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SENATE FILE 517

By COMMITTEE ON SCHOOLS

Passed Senate, Date 3-10-72 Passed House, Date 3-23-72

Vote: Ayes 41 Nays 4 Vote: Ayes 90 Nays 0

Approved _____

A BILL FOR

1 An Act to revise, update, and correct certain sections of the
2 Code of Iowa relating to school districts and school cor-
3 porations.

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

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1 Section 1. Section eleven point eighteen (11.18), unnum-
2 bered paragraph one (1), Code 1971, is amended as follows:
3 The financial condition and transactions of all cities
4 and city offices, merged areas, and all school offices in
5 ~~independent-and-community~~ school districts ~~maintaining-high~~
6 ~~schools~~, shall be examined at least once each year. The
7 financial condition and transactions of all towns having a
8 population of seven hundred or more shall be examined at least
9 once every four years. Such examination shall cover the
10 fiscal year next preceding the year in which the audit is
11 conducted. The examination of school offices shall include
12 an audit of activity funds. Examinations may be made by the
13 auditor of state, or in lieu of the examination by state
14 accountants the local governing body whose accounts are to
15 be examined, in case it elects so to do, may contract with,
16 or employ, certified or registered public accountants,
17 certified and registered in the state of Iowa, and pay the
18 same from the proper public funds. If the city, merged area
19 or school district elect to have the audit made by certified
20 or registered public accountants, they must so notify the
21 auditor of state within sixty days after the close of the
22 fiscal year to be examined and towns electing to have their
23 audit made by a certified public accountant must so notify
24 the state auditor by resolution of the council designating
25 the name of the person or firm to be employed at least ninety
26 days prior to the end of a fiscal year. Such notification
27 and designation shall remain in effect until rescinded or
28 modified by a subsequent resolution of the town council filed
29 with the state auditor. For town audits to be conducted by
30 certified public accountants, the state auditor shall notify
31 the designated person or firm of the year to be examined at
32 least sixty days prior to the end of the year to be examined.
33 If any city, town, merged area or school district does not
34 file such notification with the auditor of state within the
35 required period, the auditor of state is authorized to make

1 the examination and cover any period which has not been
2 previously examined.

3 Sec. 2. Section twenty point five (20.5), subsection three
4 (3), Code 1971, is amended as follows:

5 3. Enter into contract with or sell to any township,
6 county, city, towns, and ~~independent-and-consolidated~~ school
7 ~~districts~~ district or any local governmental unit or the
8 state, its departments, commissions, boards or agencies, any
9 equipment, property, and supplies that the board has purchased
10 from the federal government, provided, however, that the
11 township, county, city, towns, and ~~independent-or-consolidated~~
12 school ~~districts~~ district or any local governmental unit,
13 the state, its departments, commissions, boards or agencies,
14 reimburses the board for the purchase price and expense
15 connected with acquiring said equipment, property, and
16 supplies.

17 Sec. 3. Section seventy point one (70.1), Code 1971, is
18 amended as follows:

19 70.1 APPOINTMENTS AND PROMOTIONS. In every public depart-
20 ment and upon all public works in the state, and of the coun-
21 ties, cities, towns, and school ~~districts~~ corporations thereof,
22 honorably discharged men and women from the military or naval
23 forces of the United States in any war in which the United
24 States was or is now engaged, including the Philippine
25 insurrection, China relief expedition, and the Korean conflict
26 at any time between June 27, 1950 and July 27, 1953, both
27 dates inclusive, and the Vietnam conflict beginning August
28 5, 1964, and ending on the date the armed forces of the United
29 States are directed by formal order of the government of the
30 United States to cease hostilities, both dates inclusive,
31 who are citizens and residents of this state shall be entitled
32 to preference in appointment, employment, and promotion over
33 other applicants of no greater qualifications. For the pur-
34 poses of this section World War II shall mean service in the
35 armed forces of the United States between December 7, 1941,

1 and September 2, 1945, both dates inclusive.

2 Sec. 4. Section seventy-two point four (72.4), Code 1971,
3 is amended as follows:

4 72.4 PENALTY. A violation of the provisions of section
5 72.3 shall, in addition to criminal liability, render the
6 violator liable, personally and on his bond, if any, to
7 liquidated damages in the sum of one thousand dollars for
8 each violation, to inure to and be collected by the state,
9 county, city, town, school ~~district~~ corporation, or other
10 municipal corporation of which the violator is an officer
11 or deputy.

12 Sec. 5. Section seventy-three point ten (73.10), Code
13 1971, is amended as follows:

14 73.10 EXCEPTIONS. The provisions of sections 73.6 to
15 73.9, inclusive, shall not apply to municipally owned and
16 operated public utilities ~~nor-to-school-townships-and-rural~~
17 ~~independent-districts~~.

