

March 11, 1965.
Place on Calendar.

House File 553
By EDUCATION COMMITTEE.

Passed House, Date 4/28

Passed Senate, Date.....

Vote: Ayes 78 Nays 21

Vote: Ayes..... Nays.....

Approved.....
deferred 4/19

*passed on file 5/3
education 5/4
pass 5/6*

A BILL FOR

An Act relating to the county school system and to amend section two hundred seventy-three point thirteen (273.13), Code 1962, so as to provide for levying of a tax upon all territory included within a county school system, and to further amend chapter two hundred seventy-three (273), Code 1962, by adding a new section providing for merger of county school systems.

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

1 Section 1. Section two hundred seventy-three point thirteen
2 (273.13), Code 1962, is amended by striking all of subsection
3 ten (10) and inserting in lieu thereof the following:
4 "At the regular or special meeting held between July 1 and
5 July 15, consider the budget as submitted by the county superin-
6 tendent, and certify to the county auditor the estimates of the
7 amounts needed. Such estimates shall follow the budget procedures
8 under chapter 24. The boards or board of supervisors of the
9 county or counties, territory which comprises the territory of
10 the county school system, shall levy a tax on all the taxable
11 property in the county school system for the amount certified."

1 Sec. 2. Chapter two hundred seventy-three (273), Code 1962,
2 is amended by adding the following new section:

3 "County boards of education, in any two or more adjacent
4 counties, may, by the concurrent action of the respective boards
5 of directors at their regular meetings in July, or at special
6 meetings thereafter, called for that purpose, merge the respective
7 county school systems into one school system; provided, however,

8 that said merger shall be approved by the state board of public
9 instruction before becoming effective and with the following
10 provisions covering such mergers;

11 "1. The merged school system shall be known as the 'joint
12 county system of (name of county), (name of county), (name of
13 county), etc.'

14 "2. The merged system shall have one tax base made up of
15 the combined tax base of the respective county school systems.

16 "3. The merged system shall become effective upon the first
17 day of July, following the approval of said merger by the state
18 board of public instruction.

19 "4. The territory of the 'joint county system' shall be
20 divided into six election areas, as nearly as possible of equal
21 size and population, and contiguous territory, to be designated
22 as the first, the second, the third, the fourth, the fifth, and
23 the sixth election areas. In the event of changes in the limits
24 of the 'joint county system' the joint board of education shall
25 make any such adjustments as may be necessary to equalize the
26 territorial and population size of the election areas, provided,
27 however, that no such change shall be made less than sixty (60)
28 days prior to the dates of the annual school election.

29 "5. There shall be a 'joint board of education' which shall
30 consist of seven (7) members, one member to be elected from
31 each of the respective election areas, by qualified school
32 electors residing therein, and one member to be elected at large
33 by qualified school electors residing within the territorial
34 boundaries of the joint county system. Their terms of office
35 shall commence on the first Monday in October following their

36 election.

37 "Elections to the joint board of education shall be held at
38 the annual school elections in odd numbered years for members
39 whose terms expire on the first Monday in October following such
40 elections and their term of office shall be for six years.

41 Vacancies on said board shall be filed at the next regular
42 meeting of the board by appointment by the remaining members
43 of the board until the next odd-numbered year election at
44 which election a member shall be elected to fill the vacancy
45 for the balance of the unexpired term. A vacancy shall be
46 defined as in section two hundred seventy-seven point twenty
47 nine (277.29) of the Code.

48 "The provisions of sections two hundred seventy-three point
49 five (273.5) to two hundred seventy-three point ten (273.10) of the
50 shall be applicable. Code

51 "6. For the purpose of selecting the initial membership of
52 the joint board of education, the respective county boards
53 shall meet in joint session, at least thirty (30) days prior
54 to the effective date of the joint system, and select, from
55 their own membership, one member residing in each of the
56 aforesaid election areas and one member at large. The members
57 so selected shall assume office upon the effective date of the
58 joint system for respective interim terms to be determined by
59 lot. Three of such interim terms shall expire on the first
60 Monday in October in the first odd-numbered year after the year
61 of such selection, two shall expire two years thereafter, and
62 two shall expire four years thereafter. On the effective date
63 of the joint system the respective county boards of education

64 shall cease to exist and the joint board of education shall
65 thereafter exercise the powers and perform the duties of the
66 said respective boards.

