 division shall be completed by January 1, 1989.

13 Sec. 6. NEW SECTION. 274A.6 TRUSTEE DISTRICTS.

14 The board of directors of a school district in existence on
15 July 1, 1987 shall draw the boundary lines for trustee
16 districts in the proposed high school districts sent to the
17 area education agency board in section 274A.3. If a proposed
18 high school district is located in more than one school
19 district in existence on July 1, 1987, the two boards shall
20 jointly draw the boundary lines for the portion of the
21 proposed high school district affected. There shall be five
22 trustees elected from each high school district, except if
23 there are two or more high school districts in a county school
24 district, each high school district shall have three trustees.
25 Trustee districts shall be of approximately equal population
26 in a high school district. The decision of the board shall be
27 sent to the area education agency board no later than December
28 1, 1988.

29 Sec. 7. NEW SECTION. 274A.7 REDISTRICTING FOLLOWING
30 FEDERAL DECENNIAL CENSUS.

31 1. Trustee districts shall be established on the basis of
32 population as determined from the most recent federal
33 decennial census. The districts shall be as nearly equal as
34 practicable to the ideal population for the districts as
35 determined by dividing the number of trustee districts to be

1 established into the population of the school district. The
2 districts shall be composed of contiguous territory as compact
3 as practicable.

4 2. If following a federal decennial census a school
5 district fails to meet population equality requirements, the
6 board of directors of the school district shall adopt a
7 resolution redrawing the trustee districts not earlier than
8 November 15 of the year immediately following the year in
9 which the federal decennial census is taken nor later than May
10 30 of the second year immediately following the year in which
11 the federal decennial census is taken. A copy of the adopted
12 plan shall be filed with the area education agency
13 administrator of the area education agency in which the
14 school's electors reside.

15 3. The school board shall notify the state commissioner of
16 elections and the county commissioner of elections of each
17 county in which a portion of the school district is located
18 whenever the boundaries of trustee districts are changed. The
19 board shall provide the commissioners with maps showing the
20 new boundaries. If, following a federal decennial census a
21 school district elects not to redraw director districts under
22 this section, the school board shall so certify to the state
23 commissioner of elections, and the school board shall also
24 certify to the state commissioner the populations of the
25 retained director districts as determined under the latest
26 federal decennial census. Upon failure of a district board to
27 make the required changes by the dates established under this
28 section, the state commissioner of elections shall make or
29 cause to be made the necessary changes as soon as possible,
30 and shall assess any expenses incurred to the school district.
31 The state commissioner may request the services of personnel
32 of and materials available to the legislative service bureau
33 to assist the commissioner in making any required boundary
34 changes.

35 4. If more than one incumbent director whose term extends

1 beyond the organizational meeting of the board of directors
2 after the regular school election following the adoption of
3 the redrawn districts resides in a redrawn director district,
4 the directors shall determine by lot which director's term
5 shall continue until its expiration and which director's term
6 ends at the organizational meeting of the board of directors
7 following the next regular school election.

8 5. The boundary changes under this section take effect
9 July 1 following their adoption for the next regular school
10 election.

11 Sec. 8. NEW SECTION. 274A.8 ALTERATION OF AREA EDUCATION
12 AGENCY BOUNDARY LINES.

13 Subject to section 273.2, if a county school district would
14 be located in more than one area education agency, the boards
15 of the area education agencies involved shall meet jointly to
16 determine in which area education agency the county school
17 district will be located. The decision of the boards shall be
18 transmitted to the department of education not later than
19 January 1, 1988. If the boards are unable to agree jointly,
20 that decision of the boards shall be transmitted to the state
21 board of education no later than January 1, 1989 and the state
22 board of education shall make the decision as to the area
23 education agency in which the county school district shall be
24 located and shall inform the affected area education agency
25 boards and boards of local school districts.

26 Sec. 9. NEW SECTION. 274A.9 MERGER OF HIGH SCHOOL
27 DISTRICTS.

28 High school districts may be merged with the affirmative
29 vote of all of the high school district boards of trustees
30 involved in the merger.

31 The county school board may merge a high school district
32 with one or more adjoining high school districts upon the
33 affirmative vote of two-thirds of the directors of the county
34 school board.