18 Sec. 6. Section two hundred fifty-seven point twelve
19 (257.12), Code 1971, is amended as follows:

20 257.12 QUALIFICATIONS OF SUPERINTENDENT. The superinten-
21 dent shall hold a master's degree in education or some related
22 field; he shall have had at least five years' experience in
23 educational administration. He shall hold or be eligible
24 to hold a regular Iowa superintendent's certificate based
25 upon training. ~~Assistant-superintendents~~ The deputy super-
26 intendent shall have the same qualifications.

27 Sec. 7. Section two hundred fifty-seven point thirteen
28 (257.13), Code 1971, is amended as follows:

29 257.13 OATH. The superintendent and ~~assistant-super-~~
30 ~~intendents~~ deputy superintendent shall take the oath of office
31 prescribed by section 63.10.

32 Sec. 8. Section two hundred seventy-three point twenty-
33 two (273.22), Code 1971, is amended by striking subsection
34 fourteen (14).

35 Sec. 9. Section two hundred seventy-eight point one

1 (278.1), Code 1971, is amended by striking subsection eleven
2 (11).

3 Sec. 10. Section two hundred seventy-eight point two
4 (278.2), Code 1971, is amended as follows:

5 278.2 SUBMISSION OF PROPOSITION. The board may, and upon
6 the written request of twenty-five voters of any ~~city-or~~
7 ~~town-community-or-independent~~ district having a population
8 of five thousand or less, or of fifty voters of any other
9 ~~city-community-or-independent~~ district or of any district
10 in which registration of any of the voters is required, shall
11 provide in the notice for the regular election for submitting
12 any proposition authorized by law to the voters. All propo-
13 sitions shall be voted upon by ballot, or by voting machine
14 where required, in substantially the form indicated in sec-
15 tions 49.45 and 49.47; and the voter shall indicate his vote
16 in the manner designated in section 49.46, or indicate it
17 on the voting machine, as the case may be.

18 Sec. 11. Section two hundred seventy-nine point fourteen
19 (279.14), Code 1971, is amended as follows:

20 279.14 SUPERINTENDENT--TERM. The board of directors of
21 any ~~community-or-independent~~ school district ~~or-school-township~~
22 ~~where-there-is-a-township-high-school~~ shall have power to
23 employ a superintendent of schools for one year. After serving
24 at least seven months, he may be employed for a term of not
25 to exceed three years. He shall be the executive officer
26 of the board and have such powers and duties as may be
27 prescribed by rules adopted by the board or by law. Boards
28 of directors may jointly exercise the powers conferred by
29 this section.

30 Sec. 12. Section two hundred seventy-nine point thirty-
31 two (279.32), Code 1971, is amended as follows:

32 279.32 FINANCIAL STATEMENT--PUBLICATION. In each ~~con-~~
33 ~~solidated-district-and-in-each-community-or-independent-city~~
34 ~~or-town~~ school district, the board shall, during the second
35 week of July of each year, publish by one insertion in at

1 least one newspaper, if there is a newspaper published in
2 said district, a summarized statement verified by affidavit
3 of the secretary of the board showing the receipts and
4 disbursements of all funds for the preceding school year.
5 In all such districts of more than one hundred twenty-five
6 thousand population, the statement of disbursements is to
7 show the names of the persons, firms, or corporations, and
8 the total amount paid to each during the school year.

9 Sec. 13. Section two hundred seventy-nine point thirty-
10 three (279.33), Code 1971, is amended as follows:

11 279.33 OTHER DISTRICTS--FILING STATEMENT. In ~~every-other~~
12 ~~school-district, and in~~ every school district wherein no
13 newspaper is published, the president and secretary of the
14 board of directors thereof shall file the above statement
15 with the county superintendent of schools during the second
16 week of July of each year and shall post copies thereof in
17 three conspicuous places in the district.

18 Sec. 14. Section two hundred seventy-nine point thirty-
19 four (279.34), Code 1971, is amended as follows:

20 279.34 SUMMARY OF WARRANTS PUBLISHED. In each ~~consoli-~~
21 ~~dated-district and in each independent or community city or~~
22 ~~town~~ school district, except districts of over one hundred
23 twenty-five thousand population, the board shall quarterly
24 publish by one insertion in at least one newspaper published
25 in the district, if there is a newspaper published in the
26 district, a statement verified by affidavit of the secretary
27 of the board showing a summary of the proceedings of the board
28 pertaining to financial matters or expenses to the district
29 for the previous quarter, including the list of all warrants
30 issued by the board, the names of the persons, firms or corpo-
31 rations receiving same, the amount thereof and the reason
32 therefor; except that warrants issued to persons regularly
33 employed by the school district for services regularly per-
34 formed by them need be listed not oftener than annually.
35 The fee for publication of the statement provided for herein

1 shall not exceed three-fifths of the legal publication fee
2 provided by statute for the publication of legal notices.

