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## AREA EDUCATION AGENCIES

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# AREA EDUCATION AGENCIES

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## I. Introduction

This Legislative Guide provides an overview of the development, organization, and operation of the area education agency (AEA) system in the State of Iowa. Specifically, the Guide examines the evolution of AEAs from the county superintendent system; Code provisions dealing with the establishment of AEAs; the services provided by AEAs; and AEA governance, funding, accreditation, reorganization, and dissolution.

Unless otherwise stated, Code references in this Legislative Guide incorporate the 2019 Iowa Code. References to the Iowa Administrative Code are current through October 2018.

## II. Executive Summary

Iowa is one of a majority of states having established a statewide system for the delivery of educational programs and services on an intermediate level between local school districts and the Department of Education. The AEA system evolved as one-room schoolhouses and independent school districts managed by county superintendents gave way to the partial utilization of county superintendent services, later modified to permit joint administration and furnishing of services by adjacent counties, and finally to permit the merger of two or more county systems. In response to reported inequities in the provision of programs and services between counties and county systems, the AEA system was established in 1974, utilizing the boundary lines established for the community college system.

Area education agencies have the legal status of school corporations. The primary role of AEAs is to provide special education support services to individuals under the age of 21 years, media services to benefit all children from kindergarten through grade 12, and other educational and support services to pupils and education staff; to provide a method of financing the programs and services; and to avoid duplication of programs and services provided by other school corporations. AEAs are authorized by statute to provide other contracted services to school districts. Iowa Code chapter 273 assigns specific powers and duties relating to each of these functions.

The governance structure of AEAs is representative in nature. For purposes of electing representatives to an AEA board of directors, agencies are divided into director districts, each of which is represented by one member on the board, elected by the school district board. Each school district within a director district votes in proportion to its population relative to the director district as a whole. Area education agency board members are elected for staggered four-year terms and are subject to a number of specific responsibilities set forth in Iowa Code sections 273.2 and 273.3.

Funding for AEAs is “flow-through” in nature. The local school districts located within an AEA’s boundary budget for, and generate, the funds for the AEA’s operation, either directly in the form of property taxes or through aid received pursuant to the state school finance formula. Separate special education support cost per pupil, media cost per pupil, and educational services cost per pupil figures are calculated for each AEA, which are subject to increase annually by the amount designated as the state percent of growth used in the calculation of supplemental state aid pursuant to Iowa Code section 257.8. Special education support funding is calculated on the basis of a district’s weighted enrollment, whereas the funding for media and educational services is based upon

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enrollment consisting of the actual headcount of the public school pupils plus nonpublic students served.

Area education agency programs are subject to an accreditation process. Initial and continued accreditation is evaluated by an accreditation team, which conducts on-site visits and makes recommendations for the consideration of the State Board of Education (State Board). The accreditation process and standards to be applied are contained in Iowa Code sections 273.10 and 273.11.

Provisions detailing circumstances under which AEAs may undergo reorganization or dissolution are set forth in Iowa Code chapter 273, subchapter II. Reorganization and dissolution procedures are similar with regard to petition requirements and approval by the State Board. Several AEAs have taken advantage of these provisions, resulting in a reduction in the number of AEAs from the initial number of 15 down to the current total of 9.

### III. Historical Background

The origin of the AEA system in Iowa can be traced back to 1858. Legislation was enacted that year creating an intermediate level between individual school districts and the state in the form of a county superintendent. The county superintendent was elected by popular vote and served as the educational leader and supervisor of all schools within the county.<sup>1</sup> This intermediate level was later refined and expanded to include a six-member county board of education. The county board served in an advisory capacity to the county superintendent, and members were elected by representatives of the school districts located in the county. Election procedures for county board of education members were changed in 1948 to election by popular vote instead of by school board representatives, with the county board members then appointing the county superintendent.<sup>2</sup> Additionally, the county offices were authorized to furnish, as requested, educational programs and services to school districts located within the county.

While these changes represented a clear progression toward the regional furnishing of programs and services, distribution of those services continued to occur on a county-by-county basis. In 1957, for the first time, two or more adjacent counties were authorized to hire an administrator and provide services throughout the districts in the multicounty region.<sup>3</sup> This concept was expanded in 1965 to permit the full merger of two or more county systems into a single joint system.<sup>4</sup> Also in 1965, a network of 15 community colleges and vocational-technical schools was established to provide regional postsecondary education services.<sup>5</sup>

With the advent of the joint system, special education, staff development, and media services were available to school districts within a region that might not have been able to

<sup>1</sup> 1858 Iowa Acts, ch. 52, §40. The legislation was later ruled unconstitutional and void by the Iowa Supreme Court, which held that the General Assembly possessed no primary power to pass laws providing for the public instruction of the state until the State Board of Education was elected and organized. The State Board passed a curative Act later in the same year that included many of the provisions of the legislative Act, including provisions creating the position of county superintendent. See *District Tp. of City of Dubuque v. City of Dubuque*, 7 Clarke 262 (Iowa 1858). Pursuant to the original Constitution of the State of Iowa, once the State Board passed an Act, the Act could be altered, amended, or repealed by the General Assembly. The General Assembly proceeded to amend the provisions of the State Board's Act.

<sup>2</sup> 1947 Iowa Acts, ch. 147, §5.

<sup>3</sup> 1957 Iowa Acts, ch. 127, §1.

<sup>4</sup> 1965 Iowa Acts, ch. 247, §1.

<sup>5</sup> 1965 Iowa Acts, ch. 247, §1.



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afford such services on their own. Access to these services, however, varied considerably from district to district, depending on the extent to which the county or joint system provided the services. The need for equal access to services, coupled with federal legislation focusing on enhancing programming for handicapped children in the 1960s and 1970s, and a movement toward establishing intermediate service units in other states, led to the establishment of AEAs in Iowa in 1974.<sup>6</sup>

Forty-six states have developed some form of intermediate educational service agency. These agencies are referred to by a variety of names — examples include educational service centers, cooperative education service agencies, regional service cooperatives, intermediate school districts, and county offices of education. In general, however, they share the common characteristics of creation by statute, representative governance, and a commitment to the furnishing of high-quality, cost-effective educational support programs and services to local school districts within a given geographic area. These support programs and services are often ones which the school districts cannot develop or obtain as efficiently on their own.<sup>7</sup>

### IV. Role and Function of Area Education Agencies

#### A. Statutory Intent

Area education agency provisions are primarily codified in Iowa Code chapter 273. In establishing the AEA system, Iowa Code section 273.1 states that the intent of the General Assembly is to provide, without duplicating programs and services furnished by any other school corporation, the following:

- An effective, efficient, and economical means of identifying and serving children from under five years of age through grade 12 who require special education.<sup>8</sup>
- Media services and other programs and services for pupils in grades kindergarten through grade 12.<sup>9</sup>
- Services to school districts pursuant to contract with the districts.
- A method of financing these programs and services.

In a mission statement from a 1995 strategic planning committee, the role of AEAs was characterized as being “to lead the transformation of the early childhood, elementary, and secondary educational system into universally recognized excellence . . . by providing quality equitable services . . . through a cooperative network of innovative regional service centers.”<sup>10</sup>

In 2012, as part of a redesign process, the AEAs adopted and published *A New Compact With Iowa's Schools and the Department of Education*, pledging, over a three to five-year period, co-ownership for student learning goals between the AEA system and Iowa's public and nonpublic accredited schools in collaboration with the Department of Education. The goal, under the compact, is that by 2018 every child in Iowa who graduates

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<sup>6</sup> 1974 Iowa Acts, ch. 1172, §3.

