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SENATE FILE 1163

By COMMITTEE ON SCHOOLS

Passed Senate, Date 3-7-74 (687) Passed House, Date _____
Vote: Ayes 41 Nays 7 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to area education agencies, including provi-
2 sions to replace the county school systems, joint county
3 systems, and merged areas with area education agencies, to
4 require the area education agencies to provide for certain
5 programs and services for the school districts, to transfer
6 certain functions of the county school systems and joint
7 county systems to the department of public instruction
8 and to the area education agencies, to change the size
9 and method of selection of the area education agency
10 board, to provide a method for identification of children
11 requiring special education, to provide a method for
12 financing programs and services and to provide coordinating
13 amendments.

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

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1 Section 1. NEW SECTION. SYSTEM ABOLISHED. The county
2 school systems and joint county systems established pursuant
3 to chapter two hundred seventy-three (273) of the Code are
4 abolished on July 1, 1975. Membership on county and joint
5 county boards of education and employment in county and joint
6 county systems shall terminate on July 1, 1975.

7 Sec. 2. NEW SECTION. PROGRAMS AND SERVICES PROVIDED.

8 The boards of directors of area education agencies established
9 under the provisions of chapter two hundred eighty A (280A)
10 of the Code, in addition to having the duties,
11 responsibilities, and authority stated in chapter two hundred
12 eighty A (280A) of the Code, shall also have the responsibility
13 for providing programs and services to the local school
14 districts as provided in sections one (1) through eleven (11)
15 of this Act and chapter two hundred eighty-one (281) of the
16 Code. The area education agency board shall provide for
17 special education services and media services for the local
18 school districts in the area.

19 The area education agency board may provide for the fol-
20 lowing programs and services to local school districts within
21 the limits of funds available:

- 22 1. In-service training.
- 23 2. Educational data processing.
- 24 3. Research and educational planning.
- 25 4. Auxiliary services as provided by law.
- 26 5. Other programs and services.

27 Sec. 3. NEW SECTION. ADDITIONAL DUTIES OF AREA EDUCATION
28 AGENCY BOARD. In addition to the authority granted the board
29 of directors of each area education agency in section two
30 hundred eighty A point twenty-three (280A.23) of the Code,
31 the board in carrying out the provisions of section two (2)
32 of this Act shall:

- 33 1. Determine the policies of the area education agency
34 for providing programs and services.
- 35 2. Be authorized to receive and expend money for provid-

1 ing programs and services as provided in this Act. The money
2 shall not be commingled with other funds of the area educa-
3 tion agency and all costs incurred in providing such programs
4 and services, including administrative costs, shall be paid
5 from funds received pursuant to this Act.

6 3. Provide data and prepare reports as directed by the
7 superintendent of public instruction.

8 4. Provide for advisory committees as deemed necessary.

9 5. Be authorized, subject to rules and regulations of
10 the department of public instruction, to provide directly
11 or by contractual arrangement with public or private agencies
12 for special education programs and services, media services,
13 and other programs and services requested by the local boards
14 of education as provided in this Act, including but not limited
15 to contracts for the area education agency to provide programs
16 or services to the local school districts and contracts for
17 local school districts, other educational agencies, and pub-
18 lic and private agencies to provide programs and services
19 to the local school districts in the area education agency
20 in lieu of the area education agency providing such services.

21 6. Be authorized to lease, purchase, construct, receive
22 by gift, and operate and maintain such facilities and build-
23 ings as deemed necessary to provide authorized programs and
24 services.

25 7. Be authorized to make application for, accept, and
26 expend state and federal funds that are available for programs
27 of educational benefit approved by the department of public
28 instruction, and cooperate with the department in the manner
29 provided in federal-state plans or department rules and regu-
30 lations in the effectuation and administration of programs
31 approved by the department, or approved by other educational
32 agencies, which agencies have been approved as a state educa-
33 tional authority.

34 8. In any county which has a population exceeding one
35 hundred twenty-five thousand persons, upon request of the

1 county board of supervisors and at the expense of the county,
2 provide suitable curriculum, teaching staff, books, supplies,
3 and other necessary materials for the instruction of children
4 of school age who are maintained in the juvenile home of the
5 county, as provided in section two hundred thirty-two point
6 twenty-one (232.21) of the Code.

7 9. Be authorized to perform all other acts necessary to
8 carry out the provisions and intent of this Act.

9 Sec. 4. NEW SECTION. AREA EDUCATION AGENCY SUPERINTENDENT.
10 Under direction of the board of directors of the area education
11 agency, the superintendent of the area education agency shall,
12 in addition to his other duties:

13 1. Cooperate with boards of directors of local school
14 districts of the area education agency in considering and
15 developing plans for the improvement of the educational pro-
16 grams and services in the area education agency.

17 2. When requested, provide such other assistance as pos-
18 sible to school districts of the area education agency for
19 the general improvement of their educational programs and
20 operations.

21 3. Designate a division of intermediate services within
22 the area education agency and appoint, subject to the approval
23 of the area education agency board, an administrative officer
24 of the division who is directly responsible to the area
25 superintendent. The division of intermediate services shall
26 possess the responsibility for carrying out the policy of
27 the area education agency board as it relates to programs
28 and services listed in section two (2) of this Act.

29 Sec. 5. NEW SECTION. SPECIAL EDUCATION. There shall
30 be established within the division of intermediate services
31 a subdivision of special education which shall provide for
32 special education programs and services to the local school
33 districts. The special education programs and services shall
34 be at least commensurate with programs and services existing
35 on the effective date of this Act. The subdivision of special

1 education shall be headed by a director of special education
2 who meets certification standards of the department of public
3 instruction. The director of special education shall have
4 the responsibility for implementation of state regulations
5 and guidelines relating to special education programs and
6 services. The director of special education shall have the
7 following powers and duties:

8 1. Properly identify children requiring special educa-
9 tion.

10 2. Insure that each child requiring special education
11 in the area receives an appropriate special education program
12 or service.

13 3. Assign appropriate weights for each child requir-
14 ing special education programs or services as provided in
15 section two hundred eighty-one point nine (281.9) of the
16 Code.

17 4. Supervise special education support personnel.

18 5. Provide each school district within the area served
19 and the department of public instruction with a special
20 education weighted enrollment count for the second Friday
21 in January and the second Friday in September of each year.

22 6. Submit to the department of public instruction special
23 education instructional and support program plans and
24 applications, subject to criteria listed in chapter two hundred
25 eighty-one (281) of the Code, for approval by November first
26 of each year for the school year commencing the following
27 July first.

28 7. Coordinate the special education program within the
29 area served.

30 Sec. 6. NEW SECTION. MEDIA CENTERS.

31 1. The media centers required under section two (2) of
32 this Act shall contain:

33 a. A materials lending library, consisting of print and
34 nonprint materials.

35 b. A professional library.

1 c. A curriculum laboratory, including textbooks and cor-
2 related print and audiovisual materials.

3 d. Capability for production of media-oriented instruc-
4 tional materials.

5 e. Qualified media personnel.

6 f. Appropriate physical facilities.

7 g. Other materials and equipment deemed necessary by the
8 department.

9 2. Program plans submitted by the area education agency
10 to the department of public instruction for approval of media
11 centers under this subsection shall include all of the follow-
12 ing:

13 a. Evidence that the services proposed are based upon
14 an analysis of the needs of the local school districts in
15 the area.

16 b. Description of the manner in which the services of
17 the area education agency media center will be coordinated
18 with other agencies and programs providing educational media.

19 c. Description of the means for delivery of circulation
20 materials.

21 d. Evidence that the media center fulfills the require-
22 ments of subsection one (1) of this section.

23 Sec. 7. NEW SECTION. ADDITIONAL SERVICES. If sixty
24 percent of the number of local school boards located in an
25 area education agency request in writing to the area educa-
26 tion agency board that an additional service be provided them,
27 the area education agency board may arrange for the service
28 to be provided to all school districts in the area.

29 Sec. 8. NEW SECTION. COUNTY SYSTEMS. County and joint
30 county boards of education and county and joint county school
31 systems shall continue to function through June 30, 1975.
32 During the interval between the October 7, 1974 and June 30,
33 1975, the area education agency board shall meet with the
34 county or joint county boards located in whole or in part
35 within the merged area and arrange for an orderly transfer

1 of records, assets and liabilities from the respective county
2 or joint county systems to the area education agency as of
3 June 30, 1975. In cases where the boundaries of the area
4 education agency include only a part of a county or joint
5 county system the respective boards shall arrange for a divi-
6 sion of assets and liabilities based on the proportionate
7 value of the taxable property of the county or joint county
8 system within and without the boundaries of the area educa-
9 tion agency. During the interim between October 7, 1974 and
10 July 1, 1975, the county and joint county boards and their
11 personnel shall furnish full cooperation to the area education
12 agency board in assisting it with the preparation of a budget,
13 the recruitment of personnel and other necessary preliminary
14 matters. Office space and other space furnished by the
15 counties to the several county and joint county boards shall
16 remain available for use by the area education agency board
17 for such period of time as the area education agency board
18 deems continued use of the space to be necessary and
19 convenient. The area education agency board may arrange for
20 the appointment of officers and the hiring of other personnel
21 for terms of office or employment to commence on July 1, 1975,
22 or may employ personnel before July 1, 1975 to perform
23 functions necessary for the implementation of sections one
24 (1) through eleven (11) of this Act and chapter two hundred
25 eighty-one (281) of the Code on July 1, 1975.

26 Sec. 9. NEW SECTION. AREA EDUCATION AGENCY BOARD. It
27 is the intent of the general assembly in granting the author-
28 ity for the area education agency boards to provide programs
29 and services listed in section two (2) of this Act to the
30 local school districts that the governing board which decides
31 policy for such programs and services contain representation
32 from the local boards of directors and the local school dis-
33 tricts. In order to accomplish this purpose, the number of
34 members of an area education agency board of directors shall
35 be doubled for the three years commencing October 7, 1974

1 and ending October 3, 1977, and the additional members shall
2 be selected by the local school district boards of directors
3 pursuant to this section. Thereafter, the number of members
4 of an area education agency board shall be established at
5 twelve pursuant to this section.

6 Commencing October 7, 1974 and continuing until October
7 3, 1977, the number of members of the board of directors of
8 an area education agency shall be two times the number of
9 members serving on the area education agency board on July
10 1, 1974. One-half of the members of the board shall continue
11 to be elected one from each director district in the area
12 by the electors of the respective director district until
13 the regular school election in 1977. The other half of the
14 members of the board of directors of the area education agency
15 shall be elected at director district conventions attended
16 by boards of directors of the local school districts located
17 within the director district.

18 A convention shall be held no later than September 20,
19 1974 and the date shall be determined by the area education
20 agency superintendent. The location of each director district
21 convention shall be determined by the area education agency
22 superintendent, and the location shall be at a school facility
23 located within the director district. The presiding officer
24 of the director district convention shall be the president
25 of the board of directors of the school district in which
26 the convention is held. A single member shall be elected
27 from each director district and shall be a resident elector
28 of that director district. The member of the area education
29 agency board to be elected at the director district convention
30 may be a member of a local school district board of directors
31 and shall not be an employee of a local school district.

32 Members of area education agency boards elected by local
33 school boards shall be elected for three-year terms commenc-
34 ing October 7, 1974 and ending October 3, 1977. Each separate
35 school board which is located entirely or partially inside

1 an area education agency director district shall cast a vote
2 for director of the area education agency board based upon
3 the ratio that the population of the school district, or
4 portion of the school district, in the director district bears
5 to the total population in the director district.

6 Vacancies in the membership of the area education agency
7 board elected by the local school boards shall be filled by
8 the local school board in which the member resided until the
9 next regular joint convention of school board members, at
10 which convention a successor shall be elected to serve for
11 the remainder of the unexpired term.

12 The terms of office of all members of the area education
13 agency board shall expire on October 3, 1977. Commencing
14 with the school election to be held on September 13, 1977,
15 the board of directors in each area education agency shall
16 consist of twelve members. Six members shall be elected,
17 one from each director district in the area by the electors
18 of the respective director district and six members shall
19 be elected at director district conventions attended by boards
20 of directors of the local school districts located within
21 the director district as provided in this section for elec-
22 tion of the interim area education agency board. Annually
23 the director district conventions shall be conducted within
24 two weeks following the regular school election date. The
25 provisions of sections two hundred eighty A point twelve
26 (280A.12), two hundred eighty A point thirteen (280A.13),
27 and two hundred eighty A point fifteen (280A.15) of the Code
28 concerning the conduct of elections shall apply.

29 Sec. 10. NEW SECTION. EMPLOYMENT OF COUNTY SCHOOL SYSTEM
30 AND JOINT COUNTY SYSTEM PERSONNEL. In employing personnel
31 for the division of intermediate services, the area education
32 agency board shall give preference to qualified personnel
33 who seek employment with the area education agency because
34 their employment by county school systems and joint county
35 systems will be terminated on July 1, 1975. Sick leave and

1 vacations accrued by the employee shall be carried over to
2 his employment by the area education agency board.

3 Sec. 11. NEW SECTION. PAYMENT FOR PROGRAMS AND SERVICES.

4 1. As used in this section, unless the context requires
5 otherwise:

6 a. "Allowable growth" means the allowable growth for a
7 school district as computed under section four hundred forty-
8 two point seven (442.7) of the Code.

9 b. "Enrollment" means the enrollment as determined under
10 section four hundred forty-two point four (442.4) of the Code,
11 and "per pupil" means per pupil in enrollment.

12 c. "Weighted enrollment" means the weighted enrollment
13 as determined under section two hundred eighty-one point nine
14 (281.9) of the Code.

15 2. For the school year beginning July 1, 1975, and each
16 succeeding school year, school districts shall pay for the
17 programs and services provided through the area education
18 agency and shall include expenditures for the programs and
19 services in their budgets, in accordance with the provisions
20 of this section.

21 3. School districts shall pay the costs of special edu-
22 cation instructional programs with the moneys available to
23 the districts because of weighted enrollment. Special edu-
24 cation instructional programs shall be provided at the local
25 level if practicable, or otherwise by contractual arrange-
26 ments with the area education agency board as provided in
27 section three (3), subsection five (5) of this Act, but in
28 each case the money available because of weighted enrollment
29 for each child requiring special education instruction shall
30 be made available to the district or agency which provides
31 the special education instructional program to the child,
32 subject to adjustments for transportation or other costs which
33 may be paid by the school district in which the child is en-
34 rolled. Each district shall cooperate with its area educa-
35 tion agency to provide an appropriate special education in-

1 instructional program for each child who requires special ed-
2 ucation instruction, as identified and certified by the area
3 director of special education, and shall not provide a spe-
4 cial education instructional program to a child who has not
5 been so identified and certified.

6 4. To provide moneys to pay the costs of special educa-
7 tion support services, each school district shall add to its
8 allowable growth for the school year beginning July 1, 1975,
9 an amount equal to the cost per pupil in its area education
10 agency, for special education support services needed by the
11 agency for that year, determined in accordance with the program
12 plans submitted by the area director of special education
13 and approved by the department of public instruction. For
14 each succeeding school year, each school district shall add
15 to its allowable growth an amount equal to the cost per pupil
16 in its area education agency, for additional special education
17 support services needed by the agency for that year, to serve
18 newly identified children who require the services, determined
19 in accordance with the program plans submitted by the area
20 director of special education and approved by the department
21 of public instruction. The department shall make decisions
22 regarding approval of program plans according to the criteria
23 provided in chapter two hundred eighty-one (281) of the Code,
24 and the rules promulgated by the department pursuant to that
25 chapter and chapter seventeen A (17A) of the Code.

26 5. To provide moneys to pay the costs of media services,
27 each school district shall add to its allowable growth for
28 the school year beginning July 1, 1975 only, an amount equal
29 to the cost per pupil in its area education agency for media
30 services needed by the agency for that year, determined in
31 accordance with the media program plans submitted by the ad-
32 ministrative officer of the area division of intermediate
33 services and approved by the department of public instruc-
34 tion. However, the amount added for each area education
35 agency shall not exceed five dollars per pupil in that area

1 education agency unless a larger amount per pupil was budgeted
2 for media services for pupils in that area education agency
3 for the school year beginning July 1, 1974, and in that case
4 shall not exceed one hundred eight percent of the amount so
5 budgeted. The amount budgeted for media services for pupils
6 in an area education agency shall be determined by averaging
7 a proportionate part of the expenditures by county school
8 systems and joint county systems formerly serving pupils in
9 the area education agency, based upon the enrollment in the
10 systems compared to the enrollment in the area education
11 agency. If the total amount added to allowable growth for
12 all area education agencies in the state, as otherwise
13 determined under this subsection, exceeds five dollars per
14 pupil in the state, the state comptroller shall reduce the
15 amount for each area ratably so that the total amount does
16 not exceed five dollars per pupil in the state. The department
17 shall make decisions regarding approval of program plans
18 according to the criteria provided in section six (6) of this
19 Act, and the rules promulgated by the department pursuant
20 to that section and chapter seventeen A (17A) of the Code.

21 6. To provide moneys to pay the costs of all other ser-
22 vices which may be provided through the area education agency
23 division of intermediate services, each school district shall
24 add to its allowable growth for the school year beginning
25 July 1, 1975 only, the amount of ten dollars per pupil.

26 7. The department of public instruction, in cooperation
27 with the appropriate personnel of the area education agency,
28 shall determine the per pupil amounts for each area educa-
29 tion agency, as required under subsections four (4) and five
30 (5) of this section. The state comptroller shall calculate
31 the amounts needed by each area education agency by multi-
32 plying the per pupil amounts needed by each agency under sub-
33 sections four (4), five (5) and six (6) of this section by
34 the enrollment in the area education agency, and shall cal-
35 culate the amounts due from each school district to its area

1 education agency by multiplying the per pupil amounts needed
2 by the agency by the enrollment in the school district. The
3 state comptroller shall deduct the amounts so calculated for
4 each school district from the state aid due to the district
5 pursuant to chapter four hundred forty-two (442) of the Code
6 and shall pay the amounts to the area education agencies on
7 a quarterly basis during each school year. The state comp-
8 troller shall notify each school district the amount of state
9 aid deducted for this purpose and the balance which will be
10 paid to the district. If a district does not qualify for
11 state aid under chapter four hundred forty-two (442) of the
12 Code in an amount sufficient to cover its amount due to the
13 area education agency as calculated by the state comptroller,
14 the school district shall pay the deficiency to the area edu-
15 cation agency from other moneys received by the district,
16 on a quarterly basis during each school year.

17 Sec. 12. Section eleven point eighteen (11.18), unnumbered
18 paragraphs one (1) and two (2), Code 1973, are amended to
19 read as follows:

20 The financial condition and transactions of all cities
21 and city offices, ~~merged-areas~~ area education agencies, and
22 all school offices in school districts, shall be examined
23 at least once each year. The financial condition and transac-
24 tions of all towns having a population of seven hundred or
25 more shall be examined at least once every four years. Such
26 examination shall cover the fiscal year next preceding the
27 year in which the audit is conducted. The examination of
28 school offices shall include an audit of activity funds.
29 Examinations may be made by the auditor of state, or in lieu
30 of the examination by state accountants the local governing
31 body whose accounts are to be examined, in case it elects
32 so to do, may contract with, or employ, certified or registered
33 public accountants, certified and registered in the state
34 of Iowa, and pay the same from the proper public funds. If
35 the city, ~~merged area~~ education agency or school district

1 elect to have the audit made by certified or registered public
2 accountants, they must so notify the auditor of state within
3 sixty days after the close of the fiscal year to be examined
4 and towns electing to have their audit made by a certified
5 public accountant must so notify the state auditor by resolu-
6 tion of the council designating the name of the person or
7 firm to be employed at least ninety days prior to the end
8 of a fiscal year. Such notification and designation shall
9 remain in effect until rescinded or modified by a subsequent
10 resolution of the town council filed with the state auditor.
11 For town audits to be conducted by certified public
12 accountants, the state auditor shall notify the designated
13 person or firm of the year to be examined at least sixty days
14 prior to the end of the year to be examined. If any city,
15 town, ~~merged~~ area education agency or school district does
16 not file such notification with the auditor of state within
17 the required period, the auditor of state is authorized to
18 make the examination and cover any period which has not been
19 previously examined.

20 Any township or municipal corporation not embraced within
21 the foregoing provisions of this chapter ~~and any school~~
22 ~~corporation in which an annual examination is not required~~
23 may, on application to the auditor of state, secure an exami-
24 nation of its financial transactions and condition of its
25 funds, or a like examination shall be had on application of
26 one hundred or more taxpayers, or if there are fewer than
27 five hundred taxpayers, then by five percent thereof. ~~The~~
28 ~~examination in any such school district may be had upon the~~
29 ~~written request of the county superintendent of schools.~~
30 In lieu of such examination by state accountants, the local
31 governing body may contract with, or employ, certified or
32 registered public accountants and pay the same from the proper
33 public funds.

34 Sec. 13. Section sixteen point eighteen (16.18), Code
35 1973, is amended to read as follows:

1 16.18 COUNTY SUPERINTENDENTS. The official register shall
2 be distributed, in addition to the foregoing provisions, to
3 the school libraries, ~~through the county superintendent of~~
4 ~~schools to whom they shall be sent in bulk, and who shall~~
5 ~~direct their distribution each in his own county.~~

6 Sec. 14. Section sixteen point twenty-four (16.24), subsec-
7 tion sixteen (16), Code 1973, as amended by Acts of the Sixty-
8 fifth General Assembly, 1973 Session, chapter one hundred twenty-
9 seven (127), section one (1), is amended to read as follows:

10 16. To the clerk of the district court, the county attorney,
11 the county auditor, the county recorder, county and city assessor,
12 the county treasurer, the sheriff, and the ~~county superintendent~~
13 ~~of each county~~ superintendent of each area education agency in
14 the state and also for use in each courtroom of the district
15 district court..... 1 copy

16 Sec. 15. Section sixty-four point eight (64.8), Code 1973,
17 is amended to read as follows:

18 64.8 COUNTY OFFICERS. The bonds of the following county
19 officers, viz.: Clerks of the district courts, county attor-
20 neys, recorders, auditors, ~~superintendents of schools,~~ sheriffs
21 and assessors shall each be in a penal sum of not less than
22 ten thousand dollars each per annum.

23 Sec. 16. Section eighty-five point two (85.2), Code 1973,
24 is amended to read as follows:

25 85.2 COMPULSORY WHEN. Where the state, county, municipal
26 corporation, school corporation, ~~county board of education,~~
27 or city under any form of government is the employer, the
28 provisions of this chapter for the payment of compensation
29 and amount thereof for an injury sustained by an employee
30 of such employer shall be exclusive, compulsory, and obliga-
31 tory upon both employer and employee, except as otherwise
32 provided in section 85.1. For the purposes of this chapter
33 elected and appointed officials shall be employees.

34 Sec. 17. Section eighty-five point sixty-one (85.61),
35 subsections one (1) and two (2), Code 1973, are amended to
36 read as follows:

1 1. "Employer" includes and applies to any person, firm,
2 association, or corporation, state, county, municipal corpo-
3 ration, school corporation, ~~county-board-of-education~~, and
4 the legal representatives of a deceased employer.

5 2. "Workman" or "employee" means a person who has entered
6 into the employment of, or works under contract of service,
7 express or implied, or apprenticeship, for an employer, every
8 executive officer elected or appointed and empowered under
9 and in accordance with the charter and bylaws of a corporation,
10 including a person holding an official position, or standing
11 in a representative capacity of the employer, and including
12 officials elected or appointed by the state, counties, school
13 districts, ~~county-boards-of-education~~ area education agencies,
14 municipal corporations, or cities under any form of govern-
15 ment, and including members of the Iowa highway safety patrol
16 and conservation officers, except as hereinafter specified.

17 Sec. 18. Section one hundred forty-three point one (143.1),
18 Code 1973, is amended to read as follows:

19 143.1 AUTHORITY TO EMPLOY. Any local board of health,
20 ~~the-county-board-of-education-of-any-county~~, area education
21 agency board or the school board of any school district may
22 employ public health nurses at such periods each year and
23 in such numbers as may be deemed advisable. The board of
24 supervisors of any county, the council of any city or town,
25 or the school board of any school district, or any of them
26 acting in co-operation, may contract with any nonprofit nurses'
27 association for public health nursing service. The
28 compensation and expenses thereof shall be paid out of the
29 general fund of the political subdivision employing said
30 nurses.

31 Sec. 19. Section two hundred fifty-seven point eighteen
32 (257.18), subsections eleven (11), twelve (12), and twenty-
33 one (21), Code 1973, are amended to read as follows:

34 11. Prepare for the approval of the state board, such
35 forms and procedures as are deemed necessary to be used by

1 ~~county-boards~~ area education agency boards, district boards,
2 school officials, principals, teachers, and other employees,
3 and to insure uniformity, accuracy, and efficiency in keeping
4 records in both pupil and cost accounting, the execution of
5 contracts, and the submission of reports; furnish, when deemed
6 advisable by him and approved by the state board, those forms
7 which can more economically and efficiently be provided in
8 that manner; and notify the ~~county-board~~ area education agency
9 board, or district board, or school authorities, in any case
10 when any report has not been filed in the manner or on the
11 dates prescribed by law or by regulation of the state board
12 that the school be not approved until the report has been
13 properly filed.

14 12. Ascertain by inspection, supervision, or otherwise,
15 the condition, needs, and progress of the schools under the
16 supervision of his department and make recommendations to
17 the proper authorities for the correction of deficiencies
18 and the educational and physical improvement of such schools,
19 and recommend to the state board the need for a state audit
20 of the accounts of any school district, ~~county-school-system~~
21 area education agency, school official, or any school employee
22 handling school funds when it is apparent that such audit
23 should be made. If deemed advisable the state board may call
24 upon the state auditor to make such an audit and he shall
25 proceed to do so as soon as practicable.