3 Sec. 15. Section two hundred seventy-nine point thirty-
4 six (279.36), Code 1971, is amended as follows:

5 279.36 INDUSTRIAL EXPOSITION. The board of any school
6 corporation, ~~or the director of any subdistrict deeming it~~
7 ~~expedient~~ may, under the direction of the county superinten-
8 dent, hold and maintain an industrial exposition in connection
9 with the schools of such district, such exposition to consist
10 in the exhibit of useful articles invented, made, or raised
11 by the pupils, by sample or otherwise, in any of the depart-
12 ments of mechanics, manufacture, art, science, agriculture,
13 and the kitchen, such exposition to be held in the schoolroom,
14 on a school day, as often as once during a term, and not
15 oftener than once a month, at which the pupils participating
16 therein shall be required to explain, demonstrate, or present
17 the kind and plan of the article exhibited, or give its method
18 of culture; and work in these several departments shall be
19 encouraged, and patrons of the school invited to be present
20 at each exhibition.

21 Sec. 16. Section two hundred eighty point eleven (280.11),
22 Code 1971, is amended as follows:

23 280.11 DENTAL CLINICS. Boards of school directors in
24 all school districts ~~containing one thousand or more~~
25 ~~inhabitants~~ are hereby authorized to establish and maintain
26 in connection with the schools of such districts, a dental
27 clinic for children attending such schools, and to offer
28 courses of instruction on mouth hygiene. Said boards are
29 hereby empowered to employ such legally qualified dentists
30 and dental hygienists as may be necessary to accomplish the
31 purpose of this section, and pay the expense of the same out
32 of the general fund.

33 Sec. 17. Section two hundred eighty point seventeen
34 (280.17), Code 1971, is amended as follows:

35 280.17 HIGHER AND GRADED SCHOOLS. The board may establish

1 graded and high schools and determine what branches shall
2 be taught therein, but the course of study shall be subject
3 to the approval of the state board of public instruction.
4 ~~Whenever the board in a school township establishes a high~~
5 ~~school, such high school can be discontinued only by an~~
6 ~~affirmative vote of a majority of the votes cast for and~~
7 ~~against such proposition at an election which may be called~~
8 ~~by the county superintendent of schools upon a petition for~~
9 ~~such election being presented signed by twenty-five percent~~
10 ~~of the electors in such township.~~

11 Sec. 18. Section two hundred eighty-two point eighteen
12 (282.18), Code 1971, is amended as follows:

13 282.18 CHILDREN FROM CHARITABLE INSTITUTION OR STATE
14 INSTITUTION. Children who are residents of a charitable
15 institution organized under the laws of this state or residents
16 of any institution under the jurisdiction of a director of
17 a division of the department of social services and who have
18 completed a course of study for the eighth grade ~~as required~~
19 ~~by section 282.19~~ shall be permitted to enter any approved
20 public high school in Iowa that will receive them and the
21 tuition and transportation when required by law shall be paid
22 by the treasurer of state from any money in his hands not
23 otherwise appropriated and upon warrants drawn and signed
24 by the state comptroller on requisition issued by the superin-
25 tendent of public instruction. The superintendent of public
26 instruction is hereby empowered to require such reports, from
27 such institution and from the high school such pupils attend,
28 as are necessary properly to carry out the provisions of this
29 section.

30 Sec. 19. Section two hundred eighty-five point one (285.1),
31 subsection one (1), paragraph "c", Code 1971, is amended as
32 follows:

33 c. Elementary pupils residing in a ~~rural independent~~
34 ~~district, a rural township district, or a~~ consolidated dis-
35 trict not operating a central school, when the school in the

1 district ~~or-subdistrict~~ is in operation, must live more than
2 two miles from the school in their own district ~~or-subdistrict~~
3 to be entitled to transportation.

4 Boards at their discretion may provide transportation for
5 resident elementary children attending public school who live
6 less than the distance at which transportation is required.

7 Sec. 20. Section two hundred eighty-five point ten
8 (285.10), Code 1971, is amended by striking subsection eight
9 (8) and inserting in lieu thereof the following:

10 8. Boards in school districts which have sufficient
11 resident pupils they are required to transport to warrant
12 the purchase of transportation equipment may purchase buses
13 needed to provide the transportation.