<sup>7</sup> American Association of School Administrators. *Answering Your Questions About Educational Service Agencies* (1996).

<sup>8</sup> Iowa Code §273.1 references Iowa Code §256B.2 for the definition of children requiring special education, which effectively expands individuals covered to those under 21 years of age requiring special education. If there is an intervening accident or illness, the AEA special education director may request approval from the Department of Education to continue for three years or the person's twenty-fourth birthday. See Iowa Code §256B.8(2).

<sup>9</sup> Again referencing Iowa Code §256B.2, regarding individuals requiring special education.

<sup>10</sup> Supporting Materials, Statewide AEA Strategic Planning Conference (October 16, 1995).

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will be fully prepared for success in postsecondary studies, a career, citizenship, and in life.<sup>11</sup> In support of the compact and the Future Ready Iowa Act (2018 Iowa Acts, ch. 1067, HF 2458), the AEA system established AEA PREP (Postsecondary Readiness and Equity Partnership), “a statewide partnership and resource center focused on improving postsecondary readiness and educator attainment...”<sup>12</sup> in order to close achievement gaps amongst low-income, minority, and students with disabilities populations.

Iowa Code chapter 273 mandates, on a statewide basis, the provision of special education and media services previously provided to varying degrees by the county and joint systems, plus the provision of an additional category of educational services. The services are provided to all children through grade 12, to special needs individuals under the age of 21 meeting the definition of “children requiring special education” contained in Iowa Code section 256B.2, and, with respect to the educational services function, to school district employees. The specific requirements of each of these primary functions are addressed in Section E of this Part IV.

## B. Boundaries

As previously stated, the geographic boundaries for the AEA network originally corresponded to the boundaries established in 1965 for the merged areas, which facilitated the location of school districts in their entirety within a given AEA as the boundaries of an AEA may not divide a school district.<sup>13</sup> In the event of a change in school district boundaries or a merger of school districts, the Director of the Department of Education can adjust the boundary of an AEA accordingly to maintain this requirement.<sup>14</sup> The names and locations of the nine AEAs are as follows (see Appendix for Map and Percent of Enrollment Served):

Keystone AEA  
1400 2nd St. NW  
Elkader, IA 52043  
563.245.1480

Mississippi Bend AEA  
729 21st St.  
Bettendorf, IA 52722  
563.359.1371

Northwest AEA  
1520 Morningside Ave.  
Sioux City, IA 51106  
712.222.6000

Central Rivers AEA  
1521 Technology Pkwy.  
Cedar Falls, IA 50613-6290  
319.273.8200

Grant Wood AEA  
4401 6th St. SW  
Cedar Rapids, IA 52404  
319.399.6700

Great Prairie AEA  
2814 N. Court St.  
Ottumwa, IA 52501  
641.682.8591

Prairie Lakes AEA  
500 NE 6th St.  
Pocahontas, IA 50574  
712.335.3588

Heartland AEA  
6500 Corporate Dr.  
Johnston, IA 50131  
515.270.9030

Green Hills AEA  
24997 Highway 92  
P.O. Box 1109  
Council Bluffs, IA 51502-1109  
712.366.0503

## C. Legal Status

An AEA has the legal status of a school corporation.<sup>15</sup> As such, it may do the following:

- File, and be the subject of, a lawsuit.

<sup>11</sup> Iowa Area Education Agencies, A New Compact (2012), [www.mbaea.org/media/cms/AEA\\_Compact\\_Executive\\_Summary\\_ABA7B64CCA30A.pdf](http://www.mbaea.org/media/cms/AEA_Compact_Executive_Summary_ABA7B64CCA30A.pdf) (last visited November 21, 2018).

<sup>12</sup> AEA PREP, [www.iowaaea.org/aea-prep/](http://www.iowaaea.org/aea-prep/) (last visited September 25, 2018).

<sup>13</sup> Iowa Code §273.2(1).

<sup>14</sup> Iowa Code §273.2(1).

<sup>15</sup> Iowa Code §273.2(2).



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- Hold property.
- Enter into lease, purchase, or lease-purchase agreements.

A lease-purchase agreement exceeding a 10-year duration or a price in excess of \$25,000 for the purchase or lease-purchase of a property, however, is subject to a public hearing and the approval of the AEA board of directors and the State Board.<sup>16</sup> A purchase of property that is not a lease-purchase may be made within two years of a disaster.<sup>17</sup> If within two years of a disaster, emergency repairs necessary to ensure continued use of an AEA facility costing more than the competitive bid threshold or adjusted competitive bid threshold, the provisions of law with reference to advertising for bids shall not apply. However, the State Board or its designee must certify that emergency repairs are necessary to ensure the use of the AEA facility.<sup>18</sup>

### D. Scope of Services

Services provided by AEAs are furnished to accredited public and nonpublic schools.<sup>19</sup> Pupils in kindergarten through grade 12 and special needs pupils from birth through age 21 are eligible to receive services from an AEA. The programs and services furnished shall be “at least commensurate with programs and services existing on July 1, 1974.” and “[t]he programs and services provided to pupils enrolled in nonpublic schools shall be comparable to programs and services provided to pupils enrolled in public schools within constitutional guidelines.”<sup>20</sup>

Area education agencies may provide local school districts with the following programs: in-service training programs for school district and AEA employees concerning, but not limited to, mental or emotional disorders which may affect children; educational data processing; research, planning, and demonstration models for children under age 5 through grade 12 and for children requiring special education; auxiliary services for nonpublic school children as provided in Iowa Code section 256.12; and other educational programs and services as approved by the State Board.<sup>21</sup>

### E. Services

The Iowa Code and Iowa Administrative Code specify that AEAs shall provide special education services, media services, and educational services. If an AEA is financially capable, the AEA is required to provide additional special education, media, or educational services to all school districts within the AEA if requested by 60 percent of the number of local school boards located in the AEA, or by school boards representing 60 percent of the enrollment of all school districts in the AEA.<sup>22</sup>

Also, an AEA board may, by contract, provide other services to school districts located within its area. These services may include but are not limited to superintendency services, personnel services, business management services, specialized maintenance services, transportation services, and furnishing expensive and specialized equipment. School districts are required to pay to AEAs the cost of providing these services. AEA

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<sup>16</sup> Iowa Code §§273.2(2), 273.3(7).

<sup>17</sup> Iowa Code §273.3(7).

<sup>18</sup> Iowa Code §273.14.

<sup>19</sup> For accreditation of public and nonpublic schools, see Iowa Code §256.11.

<sup>20</sup> Iowa Code §273.2(3).

<sup>21</sup> Iowa Code §273.2(5).