26 21. Cause to be printed in book form, during the months
27 of June and July in the year 1955 and every four years there-
28 after, if deemed necessary, all school laws then in force
29 with such forms, rulings, and decisions, and such notes and
30 suggestions as may aid school officers in the proper discharge
31 of their duties. A sufficient number shall be furnished to
32 ~~the-county-superintendent-of-each-county-to-supply-therein~~
33 school officers, directors, superintendents, and others in
34 such numbers as may be reasonably requested.

35 Sec. 20. Section two hundred fifty-seven point twenty-

1 five (257.25), subsection twelve (12), Code 1973, is amended
2 to read as follows:

3 12. The state board of public instruction shall remove
4 for cause, after due investigation and notice, any such school,
5 college, or school district failing to comply with such
6 approval standards, rules, and regulations from the approved
7 list; which removal shall, during the period of noncompliance,
8 permit parents of children eligible for school attendance
9 to request the ~~county-board-of-education~~ area education agency
10 board to designate their children to an approved school with
11 the district of residence responsible for the tuition and
12 transportation costs. The ~~county-board-of-education~~ area
13 education agency board is hereby authorized to make such
14 designation. Procedure, insofar as applicable, shall be that
15 provided in chapter 285. In the event a parent of such child
16 so designated is dissatisfied with said designation, appeal
17 may be made to the state superintendent of public instruction
18 as provided in section 285.12. A school, college, or school
19 district which is removed from the approved list in accordance
20 with this section shall be ineligible to receive state
21 financial aid during the period of noncompliance. The state
22 board shall allow a reasonable period of time, which shall
23 be at least one year, for compliance with such approval
24 standards, rules, and regulations, if such school, college,
25 or school district is making a good faith effort and
26 substantial progress toward full compliance and if the failure
27 to comply is due to factors beyond the control of the board
28 of directors or governing body of such school, college, or
29 school district. In allowing such time for compliance, the
30 board shall follow consistent policies, taking into account
31 the circumstances of each case. The reasonable period of
32 time for compliance may be, but need not be, given prior to
33 the one-year notice requirement that is required under
34 subsection 13 of this section.

35 Sec. 21. Section two hundred sixty point nine (260.9),

1 subsection one (1), Code 1973, is amended to read as follows:

2 1. SUPERINTENDENT'S CERTIFICATE. The superintendent's
3 certificate shall be issued to an applicant who has met the
4 requirements for an advanced elementary certificate or an
5 advanced or a standard secondary certificate and who has in
6 addition such other qualifications with reference to special
7 training and experience as the board of educational examiners
8 shall from time to time prescribe. It shall be valid for
9 service as-county-superintendent as an area education agency
10 superintendent, or as superintendent, principal, or teacher
11 in any elementary or secondary school.

12 Sec. 22. Section two hundred sixty point twenty (260.20),
13 Code 1973, is amended to read as follows:

14 260.20 REGISTRATION OF CERTIFICATES AND DIPLOMAS. All
15 diplomas and certificates shall be valid in any county area
16 education agency when registered therein, and no person shall
17 teach in any public school whose certificate has not been
18 registered with the county superintendent of the county area
19 education agency in which the school is located, provided
20 that whenever there is a sufficient number of holders of
21 advanced and standard elementary certificates available to
22 supply the elementary schools in any county area education
23 agency it shall not be incumbent upon the county area education
24 agency superintendent to register limited elementary cer-
25 tificates.

26 Sec. 23. Section two hundred sixty point twenty-three
27 (260.23), Code 1973, is amended to read as follows:

28 260.23 REVOCATION BY BOARD. Any ~~diploma~~-or certificate
29 issued by the board may be suspended or revoked by it for
30 any cause which would have authorized or required a refusal
31 to grant the same, and the holder shall have ten days' notice
32 by registered mail and be allowed to be present and make de-
33 fense.

34 Sec. 24. Section two hundred sixty-two point thirty-two
35 (262.32), Code 1973, is amended to read as follows:

1 262.32 CONTRACT--TIME LIMIT. Such contracts shall be
2 in writing and shall extend over a period of not to exceed
3 two years, and a copy thereof shall be filed in the office
4 of the superintendent ~~of schools~~ of the county area education
5 agency.

6 Sec. 25. Section two hundred seventy-two point one (272.1),
7 Code 1973, is amended to read as follows:

8 272.1 IMPROVEMENT OF INSTRUCTION. The county area
9 education agency superintendent shall arrange for such
10 professional teachers meetings, demonstration teaching or
11 other field work for the improvement of instruction as may
12 best fit the needs of the public schools in his county area
13 education agency and as directed by the superintendent of
14 public instruction.

15 Sec. 26. Section two hundred seventy-two point four
16 (272.4), Code 1973, is amended to read as follows:

17 272.4 CERTIFICATE OF ATTENDANCE. The county area education
18 agency superintendent shall notify the ~~secretary~~ secretaries
19 of the school boards as to the co-operation and attendance
20 of its teachers in said meetings and any teacher failing to
21 attend when requested by the county area education agency
22 superintendent to do so, shall forfeit his average daily
23 salary for that day of nonattendance, except when excused
24 by the county area education agency superintendent for physical
25 disability to perform his duties in the schoolroom.

26 Sec. 27. Section two hundred seventy-two point seven
27 (272.7), Code 1973, is amended to read as follows:

28 272.7 DISBURSEMENT REQUIREMENTS. All disbursements from
29 the fund provided by this chapter shall be by warrants drawn
30 by the county auditor of each county in the area education
31 agency upon the written order of the county area education
32 agency superintendent, and said written order must be
33 accompanied by an itemized bill for services rendered or ex-
34 penses incurred in connection therewith, which bill must be
35 signed and sworn to by the party in whose favor the order

1 is made and must be verified by the county area education
2 agency superintendent. All said orders and bills shall be
3 kept on file in the auditor's office until the final settlement
4 of the county area education agency superintendent with the
5 each board of supervisors in the area education agency at
6 the close of his term of office. No warrant shall be drawn
7 by the auditor in excess of the amount then in the county
8 treasury.

9 Sec. 28. Section two hundred seventy-two point eight
10 (272.8), Code 1973, is amended to read as follows:

11 272.8 ITEMIZED ACCOUNT OF FUNDS. The county area education
12 agency superintendent shall furnish to the county board of
13 supervisors of each county in the area education agency a
14 certified itemized account of all receipts and disbursements
15 for the improvement of instruction. They shall examine and
16 audit the account and publish a summary thereof with the
17 proceedings of the regular June meeting of the board. The
18 county area education agency superintendent shall also make
19 such reports to the superintendent of public instruction as
20 required by him.

21 Sec. 29. Section two hundred seventy-four point four
22 (274.4), Code 1973, is amended to read as follows:

23 274.4 RECORD OF REORGANIZATION FILED. When an election
24 on the proposition of organizing, reorganizing, enlarging,
25 or changing the boundaries of any school corporation carries
26 by the required statutory margin ~~or-any-area-of-less-than~~
27 ~~four-sections-is-attached-to-any-school-corporation-by-order~~
28 ~~of-a-county-board-of-education~~, or the boundary lines of con-
29 tiguous school corporations are changed by the concurrent
30 action of the respective boards of directors, ~~the-county~~
31 ~~superintendent~~, ~~or~~ the secretary of said school corporation,
32 shall file a written description of the new boundaries of
33 the school corporation in the office of the county auditor
34 of each county in which any portion of the school corporation
35 lies.

1 Sec. 30. Section two hundred seventy-four point thirteen
2 (274.13), Code 1973, is amended to read as follows:

3 274.13 ATTACHING TERRITORY TO ADJOINING CORPORATION.

4 In any case where, by reason of natural obstacles, any portion
5 of the inhabitants of any school corporation in the opinion
6 of the ~~county~~ area education agency superintendent cannot
7 with reasonable facility attend school in their own
8 corporation, he shall, by a written order, in duplicate,
9 attach the part thus affected to an adjoining school corpora-
10 tion, the board of the same consenting thereto, one copy of
11 which order shall be at once transmitted to the secretary
12 of each corporation affected thereby, who shall record the
13 same and make the proper designation on the plat of the corpo-
14 ration. Township or county lines shall not be a bar to the
15 operation of this section.

16 Sec. 31. Section two hundred seventy-four point fourteen
17 (274.14), Code 1973, is amended to read as follows:

18 274.14 RESTORATION. When the natural obstacles by reason
19 of which territory has been set off by the ~~county~~ area
20 education agency superintendent from one school district and
21 attached to another in the same or an adjoining county, as
22 provided in section 274.13, have been removed, such territory
23 may, upon the concurrence of the respective boards, be restored
24 to the school district from which set off and shall be so
25 restored by said boards upon the written application of two-
26 thirds of the electors residing upon the territory so set
27 off together with the concurrence of the ~~county~~ area education
28 agency superintendent and the board of the school district
29 from which such territory was originally set off by the ~~county~~
30 area education agency superintendent.

31 Sec. 32. Section two hundred seventy-four point thirty-
32 seven (274.37), unnumbered paragraph one (1), Code 1973, is
33 amended to read as follows:

34 The boundary lines of contiguous school corporations may
35 be changed by the concurrent action of the respective boards

1 of directors at their regular meetings in July, or at special
2 meetings called for that purpose. Such concurrent action
3 shall be subject to the approval of the county area education
4 agency board ~~ex-beards-of-education-involved~~ but such
5 concurrent action shall stand approved if the county area
6 education agency board ~~ex-beards-of-education-de~~ does not
7 disapprove such concurrent action within thirty days following
8 receipt of notice thereof. The corporation from which terri-
9 tory is detached shall, after the change, contain not less
10 than four government sections of land.

11 Sec. 33. Section two hundred seventy-four point forty
12 (274.40), Code 1973, is amended to read as follows:

13 274.40 VESTING OF POWERS TO CONVEY. Whenever a majority
14 of the directors of any school district affected as in section
15 274.39 have moved from such district and have ceased to be
16 residents thereof thereby creating vacancies on the school
17 board and reducing it to less than a quorum, the powers vested
18 by said section in the board of directors shall vest in the
19 county area education agency board ~~of-education~~ and the
20 instrument of conveyance shall be executed on behalf of such
21 school district by the chairman of the county area education
22 agency board ~~of-education~~ until an election is called pursuant
23 to chapter two hundred seventy-seven (277) of the Code.

24 Sec. 34. Section two hundred seventy-four point forty-
25 two (274.42), Code 1973, is amended to read as follows:

26 274.42 ADJUSTING OF DISTRICT BOUNDARIES. Whenever the
27 federal government, or any agency or department thereof shall
28 have heretofore located or shall hereafter locate in any
29 ~~county-an-ordinance-plant-or-other~~ project which may be deemed
30 desirable for the development of the national defense or for
31 the purpose of flood control, and for the purpose of so
32 locating such ~~plant-or~~ project shall have heretofore determined
33 or shall hereafter determine, that certain real property
34 making up a portion of a school district is required, the
35 ~~county-board-of-education-of-the-county-wherein-such-district~~

1 ~~the~~ superintendent of public instruction with the approval
2 of the state board shall have the power by resolution to
3 adjust the boundaries of school districts wherein the federally
4 owned property is located and the boundaries of adjoining
5 school districts so as to effectively provide for the schooling
6 of children residing within all of said districts. A copy
7 of such resolution shall be promptly filed with the board
8 of directors of such adjoining school district or districts
9 and with the board of directors of such school district wherein
10 the federally owned property is located unless such board
11 has been reduced below a quorum in the manner contemplated
12 in section 274.40, in which event such resolution shall be
13 posted in two public places within the altered district.

14 ~~In any case where any school district affected by any~~
15 ~~project relating to national defense or flood control in~~
16 ~~cludes territory in more than one county, or where it is~~
17 ~~deemed advisable to incorporate in another county, the county~~
18 ~~boards of education of all counties involved shall meet jointly~~
19 ~~for the purpose of taking action as provided in this section.~~

20 Sec. 35. Section two hundred seventy-four point forty-
21 three (274.43), Code 1973, is amended to read as follows:

22 274.43 RELINQUISHING FUNDS. The officers of the altered
23 district shall relinquish to the proper officers of such ad-
24 joining district or districts all funds, claims for taxes,
25 credits, and such other personal property in such a manner
26 as the ~~county board of education~~ superintendent of public
27 instruction shall direct, which said funds, credits, and
28 personal property shall become the property of such adjoin-
29 ing district or districts as enlarged, to be used as the
30 boards of directors of such districts may direct.

31 Sec. 36. Section two hundred seventy-four point forty-
32 four (274.44), Code 1973, is amended to read as follows:

33 274.44 DETERMINATION FINAL. The determination of the
34 ~~county board of education of such county wherein such school~~
35 ~~districts are located,~~ superintendent of public instruction

1 in such matters herein-committed-to-it, shall be final.

2 Sec. 37. Section two hundred seventy-four point forty-
3 five (274.45), Code 1973, is amended to read as follows:

4 274.45 EXPENSE AUDITED AND PAID. The expense of the
5 ~~county-board-of-education~~ superintendent of public instruc-
6 tion in respect to the carrying out of the provisions of
7 sections 274.42 to 274.44, inclusive, shall be ~~audited-and~~
8 ~~allowed-by-the-county-board-of-supervisors-and~~ paid from the
9 ~~general-fund-of-the-county~~ funds appropriated to the department
10 of public instruction.

11 Sec. 38. Section two hundred seventy-four point forty-
12 six (274.46), Code 1973, is amended to read as follows:

13 274.46 REIMBURSEMENT FOR LOSS OF TAXES. When any school
14 district is enlarged or modified under the provisions of sec-
15 tions 274.42 to 274.44, inclusive, such district shall be
16 entitled to receive reimbursement for loss of taxes as pro-
17 vided by chapter 284. The ~~county-board-of-education~~ super-
18 intendent of public instruction shall, when enlarging, mod-
19 ifying or reorganizaing any school district as provided under
20 the provisions of sections 274.42 to 274.44, inclusive, desig-
21 nate which lands each district, as enlarged, modified or re-
22 organized, shall be entitled to make application for reim-
23 bursement for loss of taxes as provided by chapter 284.

24 Sec. 39. Section two hundred seventy-five point one
25 (275.1), Code 1973, is amended by striking the section and
26 inserting in lieu thereof the following:

27 275.1 DECLARATION OF POLICY--SURVEYS. It is declared
28 to be the policy of the state to encourage the reorganization
29 of school districts into such units as are necessary, economi-
30 cal and efficient and which will insure an equal educational
31 opportunity to all children of the state. All area of the
32 state shall be in school districts maintaining twelve grades.
33 If any school district ceases to maintain twelve grades, it
34 shall merge with a contiguous school district within six
35 months or the state board shall attach the school district

1 not maintaining twelve grades to a contiguous district.

2 If a district is attached, division of assets and lia-
3 bilities shall be made as provided in sections two hundred
4 seventy-five point twenty-nine (275.29), two hundred seventy-
5 five point thirty (275.30), and two hundred seventy-five point
6 thirty-one (275.31) of the Code. The area education agency
7 boards may initiate detailed studies and surveys of the school
8 districts within the area education agency and adjacent
9 territory for the purpose of promoting reorganization of
10 school districts in order to effect more economical operation
11 and the attainment of higher standards of education in the
12 schools.

13 Sec. 40. Section two hundred seventy-five point four
14 (275.4), Code 1973, is amended to read as follows:

15 275.4 HEARINGS. In making ~~the~~ any studies and surveys
16 ~~required-by-sections-275.1-and-275.2~~ the area education agency
17 board ~~in-each-county~~ shall consult with the officials of
18 affected districts and other citizens, and shall from time
19 to time hold public hearings, and may employ such research
20 and other assistance as it may determine reasonably necessary
21 in order to properly carry on its survey and prepare definite
22 plans of reorganization.

23 Upon the written request of the county area education
24 agency boards of education in adopting reorganization plans
25 which conform to the state-wide plan of education and to state
26 laws, the ~~state~~ superintendent of public instruction, subject
27 to the approval of the state board of public instruction,
28 shall cause reorganization plans and suggestions to be prepared
29 and forwarded to the county area education agency
30 superintendents ~~of-schools~~ together with such recommendations
31 as may promote the purposes set forth in section 275.1.

32 Sec. 41. Section two hundred seventy-five point five
33 (275.5), Code 1973, is amended to read as follows:

34 275.5 TENTATIVE PLANS. ~~Pending-completion-of-the-final~~
35 ~~plans-provided-for-in-sections-275.1-to-275.4-hereof,~~ the

1 county-board-of-education-shall-prepare-and-approve-tentative
 2 plans-for-reorganization-of-school-districts-within-the-county
 3 after-consultation-with-the-boards-of-the-various-districts
 4 in-the-county-and-the-state-department-of-public-instruction.
 5 Within-ten-days-after-the-county-board-has-approved-their
 6 tentative-plan-they-shall-file-such-plan-with-the-state-depart-
 7 ment-of-public-instruction. Any proposal for merger, consoli-
 8 dation or boundary change of local school districts shall
 9 first be submitted to the county area education agency board
 10 ~~of-education~~ for approval before being submitted at an
 11 election. The county area education agency board ~~of-education~~
 12 shall adopt and file a tentative county plan with the state
 13 department of public instruction no later than sixty days
 14 after a proposal for merger or consolidation has been presented
 15 to them for their approval under this section. Such proposals
 16 may provide for reducing an existing school district to less
 17 than four government sections and where such proposal is put
 18 into effect by election by the method hereinafter provided
 19 the county area education agency board shall by resolution
 20 attach or subdivide and attach the remaining portion or
 21 portions of said district to another school district or
 22 districts.

23 Sec. 42. Section two hundred seventy-five point six
 24 (275.6), Code 1973, is amended to read as follows:

25 275.6 PROGRESSIVE PROGRAM. It is the intent of this chap-
 26 ter that the county area education agency board shall carry
 27 on the program of reorganization progressively and shall,
 28 insofar as is possible, authorize submission of proposals
 29 to the electors as they are developed and approved.

30 Sec. 43. Section two hundred seventy-five point seven
 31 (275.7), Code 1973, is amended to read as follows:

32 275.7 BUDGET. The county area education agency board
 33 ~~of-education~~ shall include in the budget submitted each year
 34 such sums as it deems necessary to carry on its reorganization
 35 work under this chapter.

1 Sec. 44. Section two hundred seventy-five point eight
2 (275.8), Code 1973, is amended to read as follows:

3 275.8 CO-OPERATION OF STATE DEPARTMENT--PLANNING JOINT
4 DISTRICTS. The state department of public instruction shall
5 co-operate with the several county area education agency boards
6 ~~of-education~~ in making ~~the~~ studies and surveys ~~required-here-~~
7 ~~under~~. In the case of controversy over the planning of joint
8 districts, the matter shall be submitted to the state board
9 of public instruction and its decision may be appealed to
10 ~~a the district court of-record-in-one-of-the-counties-in-~~
11 ~~veived~~, by an aggrieved party to the controversy, within
12 thirty days after the decision of the state board of public
13 instruction. Joint districts shall mean districts that lie
14 in two or more adjacent counties area education agencies.
15 An aggrieved party is hereby defined as the board of directors
16 of a school district whose directors are elected at large,
17 or, if said board is elected from director districts, then
18 that membership of the board of directors whose districts
19 are included in the proposed reorganized area, or ~~a-county~~
20 an area education agency board of-education.

21 For purposes of this chapter the planning of joint dis-
22 tricts is defined to include all of the following acts:

23 1. Preparation of a written joint plan in which contig-
24 uous territory in two or more counties area education agencies
25 is considered as a part of a potential school district in
26 the county area education agency on behalf of which such
27 county plan is filed with the state department of public
28 instruction by the county area education agency board of
29 education-in-and-for-such-county.

30 2. Adoption of such plan at a joint session of the several
31 county area education agency boards of-education in whose
32 counties areas such territory is situated.

33 3. Filing said plan with the state department of public
34 instruction.

35 For purposes of subsection 1 hereof, joint planning shall

1 be evidenced by filing the following items with the state
2 department of public instruction:

3 a. A plat of the entire area of such potential district.

4 b. A statement of the number of pupils residing within
5 the area of said potential district enrolled in public schools
6 in the preceding school year.

7 c. A statement of the assessed valuation of taxable prop-
8 erty located within such potential district.

9 d. An affidavit signed on behalf of each of said county
10 boards of education by a member of such board stating the
11 boundaries as shown on such plat have been agreed upon by
12 the respective boards as a part of the over-all county plan
13 of school district reorganization of each such school.

14 Sec. 45. Section two hundred seventy-five point nine
15 (275.9), unnumbered paragraph two (2), Code 1973, is amended
16 to read as follows:

17 The provisions of sections 275.1 to 275.5, inclusive re-
18 lating to studies, surveys, hearings, and adoption of ~~county~~
19 plans shall constitute a mandatory prerequisite to the ef-
20 fectuation of any proposal for district boundary change.

21 It shall be the mandatory duty of the ~~county~~ area education
22 agency board ~~ex-joint-county-boards~~ to dismiss the petition
23 if the above provisions are not complied with fully.

24 Sec. 46. Section two hundred seventy-five point eleven
25 (275.11), Code 1973, is amended to read as follows:

26 275.11 PROPOSALS INVOLVING TWO OR MORE DISTRICTS. Subject
27 to the approval of the ~~county~~ area education agency board
28 ~~ef-education~~ contiguous territory located in two or more
29 school districts may be united into a single district in the
30 manner provided in sections 275.12 to 275.23 hereof.

31 Sec. 47. Section two hundred seventy-five point twelve
32 (275.12), subsections one (1) and four (4), Code 1973, are
33 amended to read as follows:

34 1. A petition describing the boundaries, or accurately
35 describing the area included therein by legal descriptions,

1 of the proposed district, which boundaries or area described
2 shall conform to ~~county-plan~~ plans developed or the petition
3 shall request change of the ~~county~~ plan, shall be filed with
4 the area education agency ~~superintendent of schools~~ of the
5 ~~county~~ area education agency in which the greatest number
6 of electors reside. Such petition shall be signed by voters
7 in each existing school district affected or portion thereof
8 equal in number to at least twenty percent of the number of
9 eligible voters or four hundred voters, whichever is the
10 smaller number. School districts affected or portion thereof
11 shall be defined to mean that area to be included in the plan
12 of the proposed new school district.

13 4. The ~~county~~ area education agency board ~~ex-bears-of~~
14 ~~education~~ in reviewing such petition as provided in sections
15 275.15 and 275.16 shall review the proposed method of election
16 of school directors and shall have the duty and authority
17 to change or amend such plan in any manner, including the
18 changing of boundaries of director districts if proposed,
19 or to specify a different method of electing school directors
20 on the basis of area, school population, or assessed valuation
21 as may be required by law, justice, equity, and the interest
22 of the people. In such action the ~~county~~ area education
23 agency board ~~ex-beards~~ shall follow the same procedure as
24 is required by sections 275.15 and 275.16 for other action on
25 the petition by the ~~county~~ area education agency board ~~ex~~
26 ~~beards~~.

27 Sec. 48. Section two hundred seventy-five point thir-
28 teen (275.13), Code 1973, is amended to read as follows:

29 275.13 AFFIDAVIT--PRESUMPTION. Such petition shall be
30 accompanied by an affidavit showing the number of qualified
31 electors living in each affected district or portion thereof
32 described in the petition and signed by a qualified elector
33 residing in the territory, and if parts of the territory
34 described in the petition are situated in different ~~counties~~
35 area education agencies, the affidavit shall show separately

1 as to each county area education agency, the number of
2 qualified electors in the part of the county area education
3 agency included in the territory described. The affidavit
4 shall be taken as true unless objections to it are filed on
5 or before the time fixed for filing objections as provided
6 in section 275.14 hereof.

7 Sec. 49. Section two hundred seventy-five point fourteen
8 (275.14), Code 1973, is amended to read as follows:

9 275.14 OBJECTION--TIME OF FILING--NOTICE. Within ten
10 days after the petition is filed, the county area education
11 agency superintendent shall fix a final date for filing objec-
12 tions to the petition in the office of the county area
13 education agency superintendent, and give notice for at least
14 ten days, by one publication in a newspaper published within
15 the territory described in the petition, or if none is pub-
16 lished therein, in a newspaper published in the county where
17 the petition is filed, and of general circulation in the
18 territory described. The cost of publication shall be assessed
19 to each district whose territory is involved in the ratio
20 that the number of pupils in enrollment, as defined in sec-
21 tion four hundred forty-two point four (442.4) of the Code
22 in each district bears to the total number of pupils in
23 enrollment in the total area involved. Objections shall be
24 in writing in the form of an affidavit and may be made by
25 any person residing or owning land within the territory
26 described in the petition, or who would be injuriously affected
27 by the change petitioned for and shall be on file not later
28 than twelve o'clock noon of the final day fixed for filing
29 objections.

30 Sec. 50. Section two hundred seventy-five point fifteen
31 (275.15), Code 1973, is amended to read as follows:

32 275.15 HEARING--DECISION--PUBLICATION OF ORDER. On the
33 final day fixed for filing objections, interested parties
34 may present evidence and arguments, and the county area
35 education agency board ~~of education~~ shall review the matter

1 on its merits and within five days after the conclusion of
2 any hearing, shall rule on the objections and shall enter
3 an order fixing such boundaries for the proposed school
4 corporation as will in its judgment be for the best interests
5 of all parties concerned, having due regard for the welfare
6 of adjoining districts or dismiss the petition. The ~~county~~
7 area education agency superintendent shall at once publish
8 this order in the same newspaper in which the original notice
9 was published ~~and file any amendments to the county plan in~~
10 ~~the same manner as hereinabove provided for the original or~~
11 ~~tentative county plan.~~ Within twenty days after the publi-
12 cation thereof the decision rendered by the ~~county~~ area
13 education agency board ~~of education~~ may be appealed to a ~~court~~
14 ~~of record~~ the district court in the county involved by any
15 school district affected.