67 "7. The joint board shall have the authority to provide
68 adequate office facilities by renting or leasing same for a
69 period not to exceed ten (10) days. The board shall designate
70 a central office and may designate such branch office as neces-
71 sary with such designation, rental or leasing of facilities
72 subject to the approval of the state board. In the event that
73 the joint board cannot agree on the location of the central
74 office and branch offices, the state board shall so designate.

75 "8. The budget of the joint district shall be certified to
76 the county auditor of the county in which the central office is
77 located, and the county treasurer of the same county shall serve
78 as treasurer for the funds of the joint district.

79 "9. The joint board is hereby authorized to appoint such
80 advisory committees as deemed necessary.

81 "10. The joint board is authorized to provide services and
82 rent or lease a building or buildings for classes and schools,
83 vocational rehabilitation training centers, and workshops as
84 deemed necessary to be established, maintained and operated
85 subject to the approval of the state board.

86 "11. The joint board is authorized to make application for,
87 accept, and spend state and federal funds that are available
88 or might become available for programs of educational benefit
89 approved by the state board.

90 "12. Joint boards shall exercise all powers and carry out all
91 duties imposed on county boards of education by statute, and shall
92 be governed in general by the provisions of this chapter."

EXPLANATION OF HOUSE FILE 553

The purpose of section one of the bill is to conform the county school system law to the local budget law by providing for certification to the county auditor rather than supervisors. Section one has the further purpose of providing for levy of the county school system tax throughout the territory of the system in those cases where it crosses county lines.

Section 2 of the bill authorizes merger of county school systems. Its purpose is to permit the organization of more efficient intermediate systems of school administration on a voluntary basis.

HOUSE FILE 553

1 Amend House File 553 by striking all of lines three (3)
2 through ten (10) of section two (2) and inserting in lieu
3 thereof the following:

4 "The county boards of education of any two or more adjacent
5 counties may, by concurrent action, or upon receipt of a petition
6 signed by not less than ten (10) percent of those voting for
7 governor in the last general election, shall call a special
8 election in said counties for the purpose of merging the
9 respective county school systems into one school system. The
10 elections shall be on the same day in each of said counties and
11 the question on the ballot shall be: "Shall the county school
12 systems of (insert the names of the counties) counties be merged
13 into one school system?" If a majority of the votes cast in
14 each of said counties be in favor of the proposal the county
15 boards of education in the respective counties shall by
16 concurrent action merge the county school systems into one school
17 system with the following provisions covering such mergers:"

Filed
April 8, 1965.

withdrawn 7/28
ROBINSON of Guthrie-Audubon.

HOUSE FILE 553

1 Amend House File 553 as follows:

- 2 1. Amend section two (2), line seven (7), by inserting after
3 the word "system" the words "under a joint county board of
4 education".
5 2. Amend section two (2), line eighty-two (82), by inserting
6 after the word "for" the words "special education".
7 3. Amend section two (2), line eighty-three (83), by striking
8 the words "vocational rehabilitation training centers."

Filed
April 12, 1965.

lost 7/28
REDFERN of Lee.

HOUSE FILE 553

1 Amend House File 553 by striking from section two (2), line
2 seven (7), after the word "system;" through and including the
3 word "and" in line nine (9).

Filed
April 12, 1965.

lost 7/28
BRINCK of Lee.

HOUSE FILE 553

1 Amend House File 553 as follows:

- 2 1. By striking all of subsection 10 of section 2, and
3 inserting in lieu thereof the following: "Joint boards or
4 county boards subject to approval of the state board of public
5 instruction are hereby authorized to provide courses and
6 services for physically, mentally and educationally handicapped;
7 provide special and remedial courses and services, educational
8 television, vocational rehabilitation training centers, workshops;
9 to lease, acquire, maintain, and operate such facilities and
10 buildings as deemed necessary to provide authorized courses and
11 services and administer such authorized programs.
12 2. By striking in line 86 of section 2, subsection 11, the
13 word "is" and inserting in lieu thereof the following, "or county
14 boards are hereby".