35 Sec. 10. NEW SECTION. 274A.10 MERGER OF COUNTY SCHOOL

1 DISTRICTS.

2 County school districts in two or more adjacent counties
3 may, by concurrent action of the respective boards, at a
4 meeting called for that purpose, merge the respective county
5 school districts into a single county school district.
6 Division of assets and liabilities shall be accomplished in
7 the manner provided in section 274A.5. Terms of employment
8 shall be as provided in section 274A.15. A merger of county
9 school districts requires the approval of the state board of
10 education before taking effect.

11 Sec. 11. NEW SECTION. 274A.11 ORGANIZATION OF BOARD OF
12 HIGH SCHOOL DISTRICT.

13 The board of trustees of each high school district shall
14 meet and organize at a time designated by the president of the
15 board at the regular meeting in September following the school
16 election each year at some suitable place designated by the
17 secretary. Notice of the place and hour of the meeting shall
18 be given by the secretary to each member and each member-elect
19 of the board.

20 A president of the board of trustees of the high school
21 district shall be elected from the members of the board and
22 that member shall serve as a member of the board of directors
23 of the county school district, except that if there are only
24 one or two high school districts in a county school district,
25 all of the trustees shall also serve as the county school
26 district board.

27 The first board of trustees shall be elected under section
28 277.25. The secretary of the board of a school district
29 existing before July 1, 1989 shall set the time and place of
30 the organizational board meeting.

31 Sec. 12. NEW SECTION. 274A.12 APPOINTMENT OF SECRETARY.

32 At a regular or special meeting of the high school district
33 board of trustees held in July prior to or on July 15, the
34 board shall appoint a secretary and a treasurer, or a single
35 individual to serve as both, who shall not be a teacher

1 employed by the board or a member of the board but may be
2 another employee of the board. The term of office of the
3 secretary is one year beginning with the date of appointment
4 and the appointment and qualification of the secretary shall
5 be entered in the minutes of the meeting. The secretary shall
6 qualify within ten days following appointment by taking the
7 oath of office in the manner required by section 277.28.

8 Sec. 13. NEW SECTION. 274A.13 VACANCIES.

9 Vacancies occurring among the members of the board of
10 trustees shall be filled by the board of trustees by
11 appointment. A person appointed to fill a vacancy in an
12 elective office shall serve for the remainder of the year
13 until the next school election and until the successor is
14 elected and qualified. A person appointed shall qualify
15 within ten days after appointment in the manner required by
16 section 277.28.

17 Sec. 14. NEW SECTION. 274A.14 DUTIES OF HIGH SCHOOL DIS-
18 TRICT TRUSTEES.

19 The high school district trustees shall make
20 recommendations to the county school district board on matters
21 affecting the high school district.

22 Sec. 15. NEW SECTION. 274A.15 CONTRACTS NOT AFFECTED.

23 1. The terms of employment of superintendents, principals,
24 and teachers, for the school year following the effective date
25 of the formation of the county school district are not
26 affected by the formation of the new district, except in
27 accordance with sections 279.15 to 279.18 and 279.24.

28 2. The collective bargaining agreement of the district
29 with the largest basic enrollment forming the county school
30 district, as defined in section 442.4, shall continue in full
31 force and effect until a successor agreement is negotiated and
32 the employees of the other districts involved in the formation
33 of the county school district shall automatically be accreted
34 to the bargaining unit of that collective bargaining agreement
35 without further action by the public employment relations

1 board. If only one collective bargaining agreement is in
2 effect among the districts which are party to the formation of
3 the county school district, then that agreement shall continue
4 in full force and effect until a successor agreement is
5 negotiated, and the employees of the other districts involved
6 in the formation of the county school district shall
7 automatically be accreted to the bargaining unit of that
8 collective bargaining agreement without further action by the
9 public employment relations board.

10 Sec. 16. Section 39.24, Code 1987, is amended to read as
11 follows:

12 39.24 SCHOOL OFFICERS.

13 Members of boards of directors of ~~community-and-independent~~
14 county school districts, and boards of directors of merged
15 areas shall be elected at the school election. Their terms of
16 office ~~shall-be~~ are three years, except as otherwise provided
17 by section ~~275-23A~~ 274A.7 or 280A.11.