16 Sec. 51. Section two hundred seventy-five point sixteen
17 (276.16), Code 1973, is amended to read as follows:

18 275.16 HEARING WHEN TERRITORY IN DIFFERENT COUNTIES.
19 If the territory described in the petition for the proposed
20 corporation lies in more than one ~~county~~ area education agency,
21 the ~~county~~ area education agency superintendent with whom
22 the petition is filed shall fix the time and place and call
23 a joint meeting of the members of all the ~~county~~ area education
24 agency boards of education of the counties in which any
25 territory of the proposed school corporation lies, to act
26 as a single board for the hearing of the said objections,
27 and a majority of all members of the ~~county~~ area education
28 agencies boards of education of the different counties area
29 education agencies in which any part of the proposed
30 corporation lies, shall constitute a quorum. The joint boards
31 acting as a single board shall determine whether the petition
32 conforms to ~~county~~ plans or, if the petition requests a change
33 in ~~county~~ plans, whether such change should be made, and shall
34 have the authority to change the plans of any or all the
35 ~~county~~ area education agency boards affected by the petition,

1 and it shall determine and fix boundaries for the proposed
2 corporation as provided in section 275.15 or dismiss the pe-
3 tition. However, if such joint boards cast a tie vote and
4 are unable to agree to an order fixing the boundaries for
5 the proposed school district or to an order to dismiss the
6 petition, the time during which such actions must be taken
7 under the provisions of section 275.15 shall be extended from
8 five days to fifteen days after the conclusion of the hearing
9 under the provisions of section 275.15, and such joint board
10 shall reconvene not less than ten and not more than fifteen
11 days after the conclusion of such hearing. At such hearing
12 the joint board shall reconsider their action and if a tie
13 vote shall again be cast it shall be deemed an order grant-
14 ing the petition and changing the plans of any and all of
15 the county area education agency boards affected by the
16 petition and fixing the boundaries for the proposed school
17 corporation. The county area education agency superintendent
18 shall at once publish the decision in the same newspaper in
19 which the original notice was published.

20 In case a controversy arises from such meeting, the county
21 area education agency board or boards or any school district
22 aggrieved may bring the controversy to the state department
23 of public instruction, as provided in section 275.8, within
24 twenty days from the publication of this order, and if said
25 controversy is taken to the state department of public
26 instruction, a ten-day notice in writing shall be given to
27 all county area education agency boards and school districts
28 affected or portions thereof. The state department shall
29 have the authority to affirm the action of the joint boards,
30 to vacate, to dismiss all proceedings or to make such
31 modification of the action of the joint boards as in their
32 judgment would serve the best interest of all the counties
33 area education agency. This decision may be appealed to a
34 court-of-record the district court in one of the counties
35 by any aggrieved party to the controversy as defined in section

1 275.8, within thirty days after the decision of the state
2 department of public instruction.

3 The court on appeal shall have the same authority as is
4 granted in this section to the state department of public
5 instruction.

6 ~~The provisions of this section shall apply to all tie votes
7 under any provision of this chapter where a joint meeting
8 of the members of two or more county boards of education are
9 required and to all petitions pending on June 9, 1965.~~

10 Sec. 52. Section two hundred seventy-five point eighteen
11 (275.18), Code 1973, as amended by Acts of the Sixty-fifth
12 General Assembly, 1973 Session, chapter one hundred thirty-
13 six (136), section two hundred sixty-one (261), is amended
14 to read as follows:

15 275.18 SPECIAL ELECTION CALLED--TIME. When the boundaries
16 of the territory to be included in a proposed school corpora-
17 tion and the number and method of the election of the school
18 directors of such proposed school corporation have been deter-
19 mined as herein provided, the county area education agency
20 superintendent with whom such petition is filed shall call
21 a special election in such proposed school corporation within
22 thirty days from the date of the final determination of such
23 boundaries and serve notice on the county commissioner of
24 elections of the county in the proposed school corporation
25 which has the greatest taxable base in the proposed school
26 corporation. The county commissioner of elections shall give
27 notice of the election by one publication in the same newspaper
28 in which previous notices have been published regarding the
29 proposed school reorganization, and in addition thereto, if
30 more than one county is involved, by one publication in a
31 legal newspaper in each county other than that of the first
32 publication, which publication shall be not less than ten
33 nor more than fifteen days prior to the election. In the
34 case of joint districts located in more than one county, no
35 notice for an election shall be published until the time for

1 appeal, which shall be the same as that provided in section
2 285.12, has expired; and in the event of an appeal, not until
3 the same has been disposed of.

4 Sec. 53. Section two hundred seventy-five point twenty-
5 three (275.23), Code 1973, as amended by Acts of the Sixty-
6 fifth General Assembly, 1973 Session, chapter one hundred
7 thirty-six (136), section two hundred sixty-two (262), is
8 amended to read as follows:

9 275.23 CANVASS AND RETURN. The judges of election shall
10 count the ballots, make return to and deposit the ballots
11 with the county commissioner of elections, who shall enter
12 the return of record in his office. The county commissioner
13 of elections shall certify the results of the election to
14 the county area education agency superintendent. If the
15 majority of the votes cast by the qualified electors are in
16 favor of the proposition, as provided in section 275.20, a
17 new school corporation shall be organized. The county area
18 education agency superintendent shall file a written
19 description of the boundaries as provided in section 274.4.

20 Sec. 54. Section two hundred seventy-five point twenty-
21 five (275.25), unnumbered paragraph one (1), Code 1973, as
22 amended by Acts of the Sixty-fifth General Assembly, 1973
23 Session, chapter one hundred thirty-six (136), section two
24 hundred sixty-three (263), is amended to read as follows:

25 If the proposition to establish a new corporation carries
26 under the method hereinabove provided a special election shall
27 be called by the county area education agency superintendent.
28 The county area education agency superintendent shall notify
29 the county commissioner of elections who shall publish notice
30 by one publication in the same newspaper in which the former
31 notices were published. At such election, two directors shall
32 be elected to serve until the next regular election, two until
33 the second, and one until the third regular election
34 thereafter, except in districts which include all or part
35 of a city of fifteen thousand or more population and in

1 districts in which the proposition to establish a new
2 corporation provides for seven directors, three directors
3 shall be elected to serve until the third regular election
4 thereafter, all of whom to serve until such time as their
5 successors are elected and qualified. Provided, however,
6 that in all community school districts which include a city
7 of fifteen thousand or more population and which became
8 effective prior to July 4, 1955, and in all community school
9 districts containing a city which has attained a population
10 of fifteen thousand or more as shown by the most recent
11 decennial federal census, the board of directors shall consist
12 of seven members. Where it becomes necessary to increase
13 the membership of any such board under the provisions hereof,
14 two directors shall be added according to the procedure
15 described in section 277.23. The county board of supervisors
16 shall canvass the votes and the county commissioner of
17 elections report the results to the county area education
18 agency superintendent who shall notify the persons who are
19 elected directors. The new board shall organize within fifteen
20 days following their election upon call of the county area
21 education agency superintendent. The new board of directors
22 shall have complete control of the employment of all personnel
23 for the newly formed community school district for the ensuing
24 school year. Following the organization of the new board
25 they shall have authority to establish policy, organize
26 curriculum, enter into contracts and complete such other
27 planning and take such action as is essential for the efficient
28 management of the newly formed community school district.

29 Sec. 55. Section two hundred seventy-five point twenty-
30 six (275.26), Code 1973, as amended by Acts of the Sixty-fifth
31 General Assembly, 1973 Session, chapter one hundred thirty-
32 six (136), section two hundred sixty-four (264), is amended
33 to read as follows:

34 275.26 PAYMENT OF EXPENSES. If a district is established
35 or changes its boundaries it shall pay all expenses incurred

1 by the area education agency superintendent and the area
2 education agency board ~~of-education~~ in connection with the
3 proceedings. The county commissioner of elections shall
4 assess the costs of the election against the district as
5 provided in section forty-seven point three (47.3) of the Code.
6 If the proposition is dismissed or defeated at the election all
7 expenses shall be apportioned among the several districts in
8 proportion to the assessed valuation of property therein.

9 If the proposed district or boundary change embraces ter-
10 ritory in more than one ~~county~~ area education agency such
11 expenses shall be certified to and, if necessary, apportioned
12 among the several districts by the joint area education agency
13 board ~~of-education~~. If in only one ~~county~~ area education
14 agency the certification shall be made by the county area
15 education agency superintendent.

16 The respective boards to which such expenses are certified
17 shall audit and order the same paid from the general fund.
18 In the event of failure of any board to so audit and pay the
19 expenses certified to it, the ~~county~~ area education agency
20 superintendent shall certify the expenses to the county auditor
21 in the same manner as is provided for tuition claims in sec-
22 tion 282.21 and the funds shall be transferred by the county
23 treasurer from the debtor district to the ~~county~~ area education
24 agency board ~~of-education~~ for payment of said expenses.

25 Sec. 56. Section two hundred seventy-five point twenty-
26 seven (275.27), Code 1973, is amended to read as follows:

27 275.27 NAMES. School districts created or enlarged under
28 the provisions of this chapter shall be known as community
29 school districts and shall be part of the ~~county-school-system~~
30 ~~of-the-county~~ area education agency in which the greatest
31 number of electors of said district reside at the time of
32 the special election called for in section 275.18, and this
33 provision pertaining to greatest number of electors shall
34 be in full force and effect any statute to the contrary
35 notwithstanding, and all provisions of the law applicable

1 to the common schools generally shall be applicable to such
2 districts in addition to the powers and privileges conferred
3 by this chapter.

4 Sec. 57. Section two hundred seventy-five point thirty
5 (275.30), Code 1973, is amended to read as follows:

6 275.30 ARBITRATION. If the boards cannot agree on such
7 division and distribution, the matters on which they differ
8 shall be decided by disinterested arbitrators, one selected
9 by each board having an interest therein, and if the number
10 thus selected is even, then one shall be added by the county
11 area education agency superintendent. The decision of the
12 arbitrators shall be made in writing and filed with the secre-
13 tary of the new corporation, and any party to the proceedings
14 may appeal therefrom to the district court by serving notice
15 thereof on such secretary within twenty days after the deci-
16 sion is filed. Such appeal shall be tried in equity and a
17 decree entered determining the entire matter, including the
18 levy, collection, and distribution of any necessary taxes.

19 Sec. 58. Section two hundred seventy-five point thirty-
20 nine (275.39), Code 1973, is amended to read as follows:

21 275.39 EXCLUDED TERRITORY INCLUDED IN NEW PETITION.
22 Territory described in the petition of a proposed reorgani-
23 zation which has been set out of the proposed reorganization
24 by the county area education agency board or the joint boards,
25 as the case may be, and in the event of an appeal, after the
26 decision of the state department of public instruction or
27 the courts as by law provided, may be included in any new
28 petition for reorganization.

29 Sec. 59. Section two hundred seventy-seven point twenty-
30 eight (277.28), unnumbered paragraph one (1), Code 1973, is
31 amended to read as follows:

32 Each director elected at a regular district or director
33 district election, as the case may be, shall qualify by taking
34 the oath of office on or before the time set for the organiza-
35 tion meeting of the board the third Monday in September, and

1 his election and qualification entered of record by the
2 secretary. The oath may be administered by any qualified
3 member of the board, or the secretary of the board, ~~or the~~
4 ~~county-superintendent-of-schools~~, and may be taken in
5 substantially the following form:

6 Sec. 60. Section two hundred seventy-nine point seven
7 (279.7), unnumbered paragraph one (1), Code 1973, as amended
8 by Acts of the Sixty-fifth General Assembly, 1973 Session,
9 chapter one hundred thirty-six (136), section two hundred
10 seventy-three (273), is amended to read as follows:

11 In any case where a vacancy or vacancies occur among the
12 elective officers or members of a school board and the remain-
13 ing members of such board have not filled such vacancy within
14 ten days after the occurrence thereof, or when the board is
15 reduced below a quorum for any cause, the secretary of the
16 board, or if there be no secretary, the county area education
17 agency superintendent of schools shall call a special election
18 in the district, subdistrict, or subdistricts, as the case
19 may be, to fill such vacancy or vacancies. The county
20 commissioner of elections shall publish the notices required
21 by law for such special elections, which election shall be
22 held not sooner than thirty days nor later than forty days
23 thereafter. In any case where the secretary fails for more
24 than three days to call such election, the county
25 superintendent of the area education agency shall call it.

26 Sec. 61. Section two hundred seventy-nine point eighteen
27 (279.18), Code 1973, is amended to read as follows:

28 279.18 TUITION. The tuition cost to be mutually agreed
29 upon by the respective boards shall be paid by the home
30 district and shall be equal to the average cost per elementary
31 child (including both resident and tuition students) in average
32 daily-attendance enrollment in the tuition-receiving district
33 for the preceding year. Such tuition rates shall include
34 expenditures from the general fund for general control,
35 instruction, auxiliary agencies except transportation costs,

1 co-ordinate activities, operation of plant, maintenance of
2 plant, fixed charges including insurance on buildings and
3 contents, capital, interest paid for debt service from the
4 general fund, interest paid for debt service and retirement
5 of bonds from the schoolhouse fund. A pro rata charge for
6 depreciation on buildings shall be made at the rate of two
7 percent per annum on the appraised value, less bonded indebted-
8 ness thereon, of all buildings owned by the school corporation
9 and used for elementary school purposes, but not exceeding
10 the maximum tuition rate as determined by the state superin-
11 tendent of public instruction as prescribed in section 282.24.
12 No depreciation charge shall be made for the portion of the
13 initial cost of buildings and equipment purchased with federal
14 grants. ~~On or before July 15, 1953, the board in each school~~
15 ~~corporation accepting tuition pupils shall cause its buildings~~
16 ~~to be appraised and an itemized statement of the results of~~
17 ~~the appraisal filed with the county superintendent. Such~~
18 ~~statement shall constitute the basis for the hereinabove~~
19 ~~provided depreciation charge. Such appraisal shall be made~~
20 ~~by a board comprised of the county or city assessor and one~~
21 ~~member appointed by the local school corporation and one~~
22 ~~member appointed by the county board of education. An~~
23 appraisal of the value of the buildings in each school
24 corporation shall be completed at least one time each five
25 years.

26 The tuition rates and the computation thereof shall be
27 filed with the county board of education area education agency
28 board not later than July 30 for its review and approval.
29 Receiving districts cannot receive tuition until approval
30 is granted by the county board of education area education
31 agency board. The right of appeal shall be as provided in
32 section 285.13.

33 Sec. 62. Section two hundred seventy-nine point thirty-
34 three (279.33), Code 1973, is amended to read as follows:

35 279.33 OTHER DISTRICTS--FILING STATEMENT. In every school

1 district wherein no newspaper is published, the president
2 and secretary of the board of directors thereof shall file
3 the above statement with the county area education agency
4 superintendent ~~of schools~~ during the second week of July of
5 each year and shall post copies thereof in three conspicuous
6 places in the district.

7 Sec. 63. Section two hundred eighty A point one (280A.1),
8 unnumbered paragraph one (1), Code 1973, is amended to read
9 as follows:

10 It is hereby declared to be the policy of the state of
11 Iowa and the purpose of this chapter to provide for the
12 establishment of not more than seventeen areas which shall
13 include all of the area of the state and which may operate
14 either area vocational schools or area community colleges
15 and shall provide programs and services to the local school
16 districts within the area education agency offering to the
17 greatest extent possible, educational opportunities and
18 services in each of the following, when applicable, but not
19 necessarily limited to:

20 Sec. 64. Section two hundred eighty A point one (280A.1),
21 Code 1973, is amended by adding the following new subsection:

22 NEW SUBSECTION. Programs and services to local school
23 districts in the area education agency as listed in section
24 two (2) of this Act.

25 Sec. 65. Section two hundred eighty A point two (280A.2),
26 subsections four (4), five (5), and six (6), Code 1973, are
27 amended to read as follows:

28 4. "Merged-area Area education agency" means an-area-where
29 an agency formed by the merger of two or more county school
30 systems or parts thereof merge-resources to establish and
31 operate a vocational school or a community college and to
32 provide programs and services to the constituent local school
33 districts in the manner provided in this chapter.

34 5. "Area vocational school" means a vocational school
35 established and operated by a-merged an area education agency.

1 6. "Area community college" means a community college
2 established and operated by a-merged an area education agency.

3 Sec. 66. Section two hundred eighty A point twelve
4 (280A.12), Code 1973, is amended to read as follows:

5 280A.12 GOVERNING BOARD. The governing board of a-merged
6 an area education agency shall be a board of directors composed
7 of-one-member-elected-from-each-director-district-in-the-area
8 by-the-electors-of-the-respective-district elected pursuant
9 to section eight (8) of this Act. Members of the board shall
10 be residents of the district from which elected. Successors
11 shall-be-chosen-at-the-annual-school-elections-for-members
12 whose-terms-expire-on-the-first-Monday-in-October-following
13 such-elections. Terms of members of the board of directors
14 shall be three years except that members of the initial board
15 of directors elected-at-the-special-election-shall-determine
16 their-respective-terms-by-lot-so-that-the-terms-of-one-third
17 of-the-members,-as-nearly-as-may-be, shall be determined by
18 lot so that the terms of two of the members elected by the
19 electorate and two of the members elected at director district
20 conventions shall expire on the first Monday in October of
21 each succeeding year. Vacancies on the board which occur
22 more than ninety days prior to the next annual school election
23 shall be filled at the next regular meeting of the board by
24 appointment by the remaining members of the board. The member
25 so chosen shall be a resident of the district in which the
26 vacancy occurred and shall serve until the next annual school
27 election, at which election a member shall be elected to fill
28 the vacancy for the balance of the unexpired term. A vacancy
29 shall be defined as in section 277.29. No member shall serve
30 on the board of directors as a member elected by the electorate
31 who is a member of a board of directors of a local school
32 district or-a-member-of-a-county-board-of-education.

33 Sec. 67. Section two hundred eighty A point fifteen
34 (280A.15), Code 1973, as amended by Acts of the Sixty-fifth
35 General Assembly, 1973 Session, chapter one hundred thirty-

1 six (136), section two hundred seventy-seven (277), is amended
2 to read as follows:

3 280A.15 CONDUCT OF ELECTIONS. ~~The nomination of candi-~~
4 ~~dates, preparation of ballots, and canvass for all elections~~
5 ~~of members of the board of directors of an area vocational~~
6 ~~school or an area community college, except as otherwise di-~~
7 ~~rected, shall be conducted in the manner provided in sections~~
8 ~~273.5, 273.6, and 273.7 for members of county boards of~~
9 ~~education.~~ Nomination papers in behalf of a candidate shall
10 be filed with the secretary of the board of the merged area
11 education agency. Each candidate shall be nominated by a
12 petition signed by not less than fifty qualified electors
13 of the district from which the member is to be elected. The
14 notice shall be published as provided in chapter forty-nine
15 (49) of the Code and the election shall be conducted by the
16 county commissioner of elections pursuant to the provisions
17 of chapters thirty-nine (39) through fifty-three (53) of the
18 Code. The votes cast in the election shall be canvassed by
19 the county board of supervisors and the county commissioner
20 of elections shall issue certificates of election as prescribed
21 in section 273.7. Members elected to the board of directors
22 of ~~a merged~~ an area education agency shall qualify by taking
23 the oath of office prescribed in section 277.28.

24 Sec. 68. Section two hundred eighty A point seventeen
25 (280A.17), unnumbered paragraph one (1), Code 1973, is amended
26 to read as follows:

27 The board of directors of each merged area education agency
28 shall prepare an annual budget designating the proposed
29 expenditures for operation of the area vocational school or
30 area community college. The board shall further designate
31 the amounts which are to be raised by local taxation and the
32 amounts which are to be raised by other sources of revenue
33 for such operation. The budget of each merged area education
34 agency shall be submitted to the state board no later than
35 June 1 December first preceding the next fiscal year for

1 approval. The state board shall review the proposed budget
2 and shall, prior to ~~July-4~~ January first, either grant its
3 approval or return the budget without approval with the
4 comments of the state board attached thereto. Any unapproved
5 budget shall be resubmitted to the state board for final
6 approval. Upon approval of the budget by the state board,
7 the board of directors shall prorate the amount to be raised
8 by local taxation among the respective ~~county school systems,~~
9 ~~ex-parts-thereof,~~ districts in the proportion that the value
10 of taxable property in each ~~system,-ex-part-thereof,~~ school
11 district bears to the total value of taxable property in the
12 area. The board of directors shall certify the amount so
13 determined to the respective county auditors and the boards
14 of supervisors shall levy a tax sufficient to raise the amount.
15 No tax in excess of three-fourths mill shall be levied on
16 taxable property in ~~a-merged~~ an area education agency for
17 the operation of an area vocational school or area community
18 college. Taxes collected pursuant to such levy shall be paid
19 by the respective county treasurers to the treasurer of the
20 merged area education agency in the same manner that other
21 school taxes are paid to local school districts.

22 Sec. 69. Section two hundred eighty A point nineteen
23 (280A.19), Code 1973, is amended to read as follows:

24 280A.19 ACQUISITION OF SITES AND BUILDINGS. Boards of
25 directors of ~~merged-areas~~ area education agencies may ac-
26 quire sites and erect and equip buildings for use by the di-
27 vision of intermediate services, area vocational schools or
28 area community colleges and may contract indebtedness and
29 issue bonds to raise funds for such purposes.

30 Sec. 70. Section two hundred eighty A point twenty-one
31 (280A.21), Code 1973, is amended to read as follows:

32 280A.21 ELECTION TO INCUR INDEBTEDNESS. No indebtedness
33 shall be incurred under section 280A.19 until authorized by
34 an election. A proposition to incur indebtedness and issue
35 bonds for the division of intermediate services, area

1 vocational school or area community college purposes shall
2 be deemed carried in a-merged an area education agency if
3 approved by a sixty percent majority of all voters voting
4 on the proposition in the area.

5 Sec. 71. Chapter two hundred eighty A (280A), Code 1973,
6 is amended by adding the following new sections:

7 NEW SECTION. Regular elections held annually by the area
8 education agency for the election of members of the board
9 of directors as required by section eight (8) of this Act
10 and by section two hundred eighty A point twelve (280A.12)
11 of the Code, for the renewal of the three-fourths mill levy
12 authorized in section two hundred eighty A point twenty-two
13 (280A.22) of the Code, or for any other matter authorized
14 by law and designated for election by the board of directors
15 of the area education agency, shall be held on the date of
16 the annual school election for local school districts as
17 established by section two hundred seventy-seven point one
18 (277.1) of the Code.

19 NEW SECTION. Nomination papers in behalf of a candidate
20 for a member of the board of directors of the area education
21 agency shall be filed with the secretary of the board not
22 more than sixty days nor less than forty days prior to the
23 election at which a member is to be elected. Nomination peti-
24 tions shall be filed not later than five o'clock p.m. on the
25 last day for filing. Each candidate shall be nominated by
26 a petition signed by not less than fifty eligible electors
27 of the director district from which the member is to be
28 elected, which petition shall state the number of the director
29 district from which a member is to be elected, the office
30 to which he is to be elected, the name of the candidate and
31 that he is a resident and elector in the director district.
32 Signers of the petition in addition to signing their names,
33 shall show their residence, including street and number, if
34 any, the school district in which they reside, and the date
35 of signing, and each nomination paper shall have appended

1 to it an affidavit of an elector other than the candidate
2 in substantially the form provided in section forty-three
3 point seventeen (43.17) of the Code, except as to party
4 affiliation.

5 The area education agency superintendent shall deliver
6 all nomination petitions to the county commissioner of elec-
7 tions not later than five o'clock p.m. on the day following
8 the last day on which nomination petitions can be filed.

9 NEW SECTION. Within five days following the election,
10 the county commissioner of elections shall make a return of
11 the votes cast in the county to the area education agency
12 board of directors on forms provided therefor and the county
13 board of supervisors shall meet at eight o'clock a.m. on the
14 last Monday in September, and canvass the vote and the county
15 commissioner of elections shall issue certificates of elec-
16 tion. Members elected to the board of directors of an area
17 education agency shall qualify by taking the oath of office
18 prescribed in section two hundred seventy-seven point twenty-
19 eight (277.28) of the Code.

20 NEW SECTION. Prior to the election in September, 1977,
21 the board of directors of each area education agency shall
22 have established the geographic boundaries of six director
23 districts of approximately equal population.

24 Sec. 72. Section two hundred eighty-one point two (281.2),
25 Code 1973, is amended by striking the section and inserting
26 in lieu thereof the following:

27 281.2 DEFINITIONS.

28 1. "Children requiring special education" means persons
29 under twenty-one years of age, including children under five
30 years of age, who are handicapped in obtaining an education
31 because of physical, mental, emotional, communication or
32 learning disabilities, as defined by the rules of the
33 department of public instruction.

34 2. "Special education" means classroom, home, hospital,
35 institutional, or other instruction designed to meet the needs

1 of children requiring special education as defined in subsec-
2 tion one (1) of this section; transportation and corrective
3 and supporting services required to assist children requiring
4 special education, as defined in subsection one (1) of this
5 section, in taking advantage of, or responding to, educational
6 programs and opportunities, as defined by rules of the depart-
7 ment of public instruction.

8 It is the policy of this state to provide and to require
9 school districts to make provision, as an integral part of
10 public education, for special education opportunities
11 sufficient to meet the needs and maximize the capabilities
12 of children requiring special education. This chapter is
13 not to be construed as encouraging separate facilities or
14 segregated programs designed to meet the needs of children
15 requiring special education when such children can benefit
16 from all or part of the education program as offered by the
17 local school district. To the maximum extent possible,
18 children requiring special education shall attend regular
19 classes and shall be educated with children who do not require
20 special education. Whenever possible, hinderances to learning
21 and to the normal functioning of children requiring special
22 education within the regular school environment shall be
23 overcome by the provision of special aids and services rather
24 than by separate programs for those in need of special
25 education. Special classes, separate schooling or other
26 removal of children requiring special education from the
27 regular educational environment, shall occur only when, and
28 to the extent that the nature or severity of the educational
29 handicap is such that education in regular classes, even with
30 the use of supplementary aids and services, cannot be
31 accomplished satisfactorily.