14 Sec. 21. Section two hundred eighty-eight point one
15 (288.1), Code 1971, is amended as follows:

16 288.1 EVENING SCHOOLS AUTHORIZED. The board of any school
17 ~~corporation~~ district may establish and maintain public evening
18 schools as a branch of the public schools when deemed advisable
19 for the public convenience and welfare.

20 Sec. 22. Section two hundred eighty-eight point two
21 (288.2), Code 1971, is amended as follows:

22 288.2 WHEN ESTABLISHMENT MANDATORY. When ten or more
23 persons over sixteen years of age residing in any school
24 ~~corporation~~ district shall, in writing, express a desire for
25 instruction in the common branches at an evening school, the
26 school board shall establish and maintain an evening school
27 for such instruction for not less than two hours each evening
28 for at least two evenings each week during the period of not
29 less than three months of each school year.

30 Sec. 23. Section two hundred eighty-eight point three
31 (288.3), Code 1971, is amended as follows:

32 288.3 SUPERVISION--WHO ADMITTED. ~~if-such-evening-school~~
33 ~~is-a-branch-of-a-city-or-town-school,-the-same-shall-be-under~~
34 ~~the-supervision-of-the-superintendent-of-such-city-or-town~~
35 ~~school,-if-not,-the-same-shall-be-under-the-supervision-of~~

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1 ~~the-county-superintendent;~~ Such evening school shall be
2 available to all persons over sixteen years of age who for
3 any cause are unable to attend the public day schools of such
4 school ~~corporation~~ district.

5 Sec. 24. Section two hundred ninety-two point two (292.2),
6 unnumbered paragraph one (1), Code 1971, is amended as follows:

7 292.2 PURCHASE OF BOOKS--DISTRIBUTION. Between the first
8 Monday of July and the first day of October in each year,
9 the county board of education shall expend all money withheld
10 by the auditor, as provided in section 292.1, in the purchase
11 of books for the use of the school district. The county board
12 of education may distribute the books thus purchased to the
13 librarians of the several school districts in the proportion
14 that the number of persons of school age living in the school
15 district bears to the number of such persons living in the
16 county, or may entrust the custody of such books to the county
17 superintendent of schools to be loaned by him to schools of
18 the county in the manner of a circulating library; provided
19 that if the circulating library method is adopted, in whole
20 or in part, any ~~independent-district, community-district,~~
21 ~~or-any-consolidated~~ district maintaining a high school shall,
22 upon request of its board of directors, be excluded therefrom
23 and be allowed its distributive share of such books on the
24 basis first above mentioned in this section.

25 Sec. 25. Section two hundred ninety-six point one (296.1),
26 Code 1971, is amended as follows:

27 296.1 INDEBTEDNESS AUTHORIZED. Subject to the approval
28 of the voters thereof, school ~~corporations~~ districts are
29 hereby authorized to contract indebtedness and to issue general
30 obligation bonds to provide funds to defray the cost of
31 purchasing, building, furnishing, reconstructing, repairing,
32 improving or remodeling a schoolhouse or schoolhouses and
33 additions thereto, gymnasium, stadium, field house, school
34 bus garage, teachers' or superintendent's home or homes, and
35 procuring a site or sites therefor, or purchasing land to

1 add to a site already owned, or procuring and improving a
2 site for an athletic field, or improving a site already owned
3 for an athletic field, and for any one or more of such
4 purposes. Taxes for the payment of said bonds shall be levied
5 in accordance with chapter 76, and said bonds shall mature
6 within a period not exceeding twenty years from date of issue,
7 shall bear interest at a rate or rates not exceeding seven
8 percent per annum and shall be of such form as the board of
9 directors of such school ~~corporation~~ district shall by
10 resolution provide, but the aggregate indebtedness of any
11 school ~~corporation~~ district shall not exceed five percent
12 of the actual value of the taxable property within said school
13 ~~corporation~~ district, as ascertained by the last preceding
14 state and county tax lists.

15 Sec. 26. Section two hundred ninety-seven point one
16 (297.1), Code 1971, is amended as follows:

17 297.1 LOCATION. The board of each school ~~corporation~~
18 district may fix the site for each schoolhouse, which shall
19 be upon some public highway already established or procured
20 by such board and not in any public park, and except in cities,
21 towns, and villages, not less than thirty rods from the
22 residence of any landowner who objects thereto.

23 In fixing such site, the board shall take into consideration
24 the number of scholars residing in the various portions of
25 the school ~~corporation~~ district and the geographical location
26 and convenience of any proposed site.