18 Sec. 17. Section 49.8, subsection 4, Code 1987, is amended
19 to read as follows:

20 4. When the boundaries of a county supervisor, city
21 council, or school director district, or any other district
22 from which one or more members of any public representative
23 body other than the general assembly are elected by the voters
24 thereof, are changed by annexation, reprecincting or other
25 means, the change shall not result in the term of any officer
26 elected from the former district being terminated before or
27 extended beyond the expiration of the term to which the
28 officer was last elected, except as provided under section
29 ~~275-23A~~ 274A.7.

30 Sec. 18. Section 256.11, subsection 12, Code 1987, is
31 amended to read as follows:

32 12. After the period of time specified in the plan for its
33 implementation by a county school district or nonpublic
34 school, the accreditation committee shall revisit the school
35 district or nonpublic school and shall determine whether the

1 deficiencies in the standards have been corrected and shall
2 make a report and recommendation to the director and the state
3 board. The state board shall determine whether the
4 deficiencies have been corrected. If the deficiencies have
5 not been corrected, the state board may determine that the
6 school district or nonpublic school is not accredited or may
7 grant additional time for implementation of the plan. If the
8 state board does not grant accreditation, the state board
9 shall merge the territory of the school district with one or
10 more contiguous school districts. Division of assets and
11 liabilities of the school district shall be as provided in
12 ~~sections 275.29 through 275.31~~ section 274A.5. Until the
13 merger is completed, the school district shall pay tuition for
14 its resident students to an accredited school district under
15 section 282.24.

16 Sec. 19. Section 274.1, Code 1987, is amended to read as
17 follows:

18 274.1 POWERS AND JURISDICTION.

19 Each county school district ~~shall continue~~ is a body
20 politic as a school corporation, unless changed as provided by
21 law, and as such a school corporation may sue and be sued,
22 hold property, and exercise all the powers granted by law, and
23 ~~shall have~~ has exclusive jurisdiction in all school matters
24 over the territory ~~therein~~ contained in the district. Each
25 county school district shall maintain kindergarten and twelve
26 grades.

27 Sec. 20. Section 274.6, Code 1987, is amended by striking
28 the section and inserting in lieu thereof the following:

29 274.6 NAMES.

30 Each school corporation shall be designated as the county
31 school district of _____ county, or the
32 _____ (an appropriate name) high school dis-
33 trict, state of Iowa.

34 Sec. 21. Section 274.7, Code 1987, is amended by striking
35 the section and inserting in lieu thereof the following:

1 274.7 DIRECTORS.

2 The affairs of each county school district shall be
3 conducted by a board of directors which consists of the
4 presidents of the boards of trustees of the high school
5 districts within the county school district, except as
6 otherwise provided in section 274A.11.

7 Sec. 22. Section 277.1, Code 1987, is amended to read as
8 follows:

9 277.1 REGULAR ELECTION.

10 The regular election shall be held annually on the second
11 Tuesday in September in each county school district for the
12 election of ~~officers~~ trustees of the high school district and
13 officers of the merged area and for the purpose of submitting
14 to the voters of the district any matter authorized by law.

15 Sec. 23. Section 277.2, Code 1987, is amended to read as
16 follows:

17 277.2 SPECIAL ELECTION.

18 The board of directors in ~~any~~ a school corporation may call
19 a special election at which ~~election~~ the voters shall have the
20 powers exercised at the regular election with reference to the
21 sale of school property and the application to be made of the
22 proceeds, ~~the-authorization-of-seven-members-on-the-board-of~~
23 ~~directors~~, the authorization to establish or change the
24 boundaries of ~~director~~ trustee districts of high school
25 districts or director districts of other school corporations,
26 and the authorization of a schoolhouse tax or indebtedness, as
27 provided by law.

28 Sec. 24. Section 277.4, Code 1987, is amended to read as
29 follows:

30 277.4 NOMINATIONS REQUIRED.