32 It is the responsibility of school districts to expend
33 effort on behalf of the education of each child requiring
34 special education in an amount at least equal to the effort
35 expended for the education of each child who does not require

1 special education. Any additional effort necessary to provide
2 supplemental aids and services shall be the ultimate
3 responsibility of the state but shall in part be delegated
4 to other educational structures as authorized in the Code
5 of Iowa.

6 Sec. 73. Section two hundred eighty-one point three
7 (281.3), subsections seven (7), eight (8), and nine (9), Code
8 1973, are amended to read as follows:

9 7. To provide for certification by ~~competent-medical-and~~
10 ~~psychological-authorities~~ the director of special education
11 of the eligibility of children requiring special education
12 for admission to, or discharge from, special schools, classes
13 or instruction.

14 8. To initiate the establishment of classes for children
15 requiring special education in hospitals and convalescent
16 homes, in co-operation with the management thereof and local
17 school districts or ~~county-boards-of-education~~ area education
18 agency boards.

19 9. To co-operate with school districts or ~~county-boards~~
20 ~~of-education~~ area education agency boards in arranging for
21 any child requiring special education to attend school in
22 a district other than the one in which he resides when there
23 is no available special school, class, or instruction in the
24 districts in which he resides.

25 Sec. 74. Section two hundred eighty-one point three
26 (281.3), subsections three (3) and twelve (12), Code 1973,
27 are amended by striking the subsections and inserting in lieu
28 thereof the following:

29 3. To adopt rules consistent with the provisions of this
30 chapter for the approval of plans for special education pro-
31 grams and services submitted by the director of special edu-
32 cation of the area education agency.

33 12. To provide for the employment and establish standards
34 for the performance of special education support personnel
35 required to assist in the identification of and educational

1 programs for children requiring special education.

2 Sec. 75. Section two hundred eighty-one point three
3 (281.3), Code 1973, is amended by adding the following new
4 subsections:

5 NEW SUBSECTION. To provide for the establishment of special
6 education research and demonstration projects and models for
7 special education program development.

8 NEW SUBSECTION. To establish a special education resource,
9 materials and training system for the purposes of developing
10 specialized instructional materials and provide in-service
11 training to personnel employed to provide educational services
12 to children requiring special education.

13 NEW SUBSECTION. To approve the acquisition and use of
14 special facilities designed for the purpose of providing edu-
15 cational services to children requiring special education.

16 NEW SUBSECTION. To make rules and regulations to carry
17 out the powers and duties provided for in this section.

18 Sec. 76. Section two hundred eighty-one point four (281.4),
19 Code 1973, is amended by striking the section and inserting
20 in lieu thereof the following:

21 281.4 POWERS OF THE BOARD OF DIRECTORS. The board of
22 directors of any school district or area education agency,
23 with the approval of the state department of public
24 instruction, may provide special education programs and
25 services as defined in this chapter. If services are provided
26 by the area education agency, with the approval of the
27 department of public instruction, the board of directors of
28 the area education agency with the cooperation of the local
29 school districts within its jurisdiction may:

30 1. Establish and operate special education programs and
31 classes for the education of children requiring special edu-
32 cation.

33 2. Acquire, maintain, and construct facilities in which
34 to provide education, corrective services, and supportive
35 services for children requiring special education.

1 3. Make arrangements with participating school districts
2 for the provision of special education, corrective, and sup-
3 portive services to the children requiring special education
4 residing in the school districts.

5 4. Employ special education teachers and personnel required
6 to furnish corrective or supportive services to children
7 requiring special education services.

8 5. Provide transportation for children requiring special
9 education services that are in need of transportation in
10 connection with any programs, classes or services.

11 6. Receive, administer and expend funds appropriated for
12 its use.

13 7. Receive, administer and expend the proceeds of any
14 issue of school bonds or other bonds intended wholly or partly
15 for its benefit.

16 8. Apply for, accept, and utilize grants, gifts or other
17 assistance.

18 9. Participate in, and make its employees eligible to
19 participate in, any retirement system, group insurance system,
20 or other program of employee benefits, on the same terms as
21 govern school districts and their employees.

22 10. Do such other things as are necessary and incidental
23 to the execution of any of its powers.

24 The board of directors of the local district or the area
25 education agency shall employ qualified teachers certified
26 by the authority provided by law as teachers for children
27 requiring such special education. The maximum number of
28 pupils per teacher shall be determined by the board of
29 directors of the local district or the area education agency
30 board in accordance with the rules and regulations of the
31 state department of public instruction.

32 The board of directors of the local district or the area
33 education agency may establish and operate one or more special
34 education centers to provide diagnostic, therapeutic,
35 corrective, and other services, on a more comprehensive,

1 expert, economic and efficient basis than can be reasonably
2 provided by a single school district. Such services, if
3 offered by the area education agency board, may be provided
4 in the regular schools using personnel and equipment of the
5 area education agency or, whenever it is impractical or
6 inefficient to provide them on the premises of a regular
7 school, the area education agency may provide services in
8 its own facilities. To the maximum extent feasible, such
9 centers shall be established at and in conjunction with, or
10 in close proximity to one or more elementary and secondary
11 schools. Centers established pursuant to this section may
12 contain classrooms and other educational facilities and
13 equipment to supplement instruction and other services to
14 handicapped children in the regular schools, and to provide
15 separate instruction to children whose degree or type of edu-
16 cational handicap makes it impractical or inappropriate for
17 them to participate in classes with normal children.

18 Sec. 77. Section two hundred eighty-one point five (281.5),
19 Code 1973, is amended by striking unnumbered paragraph one
20 (1).

21 Sec. 78. Section two hundred eighty-one point six (281.6),
22 Code 1973, is amended to read as follows:

23 281.6 PARENT'S OR GUARDIAN'S DUTIES. When the school
24 district or ~~county-board-of-education~~ area education agency
25 has provided special education ~~facilities~~ services and programs
26 as provided herein for any child requiring special education,
27 either by admission to a special class or by ~~special-instruc-~~
28 ~~tion~~ supportive services, it shall be the duty of the parent
29 or guardian to enroll said child for instruction in such
30 special classes or ~~instruction~~ supportive services as may
31 be established, except in the event a doctor's certificate
32 is filed with the secretary of the school district showing
33 that it is inadvisable for medical reasons for the child
34 requiring special education to receive the special education
35 provided; all the provisions and conditions of chapter 299

1 and amendments thereto shall be applicable to this section,
2 and any violations shall be punishable as provided in said
3 chapter.

4 A child, or his parent or guardian, may obtain a review
5 of any action or omission of state or local authorities
6 pursuant to the procedures established in chapter two hundred
7 ninety (290) of the Code on the ground that the child has
8 been or is about to be:

9 1. Denied entry or continuance in a program of special
10 education appropriate to his condition and needs.

11 2. Placed in a special education program which is inappro-
12 priate to his condition and needs.

13 3. Denied educational services because no suitable program
14 of education or related services is maintained.

15 4. Provided with special education which is insufficient
16 in quantity to satisfy the requirements of law.

17 5. Assigned to a program of special education when he
18 is not handicapped.

19 Sec. 79. Section two hundred eighty-one point nine (281.9),
20 Code 1973, is amended by striking the section and inserting
21 in lieu thereof the following:

22 281.9 WEIGHTING PLAN.

23 1. In order to provide funds for the excess costs of in-
24 struction of children requiring special education, above the
25 costs of instruction of pupils in a regular curriculum, a
26 special education weighting plan for determining enrollment
27 in each school district is adopted as follows:

28 a. Pupils in a regular curriculum are assigned a weighting
29 of one.

30 b. Children requiring special education who require special
31 adaptations while assigned to a regular classroom for basic
32 instructional purposes and handicapped pupils placed in a
33 special education class who receive part of their instruction
34 in regular classrooms are assigned a weighting of one and
35 eight-tenths.

1 c. Children requiring special education who require full-
2 time, self-contained special education placement with little
3 integration into a regular classroom are assigned a weighting
4 of two and two-tenths.

5 d. Children requiring special education who are severely
6 handicapped or who have multiple handicaps are assigned to
7 a weighting of four and four-tenths.

8 2. The weighting for each category of child requiring
9 special education multiplied by the number of children in
10 each category in the enrollment of a school district, as
11 identified and certified by the director of special education
12 for the area, determines the final enrollment to be used in
13 that district for purposes of all computations required under
14 the state school foundation plan in chapter four hundred
15 forty-two (442) of the Code

16 3. The department of public instruction shall promulgate
17 rules under chapter seventeen A (17A) of the Code, to assist
18 in identification and proper indexing of each child in the
19 state who requires special education. The superintendent
20 of public instruction shall report to the general assembly
21 if experience indicates that the weighting index for any type
22 of child requiring special education should be revised.

23 4. The division of special education shall audit the re-
24 ports to determine that all children in the area who have
25 been identified as requiring special education have received
26 the appropriate special education instructional and support
27 services, and to verify the proper identification of pupils
28 in the area who will require special education instructional
29 services during the school year in which the report is filed.
30 The division shall certify to the state comptroller the correct
31 total enrollment of each school district in the state,
32 determined by applying the appropriate pupil weighting index
33 to each child requiring special education, as certified by
34 the directors of special education in each area.

35 Sec. 80. Section two hundred eighty-one point eleven

1 (281.11), Code 1973, is amended by striking the section and
2 inserting in lieu thereof the following:

3 281.11 PROGRAM PLANS. Program plans submitted to the
4 department of public instruction pursuant to section five
5 (5) of this Act for approval shall establish all of the fol-
6 lowing:

7 1. That there are sufficient children requiring special
8 education within the area.

9 2. That the service or program will be provided by the
10 most appropriate educational agency.

11 3. That the educational agency providing the service or
12 program has employed qualified special educational person-
13 nel.

14 4. That the instruction is a natural and normal progres-
15 sion of a planned course of instruction, and that the pro-
16 gressive growth factor is not out of proportion to the ability
17 of the educational agency to pay for the course of instruc-
18 tion.

19 5. That all funds sought are for actual delivery of spe-
20 cial education instruction or services.

21 6. Other factors as the department may require.

22 Sec. 81. Section two hundred eighty-two point three
23 (282.3), unnumbered paragraph one (1), Code 1973, is amended
24 to read as follows:

25 No child under the age of six years on the fifteenth of
26 September of the current school year shall be admitted to
27 any public school unless the board of directors of the school
28 ~~for the county board of education~~ shall have adopted and
29 put into effect courses of study for the school year immedi-
30 ately preceding the first grade, approved by the department
31 of public instruction and shall have employed a teacher or
32 teachers for this work with standards of training approved
33 by the department of public instruction.

34 Sec. 82. Section two hundred eighty-two point twenty
35 (282.20), unnumbered paragraphs one (1) and three (3), Code

1 1973, are amended to read as follows:

2 The school corporation in which such student resides shall
3 pay from the general fund to the secretary of the corporation
4 in which he shall be permitted to enter a tuition fee suffi-
5 cient to cover the average cost per high school child (includ-
6 ing both resident and tuition students) in average daily
7 attendance in the tuition-receiving district in the preceding
8 year. Such tuition rates shall include expenditures from
9 the general fund for general control, instruction, auxiliary
10 agencies except transportation costs, co-ordinate activities,
11 operation of plant, maintenance of plant, fixed charges includ-
12 ing insurance on buildings and contents, capital, interest
13 paid for debt service from the general fund, interest paid
14 for debt service and retirement of bonds from the schoolhouse
15 fund. A pro rata charge for depreciation on buildings shall
16 be made at the rate of two percent per annum on the appraised
17 value, less bonded indebtedness thereon, of all buildings
18 owned by the school corporation and used for high school
19 purposes, but not exceeding the maximum tuition rate as
20 determined by the state superintendent of public instruction
21 as prescribed in section 282.24. No depreciation charge shall
22 be made for the portion of the initial cost of buildings and
23 equipment purchased with federal grants. ~~On or before July~~
24 ~~15, 1953, the board in each school corporation accepting~~
25 ~~tuition pupils shall cause its buildings to be appraised and~~
26 ~~an itemized statement of the results of the appraisal filed~~
27 ~~with the county superintendent. -- Such~~ The appraisal and
28 itemized statement of the appraisal filed in 1953 shall be
29 updated commencing July 1, 1975 at least one time every five
30 years and shall constitute the basis for the hereinabove
31 provided depreciation charge. Such appraisal shall be made
32 by a board comprised of the county or city assessor and one
33 member appointed by the local school corporation and one
34 member appointed by the county-board-of-education area
35 education agency board.

1 The tuition rates and the computation thereof shall be
2 filed with the ~~county-board-of-education~~ superintendent of
3 public instruction not later than July 30 for ~~its~~ his review
4 and approval. Receiving districts cannot receive tuition
5 until approval is granted by the ~~county-board-of-education~~
6 superintendent of public instruction. ~~The-right-of-appeal~~
7 ~~shall-be-as-provided-in-section-285-13.~~

8 Sec. 83. Section two hundred eighty-five point one (285.1),
9 subsections six (6), seven (7), nine (9), and thirteen (13),
10 Code 1973, are amended to read as follows:

11 6. When the school designated for attendance of pupils
12 is engaged in the transportation of pupils, the sending or
13 designating school shall use these facilities and pay the
14 pro rata cost of transportation except that a district sending
15 pupils to another school may make other arrangements when
16 it can be shown that such arrangements will be more efficient
17 and economical than to use facilities of the receiving school,
18 providing such arrangements are approved by the ~~county-board~~
19 of-education board of the area education agency.

20 7. If a local board closes either elementary or high
21 school facilities and is approved by the ~~county~~ board of
22 ~~education~~ the area education agency to operate its own
23 transportation equipment, the full cost of transportation
24 shall be paid by the board for all pupils living beyond the
25 statutory walking distance from the school designated for
26 attendance.

27 9. Distance to school or to a bus route shall in all cases
28 be measured on the public highway only and over the most pass-
29 able and safest route as determined by the ~~county~~ area
30 education agency board of-education, starting in the roadway
31 opposite the private entrance to the residence of the pupil
32 and ending in the roadway opposite the entrance to the school
33 grounds or designated point on bus route.

34 13. When a local board fails to pay transportation costs
35 due to another school for transportation service rendered,

1 the board of the creditor corporation shall file a sworn
2 statement with the county area education agency board of
3 ~~education~~ specifying the amount due. The county area education
4 agency board ~~of-education~~ shall check such claim and if the
5 claim is valid shall certify to the county auditor. The
6 auditor shall transmit to the county treasurer an order
7 directing him to transfer the amount of such claim from the
8 funds of the debtor corporation to the creditor corporation
9 and the treasurer shall pay the same accordingly.

10 Sec. 84. Section two hundred eighty-five point four
11 (285.4), Code 1973, is amended to read as follows:

12 285.4 PUPILS SENT TO ANOTHER DISTRICT. On or before July
13 8, 1949, the board in districts not maintaining high school
14 facilities shall by record action designate the school or
15 schools for attendance of all high school pupils from their
16 respective districts. In making designations, the local board
17 shall give consideration to the wishes of the majority of
18 the patrons, the adequacy of the facilities and curricular
19 offerings and available bus service to avoid duplication of
20 transportation facilities to different receiving schools.

21 When a board closes its elementary school facilities for
22 lack of pupils or by action of the board, it shall, if there
23 is a school bus service available in the area, designate for
24 attendance the school operating the buses, provided the board
25 of such school is willing to receive them and the facilities
26 and curricular offerings are adequate. The board of the dis-
27 trict where the pupils reside may with the approval of the
28 county area education agency board ~~of-education~~, subject to
29 legal limitations and established uniform standards, designate
30 another rural school and provide their own transportation
31 if the transportation costs will be less than to use the
32 established bus service.

33 All designations must be submitted to the county area
34 education agency board ~~of-education~~ on or before July 15,
35 for review and approval. The county area education agency

1 board ~~of-education~~ shall after due investigation alter or
2 change designations to make them conform to legal requirements
3 and established uniform standards for making designations
4 and for locating and establishing bus routes. After
5 designations are made, they will remain the same from year
6 to year except that on or before July 15, of each year, the
7 rural board or parents may petition the county area education
8 agency board for a change of designation to another school.
9 Appeals from the decision of the county area education agency
10 board on designations may be made by either the parents or
11 board to the state superintendent of public instruction as
12 provided in section 285.12 and section 285.13.

13 Sec. 85. Section two hundred eighty-five point nine
14 (285.9), Code 1973, is amended to read as follows:

15 285.9 POWERS AND DUTIES OF COUNTY AREA BOARDS. The powers
16 and duties of the respective county area education agency
17 boards ~~of-education~~ shall be to:

18 1. Enforce all laws and all rules and regulations of the
19 state department of public instruction relating to transpor-
20 tation.

21 2. Review and approve all transportation arrangements
22 between districts in the county area education agency and
23 in all districts in the county area education agency not
24 operating high schools. If such transportation arrangements,
25 designations, and contracts are not in conformity to law or
26 established uniform standards for the locating and operating
27 of bus routes, the county area education agency board shall,
28 after receiving all facts, make such alterations or changes
29 as necessary to make the arrangements, designations, and
30 contracts conform to the legal and established requirements
31 and shall notify local board of such action.

32 3. Approve all bus routes outside the boundary of the
33 district of the school operating buses.

34 4. When a local board fails to make designations and other
35 necessary arrangements for transportation as required by law,

1 the ~~county~~ area education agency board shall, after due notice
2 to the local board, make necessary arrangements in conformity
3 with law and established requirements. Notice shall be given
4 to the local board of the arrangements as made. The
5 arrangements shall be binding on the local board which shall
6 pay the costs for service as arranged.

7 Sec. 86. Section two hundred eighty-five point twelve
8 (285.12), Code 1973, is amended to read as follows:

9 285.12 DISPUTES--HEARINGS AND APPEALS. In the event of
10 a disagreement between a school patron and the board of the
11 school district, the patron if dissatisfied with the decision
12 of the district board, may appeal the same to the ~~county~~ area
13 education agency board ~~of-education~~, notifying the secretary
14 of the district in writing within ten days of the decision
15 of the board and by filing an affidavit of appeal with the
16 ~~county~~ area education agency board ~~of-education~~ within the
17 ten-day period. The affidavit of appeal shall include the
18 reasons for the appeal and points at issue. The secretary
19 of the local board on receiving notice of appeal shall certify
20 all papers to the ~~county~~ area education agency board ~~of~~
21 ~~education~~ which shall hear the appeal within ten days of the
22 receipt of the papers and decide it within three days of the
23 conclusion of the hearing and shall immediately notify all
24 parties of its decision. Either party may appeal the decision
25 of the ~~county~~ area education agency board to the state
26 superintendent of public instruction by notifying the opposite
27 party and the ~~county~~ area education agency superintendent
28 ~~of-schools~~ in writing within five days after receipt of notice
29 of the decision of the ~~county~~ area education agency board
30 ~~of-education~~ and shall file with the state superintendent
31 of public instruction an affidavit of appeal, reasons for
32 appeal, and the facts involved in the disagreement. The
33 ~~county~~ area education agency superintendent ~~of-schools~~ shall,
34 within ten days of said notice, file with the state
35 superintendent of public instruction all records and papers

1 pertaining to the case, including action of the county area
2 education agency board of education. The state superintendent
3 of public instruction shall hear the appeal within fifteen
4 days of the filing of the records in his office, notifying
5 all parties and the county area education agency superintendent
6 of schools of the time of hearing. The state superintendent
7 of public instruction shall forthwith decide the same and
8 notify all parties of his decision and return all papers with
9 a copy of the decision to the county area education agency
10 superintendent of schools. The decision of the state
11 superintendent of public instruction shall be subject to
12 appeal to the district court. Any order of the district court
13 shall be subject to appeal to the supreme court in accord
14 with the statutes respecting appeals to that court. Pending
15 final order made by the state superintendent of public
16 instruction, or the district court, or the supreme court,
17 as the case may be, upon any appeal prosecuted to such
18 superintendent or to such courts, the order of the county
19 area education agency board of education from which the appeal
20 is taken shall be operative and be in full force and effect.

21 Sec. 87. Section two hundred eighty-five point thirteen
22 (285.13), Code 1973, is amended to read as follows:

23 285.13 DISAGREEMENTS BETWEEN BOARDS. In the event of
24 a disagreement between the board of a school district and
25 the county board of education an area education agency, the
26 board of the school district may appeal to the state
27 superintendent of public instruction and the procedure and
28 times provided for in section 285.12 shall prevail in any
29 such case. The decision of the state superintendent of public
30 instruction shall be subject to appeal to the courts as
31 provided for in section 285.12.

32 Sec. 88. Section two hundred eighty-five point fifteen
33 (285.15), Code 1973, is amended to read as follows:

34 285.15 FORFEITURE OF REIMBURSEMENT RIGHTS. The failure
35 of any local district to comply with the provisions of this

1 chapter or any other laws relating to the transportation of
 2 pupils, or any rules or regulations made by the state depart-
 3 ment of public instruction under this chapter or the final
 4 decisions of the county area education agency board of
 5 education, or the final decisions of the state department
 6 of public instruction shall ~~cause each district to forfeit~~
 7 ~~any rights to reimbursement for any transportation costs~~
 8 incurred during the period such failure to comply existed
 9 and forfeit the rights to collect transportation costs from
 10 school or parents while operating in such illegal manner.
 11 Any superintendent, board, or board member who knowingly
 12 operates or permits to be operated any school bus transporting
 13 public school pupils in violation of any school transportation
 14 law shall be deemed guilty of a misdemeanor.

15 Sec. 89. Section two hundred eighty-nine point seven
 16 (289.7), Code 1973, is amended to read as follows:

17 289.7 ENFORCEMENT. The enforcement of this chapter shall
 18 rest with the school board in the district in which such
 19 part-time school, department, or class shall have been estab-
 20 lished, and the state department of public instruction through
 21 its inspectors and the state board for vocational education
 22 through its supervisors of vocational education, in conjunc-
 23 tion with the county area education agency superintendent
 24 of schools, are empowered to require enforcement of the same
 25 on the part of school boards.

26 Sec. 90. Section two hundred ninety point one (290.1),
 27 Code 1973, is amended to read as follows:

28 290.1 APPEAL TO COUNTY-SUPERINTENDENT STATE BOARD. Any
 29 person aggrieved by any decision or order of the board of
 30 directors of any school corporation in a matter of law or
 31 fact may, within thirty days after the rendition of such
 32 decision or the making of such order, appeal therefrom to
 33 the county-superintendent-of-the-proper-county state board
 34 of public instruction; the basis of the proceedings shall
 35 be an affidavit filed with the county-superintendent state

1 board by the party aggrieved within the time for taking the
2 appeal, which affidavit shall set forth any error complained
3 of in a plain and concise manner.

4 Sec. 91. Section two hundred ninety point two (290.2),
5 Code 1973, is amended to read as follows:

6 290.2 NOTICE--TRANSCRIPT--HEARING. The ~~county-superinten-~~
7 dent state board of public instruction shall, within five
8 days after the filing of such affidavit ~~in his office~~, notify
9 the secretary of the proper school corporation in writing
10 of the taking of such appeal, who shall, within ten days after
11 being thus notified, file ~~in the office of the county~~
12 superintendent with the state board a complete certified
13 transcript of the record and proceedings relating to the
14 decision appealed from. Thereupon, the ~~county-superintendent~~
15 state board shall notify in writing all persons adversely
16 interested of the time when and place where the matter of
17 appeal will be heard ~~by him~~.

18 Sec. 92. Section two hundred ninety point three (290.3),
19 Code 1973, is amended to read as follows:

20 290.3 HEARING--SHORTHAND REPORTER--DECISION. At the time
21 fixed for the hearing, ~~he~~ it shall hear testimony for either
22 party, and may cause the same to be taken down and transcribed
23 by a shorthand reporter, whose fees shall be fixed by the
24 ~~county-superintendent~~ state board and be ~~taxes~~ taxed as a part
25 of the costs in the case, and ~~he~~ it shall make such decision
26 as may be just and equitable, which shall be final unless
27 appealed from as hereinafter provided.

28 Sec. 93. Section two hundred ninety point four (290.4),
29 Code 1973, is amended to read as follows:

30 290.4 WITNESSES--FEES--COLLECTION. The ~~county-superinten-~~
31 dent state board of public instruction in all matters triable
32 before ~~him~~ it shall have power to issue subpoenas for
33 witnesses, which may be served by any peace officer, compel
34 the attendance of those thus served, and the giving of evidence
35 by them, in the same manner and to the same extent as the

1 district court may do, and such witnesses and officers may
2 be allowed the same compensation as is paid for like attendance
3 or service in such court, which shall be paid out of the
4 general fund of the proper school corporation, upon the
5 certificate of the superintendent to and warrant of the
6 secretary upon the treasurer; but if the ~~superintendent~~ state
7 board is of the opinion that the proceedings were instituted
8 without reasonable cause therefor, or if, in case of an appeal,
9 it shall not be sustained, ~~he~~ it shall enter such findings
10 in the record, and tax all costs to the party responsible
11 therefor. A transcript thereof shall be filed in the office
12 of the clerk of the district court and a judgment entered
13 thereon by him, which shall be collected as other judgments.

14 Sec. 94. Section two hundred ninety point five (290.5),
15 Code 1973, is amended by striking the section and inserting
16 in lieu thereof the following:

17 290.5 DECISION OF STATE BOARD. The decision of the state
18 board shall be final. The state board may adopt rules of
19 procedure for hearing appeals which shall include the power
20 to delegate the actual hearing of the appeal to the superinten-
21 dent of public instruction and members of his staff desig-
22 nated by him. The record of appeal so heard shall be reviewed
23 by the state board and the decision recommended by the superin-
24 tendent of public instruction shall be approved by the state
25 board in the manner provided in section two hundred fifty-
26 seven point ten (257.10), subsection four (4), of the Code.