Filed
April 14, 1965.

adopted 4/28
MELROSE of Floyd.

HOUSE FILE 553

1 Amend the Dunton of Keokuk amendment to House File 553 filed
2 on April 21, 1965, by striking lines twenty (20) through twenty-
3 five (25) and inserting in lieu thereof the following:
4 "When two (2) or more county boards of education are merged
5 into a joint county board of education under this section, the
6 boards of education of schools located within each county shall
7 select the delegates to the district convention as provided in
8 chapter two hundred fifty-seven (257) of the Code which have
9 previously been selected by the county board of education."

Filed and adopted
April 28, 1965.

SMITH of O'Brien.

HOUSE FILE 553

1 Amend the Dunton of Keokuk amendment to House File 553 filed
2 on April 21, 1965, by inserting in line six (6) after the word
3 "election" the words "in each county".

Filed and adopted

HOUSE FILE 553

1 Amend House File 553 by adding the following new section:
 2 "In addition to the procedure set forth in section two (2) of
 3 this Act for the merger of county school systems the county boards
 4 of education of any two or more adjacent counties upon receipt of
 5 a petition signed by not less than ten (10) percent of those voting
 6 for governor in the last general election, shall call a special
 7 election in said counties for the purpose of merging the respective
 8 county school systems into one school system. The elections shall
 9 be on the same day in each of said counties and the question on the
 10 ballot shall be: 'Shall the county school systems of (insert the
 11 names of the counties) counties be merged into one school system?'
 12 If a majority of the votes cast in each of said counties be in
 13 favor of the proposal the county boards of education in the
 14 respective counties shall by concurrent action merge the county
 15 school systems into one school system. Prior to setting a date
 16 for said elections, approval of the state board of public instruc-
 17 tion shall be obtained and all provisions covering a merger heretofore
 18 set-out above shall also be applicable to a merger under this
 19 procedure.

Filed *adopted as amended 7/28*
 April 21, 1965.

DUNTON of Keokuk.

HOUSE FILE 553

1 Amend the Strothman amendment to House File 553 filed April
 2 8, 1965, by striking the word "one" in line two (2) thereof and
 3 inserting in lieu thereof the word and figure "two (2)".

Filed *Just 4/19*
 April 19, 1962.

MILLER of Page.

HOUSE FILE 553

1 Amend House File 553 as follows:
 2 1. By inserting in line nine (9) of section two (2) after the
 3 word "effective" the following: "and provided further that notice
 4 of the proposed merger shall be published at least twenty (20)
 5 days prior to the proposed merger pursuant to section six
 6 hundred eighteen point four (618.4) of the Code."
 7 2. By striking the comma in line twenty (20) of section two (2),
 8 and inserting in lieu thereof the following: "by the affected county
 9 boards in joint session and be".
 10 3. By adding the following subsections to section two (2) of
 11 the bill:
 12 "13. When two (2) or more county boards of education are
 13 merged into a joint county board of education under this section,
 14 the county conference board as provided for in chapter four hundred
 15 forty one point two (441.2) of the Code shall include one repre-
 16 sentative from the board of directors of each high school district
 17 of the county, who shall replace the county board of education
 18 members on the conference board as provided for in chapter four
 19 hundred forty-one point two (441.2) of the Code."
 20 "14. When two (2) or more county boards of education are
 21 merged into a joint county board of education under this section,
 22 the joint board shall elect two (2) delegates from each county or
 23 major portion thereof to the district convention as provided in
 24 chapter two hundred fifty-seven (257) of the Code for the election
 25 of members to the state board of public instruction."

Filed *adopted as amended 7/28*
 April 21, 1965.

DUNTON of Keokuk.

HOUSE FILE 553

1 Amend the Melrose of Floyd amendment to House File 553 filed
 2 on April 14, 1965, by striking from line eight (8) the words
 3 "vocational rehabilitation training centers,".

Filed and lost
 April 28, 1965.

REDFERN of Lee.