31 Nomination papers for all candidates for election to office
32 in each high school district shall be filed with the secretary
33 of the school board not more than sixty-five days, nor less
34 than forty days prior to the election. Nomination petitions
35 shall be filed not later than five o'clock p.m. on the last

1 day for filing. If the school board secretary is not readily
2 available during normal office hours, the secretary may
3 designate a full-time employee of the school district who is
4 ordinarily available to accept nomination papers under this
5 section. Each candidate shall be nominated by a petition
6 signed by not less than ten eligible electors of the high
7 school district. To each ~~such~~ petition shall be attached the
8 affidavit of an eligible elector of the high school district
9 that all of the signers ~~thereof~~ are electors of such the
10 district and that the signatures ~~thereto~~ are genuine. The
11 candidate being nominated by the petition may sign the
12 affidavit only if the candidate personally circulated the
13 petition. If the affiant also signed the nomination petition,
14 that signature shall not be counted toward the total required
15 by this section. The petition shall include the affidavit of
16 the candidate being nominated, stating the candidate's name,
17 place of residence, that such person is a candidate and is
18 eligible for the office the candidate seeks, and that if
19 elected the candidate will qualify for the office.

20 The secretary of the ~~school~~ board of the high school
21 district shall deliver all nomination petitions to the county
22 commissioner of elections not later than five o'clock p.m. on
23 the day following the last day on which nomination petitions
24 can be filed. Any A person on whose behalf nomination
25 petitions have been filed under this section may withdraw as a
26 candidate by filing a signed statement to that effect with the
27 commissioner at any time prior to five o'clock p.m. on the
28 thirty-fifth day before the election.

29 Sec. 25. Section 277.6, Code 1987, is amended to read as
30 follows:

31 277.6 TERRITORY OUTSIDE COUNTY.

32 If there is within a school corporation any territory not
33 within the limits of the county whose county commissioner of
34 elections is responsible under section 47.2 for conducting
35 that school corporation's elections, the commissioner may

1 divide the territory which lies outside the county but within
2 the high school district into additional precincts, or may
3 attach the various parts thereof to contiguous precincts
4 within the responsible commissioner's county in accordance
5 with section 49.3, and as will best serve the convenience of
6 the electors of said the territory in voting on school
7 matters.

8 Sec. 26. Section 277.23, Code 1987, is amended by striking
9 the section and inserting in lieu thereof the following:

10 277.23 DIRECTORS OF DISTRICT.

11 The board of directors of a county school district shall
12 consist of the president from each of the boards of trustees
13 of the high school districts located in the county school
14 system, except as provided in section 274A.11. Votes cast by
15 the members of the board of the county school district shall
16 be weighted based upon the ratio that the population of the
17 high school district bears to the total population of the
18 county school district.

19 Sec. 27. NEW SECTION. 277.24 TRUSTEES IN HIGH SCHOOL
20 DISTRICTS.

21 For the initial election of trustees of high school
22 districts, a special election shall be held on June 14, 1988
23 in the manner provided by law for special elections. The
24 terms of office shall be determined by lot. Two trustees
25 shall be elected for one year, two for two years, and one for
26 three years. If only three trustees are elected, one shall be
27 elected for one year, one for two years, and one for three
28 years. The terms of office expire on the third Monday in
29 September of the year in which they expire.

30 Sec. 28. Section 277.27, Code 1987, is amended to read as
31 follows:

32 277.27 QUALIFICATION.

33 A school officer or member of the board shall be, at the
34 time of election or appointment, be an eligible elector of the
35 corporation-or-subdistrict high school district.

1 ~~Notwithstanding any contrary provision of the Code, no A~~
2 member of the board of ~~directors~~ trustees of any a high school
3 district, or ~~director's~~ the member's spouse, shall not receive
4 compensation directly from the school board of either the high
5 school district or the county school district. ~~No director or~~
6 ~~spouse affected by this provision on July 17, 1972, whose term~~
7 ~~of office for which elected has not expired, or whose contract~~
8 ~~of employment has a fixed date of expiration and has not~~
9 ~~expired, shall be affected by this provision until the~~
10 ~~expiration of the term of office to which elected, or the~~
11 ~~expiration date of the contract for which employed.~~

12 Sec. 29. Section 277.28, unnumbered paragraph 1, Code
13 1987, is amended to read as follows:

14 Each director trustee elected at a regular district or
15 director high school district election, ~~as the case may be,~~
16 shall qualify by taking the oath of office on or before the
17 time set for the organization meeting of the board ~~the third~~
18 Monday in September of the high school district, and the
19 election and qualification shall be entered of record by the
20 secretary. The oath may be administered by any qualified
21 member of the board or the secretary of the board and may be
22 taken in substantially the following form:

23 Sec. 30. Section 277.29, Code 1987, is amended to read as
24 follows:

25 277.29 VACANCIES.