27 Sec. 95. Section two hundred ninety point six (290.6),
28 Code 1973, is amended to read as follows:

29 290.6 MONEY JUDGMENT. Nothing in this chapter shall be
30 so construed as to authorize either the ~~county-superinten-~~
31 ~~dent-or~~ state board of public instruction to render judgment
32 for money; neither shall they be allowed any other compensa-
33 tion than is now allowed by law. All necessary postage must
34 first be paid by the party aggrieved.

35 Sec. 96. Section two hundred ninety-one point six (291.6),

1 subsection one (1), Code 1973, is amended to read as follows:

2 1. PRESERVATION OF RECORDS. File and preserve copies
3 of all reports made ~~to-the-county-superintendent~~; and all
4 papers transmitted ~~to-him~~ pertaining to the business of the
5 corporation.

6 Sec. 97. Section two hundred ninety-one point ten (291.10),
7 unnumbered paragraph one (1), Code 1973, is amended to read
8 as follows:

9 He shall notify the ~~county~~ superintendent of public
10 instruction when each school is to begin and its length of
11 term, and, ten days after the regular July meeting in each
12 year, file with the ~~county~~ superintendent of public instruction
13 a report on blanks prepared for that purpose by the
14 superintendent of public instruction, showing:

15 Sec. 98. Section two hundred ninety-one point eleven
16 (291.11), Code 1973, is amended to read as follows:

17 291.11 OFFICERS REPORTED. He shall report to the ~~county~~
18 superintendent of public instruction, the county auditor,
19 and county treasurer the name and post-office address of the
20 president, treasurer, and secretary of the board as soon as
21 practicable after the qualification of each.

22 Sec. 99. Section two hundred ninety-one point fifteen
23 (291.15), Code 1973, is amended to read as follows:

24 291.15 ANNUAL REPORT. He shall make an annual report
25 to the board at its regular July meeting, which shall show
26 the amount of the general fund and the schoolhouse fund held
27 over, received, paid out, and on hand, the several funds to
28 be separately stated, and he shall immediately file a copy
29 of this report with the ~~county~~ superintendent of public
30 instruction and a copy with the county treasurer.

31 Sec. 100. Section two hundred ninety-two point two (292.2),
32 Code 1973, is amended to read as follows:

33 292.2 PURCHASE OF BOOKS--DISTRIBUTION. Between the first
34 Monday of July and the first day of October in each year,
35 the county ~~board-of-education-shall-expend~~ auditor shall

1 distribute all money withheld ~~by the auditor~~, as provided
2 in section 292.1, in for the purchase of books and materials
3 for the use of the school district districts to the area
4 education agency board for the area media center. ~~The county~~
5 ~~board of education may distribute the books thus purchased~~
6 ~~to the librarians of the several school districts in the~~
7 ~~proportion that the number of persons of school age living~~
8 ~~in the school district bears to the number of such persons~~
9 ~~living in the county, or may entrust the custody of such books~~
10 ~~to the county superintendent of schools to be loaned by him~~
11 ~~to schools of the county in the manner of a circulating~~
12 ~~library, provided that if the circulating library method is~~
13 ~~adopted, in whole or in part, any district maintaining a high~~
14 ~~school shall, upon request of its board of directors, be~~
15 ~~excluded therefrom and be allowed its distributive share of~~
16 ~~such books on the basis first above mentioned in this section.~~

17 Directors of the school districts having permanent librar-
18 ies shall, upon approval by the county superintendent of
19 schools, be permitted to make temporary and permanent exchanges
20 of books between school districts or to turn books over to
21 the county area education agency superintendent of schools
22 to become a part of the circulating library area media center.
23 The county area education agency superintendent shall keep
24 a record of all books in his custody.

25 Sec. 101. Section two hundred ninety-four point one
26 (294.1), Code 1973, is amended to read as follows:

27 294.1 QUALIFICATIONS--COMPENSATION PROHIBITED. No person
28 shall be employed as a teacher in a common school which is
29 ~~to receive its distributive share of the school fund~~ without
30 having a ~~certificate of qualification given by the county~~
31 ~~superintendent of the county in which the school is situated,~~
32 or a certificate or diploma issued by some other officer duly
33 authorized by law.

34 No compensation shall be recovered by a teacher for ser-
35 vices rendered while without such certificate or diploma.

1 Sec. 102. Section two hundred ninety-four point five
2 (294.5), Code 1973, is amended to read as follows:

3 294.5 REPORTS. The teacher shall file with the county
4 ~~superintendent~~ school superintendent and the superintendent
5 of public instruction such reports and in such manner as he
6 may ~~be require~~ required.

7 Sec. 103. Section two hundred ninety-seven point eight
8 (297.8), Code 1973, is amended to read as follows:

9 297.8 EMERGENCY REPAIRS. When emergency repairs costing
10 more than ~~twenty-five-hundred~~ five thousand dollars are
11 necessary in order to prevent the closing of any school, the
12 provisions of the law with reference to advertising for bids
13 shall not apply, and in that event the board may contract
14 for such emergency repairs without advertising for bids;
15 provided, however, that before such emergency repairs can
16 be made to any schoolhouse, it shall be necessary to procure
17 a certificate from the ~~county~~ area education agency super-
18 intendent that such emergency repairs are necessary to prevent
19 the closing of such school.

20 Sec. 104. Section two hundred ninety-seven point sixteen
21 (297.16), Code 1973, is amended to read as follows:

22 297.16 APPRAISERS. In case the school district and said
23 owner of the tract from which such school site was taken,
24 do not agree as to the value of such site, the ~~county-superin-~~
25 ~~tendent~~ chief judge of the judicial district of the county
26 in which the greater part of such school district is situated,
27 shall, on the written application of either party, appoint
28 three disinterested voters of the county from the list of
29 persons eligible to serve as compensation commissioners to
30 appraise ~~said~~ the site.

31 Sec. 105. Section two hundred ninety-seven point seventeen
32 (297.17), Code 1973, is amended to read as follows:

33 297.17 NOTICE. The county ~~superintendent~~ sheriff shall
34 give notice to both parties of the time and place of making
35 such appraisalment, which notice shall be served in the same

1 manner and for the same time as for the commencement of action
2 in the district court.

3 Sec. 106. Section two hundred ninety-seven point eighteen
4 (297.18), Code 1973, is amended to read as follows:

5 297.18 APPRAISEMENT. Such appraisers shall inspect the
6 premises and, at the time and place designated in the notice,
7 appraise said site in writing, which appraisalment, after being
8 duly verified, shall be filed with the county ~~superintendent~~
9 sheriff.

10 Sec. 107. Section two hundred ninety-seven point nineteen
11 (297.19), Code 1973, is amended to read as follows:

12 297.19 PUBLIC SALE. If the owner of the tract from which
13 said site was taken fails to pay the amount of such appraise-
14 ment to such school district within twenty days after the
15 filing of same with the county ~~superintendent~~ sheriff, the
16 school district may sell said site to any other person at
17 the appraised value, or may sell the same at public sale to
18 the highest bidder.

19 Sec. 108. Section two hundred ninety-seven point twenty-
20 two (297.22), unnumbered paragraph four (4), Code 1973, is
21 amended to read as follows:

22 Before the board of directors may sell, lease or dispose
23 of any property belonging to the school district it shall
24 comply with the requirements set forth in sections 297.15
25 to 297.20, inclusive, and sections 297.23 and 297.24. Any
26 real estate proposed to be sold shall be appraised by three
27 disinterested freeholders residing in the school district
28 and appointed by the ~~county-superintendent-of-schools~~ chief
29 judge of the judicial district of the county in which said
30 real estate is located from the list of compensation commis-
31 sioners.

32 Sec. 109. Section two hundred ninety-seven point twenty-
33 eight (297.28), Code 1973, is amended to read as follows:

34 297.28 APPRAISERS. In case the executive council and
35 said owner of the tract from which such school site was taken,

1 do not agree as to the value of such site or building, the
2 ~~county-superintendent~~ chief judge of the judicial district
3 of the county in which the greater part of such school site
4 is situated, shall, on the written application of either
5 party, appoint three disinterested voters of the county from
6 the list of compensation commissioners to appraise such site.
7 The county ~~superintendent~~ sheriff shall give notice to both
8 parties of the time and place of making such appraisement,
9 which notice shall be served in the same manner and for the
10 same time as for the commencement of an action in the district
11 court.

12 Sec. 110. Section two hundred ninety-seven point twenty-
13 nine (297.29), Code 1973, is amended to read as follows:

14 297.29 REPORT FILED. Such appraisers shall inspect the
15 premises and at the time and place designated in the notice,
16 appraise such site or building in writing, which appraisement,
17 after being duly verified, shall be filed with the ~~county~~
18 ~~superintendent~~ sheriff.

19 Sec. 111. Section two hundred ninety-seven point thirty
20 (297.30), Code 1973, is amended to read as follows:

21 297.30 PUBLIC SALE. If the owner of the tract from which
22 said site was taken fails to pay the amount of such appraise-
23 ment to such executive council within thirty days after the
24 filing of the same with the ~~county-superintendent~~ sheriff,
25 the executive council may sell said site or building to any
26 other person at the appraised value, or may sell the same
27 at public sale to the highest bidder and the proceeds of such
28 sale are to be added to the permanent school fund of the
29 state.

30 Sec. 112. Section two hundred ninety-eight point eleven
31 (298.11), unnumbered paragraph one (1), Code 1973, is amended
32 to read as follows:

33 The county auditor shall, on the first Monday in April
34 and the first Monday in October of each year, apportion the
35 school tax, together with the interest of the permanent school

1 fund and rents on unsold school lands to which the county
2 is entitled as shown in notice from the state comptroller,
3 and all other money in the hands of the county treasurer
4 belonging in common to the schools of the county and not
5 included in any previous apportionment, among the several
6 corporations therein, in proportion to the number of persons
7 of school age, as shown by the ~~report-of-the-county-superin-~~
8 ~~tendent-filed-with-him~~ reports filed with the state depart-
9 ment of public instruction for the year immediately preceding.

10 Sec. 113. Section two hundred ninety-nine point three
11 (299.3), Code 1973, is amended to read as follows:

12 299.3 REPORTS FROM PRIVATE SCHOOLS. Within ten days from
13 receipt of notice from the secretary of the school district
14 within which any private school is conducted, the principal
15 of such school shall, once during each school year, and at
16 any time when requested in individual cases, furnish to such
17 secretary a certificate and report in duplicate of the names,
18 ages, and number of days attendance of each pupil of such
19 school over seven and under sixteen years of age, the course
20 of study pursued by each such child, the texts used, and the
21 names of the teachers, during the preceding year and from
22 the time of the last preceding report to the time at which
23 a report is required. The secretary shall retain one of the
24 reports and file the other ~~in-the-office-of-the-county~~
25 ~~superintendent~~ with the secretary of the area education agency.

26 Sec. 114. Section two hundred ninety-nine point twelve
27 (299.12), Code 1973, is amended to read as follows:

28 299.12 NEGLECT BY TRUANCY OFFICER. Any truancy officer
29 or any director neglecting his duty to enforce the truancy
30 law after written notice so to do served upon him by any
31 citizen of the county or by the ~~county~~ area education agency
32 superintendent shall be liable to a fine not exceeding twenty-
33 five dollars and be removed from such office. The county
34 attorney shall prosecute such persons upon request of the
35 ~~county~~ area education agency superintendent.

1 Sec. 115. Section three hundred one point five (301.5),
2 Code 1973, is amended to read as follows:
3 301.5 PURCHASE--EXCHANGE. In the purchasing of textbooks
4 it shall be the duty of the board of directors ~~or-the-county~~
5 ~~board-of-education~~ to take into consideration the books then
6 in use in the respective districts, and they may buy such
7 additional number of said books as may from time to time
8 become necessary to supply their schools, and they may arrange
9 on equitable terms for exchange of books in use for new books
10 adopted.

11 Sec. 116. Section three hundred one point six (301.6),
12 Code 1973, is amended to read as follows:
13 301.6 SUIT ON BOND. If at any time the publishers of
14 such books as shall have been adopted by any board of directors
15 ~~or-county-board-of-education~~ shall neglect or refuse to furnish
16 such books when ordered by said board in accordance with the
17 provisions of this chapter, at the very lowest price, either
18 contract or wholesale, that such books are furnished any other
19 district or state board, then said board of directors ~~or~~
20 ~~county-board-of-education~~ may and it is hereby made their
21 duty to bring suit upon the bond given them by the contract-
22 ing publisher.

23 Sec. 117. Section three hundred one point seven (301.7),
24 Code 1973, is amended to read as follows:
25 301.7 BIDS--ADVERTISEMENT. Before purchasing textbooks
26 from a source other than the publisher and before purchasing
27 supplies under the provisions of this chapter, it shall be
28 the duty of the board of directors, ~~or-county-board-of~~
29 ~~education,~~ to advertise, by publishing a notice once each
30 week for two consecutive weeks in one or more newspapers
31 published in the county; said notice shall state the time
32 up to which all bids will be received, the classes and grades
33 for which textbooks and other necessary supplies are to be
34 bought, and the approximate quantity needed.

35 Sec. 118. Section three hundred one point ten (301.10),

1 Code 1973, is amended to read as follows:

2 301.10 SAMPLES AND LISTS. Any person or firm desiring
3 to furnish books or supplies under this chapter ~~in any county~~
4 shall, at or before the time of filing his bid hereunder,
5 ~~deposit in the office of the county superintendent~~ make
6 available samples of all textbooks included in his bid,
7 accompanied with lists giving the lowest wholesale and contract
8 prices for the same. ~~Said samples and lists shall remain~~
9 ~~in the county superintendent's office, and shall be delivered~~
10 ~~by him to his successor in office and shall be kept by him~~
11 ~~in such safe and convenient manner as to be open at all times~~
12 ~~to the inspection of such school officers, school patrons,~~
13 ~~and school teachers as may desire to examine the same and~~
14 ~~compare them with others, for the purpose of use in the public~~
15 ~~schools.~~

16 Sec. 119. Section three hundred one point eleven (301.11),
17 Code 1973, is amended to read as follows:

18 301.11 BOND. The board of directors ~~and county board~~
19 ~~of education mentioned~~ shall require any person or persons
20 with whom they contract for furnishing any books or supplies
21 to enter into a good and sufficient bond, in such sum and
22 with such conditions and sureties as may be required by such
23 board of directors ~~or county board of education,~~ for the
24 faithful performance of any such contract. Bonds of surety
25 companies duly authorized under the laws of Iowa shall be
26 accepted.

27 Sec. 120. Section three hundred one point twenty-eight
28 (301.28), Code 1973, is amended to read as follows:

29 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS AND SUP-
30 PLIES. It shall be unlawful for any school director, officer,
31 area education director, or teacher, ~~or member of the county~~
32 ~~board of education~~ to act as agent for any school textbooks
33 or school supplies during such term of office or employment,
34 and any school director, officer, area education agency
35 director, or teacher, or member of the county board of

1 education who shall act as agent or dealer in school textbooks
2 or school supplies, during the term of such office or employ-
3 ment, shall be deemed guilty of a misdemeanor, and shall,
4 upon conviction thereof, be fined not less than ten dollars
5 nor more than one hundred dollars, and pay the costs of prose-
6 cution.

7 Sec. 121. Section three hundred thirty-two point nine
8 (332.9), Code 1973, is amended to read as follows:

9 332.9 OFFICES FURNISHED. The board of supervisors shall
10 furnish the clerk of the district court, sheriff, recorder,
11 treasurer, auditor, county attorney, ~~county-superintendent,~~
12 county surveyor or engineer, and county assessor, with offices
13 at the county seat, but in no case shall any such officer,
14 except the county attorney, be permitted to occupy an office
15 also occupied by a practicing attorney.

16 Sec. 122. Section three hundred forty-nine point sixteen
17 (349.16), subsection one (1), Code 1973, is amended to read
18 as follows:

19 1. The proceedings of the board of supervisors, excluding
20 from the publication of said proceedings, its canvass of the
21 various elections, as provided by law; witness fees of
22 witnesses before the grand jury and in the district court
23 in criminal cases; ~~the county-superintendent's report.~~

24 Sec. 123. Section four hundred forty-one point two (441.2),
25 Code 1973, is amended to read as follows:

26 441.2 CONFERENCE BOARD. In each county and each city
27 having an assessor there shall be established a conference
28 board. In counties the conference board shall consist of
29 the mayors of all incorporated cities and towns in the county
30 whose property is assessed by the county assessor, ~~members~~
31 ~~of the county boards of education as now or hereafter consti-~~
32 tuted the presidents of the boards of directors of school
33 districts which have the major portion of their districts
34 located within the county, and members of the board of super-
35 visors. In cities having an assessor the conference board

1 shall consist of the members of the city council, school board
2 and county board of supervisors. In the counties the chairman
3 of the board of supervisors shall act as chairman of the con-
4 ference board, in cities having an assessor the mayor of the
5 city council shall act as chairman of the conference board.
6 In any action taken by the conference board, the mayors of
7 all incorporated cities and towns in the county whose prop-
8 erty is assessed by the county assessor shall constitute one
9 voting unit, the members of the ~~county~~ city board of
10 education or the presidents of the boards of directors of
11 the school districts shall constitute one voting unit, the
12 members of the city council shall constitute one voting unit,
13 and the county board of supervisors shall constitute one
14 voting unit, each unit having a single vote and no action
15 shall be valid except by the vote of not less than two out
16 of the three units. The majority vote of the members present
17 of each unit shall determine the vote of the unit. The
18 assessor shall be clerk of the conference board.

19 Sec. 124. Section four hundred forty-two point four
20 (442.4), Code 1973, as amended by Acts of the Sixty-fifth
21 General Assembly, 1973 Session, chapter two hundred fifty-
22 eight (258), section three (3), is further amended by adding
23 the following new unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. As used in this chapter,
25 "enrollment" means enrollment determined pursuant to this
26 section, "weighted enrollment" means enrollment modified by
27 the special education weighting plan pursuant to section two
28 hundred eighty-one point nine (281.9) of the Code, and "per
29 pupil" means per pupil in enrollment for years prior to the
30 school year beginning July 1, 1975, and "per pupil in weighted
31 enrollment" for the school year beginning July 1, 1975 and
32 each succeeding school year.

33 Sec. 125. Section four hundred forty-two point seven
34 (442.7), Code 1973, as amended by Acts of the Sixty-fifth
35 General Assembly, 1973 Session, chapter two hundred fifty-

1 eight (258), section six (6), is further amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. For the school year beginning
4 July 1, 1975, the allowable growth for each district as other-
5 wise determined under this section shall be modified for dis-
6 tricts in that area education agency by the addition of the
7 amount to compensate for the costs of special education sup-
8 port services, media services, and other services as pro-
9 vided in section eleven (11), subsections four (4), five (5)
10 and six (6), of this Act. For each succeeding school year
11 the allowable growth, as otherwise determined, is modified
12 for additional special education support services needed by
13 the agency for that year to serve newly identified children
14 who require the services pursuant to section eleven (11),
15 subsection four (4), of this Act.

16 Sec. 126. Section four hundred forty-two point eight
17 (442.8), Code 1973, as amended by Acts of the Sixty-fifth
18 General Assembly, 1973 Session, chapter two hundred fifty-
19 eight (258), section seven (7), is further amended by adding
20 the following new unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. For the school year beginning
22 July 1, 1975, the allowable growth added to the state cost
23 per pupil shall be the allowable growth as otherwise computed
24 under section four hundred forty-two point seven (442.7) of
25 the Code, increased by an amount equal to the average of the
26 amounts of allowable growth added for each school district
27 in the state for special education support services, media
28 services, and other services provided through the area edu-
29 cation agencies under section ten (10), subsections four (4),
30 five (5) and six (6), of this Act. For such succeeding school
31 year, the allowable growth added to the state cost per pupil
32 as otherwise computed under section four hundred forty-two
33 point seven (442.7) of the Code shall be increased by an
34 amount equal to the average of the amounts of allowable growth
35 added for each school district in the state for additional

1 special education support services needed for that year to
2 serve newly identified children who require the services,
3 under section ten (10), subsection four (4) of this Act.
4 The state comptroller shall compute the applicable amount
5 of allowable growth to be added to the state cost per pupil
6 for each school year.

7 Sec. 127. Section four hundred forty-two point nine
8 (442.9), subsection one (1), paragraphs b and c, Code 1973,
9 as amended by Acts of the Sixty-fifth General Assembly, 1973
10 Session, chapter two hundred fifty-eight (258), section eight
11 (8), is amended to read as follows:

12 b. The district cost for the budget year is equal to the dis-
13 trict cost per pupil for the budget year multiplied by the
14 weighted enrollment. A school district may not increase its
15 district cost for the budget year except to the extent that ex-
16 cess millage is authorized by the school budget review committee
17 as provided in section 442.13, subsection eight (8).

18 c. The amount to be raised by the additional school dis-
19 trict property tax levy is equal to the district cost for
20 the budget year, less the product of the state or district
21 foundation base and the weighted enrollment. However, said
22 amount shall be adjusted in accordance with the maximum millage
23 provided in section 442.10 and the maximum millage reduction
24 provided in section 442.21.

25 Sec. 128. Section four hundred sixty-seven B point four-
26 teen (467B.14), Code 1973, is amended to read as follows:

27 467B.14 ALLOCATION TO-COUNTY-BOARD-OF-EDUCATION-FUND.
28 Sixty-five percent of any such payments or payment received
29 from the federal government shall be credited-to-the-county
30 board-of-education-fund-as-created-by-section-273-13-and-the
31 county-board-of-education-shall-determine-the-districts-of
32 the-county-which-are-principally-affected-in-their-activities
33 by-the-federal-flood-control-project-involved-and-shall-alle-
34 cate-to-the-general-fund-of-each-said-school-district-the
35 amount-of-such-federal-payments-paid-to-the-county-board-of

1 ~~education-fund~~ distributed to the general fund of the school
2 ~~districts of the county after the county auditor has deter-~~
3 ~~mined the districts which are principally affected by the~~
4 ~~federal flood control project involved in an amount deemed~~
5 to be the equitable share of each such district and the amount
6 allocated to each school district shall be paid over ~~by the~~
7 ~~county-board-of-education~~ to the treasurer of such school
8 district.

9 The county ~~board-of-education~~ auditor shall certify to
10 the executive council of the state the amounts allocated
11 to each school district in the previous year, on January
12 second of the following year. The executive council of the
13 state shall deduct this amount from any tax free land
14 reimbursement claim filed that year under section 284.4;
15 except that in no case shall the deduction result in an amount
16 less than the total of the tax free land reimbursement plus
17 any benefits payable to the school district other than the
18 amounts specified in this paragraph. The remaining ten percent
19 of any such payment received by the county treasurer from
20 the federal government, or so much thereof as may be deemed
21 necessary by the board of supervisors, shall be allocated
22 to the local fire departments of the unincorporated villages,
23 towns, townships and cities of the county which are principally
24 affected by the federal flood control project involved, to
25 be paid and prorated among them as determined by the board
26 of supervisors. If the funds prorated to local fire
27 departments in any county are less than ten percent of the
28 total county share of such federal payments for any year,
29 the amount which exceeds such prorations shall revert back
30 to and be divided equally between the secondary road fund
31 and the ~~county-board-of-education~~ local school district fund.

32 Sec. 129. Sections two hundred sixty point twenty-five
33 (260.25), two hundred seventy-seven point one (277.1) as
34 amended by Acts of the Sixty-fifth General Assembly, 1973
35 Session, chapter one hundred thirty-six (136), section two

1 hundred sixty-seven (267), two hundred eighty A point sixteen
2 (280A.16), two hundred eighty A point eighteen (280A.18) as
3 amended by Acts of the Sixty-fifth General Assembly, 1973
4 Session, chapter one hundred ten (110), section ten (10),
5 two hundred eighty A point twenty-one (280A.21), two hundred
6 eighty A point twenty-three (280A.23) as amended by Acts of
7 the Sixty-fifth General Assembly, 1973 Session, chapter one
8 hundred ten (110), sections eleven (11) and twelve (12), two
9 hundred eighty A point twenty-four (280A.24), two hundred
10 eighty A point twenty-five (280A.25), two hundred eighty A
11 point twenty-six (280A.26), two hundred eighty A point thirty-
12 five (280A.35), two hundred eighty A point thirty-seven
13 (280A.37), two hundred eighty A point thirty-nine (280A.39)
14 as amended by Acts of the Sixty-fifth General Assembly, 1973
15 Session, chapter one hundred thirty-six (136), section two
16 hundred seventy-eight (278), two hundred eighty A point forty
17 (280A.40), two hundred eighty-six A point five (286A.5), two
18 hundred eighty-six A point nine (286A.9), two hundred eighty-
19 six A point ten (286A.10), two hundred eighty-six A point
20 eleven (286A.11), two hundred ninety-eight point eighteen
21 (298.18) as amended by Acts of the Sixty-fifth General
22 Assembly, 1973 Session, chapter one hundred thirty-six (136),
23 section two hundred eighty-two (282), five hundred ninety-
24 four A point seven (594A.7) and five hundred ninety-four A
25 point nine (594A.9), Code 1973, and Acts of the Sixty-fifth
26 General Assembly, 1973 Session, chapter one hundred ten (110),
27 are amended by striking from such sections the words "merged
28 area" and inserting in lieu thereof the words "area education
29 agency" and by striking from such sections the words "merged
30 areas" and inserting in lieu thereof the words "area education
31 agencies".

32 Sec. 130. Sections two hundred sixty point eighteen
33 (260.18), two hundred sixty point twenty-two (260.22), two
34 hundred sixty point twenty-four (260.24), two hundred sixty
35 point twenty-five (260.25), two hundred sixty point twenty-

1 six (260.26), two hundred seventy-five point forty (275.40),
2 two hundred seventy-nine point thirty-six (279.36), two hundred
3 eighty-one point ten (281.10), two hundred ninety-two point
4 three (292.3), two hundred ninety-two point four (292.4),
5 three hundred one point nineteen (301.19), and three hundred
6 one point twenty (301.20), and chapter two hundred seventy-
7 three (273), Code 1973, are repealed.