<sup>22</sup> Iowa Code §273.7.



boards may also provide services authorized to be performed by AEAs to other AEAs in this state and to provide a method of payment for these services.<sup>23</sup>

## 1. Special Education Services

Iowa Code section 273.5 establishes an AEA division of special education in each AEA to provide programs and services to local school districts. The primary mission of an AEA division of special education has been characterized as “to assure, within the general education framework, that appropriate educational programs and services are provided to all children with a disability as defined by the rules of Special Education; therefore, enabling them to obtain the educational experience necessary to pursue their optimal potential.”<sup>24</sup> Within each AEA, a director of special education is responsible for implementation of state rules and guidelines relating to special education programs and services. The director of special education is assigned the following powers and duties:<sup>25</sup>

- Evaluation and identification of children requiring special education.
- Ensuring that children requiring special education within the AEA receive appropriate programs and services.
- Assignment of appropriate weights for children requiring special education programs or services.<sup>26</sup>
- Supervision of special education support personnel.
- Providing each school district within the area served and the Department of Education a special education weighted enrollment count, including the additional enrollment because of special education, by December 1 annually.
- Submission of special education instructional and support program plans and applications for approval by the Department of Education by February 15 annually. In lieu of submitting a plan, the Director of the Department of Education may authorize an AEA to submit a statement assuring that its special education instruction and support program plan meets the specific requirements established in the Iowa Code.<sup>27</sup>
- Coordination of the special education program within the area served by the AEA.

With regard to the special education services provided by AEAs, a distinction can be made between special education support services and special education instructional programs. Support services such as initial assessments, ongoing evaluations, compliance reviews, and determination of the weighted enrollment count are provided by each AEA. Actual special education instruction may also be provided by an AEA under contract with the local school district, or, alternatively, the local school district may furnish the instruction directly or through contract with an independent agency.<sup>28</sup>

<sup>23</sup> Iowa Code §273.7A.

<sup>24</sup> Supporting Materials, Statewide AEA Strategic Planning Conference (Oct. 16, 1995).

<sup>25</sup> Iowa Code §273.5.

<sup>26</sup> See Iowa Code §256B.9, providing that special education students are weighted at a value greater than one to reflect the increased expense involved in providing a special education curriculum for them.

<sup>27</sup> Iowa Code §256B.11(2).

<sup>28</sup> Iowa Code §273.3(5).



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The Iowa Administrative Code contains a more detailed listing and description of the responsibilities of AEAs regarding special education services and programs.<sup>29</sup>

### 2. Media Services

The term “media services” is not defined in the Iowa Code but each AEA must establish a media center,<sup>30</sup> that provides or contains the following:<sup>31</sup>

- A materials lending library consisting of print and nonprint materials.
- A professional library.
- A curriculum laboratory, including textbooks and correlated print and audiovisual materials.
- Capability for production of media-oriented instructional materials.
- Qualified media personnel.
- Appropriate physical facilities.
- Other materials and equipment deemed necessary by the Department of Education.

In addition, AEAs are required to submit program plans to the Department of Education for approval by the State Board of Media Centers. A plan must include evidence that proposed media services are based upon a media and technology needs analysis of the local school districts comprising the agency, a description of the manner in which the media services to be provided will be coordinated with other agencies providing educational media services and programs, a description of the means for delivering circulation materials, and evidence that the media center will provide the mandated media services listed above.<sup>32</sup>

An AEA may expend up to 30 percent of the agency’s budget for media resource material.<sup>33</sup>

### 3. Educational Services

Iowa Code section 273.2(5) lists educational programs and services which an AEA is authorized to provide, within the limits of funds available, to local school districts and, at the school district’s request, to providers of child development services who have received grants from the Child Development Coordinating Council pursuant to Iowa Code chapter 256A. The educational programs and services may include:

- In-service training programs for school district and AEA employees, provided they do not duplicate programs and services already available in the area.
- Educational data processing.
- Research, demonstration projects and models, and educational planning for children.
- Auxiliary services for nonpublic school pupils.

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<sup>29</sup> Iowa Admin. Code 281-41.

<sup>30</sup> Iowa Code §273.2.

<sup>31</sup> Iowa Code §273.6(1).

<sup>32</sup> Iowa Code §273.6(2).

<sup>33</sup> Iowa Code §257.37(2).

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- Aid in establishing programs for gifted and talented pupils.<sup>34</sup>
- Professional development and training for school administrators and teachers as authorized under Iowa Code chapter 284. Coursework offered under the Iowa Learning Online Initiative, established within the Department of Education, must be taught by a teacher licensed in this state who has completed an online learning professional development project offered by AEAs, a teacher preservice program, or comparable coursework.<sup>35</sup>
- Other educational programs and services approved by the State Board.

The educational services required under Iowa Code chapter 273 are further specified under rules adopted by the State Board and include the following:<sup>36</sup> services for school-community planning; professional development services for schools, school districts and AEA instructional, administrative, and support personnel; curriculum, instruction, and assessment services; services that address the diverse learning needs of all children and youth; services that support multicultural, gender-fair approaches to the educational program; media services; school technology services; services that develop administrator; and, if requested, management services.

Under the leadership of the Iowa Reading Research Center, AEAs assist in the development and dissemination of professional development services designed to enhance the skills of teachers utilizing evidence-based instructional strategies to enable all students to achieve literacy proficiency.<sup>37</sup>

### F. Miscellaneous Services, Duties, and Directives

**Procurements from Targeted Small Businesses.** Each AEA must establish a procurement goal of at least 10 percent of the value of anticipated procurements of goods and services including construction, but not including utility services, each fiscal year from certified targeted small businesses; review its anticipated purchasing requirements quarterly; submit notification regarding its anticipated and recommended procurements to the department by August 15; and comply with the bidding and contract requirements for procurements from targeted small businesses.<sup>38</sup>

**Online State Job Posting System.** Each AEA must submit all of its job openings to the Department of Education for posting on the department's Online State Job Posting System.<sup>39</sup>

**Innovation Zone School Consortium.** An AEA may join in a consortium with two or more school districts to establish an innovation zone school.<sup>40</sup>

**Regional Career and Technical Education Partnerships.** Iowa Code section 258.14 provides for the establishment of regional career and technical education (CTE) planning partnerships to assist school districts in delivering high-quality secondary CTE

<sup>34</sup> See Iowa Code §273.2(4).

<sup>35</sup> Iowa Code §256.42(3). The AEAs offer professional development courses online at [www.aealearningonline.org/ollie](http://www.aealearningonline.org/ollie) (last visited September 25, 2018).

<sup>36</sup> Iowa Admin. Code 281-72.4.

<sup>37</sup> Iowa Code §256.9(49)(c).

<sup>38</sup> Iowa Code §§73.16(2)(c)(3), 73.17(2), 73.18, 73.19.

<sup>39</sup> Iowa Code §256.27.

<sup>40</sup> Iowa Code §256F.2(5).



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programs. Each partnership must include in its membership the chief administrator of an area education agency or the administrator's designee. It is the joint responsibility of the AEA and the community college located within the region to convene the partnership and to include stakeholders from each member district in the partnership.<sup>41</sup>

**Regional Academies.** AEAs, among many other entities, may collaborate and partner with a school district that is establishing a regional academy for students in grades 7 through 12 from multiple school districts.<sup>42</sup>

**Transportation.** Each AEA board has the following powers and duties under Iowa Code section 285.9:

- Enforce all laws and all rules and regulations of the Department of Education relating to transportation.
- Review and approve, and make any necessary alterations or changes to, all transportation arrangements between districts in the agency and in all districts in the agency not operating high schools.
- Approve all bus routes outside the boundary of the district of the school operating buses.
- Make designations and other necessary arrangements for transportation as required by law if and when a local board fails to do so. The arrangements are binding on the local board which must pay the costs for service as arranged by the AEA.