26 Failure to elect at the proper election or to appoint
27 within the time fixed by law or the failure of the officer
28 elected or appointed to qualify within the time prescribed by
29 law; the incumbent ceasing for any reason to be a resident of
30 ~~the district or removing residence from the subdistrict~~ high
31 school district or trustee district of the high school
32 district; the resignation or death of the incumbent or of the
33 officer-elect; the removal of the incumbent from, or
34 forfeiture of, the office, or the decision of a competent
35 tribunal declaring the office vacant; or the conviction of the

1 incumbent of a felony, as defined in section 701.7, or of any
2 a public offense involving the violation of the incumbent's
3 oath of office, ~~shall constitute~~; constitutes a vacancy.

4 Sec. 31. Section 278.1, subsection 7, Code 1987, is
5 amended to read as follows:

6 7. Vote a schoolhouse tax, not exceeding sixty-seven and
7 one-half cents per thousand dollars of assessed value in any
8 one year, for the purchase of grounds, for construction of
9 schoolhouses or buildings, for the payment of debts contracted
10 for the erection or construction of schoolhouses or buildings,
11 not including interest on bonds, for procuring or acquisition
12 of libraries, for opening roads to schoolhouses or buildings,
13 for the purchase of buildings or equipment for buildings or
14 schoolhouses, for the purpose of repairing, remodeling,
15 reconstructing, improving or expanding the schoolhouses or
16 buildings for the school district, for the purpose of
17 landscaping, paving, or improving the schoolhouse or building
18 grounds, or for the rental of facilities pursuant to chapter
19 28E. Interest earned from investments of these funds may be
20 used for the purposes voted.

21 PARAGRAPH DIVIDED. The power to levy a schoolhouse tax,
22 when voted, shall continue for the period of time authorized
23 by the voters and shall not be affected by ~~any~~ a change in the
24 boundaries of the school district, except as otherwise
25 provided in this section. If each school district involved in
26 a ~~school-reorganization-under-chapter-275~~ merger of county
27 school districts under section 274A.10 has voted the
28 schoolhouse tax and if the voters have not voted upon the
29 proposition to levy the schoolhouse tax in the reorganized
30 merged district, the schoolhouse tax is in effect for the
31 reorganized merged district for the least amount and the
32 shortest time for which it is in effect in any of the
33 districts. Authorized levies for the period of time presently
34 approved shall not be affected as a result of a failure of a
35 proposition proposed to expand the purposes for which the

1 funds may be expended. As used in this subsection, "repair"
 2 means to restore the existing structure or thing to its
 3 original condition, as near as may be, after decay, waste,
 4 injury, or partial destruction, but does not include
 5 maintenance or customary repainting; and "reconstruction"
 6 means to rebuild or to restore again as an entity the thing
 7 which was lost or destroyed.

8 Sec. 32. Section 278.1, subsection 8, Code 1987, is
 9 amended by striking the subsection.

10 Sec. 33. Section 278.1, subsection 9, Code 1987, is
 11 amended to read as follows:

12 9. Authorize the establishment or abandonment of ~~director~~
 13 trustee districts or a change of boundaries of ~~director~~
 14 trustee districts of a high school district. If a proposition
 15 submitted to the voters under this subsection ~~or-subsection-8~~
 16 ~~of-this-section~~ is rejected, it ~~may~~ shall not be resubmitted
 17 to the voters of the district in substantially the same form
 18 within the next three years; if it is approved, no other
 19 proposal ~~may~~ shall be submitted to the voters of the district
 20 under this subsection ~~or-subsection-8-of-this-section~~ within
 21 the next six years.

22 Sec. 34. Section 278.2, Code 1987, is amended to read as
 23 follows:

24 278.2 SUBMISSION OF PROPOSITION.