8 Sec. 131. For the purposes of the implementation of
9 sections one (1) through eleven (11) of this Act, for the
10 period commencing October 7, 1974 and ending June 30, 1975,
11 "area education agency" means "merged area" and "area education
12 agency board" means "board of directors of the merged area"
13 as defined in chapter two hundred eighty A (280A) of the Code.

14 Sec. 132. Sections one (1) through eleven (11), inclusive,
15 and section one hundred thirty-one (131) of this Act shall
16 become effective July 1, 1974; and sections twelve (12) through
17 one hundred thirty (130) of this Act shall become effective
18 July 1, 1975.

19 EXPLANATION

20 This bill establishes fifteen area education agencies in
21 place of the fifteen merged areas with boundary lines cotermi-
22 nous with the merged areas. The area education agencies,
23 in addition to the powers and duties possessed by the merged
24 areas currently, are directed to provide programs and ser-
25 vices to the local school districts in the area which may
26 previously have been provided by the county school systems
27 or joint county systems in the state.

28 The bill requires that the area education agencies provide
29 for special education services and media services and allows
30 the area education agencies to provide for in-service train-
31 ing, educational data processing, research and educational
32 planning, auxiliary services, and supplemental services.

33 The bill establishes under the area education agency super-
34 intendent, a division of intermediate services and mandates
35 the employment of an administrative officer in charge of the

1 division. Directly under the administrative officer is a
2 director of special education.

3 The county and joint county school systems will be abolished
4 as of July 1, 1975, but prior to that time, the board of di-
5 rectors of the area education agency will be doubled in number
6 for a three-year period, commencing with the first Monday
7 in October in 1974. For the three-year period one-half of
8 the board will continue to be elected as it presently is and
9 one-half of the board will be elected at director district
10 conventions held in each area education agency director
11 district. Local school boards will cast votes in the ratio
12 that the local district population bears to the population
13 in the director district.

14 From October 3, 1974 until July 1, 1975 the enlarged area
15 education agency board will meet with the county and joint
16 county boards in their area education agency and arrange for
17 a division of assets and liabilities and the county and joint
18 county boards will assist the area education agency board
19 in establishing programs and services. Necessary personnel
20 may be employed prior to July 1, 1975.

21 Commencing with the election in 1977, the number of members
22 of an area education agency board will be twelve with six
23 members elected by the electorate from equal population di-
24 rector districts and six members elected by director district
25 conventions.

26 The special education instructional services are mandated
27 and a weighting plan is established for each type of handi-
28 cap. The handicapped pupils receive a weight for enrollment
29 purposes of from 1.8 for the least handicapped to 4.4 for
30 the most handicapped. The enrollment of a local school
31 district is increased by adding the weights, and state
32 foundation aid is paid on the basis of the adjusted enrollment
33 to provide additional funds for the local district to pay
34 for costs of special education instructional services.

35 For the cost of special education support services in 1975

1 each district in an area adds to its allowable growth the
2 per pupil cost of special education support services for that
3 area pursuant to plans approved by the department of public
4 instruction. For each succeeding year the cost of providing
5 special education support services to newly identified chil-
6 dren who require services is added to the allowable growth.

7 For the cost of providing media services during the school
8 year beginning July 1, 1975, each district adds to its allow-
9 able growth the per pupil amount needed by the area educa-
10 tion agency, except that the amount cannot exceed \$5 per pupil
11 unless a larger amount was spent during the school year begin-
12 ning July 1, 1974 and then the area education agency may spend
13 108% of the amount spent for the school year beginning July
14 1, 1974. The average per pupil amount on a statewide basis
15 cannot exceed \$5 per pupil or the allowable growth increase
16 will be adjusted proportionally.

17 For the cost of providing additional optional services,
18 each district's allowable growth is increased by ten dollars.

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LSB 1199
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SENATE FILE 1163

S-2359

1 Amend the Shaff amendment, S-2248, to Senate File
2 1163 as follows:

- 3 1. Page 5, by striking lines 23, 24, and 25.
- 4 2. Page 6, by striking lines 1 through 25, inclusive.
- 5 3. Page 7, by striking lines 1 through 25, inclusive.
- 6 4. Page 8, by striking lines 1 through 25, inclusive.
- 7 5. Page 9, by striking lines 1 through 25, inclusive.
- 8 6. Page 10, by striking lines 1 and 2 and inserting
- 9 in lieu thereof the following:

10 The governing board of an intermediate service unit
11 shall be a board of directors composed of one member elected
12 from each director district in a merged area by the
13 electors of the director district. The director dis-
14 tricts shall be as established pursuant to chapter two
15 hundred eighty A (280A) of the Code. Members shall be
16 elected at the regular school election commencing with
17 the regular school election in 1974, and the term of
18 office shall be three years except that the initial
19 terms shall be determined respectively by lot. One-
20 third of the members, as nearly as may be, shall be
21 elected for one-year terms; one-third of the members,
22 as nearly as may be, shall be elected for two-year
23 terms; and one-third of the members, as nearly as may
24 be, shall be elected for three-year terms. Vacancies
25 on the board shall be filled in the manner provided for

Page 2

1 vacancies on the merged area board pursuant to section
2 two hundred eighty A point twelve (280A.12) of the Code.

3 The board shall organize on the first Monday of
4 October in each year and a president and such other
5 officers as are deemed necessary by the board shall be
6 elected from the membership of the board. The provi-
7 sions of section two hundred eighty A point thirteen
8 (280A.13) of the Code relating to the appointment of a
9 secretary and treasurer shall apply to the appointment
10 of a secretary and treasurer of the intermediate service
11 unit.

12 The provisions of sections two hundred eighty A point
13 twelve (280A.12) and two hundred eighty A point four-
14 teen (280A.14) of the Code, and sections sixty-seven
15 (67) and seventy-one (71) of this Act shall apply to
16 elections of the board of the intermediate service
17 unit.

18 7. Page 11, lines 1 and 2, by striking the words
19 "area education agency" and inserting in lieu thereof
20 the words "intermediate service unit".

21 8. Page 11, lines 14 and 15, by striking the words
22 "area education agencies" and inserting in lieu thereof
23 the words "intermediate service units".

24 9. Page 11, line 24, by striking the words "area
25 education agencies" and inserting in lieu thereof the

Senate 4
March 8, 1974

Page 3

1 words "intermediate service units".
2 10. Page 12, lines 9 and 10, by striking the words
3 "area education agencies" and inserting in lieu thereof
4 the words "intermediate service units".
5 11. Page 16, by adding the following division after
6 line 7:
7 . By striking the words "area education agency"
8 and inserting in lieu thereof the words "intermediate
9 service unit" and by striking the words "area education
10 agencies" and inserting in lieu thereof the words
11 "intermediate service units" wherever they appear, in
12 sections two (2) through twelve (12), inclusive, four-
13 teen (14), sixteen (16) through twenty-two (22), inclu-
14 sive, twenty-four (24) through twenty-eight (28), inclu-
15 sive, thirty (30) through thirty-three (33), inclusive,
16 thirty-nine (39) through fifty-eight (58), inclusive,
17 sixty (60) through sixty-three (63), inclusive, sixty-
18 six (66), seventy-three (73), seventy-four (74),
19 seventy-six (76), seventy-eight (78), eighty-two (82)
20 through eighty-nine (89), inclusive, one hundred (100),
21 one hundred three (103), one hundred thirteen (113),
22 one hundred fourteen (114), one hundred twenty (120),
23 one hundred twenty-five (125), one hundred twenty-nine
24 (129), and one hundred thirty-one (131) of this Act.

S—2359 Filed and lost
March 7, 1974

By ORR

S—2366

1 Amend Senate File 1163 as follows:
2 1. Page 2, line 22 by inserting after the word
3 "training" the words ", provided they do not duplicate
4 programs and services available in that area from the
5 universities under the state board of regents and from
6 other universities and four-year institutions of
7 higher education in Iowa".
8 2. Page 2, line 24 by inserting after the word
9 "planning" the words ", provided they do not dupli-
10 cate programs and services available in that area
11 from the universities under the state board of re-
12 gents and from other universities and four-year
13 institutions of higher education in Iowa".

S—2366 Filed and adopted *as*
March 7, 1974 *amended by 2368*

By MURRAY, JUNKINS, DODERER
and POTTER

SENATE FILE 1163

S-2358

1 Amend Senate File 1163 as follows:

2 1. Page 73, insert after line 18 the following:

3 Sec. _____. Section four hundred forty-two point one
4 (442.1), Code 1973, as amended by Acts of the Sixty-
5 fifth General Assembly, 1973 Session, chapter two hundred
6 fifty-eight (258), section one (1), is amended to read
7 as follows:

8 442.1 STATE SCHOOL FOUNDATION PROGRAM. This chap-
9 ter establishes a state school foundation program. For
10 each school year, each school district in the state is
11 entitled to receive state school foundation aid, which
12 shall be an amount per pupil equal to the difference
13 between the amount per pupil of foundation property
14 tax in the district, and the state foundation base or
15 the district cost per pupil, whichever is less. How-
16 ever, for the school years beginning July 1, 1973, and
17 July 1, 1974, only, if the amount so determined for any
18 district is less than two hundred dollars per pupil,
19 the district is entitled to receive not less than two
20 hundred dollars per pupil except when a district's total
21 general fund millage rate is reduced to ninety percent
22 or less of the district's total general fund millage
23 rate for the school year beginning July 1, 1970. How-
24 ever, if this computation is made for the school years
25 beginning July 1, 1975, and July 1, 1976, the general

Page 2

1 fund levy for each district for the school year which
2 began July 1, 1970, shall be determined by including
3 the levy certified by the county school system or joint
4 county system in which the district was located, for
5 the school year which began July 1, 1970. In this case
6 the district is entitled to receive only that portion
7 of the two hundred dollars per pupil necessary to retain
8 that ten percent reduction. In making computations and
9 payments under this chapter, the state comptroller shall
10 round amounts to the nearest whole dollar.

11 2. Page 75, insert after line 24 the following:

12 Sec. _____. Section four hundred forty-two point ten
13 (442.10), Code 1973, as amended by Acts of the Sixty-
14 fifth General Assembly, 1973 Session, chapter two hundred
15 fifty-eight (258), section nine (9), is amended to read
16 as follows:

17 442.10 MAXIMUM MILLAGE LEVY. For the purpose of
18 determining the maximum millage levy for the general
19 fund in a school district, the state comptroller shall
20 determine the sum of the foundation property tax levy
21 and the additional property tax levy, in mills. When
22 this total millage levy exceeds the district general
23 fund levy in mills for the school year which began July
24 1, 1970, he shall adjust the district general fund
25 millage levy to a rate equal to the millage levy for the

Senate 14
March 8, 1974

Page 3

1 school year beginning July 1, 1970, except that excess
2 millage authorized by the school budget review committee,
3 as provided in section 442.13, subsection eight (8),
4 may be added to that rate. However, in making this
5 adjustment for the school years beginning July 1, 1975,
6 and July 1, 1976, the general fund levy for each district
7 for the school year which began July 1, 1970, shall be
8 determined by including the levy certified by the county
9 school system or joint county system in which the
10 district was located, for the school year which began
11 July 1, 1970.

12 3. Renumber remaining sections and correct internal
13 references in accordance with this amendment.

S-2358 Filed and adopted
March 7, 1974

By DeKOSTER

S-2368

1 Amend the Murray, et al., amendment, S-2366, to
2 Senate File 1163 as follows:
3 1. Line 3, by inserting after the word "provided"
4 the words "at the time programs and services are
5 established".
6 2. Line 9, by inserting after the word "provided"
7 the words "at the time programs and services are
8 established".

S-2368 Filed and adopted
March 7, 1974

By JUNKINS

S-2357

1 Amend Senate File 1163 as follows:
2 1. Page 48, line 15, by inserting after the word
3 "education" the words "or home study services".
4 2. Page 48, line 15, by striking the word "and"
5 and inserting in lieu thereof the words "and, nursing,".
6 3. Page 48, line 15, by inserting after the word
7 "convalescent" the words "and juvenile".

S-2357 Filed and adopted
March 7, 1974

By SHAW, GLUBA and RABEDEAUX

S-2356

1 Amend the Doderer, et al., amendment, S-2347,
2 to Senate File 1163, as follows:
3 1. Page 1, by striking line 8 and inserting
4 in lieu thereof the following: "met either of the
5 requirements in two of the four following sub-
6 sections:"

S-2356 Filed and adopted
March 7, 1974

By DODERER

Division S-2349-A

1 Amend the Shaff, et al., amendment, S-2248, to Senate
2 File 1163, as follows:

3 1. Page 1, line 7, by inserting after the word
4 "directors" the words ", except as provided in section
5 one hundred thirty-one (131) of this Act".

6 2. Page 1, line 11, by inserting after the word
7 "Code" the words ", except as provided in section one
8 hundred thirty-one (131) of this Act".

Division S-2349-B

9 3. Page 1, line 19, by striking the word "merged".

Division S-2349-A (cont'd.)

10 4. Page 16, line 5, by inserting after the word
11 "inclusive" the following:

12 "and inserting in lieu thereof the following section:

13 Sec. 131. NEW SECTION. ADDITIONAL AREA EDUCATION
14 AGENCY. For the purposes of sections one (1) through
15 eleven (11) of this Act and chapter two hundred eighty-
16 one (281) of the Code, the area education agency formed
17 from merged area IX shall not include the territory
18 comprising the Jackson county school system and the
19 area education agency formed from merged area I shall
20 not include the territory comprising the Delaware county
21 school system and the territory comprising the Dubuque
22 county school system.

23 A separate area education agency is established
24 which shall include the county school systems of Dubuque,
25 Delaware, and Jackson counties. The director districts

Page 2

1 for the area education agency so formed shall be
2 drawn by the state board of public instruction by July
3 15, 1974 pursuant to criteria established in chapter
4 two hundred eighty A (280A) of the Code, but shall not
5 be coterminous with director districts of any merged
6 area. The election for board members of the area
7 education agency so formed shall be conducted pursuant
8 to section nine (9) of this Act.

9 Boards of directors of merged area I and merged
10 area IX shall draw director districts by July 15, 1974
11 for the portions of their merged areas, respectively,
12 which will constitute area education agencies pur-
13 suant to criteria established in chapter two hundred
14 eighty A (280A) of the Code, but shall not be coter-
15 minous with director districts of the merged areas.
16 The elections for board members of the area educa-
17 tion agencies shall be conducted pursuant to section
18 nine (9) of this Act."

19 5. Page 16, by striking lines 6 and 7.

20 6. By renumbering sections and amendments as
21 necessary.

S-2349 Filed

By BLOUIN

Division S-2349-A lost

Division S-2349-B withdrawn

March 7, 1974

S-2352

1 Amend Senate File 1163 as follows:

- 2 1. Page 46, line 32, by inserting after the word
3 "disabilities" the words "or who are chronically
4 disruptive".
5 2. Page 47, by inserting after the period in line
6 31 the following: "For those children who cannot
7 adapt to the regular educational or home living con-
8 ditions, the area education agency may provide
9 residential and detention facilities in which to
10 administer special education programs and services."
11 3. Page 53, line 6, by inserting after the word
12 "handicaps" the words ", or who are chronically
13 disruptive,".

S-2352 Filed and adopted By SHAW, GLUBA and RABEDEAUX
March 7, 1974

S-2353

1 Amend Senate File 1163 as follows:

- 2 1. Page 3, lines 34 and 35, by striking the words
3 "which has a population exceeding one hundred twenty-
4 five thousand persons" and inserting in lieu thereof
5 the words "operating a juvenile home".
6 2. Page 4, line 1, by striking the words "and at
7 the expense of the county" and inserting in lieu thereof
8 the words "in cooperation with and at the expense of
9 the school districts of residence of the children
10 residing in the home".

S-2353 Filed and adopted By SHAW, GLUBA and RABEDEAUX
March 7, 1974

S-2355

- 1 Amend the Shaff amendment S-2248, to Senate File
2 1163, page 3, line 3, by inserting after the word
3 "agency" the words "including sites, buildings, and
4 facilities for providing evaluation, care, treatment,
5 and an educational program for children residing on the
6 premises of the facility".

S-2355 Filed and adopted By GLUBA, SHAW and RABEDEAUX
March 7, 1974

S-2348

- 1 Amend the Hansen amendment, S-2271, to Senate
2 File 1163 as follows by inserting in line 11 before
3 the word "board" the words "elective members of".

S-2348 Filed and adopted By HANSEN
March 7, 1974

SENATE FILE 1163

S-2336

1 Amend the Hansen amendment, S-2257, to Senate File
2 1163 as follows:

3 1. Page 1, by inserting after line 9 the following
4 amendments:

5 _____. Page 3, by inserting after line 20 the follow-
6 ing new subsection and renumbering the remaining sub-
7 sections:

8 6. Area education agencies may cooperate and con-
9 tract between themselves to provide special education
10 programs and services to children residing within their
11 respective areas.

12 _____. Page 5, line 24, by inserting after the word
13 "applications" the words "including those for new or
14 expanded programs and services".

15 2. Page 1, by inserting after line 20 the following
16 amendment:

17 _____. Page 7, by inserting after line 25 the follow-
18 ing:

19 Any tax revenues collected by a county treasurer or
20 county auditor for a county or joint county system, or
21 funds to be paid by the state of Iowa to a county or
22 joint county system, after July 1, 1975, shall be paid
23 directly to the proper area education agency on behalf
24 of the county or joint county system.

25 3. Page 2, by inserting after line 12 the following

Page 2

1 amendments:

2 _____. Page 10, line 2, by inserting after the period
3 the following: "Any employee of an area education
4 agency who was a member of a public retirement system
5 of a school district or county system, other than the
6 Iowa public employees' retirement system established in
7 chapter ninety-seven B (97B) of the Code, shall, if the
8 employee elects in writing to the area education agency
9 board, continue to be a member of that retirement
10 system. Employer contributions required by the retire-
11 ment system shall be made by the area education agency
12 board.

13 _____. Page 10, line 28, by inserting after the word
14 "available" the words "through chapter four hundred
15 forty-two (442) of the Code".

16 _____. Page 11, line 2, by striking the word "certified"
17 and inserting in lieu thereof the words "counted within
18 the certification".

19 _____. Page 11, line 5, by striking the word "certified"
20 and inserting in lieu thereof the words "counted within
21 the certification".

22 4. Page 2, by inserting after line 14 the following
23 amendments:

24 _____. Page 47, line 31, by inserting after the period
25 the following:

Page 3

1 Special aids and services shall be provided to children
2 requiring special education who are less than five years
3 of age if the aids and services will reasonably permit
4 the child to enter the educational process or school
5 environment when the child attains school age.

6 _____. Page 47, by striking lines 32 through 35,
7 inclusive.

8 _____. Page 48, by striking lines 1 through 5, inclu-
9 sive, and inserting in lieu thereof the following:

10 Every child requiring special education shall, if
11 reasonably possible, receive a level of education com-
12 mensurate with the level provided each child who does
13 not require special education. The cost of providing
14 such an education shall be paid as provided in section
15 eleven (11) of this Act and chapters two hundred eighty-
16 one (281) and four hundred forty-two (442) of the Code.
17 It shall be the primary responsibility of each school
18 district to provide special education to children who
19 reside in that district if the children requiring special
20 education are properly identified, the educational program
21 or service has been approved, the teacher or instructor
22 has been certified, the number of children requiring
23 special education needing that educational program or
24 service is sufficient to make offering the program or
25 service feasible, and the program or service cannot more

Page 4

1 economically and equably be obtained from the area
2 education agency, another school district, another group
3 of school districts, a qualified private agency, or in
4 cooperation with one or more other districts.

5 Any funds received by the school district of the
6 child's residence for the child's education, derived
7 from funds received through chapters four hundred forty-
8 two (442) and two hundred eighty-one (281) of the Code
9 and section eleven (11) of this Act shall be paid by the
10 school district of the child's residence to the appro-
11 priate education agency or other school district pro-
12 viding special education for the child pursuant to con-
13 contractual arrangements as provided in section three (3),
14 subsections five (5) and six (6) of this Act.

15 _____. Page 51, line 11, by inserting after the period
16 the following:

17 Local districts or the area education agencies may
18 accept diagnostic and evaluation studies conducted by
19 other individuals, hospitals, or centers, if determined
20 to be competent. Children requiring special education
21 services may be identified in any way that the depart-
22 ment of public instruction determines to be reliable.

23 _____. Page 52, line 4, by inserting after the word
24 "guardian," the words "or the school district in which
25 the child resides,"

Page 5

1 _____ . Page 53, by inserting after line 7 the follow-
2 ing paragraph:

3 3. Shared-time and part-time pupils of school age
4 who require special education shall be placed in the
5 proper category and counted in the proportion that the
6 time for which they are enrolled or receive instruction
7 for the school year bears to the time that full-time
8 pupils, carrying a normal course schedule, in the same
9 school district, for the same school year are enrolled
10 and receive instruction.

11 _____ . Page 53, line 12, by striking the word "final"
12 and inserting in lieu thereof the word "weighted".

13 _____ . Page 53, line 13, by striking the word "all".

14 _____ . Page 53, line 15, by inserting a period after
15 the word "Code".

16 _____ . Page 53, by inserting after line 15 the follow-
17 ing subsection and renumbering the remaining subsections:

18 3. The weight that a child is assigned under this
19 section shall be dependent upon the required educational
20 modifications necessary to meet the special education
21 needs of the child. Enrollment for the purpose of this
22 section, and all payments to be made pursuant thereto,
23 includes all children for whom a special education pro-
24 gram or course is to be provided pursuant to sections
25 one (1) through eleven (ii) of this Act and chapter

Page 6

1 two hundred eighty-one (281) of the Code, whether or not
2 the children are actually enrolled upon the records of a
3 school district.

4 _____ . Page 53, by inserting after line 34 the follow-
5 ing subsection:

6 6. The division may conduct an evaluation of the
7 special education instructional program or special
8 education support services being provided by an area
9 education agency, school district, or private agency,
10 pursuant to sections one (1) through eleven (11) of this
11 Act and chapter two hundred eighty-one (281) of the Code,
12 to determine if the program or service is adequate and
13 proper to meet the needs of the child; if the child is
14 benefiting from the program or service; if the costs
15 are in proportion to the educational benefits being
16 received; and if there are any improvements that can be
17 made in the program or service. A written report of the
18 evaluation shall be sent to the area education agency,
19 school district, or private agency evaluated and to the
20 president of the senate and speaker of the house of
21 representatives of the general assembly.

22 _____ . Page 54, lines 15 and 16, by striking the
23 words "and that the progressive growth factor is not
24 out of proportion to the ability".

25 _____ . Page 54, by striking lines 17 and 18 and

Page 7

- 1 inserting in lieu thereof a period.
2 _____ . Page 54, line 19, by striking the words "funds
3 sought are" and inserting in lieu thereof the words
4 "revenue raised for support of special education instruc-
5 tion and services is expended".
6 _____ . Page 74, line 15, by inserting after the period
7 the following:
8 The determination of whether special education
9 support services are for newly identified children or
10 are new and expanded services shall be made by the
11 director of special education in each area education
12 agency, pursuant to rules and regulations adopted and
13 promulgated by the department of public instruction.
14 The determination shall be subject to audit by the
15 department of public instruction.
16 _____ . Page 74, line 29, by striking the word and
17 figure "ten (10)" and inserting in lieu thereof the
18 word and figure "eleven (11)".
19 _____ . Page 75, line 3, by striking the word and
20 figure "ten (10)" and inserting in lieu thereof the
21 word and figure "eleven (11)".
22 5. By renumbering sections and correcting internal
23 references to conform with this amendment.

S-2336 Filed *Adopted 3/7*
March 6, 1974

By HANSEN

S-2340

- 1 Amend the Hansen amendment, S-2257, to Senate File
2 1163 as follows:
3 1. Page 1, by striking lines 10 through 15, inclu-
4 sive.
5 2. Page 1, by striking lines 21 through 25, inclu-
6 sive.
7 3. Page 2, by striking lines 1 through 12, inclu-
8 sive.
9 4. Page 2, by striking lines 15 through 25, inclu-
10 sive.
11 5. Page 3, by striking lines 1 through 5, inclu-
12 sive.
13 6. By renumbering amendments in accordance with
14 this amendment.

S-2340 Filed *Adopted 3/7 (672)*
March 6, 1974

By HANSEN

S-2347

1 Amend Senate File 1163 as follows:

2 1. Page 19, lines 9 and 10 by striking the words
3 "as an area education agency superintendent, or" and
4 inserting in lieu thereof the word "7-or".

5 2. Page 19, by adding the following after line 11:

6 "The area education agency superintendent's
7 certificate shall be issued to an applicant who has
8 met two of the four following requirements:

9 a. Five years experience in higher education
10 administration at a fully accredited two or four-
11 year college, or university; or an earned doctorate
12 in higher education administration.

13 b. Five years experience in special education
14 administration; or an earned doctorate in special
15 education or any subspecialty thereof.

16 c. Five years experience in primary or secondary
17 school education; or an earned doctorate in educa-
18 tional administration for the primary or secondary
19 level; and five years teaching experience at any
20 educational level.

21 d. Five years experience in business or other
22 nonacademic career pursuit; or an earned doctorate in
23 public administration or business administration.

24 No person shall be issued a temporary or emer-
25 gency certificate for more than one year; and no

Page 2

1 education agency shall employ uncertificated superin-
2 tendents, or employ temporary or emergency certificated
3 superintendents for more than two consecutive years.

4 The provisions of this subsection relating to
5 the certification of an area education agency super-
6 intendent shall not apply to persons holding a
7 superintendent's certificate prior to the effective
8 date of this Act.

S-2347 Filed and adopted *amended by 2450*
March 7, 1974

By DODERER, DeKOSTER and
McCARTNEY

S-2345

1 Amend Senate File 1163 as follows:

2 1. Page 74, lines 27 and 28, by striking the words
3 ", media services, and other services".