27 Sec. 27. Section two hundred ninety-seven point two
28 (297.2), Code 1971, is amended as follows:

29 297.2 TEN-ACRE LIMITATION. Except as hereinafter provided,
30 any school ~~corporation~~ district may take and hold so much
31 real estate as may be required for such site, for the location
32 or construction thereon of schoolhouses, and the convenient
33 use thereof, but not to exceed ten acres exclusive of public
34 highway.

35 Sec. 28. Section two hundred ninety-seven point three

1 (297.3), Code 1971, is amended as follows:

2 297.3 THIRTY-ACRE LIMITATION. Any school ~~corporation~~
3 district including a city, town, or village, may take and
4 hold an area equal to two blocks exclusive of the street or
5 highway, for a schoolhouse site, and not exceeding thirty
6 acres for school playground, stadium, or field house, or other
7 purposes for each such site.

8 Sec. 29. Section two hundred ninety-seven point nine
9 (297.9), Code 1971, is amended as follows:

10 297.9 USE FOR OTHER THAN SCHOOL PURPOSES. The board of
11 directors of any school ~~corporation~~ district may authorize
12 the use of any schoolhouse and its grounds within such
13 ~~corporation~~ district for the purpose of meetings of granges,
14 lodges, agricultural societies, and similar rural secret
15 orders and societies, for parent-teacher associations, for
16 community recreational activities, for public forums and
17 similar community purposes; provided, however, that the board
18 may not grant such permission to any organization known or
19 believed to hold views that are in conflict with the republican
20 form of government as set forth in the Constitution of the
21 United States; and for election purposes, and for other
22 meetings of public interest; provided that such use shall
23 in no way interfere with school activities; such use to be
24 for such compensation and upon such terms and conditions as
25 may be fixed by said board for the proper protection of the
26 schoolhouse and the property belonging therein, including
27 that of pupils.

28 Sec. 30. Section two hundred ninety-seven point eleven
29 (297.11), Code 1971, is amended as follows:

30 297.11. USE FORBIDDEN. If at any time the voters of such
31 ~~corporation~~ district at a regular election forbid such use
32 of any such schoolhouse or grounds, the board shall not
33 thereafter permit such use until the said action of such
34 voters shall have been rescinded by the voters at a regular
35 election, or at a special election called for that purpose.

1 Sec. 31. Section two hundred ninety-seven point fifteen
2 (297.15), unnumbered paragraph one (1), Code 1971, is amended
3 as follows:

4 Any real estate, owned by a school ~~corporation~~ district,
5 containing less than two acres, situated wholly outside of
6 a city or town, and not adjacent thereto, and heretofore used
7 as a schoolhouse site shall revert to the then owner of the
8 tract from which the same was taken, provided that said owner
9 of the tract last aforesaid shall, within the time hereinafter
10 prescribed, pay the value thereof to such school ~~corporation~~
11 district.

12 Sec. 32. Section two hundred ninety-seven point sixteen
13 (297.16), Code 1971, is amended as follows:

14 297.16 APPRAISERS. In case the school ~~corporation~~ district
15 and said owner of the tract from which such school site was
16 taken, do not agree as to the value of such site, the county
17 superintendent of the county in which the greater part of
18 such school ~~corporation~~ district is situated, shall, on the
19 written application of either party, appoint three
20 disinterested voters of the county to appraise said site.

21 Sec. 33. Section two hundred ninety-seven point nineteen
22 (297.19), Code 1971, is amended as follows:

23 297.19 PUBLIC SALE. If the owner of the tract from which
24 said site was taken fails to pay the amount of such
25 appraisement to such school ~~corporation~~ district within twenty
26 days after the filing of same with the county superintendent,
27 the school ~~corporation~~ district may sell said site to any
28 other person at the appraised value, or may sell the same
29 at public sale to the highest bidder.

30 Sec. 34. Section two hundred ninety-seven point twenty-
31 two (297.22), unnumbered paragraph two (2), Code 1971, is
32 amended as follows:

33 The board of directors of other school ~~corporations~~
34 districts may sell, lease, or dispose of, in whole or in part,
35 any schoolhouse or site or other property belonging to the

1 ~~corporation~~ district of a value not to exceed the following
2 amounts:

3 Sec. 35. Section two hundred ninety-seven point twenty-
4 two (297.22), unnumbered paragraph four (4), Code 1971, is
5 amended as follows:

6 Before the board of directors may sell, lease or dispose
7 of any property belonging to the school ~~corporation~~ district
8 it shall comply with the requirements set forth in sections
9 297.15 to 297.20, inclusive and sections 297.23 and 297.24.
10 Any real estate proposed to be sold shall be appraised by
11 three disinterested freeholders residing in the school district
12 and appointed by the county superintendent of schools of the
13 county in which said real estate is located.