Each AEA board must also approve arrangements for transportation of pupils between sending and receiving school districts, determine the most passable and safest route for transportation of a pupil between the pupil's residence and the school grounds or a designated point on the school bus route, and certify the amount due for transportation costs when a school district fails to pay another school for transportation services rendered.<sup>43</sup>

Each AEA board is also responsible for resolving disputes between school patrons and school districts utilizing a hearing and appeal process specified in Iowa Code section 285.12.

**Competent Private Instruction Achievement Evaluations.** If the Department of Education designates an AEA to administer annual achievement evaluations to children receiving competent private instruction, the evaluation must be administered at no cost to the parent, guardian, or legal custodian if requested by such person.<sup>44</sup>

**Officers and Teachers as Agents — Penalty.** Iowa Code section 301.28 prohibits AEA directors, officers, and teachers from acting as agents for school textbooks or school supplies, including sports apparel or equipment, in any transaction with an AEA director, officer, or other staff member or with any director, officer, or other staff member of any school district located within the AEA. A person who violates the prohibition commits a serious misdemeanor.<sup>45</sup>

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<sup>41</sup> Iowa Code §258.14(5).

<sup>42</sup> Iowa Code §261E.9.

<sup>43</sup> Iowa Code §285.1(6), (9), (13).

<sup>44</sup> Iowa Code §299A.4(6).

<sup>45</sup> Iowa Code §301.28.



## G. Code Provisions Affecting AEA Employees

**Workers' Compensation.** Area Education Agencies are considered employers for purposes of the workers' compensation as provided in Iowa Code chapter 85.<sup>46</sup>

**Administrator Salaries.** Administrator salaries must be approved by the Director of the Department of Education.<sup>47</sup>

**Teach Iowa Scholar Program.** A new teacher employed by an AEA to teach full-time in certain subject areas may be eligible for a Teach Iowa Scholar Grant.<sup>48</sup>

**Employee Misconduct.** The board of directors of an AEA and its chief administrator must report to the Board of Educational Examiners (BOEE) any instance of disciplinary action taken against a licensed school employee, or the termination or resignation of such an employee, for conduct constituting soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student; falsifying student grades, test scores, or other official information or material; converting public property or funds to the personal use of the school employee; or being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming illegal drugs, unauthorized drugs, or alcohol. In addition, the AEA board must report to the BOEE the nonrenewal or termination, for reasons of alleged or actual misconduct, of a practitioner's contract and the resignation of a person who holds a license, certificate, or authorization issued by the BOEE as a result of or following an incident or allegation of misconduct that, if proven, would constitute a violation of the BOEE's rules under Iowa Code section 272.2(14)(b)(1); soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student; falsifying student grades, test scores, or other official information or material; or converting public property or funds to the personal use of the school employee, when the board or reporting official has a good-faith belief that the incident occurred or the allegation is true.<sup>49</sup>

**Negotiations for State Assistance for Teacher Salaries and Professional Development.** AEA boards and certified bargaining representatives for organized employees of an AEA shall negotiate as part of collective bargaining the distribution of AEA teacher salary supplement funds and AEA professional development supplement funds available, and shall take into account any reductions in the supplement amounts. AEA boards are authorized to determine the method of distribution for nonorganized workers. AEA boards must certify to the Department of Education that the funding received for teacher compensation was spent on salaries for qualified teachers.<sup>50</sup> The regular wages of AEA teachers must be combined with certain teacher salary supplement payments and professional development payments to create a combined salary. The teacher contract must include the combined salary, and the salary schedule shall only use the combined salary.<sup>51</sup>

**Career Paths and Compensation — Frameworks and Comparable Systems.** A teacher employed by an AEA may be included in a framework or comparable system of career paths and compensation if the framework or system has been approved by

<sup>46</sup> Iowa Code §85.61(2)(a).

<sup>47</sup> Iowa Code §256.9(26).

<sup>48</sup> Iowa Code §261.110.

<sup>49</sup> Iowa Code §272.15.

<sup>50</sup> Iowa Code §284.3A(3).

<sup>51</sup> Iowa Code §284.3A(2).



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the Department of Education for implementation by a school district and if the AEA and the school district implementing the framework or system enter into a contract for such purpose. A school district implementing a framework may enter into an agreement with one or more districts or an AEA to meet the framework requirements through a collaborative arrangement and receive funding calculated under Iowa Code sections 257.9(9) and (10) and 257.37A.<sup>52</sup> AEAs are eligible for framework and comparable system technical assistance from the department.<sup>53</sup> Under a comparable system of career paths and compensation designated as the instructional coaching model, an instructional coach shall coordinate instructional coaching activities relating to training and professional development with an AEA where appropriate.<sup>54</sup>

**Professional Development Funding.** AEAs may use state professional development funds to implement the professional development provisions of the teacher career paths and leadership roles specified in Iowa Code sections 284.7 and 284.15; however, the department is prohibited from requiring a school district or AEA to allocate a specific amount or percentage of professional development moneys for professional development related to implementation of the core curriculum.<sup>55</sup> An AEA may join a collaborative of one or more school districts and accredited nonpublic schools to apply to the department for moneys from the Computer Science Professional Development Incentive Fund to provide proven professional development activities for Iowa teachers in the area of computer science education.<sup>56</sup>

**Immunity.** An AEA employee who participates in good faith and acts reasonably in the making of a report to, or investigation by, an appropriate person or agency regarding violence, threats of violence, physical or sexual abuse of a student, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function shall be immune from civil or criminal liability relating to such action, as well as for participating in any administrative or judicial proceeding resulting from or relating to the report or investigation; and shall be immune from civil suit for reasonable acts undertaken in good faith relating to participation in the making of a report and any resulting investigation or administrative or judicial proceedings regarding violence, threats of violence, or other inappropriate activity against a school employee or student.<sup>57</sup>

## V. Governance

Perhaps the most important concept in AEA governance is that the board of directors of the AEA is elected by, and represents, the boards of directors of the agency's component local school districts, thereby maintaining the Iowa philosophy of local school control.

An AEA board of directors consists of between five and nine members, each residing in and elected from a director district.<sup>58</sup> Area education agencies are divided into director districts, which are "approximately equal" in population. The boundaries of director districts

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<sup>52</sup> Iowa Code §284.15.

<sup>53</sup> Iowa Code §284.13(1)(d)(3), (f).

<sup>54</sup> Iowa Code §284.16(1)(c)(4).

<sup>55</sup> Iowa Code §284.6(8), (9).

<sup>56</sup> Iowa Code §284.6A(2)(a).

<sup>57</sup> Iowa Code §§280.27, 613.21.

<sup>58</sup> Iowa Code §273.8(1).