4 2. Page 74, lines 29 and 30, by striking the words
5 and figures "subsections four (4), five (5) and six
6 (6)" and inserting in lieu thereof the words and figure
7 "subsection four (4)".

S-2345 Filed, lost,
reconsidered and adopted
March 7, 1974

By DeKOSTER

S-2344

1 Amend Senate File 1163, page 74, line 30, by
2 striking the word "such" and inserting in lieu thereof
3 the word "each".

S-2344 Filed and adopted
March 7, 1974

By HANSEN

S-2321

1 Amend the Shaff, et al., amendment, S-2248, To Senate
2 File 1163 as follows:
3 1. Page 1, line 19, by striking the word "merged".
4 2. Page 2, line 8, by inserting after the word
5 "agency" the words "which shall include the employment
6 of a superintendent who shall possess a superintendent's
7 certificate issued under the provisions of section two
8 hundred sixty point nine (260.9) of the Code".
9 3. Page 2, line 8, by inserting after the period
10 the following sentence: The superintendent shall be
11 employed pursuant to the provisions of section two
12 hundred seventy-nine point fourteen (279.14) of the
13 Code."

S-2321 Filed - *adapted 3/7 (673)* By SHAFF
March 5, 1974

S-2314

1 Amend Senate File 1163 as follows:
2 1. Page 72, by striking lines 32 through 34 and
3 inserting in lieu thereof the following:
4 "to be one representative from the board of
5 directors of each high school district of the
6 county, who is a resident of the county, said
7 board of directors appointing said representative
8 for a one year term and notifying the clerk of
9 the conference board as to their representative,
10 and members of the board of super-".
11 2. Page 73, by striking lines 10 and 11 and
12 inserting in lieu thereof the following:
13 "education or one representative from the board
14 of directors of each high school district of
15 the county shall constitute one voting unit, the".

S-2314 Filed - *adapted 3/7* By GRIFFIN
March 4, 1974

S-2293

1 Amend the Orr, et al., amendment, S-2252, to Senate
2 File 1163, page 5, by inserting after line 9 the
3 following subsection:
4 16. Meet at least semiannually with the members of
5 the board of directors of the merged area in which the
6 intermediate service unit is located to discuss coord-
7 ination of programs and services and other matters of
8 mutual interest to the two boards.

S-2293 Filed - *ruled out of order by* By ORR
February 28, 1974 *adapted of 2248*

S-2282

1 Amend the Shaff amendment, S-2248, to Senate File
2 1163, page 3, line 3, by inserting after the word
3 "agency" the words "including sites and buildings
4 previously used as facilities providing care, treatment,
5 and an educational program for children residing on the
6 premises of the facility".

S-2282 Filed - *withdrawn 3/7 (675)* By GLUBA
February 28, 1974

SENATE FILE 1163

S-2276

1 Amend Senate File 1163 as follows:

2 1. Page 2, line 16, by inserting after the period
3 the following: "If separate boards are established, the
4 separate area education agency board shall have the
5 responsibility for providing programs and services to
6 the local school districts."

7 2. Page 2, line 32, by inserting after the word
8 "Act" the words "or the separate board".

9 3. Page 4, by inserting after line 8 the following
10 section:

11 Sec. ____ . NEW SECTION. DUTIES OF SEPARATE BOARD.

12 If a separate board is established, the separate board,
13 in addition to the duties prescribed in section three
14 (3) of this Act shall:

15 1. Employ personnel as required to carry out the
16 functions of the area education agency. The provisions
17 of section two hundred seventy-nine point thirteen
18 (279.13) of the Code shall apply to the area education
19 agency board and to all certificated school employees
20 of the area education agency.

21 2. Prepare an annual budget estimating income and
22 expenditures for programs and services as provided in
23 sections one (1) through eleven (11) of this Act and
24 chapter two hundred eighty-one (281) of the Code. The
25 proposed budget shall be submitted to the department

Page 2

1 of public instruction, on forms provided by the depart-
2 ment, no later than December first preceding the next
3 fiscal year for approval. The department shall review
4 the proposed budget and shall prior to January first
5 either grant approval or return the budget without
6 approval with comments of the department included. Any
7 unapproved budget shall be resubmitted to the depart-
8 ment for final approval.

9 3. Be authorized to contract indebtedness and issue
10 bonds to raise funds to acquire sites and to erect and
11 equip buildings for use by the area education agency.
12 No indebtedness shall be incurred under this section
13 until authorized by an election. A proposition to incur
14 indebtedness and issue bonds for the purposes stated in
15 this subsection shall be deemed carried in an area educa-
16 tion agency if approved by a sixty percent majority of
17 all voters voting on the proposition within the area
18 education agency.

19 The provisions of chapters seventy-five (75) and
20 seventy-six (76) of the Code shall apply to indebtedness
21 incurred under this subsection. Taxes for the payment
22 of bonds issued under this subsection shall be levied
23 in accordance with chapter seventy-six (76) of the Code.
24 The bonds shall be payable from a fund created from the
25 proceeds of the taxes in not more than twenty years and

Page 3

1 bear interest at a rate not exceeding seven percent per
2 annum, and shall be of such form as the board issuing
3 the bonds shall by resolution provide. Any indebtedness
4 incurred shall not be considered an indebtedness for
5 general and ordinary purposes as prescribed under sec-
6 tion four hundred seven point one (407.1) of the Code.

7 4. Be authorized to pay, out of funds available to
8 the board reasonable annual dues to an Iowa association
9 of school boards. Membership shall be limited to those
10 duly elected members of the area education agency board.

11 5. At the request of an employee through contractual
12 agreement the board may arrange for the purchase of an
13 individual annuity contract for any of its respective
14 employees from any company the employee may choose that
15 is authorized to do business in this state, and through
16 an Iowa-licensed insurance agent that the employee may
17 select, for retirement or other purposes and may make
18 payroll deductions in accordance with such arrangements
19 for the purpose of paying the entire premium due, and to
20 become due, under the contract. The deductions shall
21 be made in the manner which will qualify the annuity
22 premiums for the benefits afforded under section four
23 hundred three b (403b) of the Internal Revenue Code of
24 1954 and amendments thereto. The employee's rights
25 under such annuity contract shall be nonforfeitable

Page 4

1 except for the failure to pay premiums.

2 6. Be authorized to establish and pay all or any
3 part of the cost of group health insurance plans, non-
4 profit group medical service plans and group life insur-
5 ance plans adopted by the board for the benefit of
6 employees of the area education agency, from funds
7 available to the board.

8 4. Page 4, line 21, by striking the word "Designate"
9 and inserting in lieu thereof the words "If only a
10 single board is established, designate".

11 5. Page 4, line 33, by inserting after the word
12 "districts" the words "if only a single board is estab-
13 lished, and if both boards are established designate a
14 division of special education".

15 6. Page 4, line 35, by inserting after the word
16 "subdivision" the words "or division".

17 7. Page 9, line 31, by inserting after the word
18 "services" the words ", or if a separate board is estab-
19 lished for the area education agency,".

20 8. Page 11, line 33, by inserting after the word
21 "services" the words ", or if a separate board is estab-
22 lished by the area education agency superintendent,".

23 9. Page 12, line 23, by inserting after the word
24 "services" the words ", or if a separate board is estab-
25 lished through the area education agency,".

Page 5

1 10. Page 13, by inserting after line 16 the follow-
2 ing section:

3 Sec. _____. NEW SECTION. ELECTION TO DETERMINE PRO-
4 CEDURE. Within ten days following the effective date of
5 this Act, the joint county superintendent of the most
6 populous joint county system in each merged area which
7 contains at least one joint county system shall call a
8 convention to be held within thirty days following the
9 effective date of this Act at a suitable location in the
10 merged area to be selected by the joint county super-
11 intendent. The members of boards of directors of each
12 school district in the merged area shall be informed by
13 certified mail of the date and location of the conven-
14 tion by the county superintendent.

15 The convention shall be held to determine whether the
16 area education agency board established under section
17 nine (9) of this Act shall provide programs and services
18 pursuant to sections one (1) through eleven (11) of this
19 Act and chapter two hundred eighty-one (281) of the Code
20 or whether the merged area board shall continue to func-
21 tion as provided in chapter two hundred eighty A (280A)
22 of the Code and a separate board be established to pro-
23 vide programs and services listed in section two (2) of
24 this Act.

25 Each school district board of directors shall cast a

Page 6

1 weighted vote based upon the ratio that the population
2 of the school district bears to the total population in
3 the merged area.

4 If the convention votes by majority vote to utilize
5 a single board for the purposes of sections one (1)
6 through eleven (11) of this Act and chapter two hundred
7 eighty-one (281) of the Code, the board shall be estab-
8 lished pursuant to section nine (9) of this Act.

9 If the convention votes by majority vote that the
10 provisions of chapter two hundred eighty A (280A) of the
11 Code and the provisions of sections one (1) through
12 eleven (11) of this Act and chapter two hundred eighty-
13 one (281) of the Code shall be performed by separate
14 boards, the board established pursuant to section two
15 hundred eighty A point twelve (280A.12) of the Code
16 shall continue as the merged area board and a separate
17 area education agency board shall be established pur-
18 suant to this section.

19 Area education agencies shall be established with
20 boundaries coterminous with the boundaries of the merged
21 areas established pursuant to chapter two hundred eighty
22 A (280A) of the Code. The governing board of an area
23 education agency shall be a board of directors com-
24 posed of one member elected from each director district
25 in a merged area by the electors of the director dis-

Page 7

1 trict. The director districts shall be as established
2 pursuant to chapter two hundred eighty A (280A) of the
3 Code. Members shall be elected at the regular school
4 election commencing with the regular school election in
5 1974, and the term of office shall be three years except
6 that the initial terms shall be determined respectively
7 by lot. One-third of the members, as nearly as may be,
8 shall be elected for one-year terms; one-third of the
9 members, as nearly as may be, shall be elected for two-
10 year terms; and one-third of the members, as nearly as
11 may be, shall be elected for three-year terms. Vacan-
12 cies on the board shall be filled in the manner provided
13 for vacancies on the merged area board pursuant to sec-
14 tion two hundred eighty A point twelve (280A.12) of the
15 Code.

16 The board shall organize on the first Monday of
17 October in each year and a president and such other
18 officers as are deemed necessary by the board shall be
19 elected from the membership of the board. The provi-
20 sions of section two hundred eighty A point thirteen
21 (280A.13) of the Code relating to the appointment of a
22 secretary and treasurer shall apply to the appointment
23 of a secretary and treasurer of the area education
24 agency.

25 The provisions of sections two hundred eighty A point

Page 8

1 twelve (280A.12) and two hundred eighty A point fourteen
2 (280A.14) of the Code, and sections sixty-seven (67) and
3 seventy-one (71) of this Act shall apply to elections in
4 the area education agency.

5 11. Page 13, line 21, by striking the words "merged
6 areas" and inserting in lieu thereof the words "merged
7 areas,".

8 12. Page 13, line 35, by striking the words "merged
9 area" and inserting in lieu thereof the words "merged
10 area, area".

11 13. Page 14, line 15, by striking the words "merged
12 area" and inserting in lieu thereof the words "merged
13 area, area".

14 14. Page 15, by inserting after line 22 the follow-
15 ing sections:

16 Sec. _____. Section seventy-five point one (75.1),
17 unnumbered paragraph one (1), Code 1973, is amended to
18 read as follows:

19 When a proposition to authorize an issuance of bonds
20 by a county, township, school corporation, area education
21 agency, city or town, or by any local board or commission,
22 is submitted to the electors, such proposition shall not
23 be deemed carried or adopted, anything in the statutes
24 to the contrary notwithstanding, unless the vote in favor
25 of such authorization is equal to at least sixty percent

Page 9

1 of the total vote cast for and against said proposition
2 at said election.

3 Sec. _____. Section seventy-five point ten (75.10),
4 Code 1973, is amended to read as follows:

5 75.10 DENOMINATIONS OF BONDS. Notwithstanding any
6 other provisions in the statutes to the contrary, issues
7 of public bonds of every kind and character by counties,
8 cities, towns, and school corporations, and area education
9 agencies shall be issued in amounts of one hundred dollars
10 or multiples thereof not to exceed ten thousand dollars.
11 This provision shall not apply to bonds, the interest or
12 principal, or both, of which are payable out of special
13 assessments against benefited properties.

14 Sec. _____. Section seventy-six point one (76.1), Code
15 1973, is amended to read as follows:

16 76.1 MANDATORY RETIREMENT. Hereafter issues of bonds
17 of every kind and character by counties, cities, towns,
18 and school corporations, and area education agencies
19 shall be consecutively numbered. The annual levy shall
20 be sufficient to pay the interest and approximately such
21 portion of the principal of the bonds as will retire them
22 in a period not exceeding twenty years from date of issue.
23 Each issue of bonds shall be scheduled to mature serially
24 in the same order as numbered.

25 Sec. _____. Section seventy-six point seven (76.7), Code

Page 10

1 1973, is amended to read as follows:

2 76.7 PARTICULAR BONDS AFFECTED--PAYMENT. Counties,
3 cities, towns, and school corporations, and area educa-
4 tion agencies may at any time or times extend or renew
5 any legal indebtedness or any part thereof they may have
6 represented by bonds or certificates where such indebted-
7 ness is payable from a limited annual tax or from a voted
8 annual tax, and may by resolution fund or refund the same
9 and issue bonds therefor running not more than twenty
10 years to be known as funding or refunding bonds, and make
11 provision for the payment of the principal and interest
12 thereof from the proceeds of an annual tax for the period
13 covered by such bonds similar to the tax authorized by
14 law or by the electors for the payment of the indebted-
15 ness so extended or renewed.

16 15. Page 15, line 26, by inserting after the word
17 "corporation," the words "area education agency,"

18 16. Page 16, line 3, by inserting after the word
19 "corporation," the words "area education agency,"

20 17. Page 41, line 16, by inserting after the word
21 "agency" the words ", if only a single board is estab-
22 lished,".

23 18. Page 41, line 24, by inserting after the word
24 "Act" the words "if only a single board is established".

25 19. Page 41, by striking lines 28 through 33,

Page 11

1 inclusive and inserting in lieu thereof the following:
2 4. "Merged area" or "area education agency area"
3 means an area where two or more county school systems
4 or parts thereof merge resources to establish and oper-
5 ate a vocational school or a community college in the
6 manner provided in this chapter. If a single board is
7 established under the provisions of sections one (1)
8 through eleven (11) of this Act, the area education
9 agency shall provide programs and services to the
10 constituent local school districts.

11 20. Page 41, by striking line 35 and inserting in
12 lieu thereof the words "established and operated by a
13 merged area or an area education agency."

14 21. Page 42, by striking line 2 and inserting in
15 lieu thereof the words "established and operated by a
16 merged area or an area education agency."

17 22. Page 42, by striking lines 5 through 20, inclu-
18 sive, and inserting in lieu thereof the following:

19 "280.12 GOVERNING BOARD. The governing board of a
20 merged area shall be a board of directors composed of
21 one member elected from each director district in the
22 area by the electors of the respective district. Mem-
23 bers of the board shall be residents of the district
24 from which elected. Successors shall be chosen at the
25 annual school elections for members whose terms expire

Page 12

1 on the first Monday in October following such elections.
2 Terms of members of the board of directors shall be
3 three years except that members of the initial board
4 of directors elected at the special election shall deter-
5 mine their respective terms by lot so that the terms of
6 one-third of the members, as nearly as may be, shall
7 expire on the first Monday in October of".

8 23. Page 42, line 30, by striking the words "as a
9 member elected by the electorate".

10 24. Page 42, by striking line 32 and inserting in
11 lieu thereof the words "district or a member of a county
12 board-of-education an area education agency board."

13 25. Page 42, by inserting after line 32, the follow-
14 ing:

15 "If a single board is established, the governing
16 board of an area education agency shall be a board of
17 directors elected pursuant to section eight (8) of this
18 Act. Members of the board shall be residents of the
19 director district from which elected. Terms of members
20 of the area education agency board shall be three years
21 except that members of the initial board shall be deter-
22 mined by lot so that the terms of two of the members
23 elected by the electorate and two of the members elected
24 at director district conventions shall expire on the
25 first Monday in October of each succeeding year.

Page 13

1 Vacancies on the board which occur more than ninety days
2 prior to the next annual school election shall be filled
3 at the next regular meeting of the board by appointment
4 by the remaining members of the board. The member so
5 chosen shall be a resident of the district in which the
6 vacancy occurred and shall serve until the next annual
7 school election, at which election a member shall be
8 elected to fill the vacancy for the balance of the
9 unexpired term. A vacancy shall be defined as in sec-
10 tion two hundred seventy-seven point twenty-nine
11 (277.29) of the Code. No member shall serve on the
12 board of directors as a member elected by the electorate
13 who is a member of a board of directors of a local
14 school district.

15 25. Page 43, line 10, by striking the words "merged
16 area" and inserting in lieu thereof the words "merged
17 area or area".

18 26. Page 43, line 22, by striking the words "a-merged
19 an area" and inserting in lieu thereof the words "a
20 merged area or area".

21 27. Page 43, line 27, by striking the words "merged
22 area" and inserting in lieu thereof the words "merged
23 area or area".

24 28. Page 43, line 33, by striking the words "merged
25 area" and inserting in lieu thereof the words "merged

Page 14

1 area or area".

2 29. Page 44, line 16, by striking the words "a-merged
3 an area" and inserting in lieu thereof the words "a merged
4 area or an area".

5 30. Page 44, line 20, by striking the words "merged
6 area" and inserting in lieu thereof the words "merged
7 area or area".

8 31. Page 44, line 25, by striking the words "merged
9 areas" and inserting in lieu thereof the words "merged
10 areas or area".

11 32. Page 44, line 27, by inserting after the word
12 "services" the words "or area education agency".

13 33. Page 44, line 35, by inserting after the word
14 "services" the words "or area education agency".

15 34. Page 45, line 2, by striking the words "a-merged
16 an area" and inserting in lieu thereof the words "a
17 merged area or an area".

18 35. Page 45, line 7, by inserting after the word
19 "the" the words "merged area or".

20 36. Page 45, line 15, by inserting before the word
21 "area" the words "merged area or".

22 37. Page 45, line 20, by inserting before the word
23 "area" the words "merged area or".

24 38. Page 46, line 5, by inserting after the word
25 "The" the words "merged area superintendent or".

Senate 18
February 28, 1974

Page 15

- 1 39. Page 46, line 11, by inserting before the word
2 "area" the words "merged area or".
3 40. Page 46, line 16, by inserting before the word
4 "an" the words "a merged area or".
5 41. Page 77, by striking lines 27 through 31, inclu-
6 sive, and inserting in lieu thereof the following:
7 "are amended by inserting in such sections after the
8 words 'merged area' or the words 'merged areas' the words
9 'or area education agency' or the words 'or area educa-
10 tion agencies' respectively."
11 42. Amend the title, page 1, line 3, by inserting
12 after the word "agencies" the words "or retaining the
13 merged areas and establishing a separate area education
14 agency to replace the county school systems and joint
15 county systems and providing a procedure therefor".
16 43. By correcting section numbers and internal
17 references as needed.

S-2276 Filed *Rule'd out of order by* By ORR and GLUBA
February 27, 1974 *adoption of 2248*

S-2346

- 1 Amend the Shaff amendment, S-2248, to Senate File
2 1163, as follows:
3 1. Page 12, by inserting after line 21 the follow-
4 ing amendments:
5 . Page 15, line 26, by inserting after the word
6 "education," the words "area education agency,".
7 . Page 16, line 3, by inserting after the word
8 "education," the words "area education agency,".

S-2346 Filed and adopted By SHAFF
March 7, 1974

S-2280

- 1 Amend the Orr amendment, S-2252, to Senate File 1163,
2 page 3, line 12, by inserting after the word "unit" the
3 words "including sites and buildings previously used as
4 facilities providing care, treatment, and an educational
5 program for children residing on the premises of the
6 facility".

S-2280 Filed *Rule'd out of order by* By GLUBA
February 28, 1974 *adoption of 2248*

S-2277

- 1 Amend the Shaff amendment, S-2248, to Senate File
2 1163, page 4, line 25, by striking the words "at least
3 two times per year" and inserting the word
4 "quarterly".

S-2277 Filed *Adopted 2/27* By TAYLOR
February 28, 1974

S—2258

1 Amend the Shaff amendment, S-2248, to Senate File
2 1163 as follows:

- 3 1. Page 5, by striking lines 23, 24, and 25.
- 4 2. Page 6, by striking lines 1 through 25, inclusive.
- 5 3. Page 7, by striking lines 1 through 25, inclusive.
- 6 4. Page 8, by striking lines 1 through 25, inclusive.
- 7 5. Page 9, by striking lines 1 through 25, inclusive.
- 8 6. Page 10, by striking lines 1 and 2 and inserting
- 9 in lieu thereof the following:

10 The governing board of an area education agency shall
11 be a board of directors composed of one member elected
12 from each director district in a merged area by the
13 electors of the director district. The director dis-
14 tricts shall be as established pursuant to chapter two
15 hundred eighty A (280A) of the Code. Members shall be
16 elected at the regular school election commencing with
17 the regular school election in 1974, and the term of
18 office shall be three years except that the initial
19 terms shall be determined respectively by lot. One-
20 third of the members, as nearly as may be, shall be
21 elected for one-year terms; one-third of the members,
22 as nearly as may be, shall be elected for two-year
23 terms; and one-third of the members, as nearly as may
24 be, shall be elected for three year terms. Vacancies
25 on the board shall be filled in the manner provided for

Page 2

1 vacancies on the merged area board pursuant to section
2 two hundred eighty A point twelve (280A.12) of the Code.

3 The board shall organize on the first Monday of
4 October in each year and a president and such other
5 officers as are deemed necessary by the board shall be
6 elected from the membership of the board. The provi-
7 sions of section two hundred eighty A point thirteen
8 (280A.13) of the Code relating to the appointment of a
9 secretary and treasurer shall apply to the appointment
10 of a secretary and treasurer of the area education
11 agency.

12 The provisions of sections two hundred eighty A point
13 twelve (280A.12) and two hundred eighty A point four
14 teen (280A.14) of the Code, and sections sixty-seven
15 (67) and seventy-one (71) of this Act shall apply to
16 elections of the board of the area education agency.

S—2258 Filed *withdrawn 2/7*
February 26, 1974

By ANDERSEN

1 Amend Senate File 1163 as follows:

- 2 1. Page 2, line 6, by inserting after the period
3 the following sentence: "Terms of office of members of
4 the boards of directors of county school systems and joint
5 county systems expiring on October 7, 1974 are extended
6 until July 1, 1975 and members shall not be elected to
7 county boards of education and joint county boards at
8 the regular school election in 1974, except to fill a
9 vacancy."
10 2. Page 6, line 32, by striking the word and figure
11 "October 7" and inserting in lieu thereof the word and
12 figure "July 1".
13 3. Page 7, line 9, by striking the word and figure
14 "October 7" and inserting in lieu thereof the word and
15 figure "July 1".
16 4. Page 7, line 22, by striking the word "personnel"
17 and inserting in lieu thereof the words "the administra-
18 tive officer of the division of intermediate services,
19 the area director of special education and the necessary
20 support personnel, including clerical assistance".
21 5. Page 7, line 35, by striking the word and figure
22 "October 7" and inserting in lieu thereof the word and
23 figure "July 1".
24 6. Page 8, line 6, by striking the word and figure
25 "October 7" and inserting in lieu thereof the word and

Page 2

- 1 figure "July 1".
2 7. Page 8, lines 9 and 10, by striking the word and
3 figure "July 1" and inserting in lieu thereof the word
4 and figure "June 30".
5 8. Page 8, line 18, by striking the word and figure
6 "September 20" and inserting in lieu thereof the word
7 and figure "June 15".
8 9. Page 8, line 33, by striking the words "three-
9 year".
10 10. Page 8, line 34, by striking the word and figure
11 "October 7" and inserting in lieu thereof the word and
12 figure "July 1".
13 11. Page 13, line 10, by striking the word "quality"
14 and inserting in lieu thereof the word "qualify".
15 12. Page 78, line 10, by striking the word and
16 figures "October 7, 1974" and inserting in lieu thereof
17 the words "on the effective date of this Act".
18 13. Page 78, line 16, by striking the word and
19 figures "July 1, 1974" and inserting in lieu thereof
20 the words "upon publication as provided in section one
21 hundred thirty-three (133) of this Act".
22 14. Page 78, by inserting after line 18 the follow-
23 ing section:
24 "Sec. 133. This Act, being deemed of immediate
25 importance, shall take effect and be in force from and

Page 3

1 after its publication in The Record, a newspaper
2 published in Cedar Falls, Iowa, and in the Hampton
3 Times, a newspaper published in Hampton, Iowa, as
4 provided in section one hundred thirty-two (132)
5 of this Act."

S-2281

1 Amend Senate File 1163, page 44, line 27, by insert-
2 ing after the word "services" the words "including sites
3 and buildings previously used as facilities providing
4 care, treatment, and an educational program for children
5 residing on the premises of the facility".

S-2281 Filed. *Revised out of order by* By GLUBA
February 28, 1974 *adoption of 2/28*

S-2274

1 Amend Senate File 1163 as follows:
2 1. Page 78, line 15, by striking the words and figure
3 "section one hundred thirty-one (131)" and inserting in
4 lieu thereof the words and figure "sections one hundred
5 thirty-one (131) and one hundred thirty-two (132)".
6 2. Page 78, by inserting after line 18 the following
7 section:
8 Sec. 132. JOINT ADMINISTRATION. The area education
9 agency boards of the following listed areas, as those
10 areas were constituted on January 1, 1974, shall estab-
11 lish divisions of intermediate services on a joint basis
12 under the provisions of chapter twenty-eight E (28E)
13 of the Code:
14 1. Merged areas II and III.
15 2. Merged areas IV and XII.
16 3. Merged areas VI and VII.
17 4. Merged areas XIII and XIV.
18 5. Merged areas XV and XVI.