14 Sec. 36. Section two hundred ninety-seven point thirty-
15 two (297.32), Code 1971, is amended as follows:

16 297.32 EQUIPMENT AND SUPPLIES. If there is any school
17 equipment, supplies, or other usable school materials, such
18 as desks, blackboards, playground equipment, or the like,
19 in or on said buildings or grounds, the superintendent of
20 public instruction may remove the same and divert their use
21 to other public school ~~corporations~~ districts.

22 Sec. 37. Section two hundred ninety-eight point one
23 (298.1), unnumbered paragraph one (1), Code 1971, is amended
24 as follows:

25 The board of each school ~~corporation~~ district shall estimate
26 the amount of the proposed expenditures and proposed receipts
27 for the general school purposes at a time and in a manner
28 to effectuate the provisions of chapter 442. Compliance with
29 chapter 24 shall be observed.

30 Sec. 38. Section two hundred ninety-nine point three
31 (299.3), Code 1971, is amended as follows:

32 299.3 REPORTS FROM PRIVATE SCHOOLS. Within ten days from
33 receipt of notice from the secretary of the school ~~corporation~~
34 district within which any private school is conducted, the
35 principal of such school shall, once during each school year,

1 and at any time when requested in individual cases, furnish
2 to such secretary a certificate and report in duplicate of
3 the names, ages, and number of days attendance of each pupil
4 of such school over seven and under sixteen years of age,
5 the course of study pursued by each such child, the texts
6 used, and the names of the teachers, during the preceding
7 year and from the time of the last preceding report to the
8 time at which a report is required. The secretary shall
9 retain one of the reports and file the other in the office
10 of the county superintendent.

11 Sec. 39. Section two hundred ninety-nine point four
12 (299.4), Code 1971, is amended as follows:

13 299.4 REPORTS AS TO PRIVATE INSTRUCTION. Any person
14 having the control of any child over seven and under sixteen
15 years of age, who shall place such child under private
16 instruction, not in a regularly conducted school, upon
17 receiving notice from the secretary of the school ~~corporation~~
18 district, shall furnish a certificate stating the name and
19 age of such child, the period of time during which such child
20 has been under said private instruction, the details of such
21 instruction, and the name of the instructor.

22 Sec. 40. Section two hundred ninety-nine point ten
23 (299.10), unnumbered paragraph one (1), Code 1971, is amended
24 as follows:

25 The board of each school ~~corporation~~ district may, and
26 in school ~~corporations~~ districts having a population of twenty
27 thousand shall, appoint a truancy officer.

28 Sec. 41. Section two hundred ninety-nine point eleven
29 (299.11), unnumbered paragraph one (1), Code 1971, is amended
30 as follows:

31 The truancy officer shall take into custody without warrant
32 any apparently truant child and place him in the charge of
33 the teacher in charge of the public school designated by the
34 board of directors of the school ~~corporation~~ district in which
35 said child resides, or of any private school designated by

1 the person having legal control of the child; but if it is
2 other than a public school, the instruction and maintenance
3 of the child therein shall be without expense to the school
4 corporation district.

5 Sec. 42. Section three hundred one point one (301.1),
6 Code 1971, is amended as follows:

7 301.1 ADOPTION--PURCHASE AND SALE. The board of directors
8 of each and every school corporation district is hereby
9 authorized and empowered to adopt textbooks for the teaching
10 of all branches that are now or may hereafter be authorized
11 to be taught in the public schools of the state, and to con-
12 tract for and buy said books and any and all other necessary
13 school supplies at said contract prices, and to sell the same
14 to the pupils of their respective districts at cost, loan
15 such textbooks to such pupils free, or rent them to such
16 pupils at such reasonable fee as the board shall fix, and
17 said money so received shall be returned to the general fund.

18 Sec. 43. Section three hundred one point three (301.3),
19 Code 1971, is amended as follows:

20 301.3 ANNUAL SETTLEMENT BY BOARD OF DIRECTORS. At the
21 close of each school year the board of directors in each
22 school corporation district shall cause a complete settlement
23 to be made with each depository agent. A complete inventory
24 of the textbooks on hand, with a statement itemized to show
25 the expenses authorized and paid by the board, and the amount
26 of money collected from each such depository agent during
27 the year from the sale or rental of textbooks, shall be made
28 in duplicate, signed by the secretary of the board and the
29 depository agent and one copy filed with the secretary and
30 one with the depository agent.