## AREA EDUCATION AGENCIES



correspond, where feasible, to the boundary lines of local school districts and election precincts, and may be adjusted if a census reveals significant population changes.<sup>59</sup>

Members of the board of directors of an AEA serve four-year staggered terms and are elected by members of the boards of directors of the local school districts at the director district convention held in odd-numbered years following the school election. Each school district either partially or completely located within the director district casts a vote weighted in proportion to the population of that school district in comparison to the population of the director district as a whole, as determined by the Department of Education.<sup>60</sup> For example, if a component school district contained 30 percent of the total population in its director district, that local school district would possess 30 percent of the votes. The individual elected must be a resident of the director district and may be a member of a local school board, but cannot be a school employee.<sup>61</sup> Vacancies must be filled for the unexpired portion of an AEA board of director's term at a special director district convention.<sup>62</sup>

Duties and powers conferred on AEA boards of directors require the boards to do, at a minimum, the following:<sup>63</sup>

- Determine the policies of the AEA regarding agency programs and services, and receive and expend money for providing the programs and services.
- Provide data and prepare reports as directed by the Director of the Department of Education.
- Provide for advisory committees as deemed necessary.
- Subject to rules of the State Board, provide special education programs and services, media services, and educational programs and services (as previously described) to local school districts either directly or pursuant to contract with the local school district, other AEAs, or a public or private agency.
- Acquire, operate, and maintain facilities and buildings necessary to provide agency programs and services, subject to approval by the State Board if acquisition is in excess of a specified dollar amount or duration of time or under other specified circumstances.
- Enter into agreements for the joint use of personnel, buildings, facilities, supplies, and equipment with school corporations, subject to the approval of the Director of the Department of Education.
- Apply for, receive, and expend state and federal funds available for programs of educational benefit approved by the Director of the Department of Education, and cooperate with the department regarding the effectuation and administration of such programs.
- Employ personnel, including an administrator, necessary to carry out the functions of the AEA. Teachers and administrators must be licensed by the Board of Educational Examiners, and the contract requirements established for

<sup>59</sup> Iowa Code §273.8(8).

<sup>60</sup> Iowa Code §273.8(2)(b), (c).

<sup>61</sup> Iowa Code §273.8(2)(c).

<sup>62</sup> Iowa Code §273.8(2)(d), (3).

<sup>63</sup> Iowa Code §273.3.



## AREA EDUCATION AGENCIES

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practitioners employed by school districts also apply to practitioners employed by AEAs. The duties of the administrator are set forth in Iowa Code section 273.4.

- Prepare an annual budget estimating income and expenditures for agency programs and services. The AEA board must hold a public hearing on the budget prior to approving the budget. The AEA board-approved budget must then be submitted to the State Board for final approval. Only budgets submitted by AEAs that have been fully or conditionally accredited by the State Board may receive the State Board's final approval. Accreditation is addressed in Part VII of the Guide.
- Meet at least annually with the members of the boards of directors of the merged areas in which the AEA is located to discuss coordination of programs, services, and other areas of mutual interest. The board shall also meet with the boards of the component school districts located within the agency on an annual basis, if the school boards so request.
- Submit to the Department of Education, by October 1 annually, the information relating to the contracted salary and benefits of AEA administrators and AEA lobbyists, as well as the expenditures for lobbyists and lobbying activities.

Area education agency boards of directors are authorized to do the following:<sup>64</sup>

- Pay annual dues to an Iowa association of school boards.
- Establish a 403(b) retirement plan for employees.
- Establish and pay all or any part of the cost of group health insurance plans, nonprofit group medical service plans and group life insurance plans adopted by the board for the benefit of AEA employees.
- Issue warrants and anticipatory warrants pursuant to Iowa Code chapter 74, relating to public obligations not paid for want of funds.
- Issue school credit cards allowing AEA employees to pay for the actual and necessary expenses incurred in the performance of work-related duties.
- Charge user fees for certain materials and services that are not required by law or by rules of the State Board and are specifically requested by a school district or accredited nonpublic school.
- Purchase equipment under the same requirements as school districts.
- Sell, lease, or dispose of, in whole or in part, property belonging to the AEA, in compliance with the requirements set forth in Iowa Code section 297.22. However, before leasing property belonging to an AEA, its board must obtain the approval of the Director of the Department of Education.
- Sell software and support services, professional development programs and materials, online professional development, and online training to entities other than school districts within the state, or to school districts within the state if the AEA is not otherwise required to provide such to a school district under Iowa Code chapter 256B, 257, or 273; and to school districts and other public agencies located outside of the state.

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<sup>64</sup> Iowa Code §273.3.

# AREA EDUCATION AGENCIES



- Perform all other acts necessary to carry out the provisions and intent of Iowa Code chapter 273.

In addition, AEA boards are directed to do the following:

- Collaborate with the Department of Education to provide a statewide infrastructure for educational data and to coordinate with the department in the implementation of the statewide longitudinal data system consistent with federal law.<sup>65</sup>
- Jointly develop a three-year statewide strategic plan that supports the educational goals adopted by the State Board and the state's accreditation standards, establish performance goals, and identify statewide efforts to improve student learning and create efficiencies in management operations for AEAs and school districts; provide the State Board with annual updates on the performance measures; and provide support to the information technology infrastructure of school districts consistent with the statewide infrastructure for the educational data collaborative.<sup>66</sup>
- Appoint an advisory group to make recommendations about policy, programs, and services to the AEA board; provide the AEA board with input, feedback, and recommendations regarding projected future needs; and provide a review and response to any state-directed study or task force report about AEA efficiencies or reorganization. Each advisory group must consist of superintendents, principals, and teachers employed by school districts served by the AEA, parents or guardians of school-age children receiving services from the AEA, and one person who represents the accredited nonpublic schools located within the boundaries of the AEA.<sup>67</sup>

Each AEA board is encouraged to employ a child welfare liaison to provide services and guidance to local school districts to facilitate the efficient and effective transfer and enrollment in another school district of children adjudicated under Iowa Code chapter 232 (Juvenile Justice) or placed in foster care to another school district, including but not limited to guidance relating to the transfer of credit earned for coursework taken by the student, enrollment transition planning, facilitating information sharing between education and child welfare agencies, and developing systems designed to ameliorate the transition issues faced by a child adjudicated under Iowa Code chapter 232 or receiving foster care services who is transferring to and enrolling in a school district. The steps school districts must take to facilitate the educational stability of such children are listed in Iowa Code section 280.29, and include working with the AEA liaison, if the AEA has employed such a liaison, to ease the transition of such a child to another school.<sup>68</sup>

## VI. Funding

With no direct taxing authority, AEAs rely on local school districts to generate funds for their operation. While AEA funding is included within a school district's budget,<sup>69</sup> the district is only a funnel, or conduit, and does not actually receive AEA-related state aid payments. Instead, state aid and local property tax funds generated by the

<sup>65</sup> Iowa Code §273.2(8).

<sup>66</sup> Iowa Code §273.2(9).

<sup>67</sup> Iowa Code §273.15.

<sup>68</sup> Iowa Code §273.2(10).

<sup>69</sup> Iowa Code §273.9(1).