25 The board may, and upon the written request of twenty-five
 26 eligible electors of any a district having a population of
 27 five thousand or less, or of fifty eligible electors of any
 28 other district, shall direct the county commissioner of
 29 elections to provide, in the notice of the regular election,
 30 for submitting any a proposition authorized by law to the
 31 voters. ~~However, in the case of a proposition authorized by~~
 32 ~~section-278-17-subsection-8-or-9, the requirements of section~~
 33 ~~275-36 shall govern with respect to the number of signatures~~
 34 ~~required on a petition for submission of the proposition.~~
 35 When the board has directed the commissioner to submit to the

1 voters a proposition authorized by section 278.1, subsection 8
2 or 9, it shall not thereafter direct the commissioner to
3 submit at the same election any other proposition under either
4 ~~of these subsections~~ that subsection.

5 Sec. 35. Section 279.1, Code 1987, is amended to read as
6 follows:

7 279.1 ORGANIZATION.

8 The board of directors of each ~~school corporation~~ county
9 school district and the board of directors of each merged area
10 shall meet and organize ~~at two o'clock p.m., or at seven-~~
11 ~~thirty o'clock p.m., if so ordered by the president of the~~
12 ~~board,~~ on the ~~third~~ fourth Monday in September each year at
13 some suitable place to be designated by the secretary. Notice
14 of the place and hour of ~~such~~ the meeting shall be given by
15 the secretary to each member and each member-elect of the
16 board.

17 ~~Such~~ The organization shall be effected by the election of
18 a president from the members of the board, ~~who shall be~~
19 ~~entitled to.~~ The president may vote as a member.

20 Sec. 36. Section 279.11, Code 1987, is amended to read as
21 follows:

22 279.11 NUMBER OF SCHOOLS -- ATTENDANCE -- TERMS.

23 The board of directors, in consultation with the boards of
24 trustees of the high school districts, shall determine the
25 number of schools to be taught, divide the ~~corporation~~ high
26 school districts into ~~such~~ wards or other divisions for school
27 purposes ~~as may be proper,~~ determine the ~~particular~~ school in
28 a high school district which each child shall attend, and
29 designate the period each school shall be held beyond the time
30 required by law.

31 Sec. 37. Section 279.12, unnumbered paragraph 1, Code
32 1987, is amended to read as follows:

33 The board shall carry into effect any instruction from the
34 regular election upon matters within the control of the
35 voters, and shall elect ~~all~~ teachers and make ~~all~~ contracts

1 necessary or proper for exercising the powers granted and
 2 performing the duties required by law, and may establish and
 3 pay ~~all or any part thereof~~ from school district funds all or
 4 any part of the cost of group health insurance plans,
 5 nonprofit group hospital service plans, nonprofit group
 6 medical service plans, and group life insurance plans adopted
 7 by the board for the benefit of employees of the school
 8 district; ~~but the board may authorize any subdirector to~~
 9 ~~employ teachers for the school in the subdirector's~~
 10 ~~subdistrict; but no such employment by a subdirector shall~~
 11 ~~authorize a contract, the entire period of which is wholly~~
 12 ~~beyond the subdirector's term of office.~~

13 Sec. 38. Section 279.15, subsection 1, Code 1987, is
 14 amended to read as follows:

15 1. The superintendent or the superintendent's designee
 16 shall notify the teacher not later than March 15 that the
 17 superintendent will recommend in writing to the board at a
 18 regular or special meeting of the board held not later than
 19 March 31 that the teacher's continuing contract be terminated
 20 effective at the end of the current school year. However, ~~if~~
 21 ~~the district is subject to reorganization under chapter 275,~~
 22 ~~the notification shall not occur until after the first~~
 23 ~~organizational meeting of the board of the newly formed~~
 24 ~~district.~~

25 Sec. 39. Section 280.15, Code 1987, is amended to read as
 26 follows:

27 280.15 JOINT EMPLOYMENT AND SHARING.

28 Two or more public school districts may jointly employ and
 29 share the services of any school personnel, or acquire and
 30 share the use of classrooms, laboratories, equipment, and
 31 facilities. ~~Classes made available to students in the manner~~
 32 ~~provided in this section shall be considered as complying with~~
 33 ~~the requirements of section 275.1 relating to the maintenance~~
 34 ~~of kindergarten and twelve grades by a school district.~~

35 Sec. 40. Section 282.7, subsection 1, Code 1987, is

1 amended by striking the subsection.