31 Sec. 44. Section three hundred one point nineteen (301.19),
32 Code 1971, is amended as follows:

33 301.19 RENTAL OR FREE TEXTBOOKS PURCHASED THROUGH COUNTY
34 BOARD. The board of directors of each and every school corpe-
35 ration district that is a part of the county school system

1 shall have authority to purchase through the county board
2 of education at the regular contract price textbooks adopted
3 by the county board of education and pay for the same from
4 the general fund of the school district and loan them free
5 or rent such textbooks to the pupils of their respective
6 schools in the manner provided in sections 301.1, 301.2, and
7 301.3. The money so received shall be returned to the general
8 fund of such district at the end of each calendar month.

9 Sec. 45. Section three hundred one point twenty-four
10 (301.24), Code 1971, is amended as follows:

11 301.24 PETITION--ELECTION. Whenever a petition signed
12 by ten percent of the qualified voters, to be determined by
13 the school board of any school ~~corporation~~ district, shall
14 be filed with the secretary thirty days or more before the
15 regular election, asking that the question of providing free
16 textbooks for the use of pupils in the public schools thereof
17 be submitted to the voters at the next regular election, he
18 shall cause notice of such proposition to be given in the
19 notice of such election.

20 Sec. 46. Section three hundred one point twenty-five
21 (301.25), Code 1971, is amended as follows:

22 301.25 LOANING BOOKS. If, at such election, a majority
23 of the legal voters present and voting by ballot thereon shall
24 authorize the board of directors of said school ~~corporation~~
25 district to loan textbooks to the pupils free of charge, then
26 the board shall procure such books as shall be needed, in
27 the manner provided by law for the purchase of textbooks,
28 and loan them to the pupils.

29 Sec. 47. Section three hundred two point three (302.3),
30 unnumbered paragraph two (2), Code 1971, is amended as follows:

31 These several funds shall be payable to the county trea-
32 surer of the several counties in which they arise, accounted
33 for to the board of supervisors, and apportioned by it among
34 the several school ~~townships-and-independent~~ districts of
35 the county as provided by law.

EXPLANATION

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This bill removes references to township and independent school districts which no longer exist. It also changes references in the Code from "school corporations" to "school districts" and vice versa because of a recent Supreme Court case which includes merged areas in the definition of a school corporation.

SENATE CLIP SHEET
Tuesday, May 4, 1971

SENATE FILE 517

1 Amend Senate File 517 as follows:

2 1. Page 4, by inserting after line 34 the following
3 new sections:

4 a. "Section two hundred seventy-five point twelve
5 (275.12), subsection two (2), Code 1971, is amended by
6 adding the following paragraph:

7 'e. Election of not more than one-half of the total
8 number of school directors at large from the entire
9 district and the remaining directors from designated
10 director districts into which the entire school district
11 shall be divided. In such case, all at large directors
12 shall be elected by the electors of the entire school
13 district and the remaining directors shall be residents
14 of, and be elected by the electors of, their
15 respective director districts.'"

16 b. "Section two hundred seventy-five point thirty-
17 six (275.36), Code 1971, is amended as follows:

18 275.36 SUBMISSION OF CHANGE TO ELECTORS. If a
19 petition for a change in the number of directors or in
20 the method of election of school directors, describing
21 the boundaries of the proposed director districts, if
22 any, signed by ~~at least one-third of~~ the voters residing
23 within the school district ~~and accompanied by affidavit~~
24 ~~as required by section 275.13~~ in number equal to at least
25 the total number of those voting at the last election of

PAGE 2

1 school officials, be filed with the school board of a
2 school district, not earlier than six months and not
3 later than two months before a regular or special school
4 election, the school board shall submit such proposition
5 to the voters at such election or of such petition has
6 been previously filed with the school board but such
7 proposition has not been submitted to the voters of such
8 school district before the effective date of this Act,
9 the board shall call an election, fixing the time and
10 place at which the proposition shall be submitted to the
11 voters of the school district, which election shall be
12 held not less than forty-five days before the next
13 regular school election, unless the petition is filed
14 less than seventy-five days prior to the next regular
15 election, in which event the election on the proposition
16 shall be held not less than forty-five days before the
17 first regular election following the next regular
18 election."

Senate 2
May 4, 1971

19 c. "Section two hundred seventy-five point thirty-
20 seven (275.37), Code 1971, is amended by striking the
21 section and inserting in lieu thereof the following:
22 275.37 ELECTION OF DIRECTORS IF CHANGE APPROVED. If
23 a change in the method of the election of school directors
24 or a reduction in the number of school directors is
25 approved at an election by the voters of a school district

PAGE 3

1 all directors of the district shall be elected at the
2 next regular school election. If a change in the number
3 of school directors, which increases the number of
4 directors, is approved at an election by the voters of
5 a school district, the additional directors shall be
6 elected at the next regular school election."