## AREA EDUCATION AGENCIES

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districts through the operation of the school finance formula and earmarked for AEAs, as calculated by the Department of Management, are paid directly to each AEA.<sup>70</sup> However, in 2001, the General Assembly enacted legislation reducing the annual amount paid by \$7.5 million and, in addition, has enacted legislation annually to further reduce the amount of state aid for AEAs and the portion of the combined district cost calculated for these agencies. The reduction in state aid for FY 2019 is \$22.5 million.<sup>71</sup>

The calculations involved in AEA funding are conceptually the same as those utilized in determining regular program state and district costs per pupil under the school finance formula. For media and educational services, each AEA calculates a separate cost per pupil figure by dividing the total amount funded by the number of pupils enrolled. A state cost per pupil figure is calculated for each service for the purpose of calculating supplemental state aid.<sup>72</sup> Enrollment is determined differently for special education support services versus media and educational services. For special education support services, enrollment consists of the actual K-12 headcount plus additional weighted enrollment because of special education.<sup>73</sup> Special education support services are funded at 79 percent of the special education support services state cost per pupil and receive state aid based upon that foundation level.<sup>74</sup> For media and educational support services, enrollment consists of the actual K-12 public school headcount plus the number of nonpublic school pupils served.<sup>75</sup> Both media and education support services are funded entirely through property taxes.<sup>76</sup>

Funding for the AEA teacher salary supplement and the AEA professional development supplement, which AEAs are eligible for through participation in the Student Achievement and Teacher Quality Program established in Iowa Code chapter 284, flows through the school districts on a per pupil cost and district cost.<sup>77</sup> The per pupil cost increases by the categorical state percent of growth enacted for the given year. The AEA teacher salary supplement district cost and AEA professional development supplement district cost are exempted from an across-the-board reduction in state funding ordered by the Governor. Any such reduction must be taken from the remaining moneys appropriated for state foundation aid.<sup>78</sup> For a more detailed discussion of the categorical funding programs and categorical supplemental state aid, please consult “Legal Background Briefing: Education Finance — Supplemental State Aid Programs.” The publication may be accessed from the Iowa General Assembly Internet site at [www.legis.iowa.gov/publications/legalPubs/legalBriefings](http://www.legis.iowa.gov/publications/legalPubs/legalBriefings).

An AEA that shares operational functions with a political subdivision is eligible for supplementary weighting through the budget year beginning July 1, 2024. The minimum amount of additional funding for which an AEA is eligible is \$30,000 and the maximum amount is \$200,000. The Department of Management annually sets the weighting for

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<sup>70</sup> Iowa Code §§257.35(1), 273.9(3).

<sup>71</sup> Iowa Code §§257.35(2),(13).

<sup>72</sup> Iowa Code §§257.8(2), 257.37(1), (3).

<sup>73</sup> Iowa Code §257.6(5).

<sup>74</sup> Iowa Code §257.1(2).

<sup>75</sup> Iowa Code §257.37(4), (5).

<sup>76</sup> Iowa Code §257.4(1)(a).

<sup>77</sup> Iowa Code §257.37A.

<sup>78</sup> Iowa Code §§257.16(4), 284.3A(4).

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each AEA to generate the approved operational sharing expense using the AEA's special education cost per pupil amount and foundation level.<sup>79</sup>

## VII. Accreditation

The State Board is directed by statute to develop standards and rules for the accreditation of AEAs. Iowa Code sections 273.10 and 273.11 establish the accreditation process and the minimum standards to be used in the accreditation process, respectively. The Director of the Department of Education must provide guidance and standards to AEAs for federal and state education initiatives that the AEAs must implement statewide and for which the AEAs are accountable under the state's accreditation standards.<sup>80</sup> Under rules adopted by the State Board, the components for AEA accreditation include provision of services that meet State Board standards, establishment of a comprehensive improvement plan, and submission of a board-approved annual budget and an annual progress report.<sup>81</sup>

Programs and services are evaluated during a comprehensive site visit by an accreditation team appointed by the Director of the Department of Education. The accreditation team must include, but is not limited to, the following members:<sup>82</sup>

- Department of Education staff members.
- School district representatives from the districts served by the AEA.
- Representatives from AEAs other than the one being evaluated for accreditation.
- Other team members with expertise as deemed appropriate by the Director of the Department of Education.

Prior to a visit by the accreditation team, the team has access to the AEA's program audit report filed with the Department of Education. Following the visit, the team is to determine whether the accreditation standards for the AEA's programs have been met, report on any strengths and weaknesses, advise the AEA of available resources and technical assistance to further enhance the strengths and improve the areas of weakness identified, and make a recommendation as to whether or not initial or continued accreditation should be granted. The AEA undergoing evaluation is given the opportunity to respond to the accreditation team report.<sup>83</sup> Approval of AEA programs for accreditation is made by the State Board based upon the recommendation of the Director of the Department of Education after reviewing the factual and evaluative evidence contained in the accreditation team report. An AEA receiving accreditation will generally remain accredited for a term of five years, although the State Board may grant conditional accreditation for a shorter period of time if found to be warranted.<sup>84</sup>

If it is determined by the State Board that the standards for accreditation have not been met by an AEA, the Director of the Department of Education, in cooperation with the AEA board, shall establish a remediation plan. The remediation plan will detail the actions necessary to correct identified deficiencies in meeting program standards, and

<sup>79</sup> Iowa Code §257.11(5)(d).

<sup>80</sup> Iowa Code §§256.9(54), 273.10(2).

<sup>81</sup> Iowa Admin. Code 281-72.3.

<sup>82</sup> Iowa Code §273.10(1)(b).

<sup>83</sup> Iowa Code §273.10(2).

<sup>84</sup> Iowa Code §273.10(3).



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specify the date by which the actions must be taken.<sup>85</sup> During the remediation period, the AEA is conditionally accredited. A subsequent visit and report by the accreditation team, and review by the State Board, will determine whether the deficiencies identified have been addressed and corrected.<sup>86</sup> If the deficiencies are not corrected by the deadline established under the plan, the AEA board of directors, within 60 days after the removal of accreditation, can either opt to merge the deficient program with a program from another accredited AEA, or contract with another AEA or other public educational institution to deliver the program or service.<sup>87</sup>

Iowa Code section 273.11 identifies the following general accreditation standards addressing the services provided by each AEA and the quality of those services:<sup>88</sup>

- Support for school-community planning, including a means of assessing needs, establishing shared direction, implementing program plans, and reporting progress.
- Professional development programs responsive to current needs.
- Support for curriculum development, instruction, and assessment for reading, language arts, math, and science, using research-based methodologies.
- Special education compliance and support.
- Management services, including financial reporting and purchasing as requested and funded by local school districts.
- Support for instructional media services that supplement and support local school district media centers and services.
- Support for school technology planning and staff development for implementing instructional technologies.
- An evaluation and reporting system for programs and services.
- Support for school district libraries by assisting in facilitating interlibrary loans of materials.
- Support for early childhood service coordination for families and children to meet health, safety, and learning needs.

### **VIII. Reorganization or Dissolution**

#### **A. AEA Reorganization or Dissolution**

Subchapter II of Iowa Code chapter 273 specifies the circumstances under which AEA's may reorganize or dissolve and the procedures for doing so. Since subchapter II was enacted in 2001, five mergers have been completed: AEA's 4 and 12 merged to become the Northwest AEA; AEA's 3 and 5 merged to become Prairie Lakes AEA; AEA's 2, 6, and 7 merged to become Central Rivers AEA; AEA's 13 and 14 merged to become Green Hills AEA; and AEA's 15 and 16 merged to become Great Prairie AEA.

Two or more AEA's may voluntarily reorganize if certain conditions are met. The areas affected by the proposed reorganization must be contiguous, at least 20 percent of the

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<sup>85</sup> Iowa Code §273.10(4).

<sup>86</sup> Iowa Code §273.10(5).

<sup>87</sup> Iowa Code §273.10(6)(a).