1 Amend the Dunton amendment filed April 21, 1965, to House
 2 File 553 by striking from lines five (5) and six (6) the
 3 words and figures "six hundred eighteen point four (618.4)"
 4 and inserting in lieu thereof the words and figures "six
 5 hundred eighteen point fourteen (618.14)".

Filed *adopted 7/28*
 April 22, 1965.

MELROSE of Floyd.

May 6, 1965.

House File 553

By EDUCATION COMMITTEE.
(As Amended and Passed by the House.)

Passed House, Date..... Passed Senate, Date 5/13.....

Vote: Ayes..... Nays..... Vote: Ayes 5-2..... Nays 3.....

Approved May 21, 1965.....

A BILL FOR

An Act relating to the county school system and to amend section two hundred seventy-three point thirteen (273.13), Code 1962, so as to provide for levying of a tax upon all territory included within a county school system, and to further amend chapter two hundred seventy-three (273), Code 1962, by adding a new section providing for merger of county school systems.

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

1 Section 1. Section two hundred seventy-three point thirteen
2 (273.13), Code 1962, is amended by striking all of subsection
3 ten (10) and inserting in lieu thereof the following:
4 "At the regular or special meeting held between July 1 and
5 July 15, consider the budget as submitted by the county superin-
6 tendent, and certify to the county auditor the estimates of the
7 amounts needed. Such estimates shall follow the budget procedure
8 under chapter 24. The boards or board of supervisors of the
9 county or counties, territory which comprises the territory of
10 the county school system, shall levy a tax on all the taxable
11 property in the county school system for the amount certified."

1 Sec. 2. Chapter two hundred seventy-three (273), Code 1962,
2 is amended by adding the following new section:

3 "County boards of education, in any two or more adjacent
4 counties, may, by the concurrent action of the respective boards
5 of directors at their regular meetings in July, or at special
6 meetings thereafter, called for that purpose, merge the respective
7 county school systems into one school system; provided, however,

8 that said merger shall be approved by the state board of public
9 instruction before becoming effective and provided further that notice
10 of the proposed merger shall be published at least twenty (20) days
11 prior to the proposed merger pursuant to section six hundred eighteen
12 point fourteen (618.14) of the Code and with the following
13 provisions covering such mergers:

14 "1. The merged school system shall be known as the 'joint
15 county system of (name of county), (name of county), (name of
16 county), etc.'

17 "2. The merged system shall have one tax made up of
18 the combined tax base of the respective county school systems.

19 "3. The merged system shall become effective upon the first
20 day of July, following the approval of said merger by the state
21 board of public instruction.

22 "4. The territory of the 'joint county system' shall be
23 divided into six election areas by the affected county boards in
24 joint session and be as nearly as possible of equal
25 size and population, and contiguous territory, to be designated
26 as the first, the second, the third, the fourth, the fifth, and
27 the sixth election areas. In the event of changes in the limits
28 of the 'joint county system' the joint board of education shall
29 make any such adjustments as may be necessary to equalize the
30 territorial and population size of the election areas, provided,
31 however, that no such change shall be made less than sixty (60)
32 days prior to the dates of the annual school election.

33 "b. There shall be a 'joint board of education' which shall
34 consist of seven (7) members, one member to be elected from
35 each of the respective election areas, by qualified school

36 electors residing therein, and one member to be elected at large
37 by qualified school electors residing within the territorial
38 boundaries of the joint county system. Their terms of office
39 shall commence on the first Monday in October following their
40 election.

41 "Elections to the joint board of education shall be held at
42 the annual school elections in odd numbered years for members
43 whose terms expire on the first Monday in October following such
44 elections and their term of office shall be for six years.

45 Vacancies on said board shall be filled at the next regular
46 meeting of the board by appointment by the remaining members
47 of the board until the next odd-numbered year election at
48 which election a member shall be elected to fill the vacancy
49 for the balance of the unexpired term. A vacancy shall be
50 defined as in section two hundred seventy-seven point twenty-
51 nine (277.29) of the Code.