7 d. "Section two hundred seventy-seven point twenty-
8 seven (277.27), Code 1971, is amended as follows:
9 277.27 QUALIFICATION. A school officer or member of
10 the board shall, at the time of election or appointment,
11 be a qualified voter of the corporation or subdistrict.
12 Notwithstanding any contrary provision of the Code, no
13 member of the board of directors of any school district,
14 or his or her spouse, shall receive compensation dir-
15 ectly from the school board."

16 2. By renumbering the sections to conform to this
17 amendment.

Filed
May 3, 1971

By MOWRY

W. H. H. H. H.
3-10-72

1 Amend Senate File 517, page 4, by inserting after line 34
2 the following new section:
3 1. "Sec. ____ . Section two hundred seventy-seven point twenty-
4 seven (277.27), Code 1971, is amended as follows:
5 277.27 QUALIFICATION. A school officer or member of the
6 board shall, at the time of election or appointment, be a
7 qualified voter of the corporation or subdistrict. Notwith-
8 standing any contrary provision of the Code, no member of the
9 board of directors of any school district, or his or her spouse,
10 shall receive compensation directly from the school board. No
11 director or spouse affected by this provision on the effective
12 date of this Act, whose term of office for which elected has not
13 expired, or whose contract of employment has a fixed date of
14 expiration and has not expired, shall be affected by this
15 provision until the expiration of the term of office to which
16 elected, or the expiration date of the contract for which
17 employed."
18 2. Renumber the remaining sections accordingly.

Filed
February 25, 1972

By MOWRY

Adopted
3-40-72

SENATE CLIP SHEET
Tuesday, May 4, 1971

SENATE FILE 517

1 Amend Senate File 517 as follows:

2 1. Page 4, by inserting after line 34 the following
3 new sections:

4 a. "Section two hundred seventy-five point twelve
5 (275.12), subsection two (2), Code 1971, is amended by
6 adding the following paragraph:

7 'e. Election of not more than one-half of the total
8 number of school directors at large from the entire
9 district and the remaining directors from designated
10 director districts into which the entire school district
11 shall be divided. In such case, all at large directors
12 shall be elected by the electors of the entire school
13 district and the remaining directors shall be residents
14 of, and be elected by the electors of, their
15 respective director districts.'"

16 b. "Section two hundred seventy-five point thirty-
17 six (275.36), Code 1971, is amended as follows:
18 275.36 SUBMISSION OF CHANGE TO ELECTORS. If a
19 petition for a change in the number of directors or in
20 the method of election of school directors, describing
21 the boundaries of the proposed director districts, if
22 any, signed by ~~at least one-third of~~ the voters residing
23 within the school district ~~and accompanied by affidavit~~
24 ~~as required by section 275.13~~ in number equal to at least
25 the total number of those voting at the last election of

PAGE 2

1 school officials, be filed with the school board of a
2 school district, ~~not earlier than six months and not~~
3 ~~later than two months before a regular or special school~~
4 ~~election, the school board shall submit such proposition~~
5 ~~to the voters at such election~~ or of such petition has
6 been previously filed with the school board but such
7 proposition has not been submitted to the voters of such
8 school district before the effective date of this Act,
9 the board shall call an election, fixing the time and
10 place at which the proposition shall be submitted to the
11 voters of the school district, which election shall be
12 held not less than forty-five days before the next
13 regular school election, unless the petition is filed
14 less than seventy-five days prior to the next regular
15 election, in which event the election on the proposition
16 shall be held not less than forty-five days before the
17 first regular election following the next regular
18 election."

Senate 2
May 4, 1971

19 c. "Section two hundred seventy-five point thirty-
20 seven (275.37), Code 1971, is amended by striking the
21 section and inserting in lieu thereof the following:
22 275.37 ELECTION OF DIRECTORS IF CHANGE APPROVED. If
23 a change in the method of the election of school directors
24 or a reduction in the number of school directors is
25 approved at an election by the Voters of a school district

PAGE 3

1 all directors of the district shall be elected at the
2 next regular school election. If a change in the number
3 of school directors, which increases the number of
4 directors, is approved at an election by the voters of
5 a school district, the additional directors shall be
6 elected at the next regular school election."

7 d. "Section two hundred seventy-seven point twenty-
8 seven (277.27), Code 1971, is amended as follows:

9 277.27 QUALIFICATION. A school officer or member of
10 the board shall, at the time of election or appointment,
11 be a qualified voter of the corporation or subdistrict.
12 Notwithstanding any contrary provision of the Code, no
13 member of the board of directors of any school district,
14 or his or her spouse, shall receive compensation dir-
15 ectly from the school board."

16 2. By renumbering the sections to conform to this
17 amendment.

Filed
May 3, 1971

By MOWRY