<sup>88</sup> Iowa Code §273.11(2).

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school districts contained within the AEAs involved in the proposed reorganization must file a petition for reorganization, a majority of the members of each of the boards of the AEAs involved in the reorganization must approve the reorganization, and a reorganization plan must be submitted to and approved by the State Board.<sup>89</sup>

Iowa Code section 273.21 contains a number of provisions detailing the actions which AEA boards contemplating reorganization are required to take. The deadline for filing the petition signed by school districts is December 1. Immediately following approval by the boards of the affected AEAs, the boards are required to conduct studies of the facilities, property, services, staffing necessities, equipment, programs, and other capabilities available in each of the affected area education agencies in order to achieve a more economical operation or attain higher educational service standards and to survey the school districts within the affected area education agencies to determine programs and services, professional development, and technology needs.<sup>90</sup>

The AEA boards are also required to consult with school district officials and other citizens, periodically hold public hearings during the development of a reorganization plan, and conduct a public hearing on the finalized plan prior to its submission to the Department of Education.<sup>91</sup> The submitted plan needs to demonstrate that the reorganized AEA will attain improved efficiency and program effectiveness to meet accreditation standards and must include a preliminary budget for the reorganized areas. The plan must also document public comment from the hearings and contain provisions relating to board membership.<sup>92</sup>

Reorganization plans must be submitted to the State Board by July 15. The State Board will review the plan and, prior to September 30, approve the plan, return the plan with recommendations for resubmission with modifications, or disapprove the plan. An approved plan takes effect on July 1 of the fiscal year following the date of approval by the State Board. A plan submitted after July 15 is to be considered by the State Board, but cannot take effect until July 1 of the year following the next succeeding fiscal year.<sup>93</sup>

A newly formed AEA has conditional accreditation for purposes of budget approval by the State Board but must meet state accreditation requirements and standards within one year of the reorganization.<sup>94</sup> Iowa Code sections 273.22 and 273.23 contain provisions prescribing the status of preexisting employment contracts, collective bargaining agreements, board membership, and state cost per pupil calculations.

An AEA may dissolve and its component school districts attach to one or more contiguous AEAs. Upon the receipt by an AEA board of a petition requesting dissolution signed by at least 20 percent of the school district boards within the area, the board must consider and vote on the petition, and may vote to either study the question of dissolution or establish a dissolution commission.<sup>95</sup> If established, a dissolution commission is required to request statements from contiguous AEAs indicating their willingness to accept territory attachments and must meet with the contiguous AEA boards and their

<sup>89</sup> Iowa Code §273.21(1), (2).

<sup>90</sup> Iowa Code §273.21(3)(a), (b).

<sup>91</sup> Iowa Code §273.21(3)(c).

<sup>92</sup> Iowa Code §273.21(3)(e).

<sup>93</sup> Iowa Code §273.21(3)(g), (4).

<sup>94</sup> Iowa Code §§273.3(12), 273.23(9).

<sup>95</sup> Iowa Code §273.24.



## AREA EDUCATION AGENCIES

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component school boards in the process of establishing the dissolution proposal.<sup>96</sup> Iowa Code section 273.26 provides that within one year of formation, a dissolution commission must either send a copy of its dissolution proposal to the affected AEA board or inform the board that it cannot agree upon a proposal, whereupon a new commission may be formed. Objections received by the commission after dissolution proposal review may result in a modification of the proposal.

After a dissolution proposal is developed and filed with the AEA board, a public hearing on the proposal is required to be held, followed by a vote on the question of dissolution by the school boards of districts located within the affected AEA and within other AEAs to which territory may be attached. A simple majority vote of directors in favor of the dissolution results in submission of the dissolution proposal to the State Board for final approval.<sup>97</sup>

### **B. School District Reorganization — Dissolution — Whole Grade Sharing**

Area education agencies are integral to the process of school district reorganization. Iowa Code chapter 275, which provides for the reorganization of school districts, establishes that the intent of the Iowa Code chapter is that the AEA board carry on the program of reorganization progressively and, insofar as is possible, authorize submission of proposals to the electors as they are developed and approved.<sup>98</sup>

The AEA boards are charged with developing detailed studies and surveys of the school districts within their boundaries and all adjacent territory for the purpose of providing for reorganization of school districts in order to effect more economical operation and the attainment of higher standards of education in the schools.<sup>99</sup> Subject to the approval of the AEA board, contiguous or marginally adjacent territory located in two or more school districts may be united into a single district.<sup>100</sup>

A proposal for merger, consolidation, or boundary change of local school districts must first be submitted to the AEA board for review, and a petition describing the boundaries of the proposed district must be filed with the AEA administrator of the agency in which the greatest number of registered voters reside.<sup>101</sup> If a reorganization involves joint districts, which are potential school districts whose territory is located in two or more adjacent AEAs, those AEAs affected must develop and adopt a joint plan and the affected AEA boards must hold joint meetings and hearings.<sup>102</sup>

The AEA board reviews the method of election of school directors as specified in the petition and may change or amend the plan in any manner<sup>103</sup> and, under certain circumstances, may dismiss a petition.<sup>104</sup> The petition must be accompanied by an affidavit showing the number of registered voters living in each affected district.<sup>105</sup> Within 10 days after the petition is filed, the AEA administrator must fix the final date for filing objections

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<sup>96</sup> Iowa Code §273.25.

<sup>97</sup> Iowa Code §273.27.

<sup>98</sup> Iowa Code §275.6.

<sup>99</sup> Iowa Code §275.1(3).

<sup>100</sup> Iowa Code §275.11.

<sup>101</sup> Iowa Code §§275.5, 275.12(1).

<sup>102</sup> Iowa Code §§275.8, 275.16.

<sup>103</sup> Iowa Code §275.12(4).

<sup>104</sup> Iowa Code §§275.9, 275.15(1), 275.16.

<sup>105</sup> Iowa Code §275.13.

## AREA EDUCATION AGENCIES



to the petition and must fix the date for a hearing on the objections.<sup>106</sup> Interested parties may present evidence and arguments at the public hearing and the board must consider all available evidence. The board may require additional information and may continue the hearing for not more than 30 days. The administrator must publish the board's decision, which may be appealed to the district court.<sup>107</sup>

After the boundaries and number and method of election of the school directors has been determined, the AEA administrator gives written notice of the election to the county commissioner of elections and furnishes to the commissioner a map of the proposed reorganized area.<sup>108</sup> The county commissioner of elections certifies the results of the election to the AEA administrator.<sup>109</sup> The proposition carries if approved in at least 75 percent of the school districts affected and also if a majority of the total vote cast in all the districts affected is in favor.<sup>110</sup>

If the proposition carries, the effective date of the change is July 1 following the date of the election.<sup>111</sup> The AEA administrator shall then give written notice of a proposed date for a special election for directors of the newly formed school district to the county commissioner of elections.<sup>112</sup> The county commissioner reports the election results to the AEA administrator, who notifies the persons who are elected directors. The directors shall organize within 15 days of the special election upon the call of the AEA administrator. If the affected boards cannot agree on the division and distribution of assets and liabilities, the AEA administrator may be required to add a disinterested arbitrator to the process.<sup>113</sup>

If a reorganized school district can demonstrate that students in the district were utilizing a service or program prior to the formation of the new or enlarged district that is unavailable from the AEA to which the reorganized district is assigned, the district may be reassigned to the AEA which formerly provided the service or program, upon an affirmative majority vote of the boards of the affected AEAs to permit the change.<sup>114</sup>

Each AEA board must budget as necessary to carry on its reorganization work.<sup>115</sup> If a district is established or changes its boundaries under Iowa Code chapter 275, it shall pay all expenses incurred by the AEA administrator and the AEA board in connection with the proceedings.<sup>116</sup>

Area education agency administrators and boards are less involved in school district dissolutions. A board of directors of a school district that establishes a school district dissolution commission must certify to the AEA board that the commission has been formed, and submit other information as required in Iowa Code section 275.51. The commission may seek assistance from the AEA.<sup>117</sup> The AEA may also be called upon

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<sup>106</sup> Iowa Code §275.14.