52 "The provisions of sections two hundred seventy-three point
53 five (273.5) to two hundred seventy-three point ten (273.10) of the
54 shall be applicable. Code

55 "6. For the purpose of selecting the initial membership of
56 the joint board of education, the respective county boards
57 shall meet in joint session, at least thirty (30) days prior
58 to the effective date of the joint system, and select, from
59 their own membership, one member residing in each of the
60 aforesaid election areas and one member at large. The members
61 so selected shall assume office upon the effective date of the
62 joint system for respective interim terms to be determined by
63 lot. Three of such interim terms shall expire on the first

64 Monday in October in the first odd-numbered year after the year
65 of such selection, two shall expire two years thereafter, and
66 two shall expire four years thereafter. On the effective date
67 of the joint system the respective county boards of education
68 shall cease to exist and the joint board of education shall
69 thereafter exercise the powers and perform the duties of the
70 said respective boards.

71 "7. The joint board shall have the authority to provide
72 adequate office facilities by renting or leasing same for a
73 period not to exceed ten (10) years. The board shall designate
74 a central office and may designate such branch office as neces-
75 sary with such designation, rental or leasing of facilities
76 subject to the approval of the state board. In the event that
77 the joint board cannot agree on the location of the central
78 office and branch offices, the state board shall so designate.

79 "8. The budget of the joint district shall be certified to
80 the county auditor of the county in which the central office is
81 located, and the county treasurer of the same county shall serve
82 as treasurer for the funds of the joint district.

83 "9. The joint board is hereby authorized to appoint such
84 advisory committees as deemed necessary.

85 "10. Joint boards or county boards subject to approval of the
86 state board of public instruction are hereby authorized to provide
87 courses and services for physically mentally and educationally
88 handicapped; provide special and remedial courses and services,
89 educational television, vocational rehabilitation training centers,
90 workshops; to lease, acquire, maintain, and operate such facilities
91 and buildings as deemed necessary to provide authorized courses and

92 services and administer such authorized programs.

93 "11. The joint board or county boards are hereby authorized to
94 make

94 applications for,

95 accept, and spend state and federal funds that are available

96 or might become available for programs of educational benefit

97 approved by the state board.

98 "12. Joint boards shall exercise all powers and carry out all

99 duties imposed on county boards of education by statute, and shall

100 be governed in general by the provisions of this chapter.

101 "13. When two (2) or more county boards of education are

102 merged into a joint county board of education under this section,

103 the county conference board as provided for in chapter four hundred

104 forty-one point two (441.2) of the Code shall include one repre-

105 sentative from the board of directors of each high school district

106 of the county, who shall replace the county board of education

107 members on the conference board as provided for in chapter four

108 hundred forty-one point two (441.2) of the Code.

109 "14. When two (2) or more county boards of education are merged

110 into a joint county board of education under this section, the

111 boards of education of schools located within each county shall

112 select the delegates to the district convention as provided in

113 chapter two hundred fifty-seven (257) of the Code which have

114 previously been selected by the county board of education."

1 Sec. 3. In addition to the procedure set forth in section two (2)

2 of this Act for the merger of county school systems the county boards

3 of education of any two or more adjacent counties upon receipt of

4 a petition signed by not less than ten (10) per cent of those voting

5 for governor in the last general election in each county, shall call

6 a special election in said counties for the purpose of merging the
7 respective county school systems into one school system. The elections
8 shall be on the same day in each of said counties and the question on
9 the ballot shall be: "Shall the county school systems of (insert the
10 names of the counties) counties be merged into one school system?"
11 If a majority of the votes cast in each of said counties be in
12 favor of the proposal the county boards of education in the
13 respective counties shall by concurrent action merge the county
14 school systems into one school system. Prior to setting a date
15 for said elections, approval of the state board of public instruc-
16 tion shall be obtained and all provisions covering a merger heretofore
17 set out above shall also be applicable to a merger under this
18 procedure.

EXPLANATION OF HOUSE FILE 553

The purpose of section one of the bill is to conform the county school system law to the local budget law by providing for certification to the county auditor rather than supervisors. Section one has the further purpose of providing for levy of the county school system tax throughout the territory of the system in those cases where it crosses county lines.

Section two of the bill authorizes merger of county school systems. Its purpose is to permit the organization of more efficient intermediate systems of school administration on a voluntary basis.