2 Sec. 41. Section 283A.9, Code 1987, is amended to read as
3 follows:

4 283A.9 BUILDING FOR SCHOOL LUNCH FACILITY.

5 School County school districts are ~~authorized to~~ may
6 purchase, erect, or otherwise acquire a building for use as a
7 school lunch facility, and ~~to equip such-a~~ the building for
8 ~~such that~~ use, and pay for ~~same~~ the facility from unencumbered
9 funds on hand in the schoolhouse fund derived from taxes voted
10 under authority of section 278.1, subsection 7~~7~~-~~or-275-32~~,
11 subject to the terms of this section, or may pay for ~~same~~ the
12 facility from the proceeds of the sale of school property sold
13 under section 297.22, or from surplus remaining in the
14 schoolhouse fund after retirement of a bond issue, or from a
15 tax voted for ~~said~~ these purposes.

16 Sec. 42. Section 331.383, Code 1987, is amended to read as
17 follows:

18 331.383 DUTIES AND POWERS RELATING TO ELECTIONS.

19 The board shall ensure that the county commissioner of
20 elections conducts primary, general, city, school and special
21 elections in accordance with applicable state law. The board
22 shall canvass elections in accordance with sections 43.49 to
23 43.51, 43.60 to 43.62, 46.24, 50.13, 50.24 to 50.29, 50.44 to
24 50.47, ~~275-257~~, 277.20, 280A.39, 376.1, 376.7, and 376.9. The
25 board shall prepare and deliver a list of persons nominated in
26 accordance with section 43.55, provide for a recount in
27 accordance with section 50.48, provide for election precincts
28 in accordance with sections 49.3, 49.4, 49.6 to 49.8 and
29 49.11, pay election costs as provided in section 47.3,
30 participate in election contests as provided in sections 62.1
31 and 62.9, and perform other election duties required by state
32 law. The board may authorize additional precinct election
33 officials as provided in section 51.1, provide for the use of
34 a voting machine or electronic voting system as provided in
35 sections 52.2, 52.3, 52.8 and 52.34, and exercise other

1 election powers as provided by state law.

2 Sec. 43. Section 331.552, subsection 14, Code 1987, is
3 amended by striking the subsection.

4 Sec. 44. Section 442.2, subsection 1, unnumbered paragraph
5 2, Code 1987, is amended by striking the unnumbered paragraph.

6 Sec. 45. For the school year beginning July 1, 1989, a
7 district cost of a county school district shall be computed by
8 the department of management on the basis of the combined
9 district costs and enrollments of each school district or
10 portion of a school district in existence on July 1, 1987.

11 Sec. 46. Chapter 275 and sections 279.6, 279.7, 442.9A,
12 and 442.39A, Code 1987, are repealed.

13 Sec. 47. Sections 1 through 14 of this Act take effect
14 July 1, 1987 and the remaining sections take effect July 1,
15 1989.

16

EXPLANATION

17 This bill establishes not more than one hundred six county
18 school districts in the state and prescribes a procedure for
19 the determination of boundary lines commencing with the school
20 year beginning July 1, 1987. The new districts would be in
21 place on July 1, 1989. Within each county school district are
22 any number of high school districts, each containing at least
23 twelve grades and governed by a board of trustees elected at
24 the regular school election. The trustees are required to
25 make recommendations to the county school district board. The
26 county school district board is composed of one member from
27 each high school district, except if there are only one or two
28 high school districts in a county school district, the high
29 school district boards shall also be the county school
30 district boards. The votes of the members of the county
31 school district board are weighted according to the population
32 in the high school district.

33 A high school district may merge with contiguous high
34 school districts upon the affirmative vote of each of the high
35 school districts involved. A high school district can be

1 dissolved upon the affirmative vote of two-thirds of the votes
2 of the county school district board.

3 A procedure is also provided for the merger of county
4 school districts.

5 The portion of the bill establishing the county school
6 districts takes effect July 1, 1987 and the remaining portions
7 take effect July 1, 1989.

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