<sup>107</sup> Iowa Code §275.15.

<sup>108</sup> Iowa Code §275.18.

<sup>109</sup> Iowa Code §275.22.

<sup>110</sup> Iowa Code §275.20.

<sup>111</sup> Iowa Code §275.24.

<sup>112</sup> Iowa Code §275.25.

<sup>113</sup> Iowa Code §275.30.

<sup>114</sup> Iowa Code §275.27.

<sup>115</sup> Iowa Code §275.7.

<sup>116</sup> Iowa Code §275.26.

<sup>117</sup> Iowa Code §275.52(3).



## AREA EDUCATION AGENCIES

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to select a disinterested arbitrator if the affected school districts cannot agree on the division of assets and liabilities.<sup>118</sup>

The Director of the Department of Education may direct an AEA to conduct whole grade sharing feasibility surveys and studies.<sup>119</sup>

The Department of Education's "District Reorganization, Dissolution, and Sharing Guide"<sup>120</sup> is a comprehensive handbook designed to provide guidance to anyone interested in school district whole grade sharing, reorganization, dissolution, and boundary changes.

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<sup>118</sup> Iowa Code §275.54(4).

<sup>119</sup> Iowa Code §256.9(30).

<sup>120</sup> Iowa Department of Education, District Reorganization, Dissolution, and Sharing Guide (2014), [educateiowa.gov/sites/files/ed/documents/Reorg%20Guide%202014\\_0.pdf](http://educateiowa.gov/sites/files/ed/documents/Reorg%20Guide%202014_0.pdf) (last visited November 21, 2018).

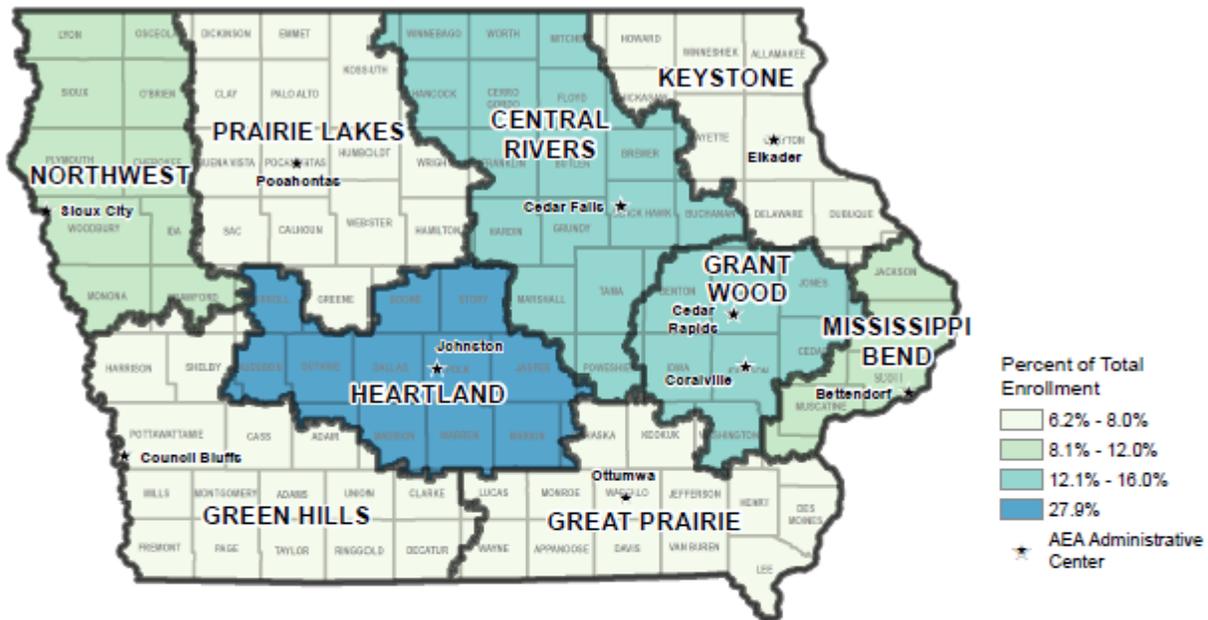
# AREA EDUCATION AGENCIES



## Appendix — Map and Percent of Enrollment Served

Iowa's nine Area Education Agencies (AEAs) provide equity across the State, working as educational partners with public and nonpublic schools to improve learning outcomes and child well being. AEAs provide services and regulatory responsibility in three main areas: special education, media and technology services, and educational services (the majority of which is curriculum development). AEAs are funded through the School Aid Formula and generated at the school district level using the same basic formula – cost per pupil times enrollment. Each AEA has a separate cost per pupil for each of the three service areas.

### Percent of Enrollment Served – Fall 2016



### School Districts and Enrollment by AEA District – 2016-2017

AEA	Number of School Districts	Percent of School Districts	K-12 Public Enrollment	Percent of Public Enrollment	AEA Enrollment Served	Percent of AEA Enrollment Served
Keystone AEA	23	6.9%	28,478	5.9%	32,629	6.3%
Prairie Lakes AEA	40	12.0%	29,992	6.3%	32,283	6.3%
Central Rivers AEA	53	15.9%	62,430	12.9%	65,705	12.7%
Mississippi Bend AEA	21	6.3%	46,995	9.8%	50,233	9.7%
Grant Wood AEA	32	9.6%	69,472	14.2%	73,946	14.1%
Heartland AEA	53	15.9%	135,916	27.7%	145,040	27.7%
Northwest AEA	35	10.5%	39,279	8.1%	44,493	8.6%
Green Hills AEA	43	12.9%	37,621	7.8%	38,690	7.5%
Great Prairie AEA	33	9.9%	34,984	7.3%	36,111	7.0%
<b>Total</b>	<b>333</b>	<b>100.0%</b>	<b>485,147</b>	<b>100.0%</b>	<b>519,129</b>	<b>100.0%</b>

#### Notes:

- 1) Enrollments are based on the October 2016 certified enrollment counts.
- 2) AEA enrollment includes nonpublic students. Totals may not sum due to rounding.
- 3) AEA reorganizations include: AEAs 2, 6, and 7 merged to form AEA 267 in 2003 (renamed Central Rivers AEA in 2017); AEAs 4 and 12 merged to form Northwest AEA in 2006; AEAs 15 and 16 merged to form Great Prairie AEA beginning in FY 2008; AEAs 13 and 14 merged to form Green Hills AEA beginning in FY 2011.

Sources: Department of Education, LSA calculations  
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