S-2274 Filed. *as drawn 2/7* By WILLITS
February 27, 1974

S-2271

1 Amend Senate File 1163 as follows:
2 1. Page 76, by inserting after line 31 the follow-
3 ing section:
4 Sec. _____. Acts of the Sixty-fifth General Assembly,
5 1973 Session, chapter one hundred thirty-six (136),
6 section eleven (11), is amended to read as follows:
7 Sec. 11. Chapter thirty-nine (39), Code 1973, is
8 amended by adding the following new section:
9 NEW SECTION. SCHOOL OFFICERS. Members of ~~county~~
10 ~~boards-of-education~~ boards of directors of community
11 and independent school districts, and boards of directors
12 of ~~merged-areas~~ area education agencies shall be elected
13 at the school election. Their respective terms of office
14 shall be three years, except as otherwise provided by
15 section two hundred eighty A point twelve (280A.12) of
16 the Code.
17 2. Page 78, lines 16 and 17, by striking the words
18 "sections twelve (12) through one hundred thirty (130)"
19 and inserting in lieu thereof the words "the remaining
20 sections".

S-2271 Filed. *Adopted as amended by 3/7* By HANSEN
February 27, 1974 *(686)*

S—2255

1 Amend Senate File 1163, page 2 as follows:
2 1. Line 22, by striking the period after
3 the word "training" and inserting the following:
4 " , provided they do not duplicate programs
5 and services available from the universities under
6 the state board of regents and from the other
7 universities and four-year institutions of higher
8 education in Iowa."
9 2. Line 24, by striking the period after the
10 word "planning" and inserting the following:
11 " , provided they do not duplicate programs
12 and services available from the universities under
13 the state board of regents and from the other
14 universities and four-year institutions of higher
15 education in Iowa."

S—2255 Filed - *Lost 3/7*
February 26, 1974

By MURRAY

S—2254

1 Amend Senate File 1163, page 6, line 18, by
2 striking the period and inserting the following:
3 " , including the media centers at the state
4 university of Iowa and Iowa state university."

S—2254 Filed - *Lost 3/7*
February 26, 1974

By MURRAY

SENATE FILE 1163

S—2252

1 Amend Senate File 1163 as follows:

- 2 1. Page 2, by striking lines 8 through 12, inclu-
3 sive, and inserting in lieu thereof the words "Boards
4 of directors of intermediate service units, established
5 in section nine (9) of this Act shall have the respon-
6 sibility".
- 7 2. Page 2, line 16, by striking the words "area edu-
8 cation agency" and inserting in lieu thereof the words
9 "intermediate service unit".
- 10 3. Page 2, line 18, by inserting after the word
11 "the" the word "merged".
- 12 4. Page 2, line 19, by striking the words "area edu-
13 cation agency" and inserting in lieu thereof the words
14 "intermediate service unit".
- 15 5. Page 2, by striking lines 27 through 30, inclu-
16 sive, and inserting in lieu thereof the following:
- 17 Sec. 3. NEW SECTION. DUTIES OF INTERMEDIATE SERVICE
18 UNIT BOARD.
- 19 6. Page 2, line 31, by striking the words "the
20 board" and inserting in lieu thereof the words "The
21 intermediate service unit board".
- 22 7. Page 2, line 33, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
- 25 8. Page 3, line 1, by striking the words "The money".

Page 2

- 1 9. Page 3, by striking lines 2 and 3 and inserting
2 in lieu thereof the words "All costs incurred in pro-
3 viding the programs".
- 4 10. Page 3, line 15, by striking the words "area
5 education agency" and inserting in lieu thereof the
6 words "intermediate service unit".
- 7 11. Page 3, line 19, by striking the words "area
8 education agency" and inserting in lieu thereof the words
9 "intermediate service unit".
- 10 12. Page 3, line 20, by striking the words "area edu-
11 cation agency" and inserting in lieu thereof the words
12 "intermediate service unit".
- 13 13. Page 4, by inserting after line 8 the following
14 subsections:
- 15 10. Employ personnel as required to carry out the
16 functions of the intermediate service unit. The pro-
17 visions of section two hundred seventy-nine point thir-
18 teen (279.13) of the Code shall apply to the inter-
19 mediate service unit board and to all certificated
20 school employees of the intermediate service unit.
- 21 11. Prepare an annual budget estimating income and
22 expenditures for programs and services as provided in
23 sections one (1) through eleven (11) of this Act and
24 chapter two hundred eighty-one (281) of the Code. The
25 proposed budget shall be submitted to the department of

Page 3

1 public instruction, on forms provided by the department,
2 no later than December first preceding the next fiscal
3 year for approval. The department shall review the
4 proposed budget and shall prior to January first either
5 grant approval or return the budget without approval
6 with comments of the department included. Any unapproved
7 budget shall be resubmitted to the department for final
8 approval.

9 12. Be authorized to contract indebtedness and
10 issue bonds to raise funds to acquire sites and to erect
11 and equip buildings for use by the intermediate service
12 unit. No indebtedness shall be incurred under this
13 section until authorized by an election. A proposition
14 to incur indebtedness and issue bonds for the purposes
15 stated in this subsection shall be deemed carried in an
16 intermediate service unit if approved by a sixty percent
17 majority of all voters voting on the proposition within
18 the area of the intermediate service unit.

19 The provisions of chapters seventy-five (75) and
20 seventy-six (76) of the Code shall apply to indebtedness
21 incurred under this subsection. Taxes for the payment
22 of bonds issued under this subsection shall be levied
23 in accordance with chapter seventy-six (76) of the Code.
24 The bonds shall be payable from a fund created from the
25 proceeds of the taxes in not more than twenty years and

Page 4

1 bear interest at a rate not exceeding seven percent per
2 annum, and shall be of such form as the board issuing
3 the bonds shall by resolution provide. Any indebted-
4 ness incurred shall not be considered an indebtedness
5 for general and ordinary purposes as prescribed under
6 section four hundred seven point one (407.1) of the
7 Code.

8 13. Be authorized to pay, out of funds available to
9 the board reasonable annual dues to an Iowa association
10 of school boards. Membership shall be limited to those
11 duly elected members of the intermediate service unit
12 board.

13 14. At the request of an employee through contractual
14 agreement the board may arrange for the purchase of an
15 individual annuity contract for any of its respective
16 employees from any company the employee may choose that
17 is authorized to do business in this state, and through
18 an Iowa-licensed insurance agent that the employee may
19 select, for retirement or other purposes and may make
20 payroll deductions in accordance with such arrange-
21 ments for the purpose of paying the entire premium due,
22 and to become due, under the contract. The deductions
23 shall be made in the manner which will qualify the
24 annuity premiums for the benefits afforded under section
25 four hundred three b (403b) of the Internal Revenue

Page 5

- 1 Code of 1954 and amendments thereto. The employee's
2 rights under such annuity contract shall be nonforfeit-
3 able except for the failure to pay premiums.
- 4 15. Be authorized to establish and pay all or any
5 part of the cost of group health insurance plans, non-
6 profit group medical service plans and group life
7 insurance plans adopted by the board for the benefit of
8 employees of the intermediate service unit, from funds
9 available to the board.
- 10 14. Page 4, by striking lines 9 through 12, inclusive,
11 and inserting in lieu thereof the following:
- 12 "Sec. 4. NEW SECTION. INTERMEDIATE SERVICE UNIT
13 SUPERINTENDENT. The board of directors shall employ an
14 intermediate service unit superintendent who shall
15 possess a superintendent's certificate issued under the
16 provisions of section two hundred sixty point nine
17 (260.9) of the Code.
- 18 The intermediate service unit superintendent shall:"
- 19 15. Page 4, line 14, by striking the words "area
20 education agency" and inserting in lieu thereof the words
21 "intermediate service unit".
- 22 16. Page 4, line 16, by striking the words "area edu-
23 cation agency" and inserting in lieu thereof the words
24 "intermediate service unit".
- 25 17. Page 4, line 18, by striking the words "area

Page 6

- 1 education agency" and inserting in lieu thereof the
2 words "intermediate service unit".
- 3 18. Page 4, by striking lines 21 through 28, inclu-
4 sive.
- 5 19. Page 4, line 30, by striking the words "within
6 the division of intermediate services".
- 7 20. Page 4, line 31, by striking the word "subdivi-
8 sion" and inserting in lieu thereof the word "division".
- 9 21. Page 4, line 35, by striking the word "subdivi-
10 sion" and inserting in lieu thereof the word "division".
- 11 22. Page 5, line 11, by striking the word "area" and
12 inserting in lieu thereof the words "intermediate service
13 unit".
- 14 23. Page 5, line 18, by striking the words "area
15 served" and inserting in lieu thereof the words "inter-
16 mediate service unit".
- 17 24. Page 5, line 29, by striking the words "area
18 served" and inserting in lieu thereof the words "inter-
19 mediate service unit".
- 20 25. Page 6, line 9, by striking the words "area edu-
21 cation agency" and inserting in lieu thereof the words
22 "intermediate service unit".
- 23 26. Page 6, line 15, by striking the word "area" and
24 inserting in lieu thereof the words "intermediate
25 service unit".

Page 7

- 1 27. Page 6, line 17, by striking the words "area
2 education agency" and inserting in lieu thereof the
3 words "intermediate service unit".
4 28. Page 6, line 25, by striking the words "area
5 education agency" and inserting in lieu thereof the
6 words "intermediate service unit".
7 29. Page 6, lines 25 and 26, by striking the words
8 "area education agency" and inserting in lieu thereof
9 the words "intermediate service unit".
10 30. Page 6, line 27, by striking the words "area
11 education agency" and inserting in lieu thereof the
12 words "intermediate service unit".
13 31. Page 6, line 28, by striking the word "area" and
14 inserting in lieu thereof the words "intermediate service
15 unit".
16 32. Page 6, line 33, by striking the word "area
17 education agency" and inserting in lieu thereof the
18 words "intermediate service unit".
19 33. Page 7, line 2, by striking the words "area
20 education agency" and inserting in lieu thereof the
21 words "intermediate service unit".
22 34. Page 7, lines 3 and 4, by striking the words
23 "area education agency" and inserting in lieu thereof
24 the words "intermediate service unit".
25 35. Page 7, lines 8 and 9, by striking the words

Page 8

- 1 "area education agency" and inserting in lieu thereof
2 the words "intermediate service unit".
3 36. Page 7, lines 11 and 12, by striking the words
4 "area education agency" and inserting in lieu thereof
5 the words "intermediate service unit".
6 37. Page 7, line 16, by striking the words "area
7 education agency" and inserting in lieu thereof the
8 words "intermediate service unit".
9 38. Page 7, line 17, by striking the words "area
10 education agency" and inserting in lieu thereof the
11 words "intermediate service unit".
12 39. Page 7, line 19, by striking the words "area
13 education agency" and inserting in lieu thereof the
14 words "intermediate service unit".
15 40. Page 7, by striking lines 26 through 35, inclu-
16 sive.
17 41. Page 8, by striking lines 1 through 35, inclu-
18 sive and inserting in lieu thereof the following
19 section:
20 Sec. 9. NEW SECTION. INTERMEDIATE SERVICE UNIT.
21 There are established intermediate service units with
22 boundaries coterminous with the boundaries of the merged
23 areas established pursuant to chapter two hundred eighty
24 A (280A) of the Code. The governing board of an inter-
25 mediate service unit shall be a board of directors com-

Page 9

1 posed of one member elected from each director district
2 in a merged area by the electors of the director dis-
3 trict. The director districts shall be as established
4 pursuant to chapter two hundred eighty A (280A) of the
5 Code. Members shall be elected at the regular school
6 election commencing with the regular school election in
7 1974, and the term of office shall be three years except
8 that the initial terms shall be determined respectively
9 by lot. One-third of the members, as nearly as may be,
10 shall be elected for one-year terms; one-third of the
11 members, as nearly as may be, shall be elected for two-
12 year terms; and one-third of the members, as nearly as
13 may be, shall be elected for three-year terms. Vacan-
14 cies on the board shall be filled in the manner provided
15 for vacancies on the merged area board pursuant to sec-
16 tion two hundred eighty A point twelve (280A.12) of the
17 Code.

18 The board shall organize on the first Monday of
19 October in each year and a president and such other
20 officers as are deemed necessary by the board shall be
21 elected from the membership of the board. The provi-
22 sions of section two hundred eighty A point thirteen
23 (280A.13) of the Code relating to the appointment of a
24 secretary and treasurer shall apply to the appointment
25 of a secretary and treasurer of the intermediate service

Page 10

1 unit.

2 The provisions of sections two hundred eighty A point
3 twelve (280A.12) and two hundred eighty A point fourteen
4 (280A.14), and sections sixty-seven (67) and seventy-one
5 (71) of this Act shall apply to elections in the inter-
6 mediate service unit.

7 42. Page 9, by striking lines 1 through 28, inclu-
8 sive.

9 43. Page 9, by striking line 31.

10 44. Page 9, line 32, by striking the word "agency"
11 and inserting in lieu thereof the words ", the inter-
12 mediate service unit".

13 45. Page 9, line 33, by striking the words "area
14 education agency" and inserting in lieu thereof the
15 words "intermediate service unit".

16 46. Page 10, line 2, by striking the words "area
17 education agency" and inserting in lieu thereof the
18 words "intermediate service unit".

19 47. Page 10, lines 17 and 18, by striking the words
20 "area education agency" and inserting in lieu thereof
21 the words "intermediate service unit".

22 48. Page 10, line 26, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".

25 49. Page 10, line 30, by striking the word "agency"

Page 11

- 1 and inserting in lieu thereof the word "unit".
2 50. Page 10, lines 34 and 35, by striking the words
3 "area education agency" and inserting in lieu thereof
4 the words "intermediate service unit".
5 51. Page 11, line 2, by striking the word "area" and
6 inserting in lieu thereof the words "intermediate
7 service unit".
8 52. Page 11, lines 9 and 10, by striking the words
9 "area education agency" and inserting in lieu thereof
10 the words "intermediate service unit".
11 53. Page 11, line 11, by striking the word "agency"
12 and inserting in lieu thereof the word "unit".
13 54. Page 11, line 12, by striking the word "area".
14 55. Page 11, line 16, by striking the words "area
15 education agency" and inserting in lieu thereof the
16 words "intermediate service unit".
17 56. Page 11, line 17, by striking the word "agency"
18 and inserting in lieu thereof the word "unit".
19 57. Page 11, line 19, by striking the word "area".
20 58. Page 11, line 29, by striking the words "area
21 education agency" and inserting in lieu thereof the
22 words "intermediate service unit".
23 59. Page 11, line 30, by striking the word "agency"
24 and inserting in lieu thereof the word "unit".
25 60. Page 11, lines 31, 32, and 33, by striking the

Page 12

- 1 words "administrative officer of the area division of
2 intermediate services" and inserting in lieu thereof the
3 words "intermediate service unit superintendent".
4 61. Page 11, lines 34 and 35, by striking the words
5 "area education agency" and inserting in lieu thereof
6 the words "intermediate service unit".
7 62. Page 11, line 35, by striking the word "area".
8 63. Page 12, line 1, by striking the words "educa-
9 tion agency" and inserting in lieu thereof the words
10 "intermediate service unit".
11 64. Page 12, line 2, by striking the words "area
12 education agency" and inserting in lieu thereof the
13 words "intermediate service unit".
14 65. Page 12, line 6, by striking the words "area
15 education agency" and inserting in lieu thereof the
16 words "intermediate service unit".
17 66. Page 12, line 9, by striking the words "area
18 education agency" and inserting in lieu thereof the
19 words "intermediate service unit".
20 67. Page 12, lines 10 and 11, by striking the words
21 "area education agency" and inserting in lieu thereof
22 the words "intermediate service unit".
23 68. Page 12, line 12, by striking the words "area
24 education agencies" and inserting in lieu thereof the
25 words "intermediate service units".

Page 13

- 1 69. Page 12, line 15, by striking the word "area"
2 and inserting in lieu thereof the word "unit".
3 70. Page 12, line 22, by striking the words "area
4 education agency" and inserting in lieu thereof the
5 words "intermediate service unit".
6 71. Page 12, line 23, by striking the words "divi-
7 sion of intermediate services".
8 72. Page 12, line 27, by striking the words "area
9 education agency" and inserting in lieu thereof the
10 words "intermediate service unit".
11 73. Page 12, lines 28 and 29, by striking the words
12 "area education agency" and inserting in lieu thereof
13 the words "intermediate service unit".
14 74. Page 12, line 31, by striking the words "area
15 education agency" and inserting in lieu thereof the
16 words "intermediate service unit".
17 75. Page 12, line 32, by striking the word "agency"
18 and inserting in lieu thereof the word "unit".
19 76. Page 12, line 34, by striking the words "area
20 education agency" and inserting in lieu thereof the
21 words "intermediate service unit".
22 77. Page 12, line 35, by striking the word "area".
23 78. Page 13, line 1, by striking the words "educa-
24 tion agency" and inserting in lieu thereof the words
25 "intermediate service unit".

Page 14

- 1 79. Page 13, line 2, by striking the word "agency"
2 and inserting in lieu thereof the word "unit".
3 80. Page 13, line 6, by striking the words "area
4 education agencies" and inserting in lieu thereof the
5 words "intermediate service units".
6 81. Page 13, line 13, by striking the words "area
7 education agency" and inserting in lieu thereof the
8 words "intermediate service unit".
9 82. Page 13, lines 14 and 15, by striking the words
10 "area education agency" and inserting in lieu thereof
11 the words "intermediate service unit".
12 83. Page 13, line 21, by striking the words "~~merged~~
13 ~~areas~~ area education agencies" and inserting in lieu
14 thereof the words "merged areas, intermediate service
15 units".
16 84. Page 13, line 35, by striking the words "~~merged~~
17 area education agency" and inserting in lieu thereof the
18 words "merged area, intermediate service unit,".
19 85. Page 14, line 15, by striking the words "~~merged~~
20 area education agency" and inserting in lieu thereof the
21 words "merged area, intermediate service unit,".
22 86. Page 15, line 13, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
25 87. Page 15, by inserting after line 22 the follow-

Page 15

1 ing sections:

2 Sec. _____. Section seventy-five point one (75.1),
3 unnumbered paragraph one (1), Code 1973, is amended to
4 read as follows:

5 When a proposition to authorize an issuance of bonds
6 by a county, township, school corporation, intermediate
7 service unit, city or town, or by any local board or
8 commission, is submitted to the electors, such proposi-
9 tion shall not be deemed carried or adopted, anything in
10 the statutes to the contrary notwithstanding, unless
11 the vote in favor of such authorization is equal to at
12 least sixty percent of the total vote cast for and
13 against said proposition at said election.

14 Sec. _____. Section seventy-five point ten (75.10),
15 Code 1973, is amended to read as follows:

16 75.10 DENOMINATIONS OF BONDS. Notwithstanding any
17 other provisions in the statutes to the contrary, issues
18 of public bonds of every kind and character by counties,
19 cities, towns and, school corporations, and intermediate
20 service units shall be issued in amounts of one hundred
21 dollars or multiples thereof not to exceed ten thousand
22 dollars. This provision shall not apply to bonds, the
23 interest or principal, or both, of which are payable out
24 of special assessments against benefited properties.

25 Sec. _____. Section seventy-six point one (76.1), Code

Page 16

1 1973, is amended to read as follows:

2 76.1 MANDATORY RETIREMENT. Hereafter issues of
3 bonds of every kind and character by counties, cities,
4 towns, and school corporations, and intermediate service
5 units shall be consecutively numbered. The annual levy
6 shall be sufficient to pay the interest and approximately
7 such portion of the principal of the bonds as will retire
8 them in a period not exceeding twenty years from date of
9 issue. Each issue of bonds shall be scheduled to mature
10 serially in the same order as numbered.

11 Sec. _____. Section seventy-six point seven (76.7),
12 Code 1973, is amended to read as follows:

13 76.7 PARTICULAR BONDS AFFECTED -- PAYMENT. Counties,
14 cities, towns, and school corporations, and intermediate
15 service units may at any time or times extend or renew
16 any legal indebtedness or any part thereof they may
17 have represented by bonds or certificates where such
18 indebtedness is payable from a limited annual tax or
19 from a voted annual tax, and may by resolution fund or
20 refund the same and issue bonds therefor running not
21 more than twenty years to be known as funding or re-
22 funding bonds, and make provision for the payment of
23 the principal and interest thereof from the proceeds
24 of an annual tax for the period covered by such
25 bonds similar to the tax authorized by law or by the

Page 17

- 1 electors for the payment of the indebtedness so
2 extended or renewed.
- 3 88. Page 15, line 26, by inserting after the word
4 "education," the words "intermediate service unit,".
- 5 89. Page 16, line 3, by inserting after the word
6 "education," the words "intermediate service unit,".
- 7 90. Page 16, line 13, by striking the words "area
8 education agencies" and inserting in lieu thereof the
9 words "intermediate service units".
- 10 91. Page 16, lines 20 and 21, by striking the words
11 "area education agency" and inserting in lieu thereof
12 the words "intermediate service unit".
- 13 92. Page 17, line 1, by striking the words "area
14 education agency" and inserting in lieu thereof the
15 words "intermediate service unit".
- 16 93. Page 17, line 8, by striking the words "area
17 education agency" and inserting in lieu thereof the
18 words "intermediate service unit".
- 19 94. Page 17, line 21, by striking the words "area
20 education agency" and inserting in lieu thereof the
21 words "intermediate service unit".
- 22 95. Page 18, line 9, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
- 25 96. Page 18, lines 12 and 13, by striking the words

Page 18

- 1 "area education agency" and inserting in lieu thereof
2 the words "intermediate service unit".
- 3 97. Page 19, line 9, by striking the words "area
4 education agency" and inserting in lieu thereof the
5 words "intermediate service unit".
- 6 98. Page 19, lines 15 and 16, by striking the words
7 "area education agency" and inserting in lieu thereof
8 the words "intermediate service unit".
- 9 99. Page 19, lines 18 and 19, by striking the words
10 "area education agency" and inserting in lieu thereof
11 the words "intermediate service unit".
- 12 100. Page 19, lines 22 and 23, by striking the words
13 "area education agency" and inserting in lieu thereof
14 the words "intermediate service unit".
- 15 101. Page 19, lines 23 and 24, by striking the words
16 "area education agency" and inserting in lieu thereof
17 the words "intermediate service unit".
- 18 102. Page 20, lines 4 and 5, by striking the words
19 "area education agency" and inserting in lieu thereof
20 the words "intermediate service unit".
- 21 103. Page 20, lines 8 and 9, by striking the words
22 "area education agency" and inserting in lieu thereof
23 the words "intermediate service unit".
- 24 104. Page 20, lines 12 and 13, by striking the words
25 "area education agency" and inserting in lieu thereof

Page 19

- 1 the words "intermediate service unit".
2 105. Page 20, lines 17 and 18, by striking the words
3 "area education agency" and inserting in lieu thereof
4 the words "intermediate service unit".
5 106. Page 20, line 21, by striking the words "area
6 education agency" and inserting in lieu thereof the words
7 "intermediate service unit".
8 107. Page 20, line 24, by striking the words "area
9 education agency" and inserting in lieu thereof the
10 words "intermediate service unit".
11 108. Page 20, lines 30 and 31, by striking the words
12 "area education agency" and inserting in lieu thereof
13 the words "intermediate service unit".
14 109. Page 20, lines 31 and 32, by striking the words
15 "area education agency" and inserting in lieu thereof
16 the words "intermediate service unit".
17 110. Page 21, lines 1 and 2, by striking the words
18 "area education agency" and inserting in lieu thereof
19 the words "intermediate service unit".
20 111. Page 21, line 4, by striking the words "area
21 education agency" and inserting in lieu thereof the
22 words "intermediate service unit".
23 112. Page 21, line 5, by striking the words "area
24 education agency" and inserting in lieu thereof the
25 words "intermediate service unit".

Page 20

- 1 113. Page 21, lines 11 and 12, by striking the words
2 "area education agency" and inserting in lieu thereof
3 the words "intermediate service unit".
4 114. Page 21, line 13, by striking the words "area
5 education agency" and inserting in lieu thereof the words
6 "intermediate service unit".
7 115. Page 21, line 18, by striking the words "area
8 education agency" and inserting in lieu thereof the words
9 "intermediate service unit".
10 116. Page 22, line 6, by striking the words "area
11 education agency" and inserting in lieu thereof the
12 words "intermediate service unit".
13 117. Page 22, lines 19 and 20, by striking the words
14 "area education agency" and inserting in lieu thereof the
15 words "intermediate service unit".
16 118. Page 22, lines 27 and 28, by striking the words
17 "area education agency" and inserting in lieu thereof the
18 words "intermediate service unit".
19 119. Page 22, line 30, by striking the words "area
20 education agency" and inserting in lieu thereof the words
21 "intermediate service unit".
22 120. Page 23, lines 3 and 4, by striking the words
23 "area education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
25 121. Page 23, lines 5 and 6, by striking the words

Page 21

- 1 "area education agency" and inserting in lieu thereof the
2 words "intermediate service unit".
- 3 122. Page 23, line 19, by striking the words "area
4 education agency" and inserting in lieu thereof the words
5 "intermediate service unit".
- 6 123. Page 23, lines 21 and 22, by striking the words
7 "area education agency" and inserting in lieu thereof the
8 words "intermediate service unit".
- 9 124. Page 26, line 6, by striking the words "area
10 education agency" and inserting in lieu thereof the words
11 "intermediate service unit".
- 12 125. Page 26, line 8, by striking the words "area
13 education agency" and inserting in lieu thereof the words
14 "intermediate service unit".
- 15 126. Page 26, line 16, by striking the words "area
16 education agency" and inserting in lieu thereof the words
17 "intermediate service unit".
- 18 127. Page 26, lines 23 and 24, by striking the words
19 "area education agency" and inserting in lieu thereof the
20 words "intermediate service unit".
- 21 128. Page 26, line 29, by striking the words "area
22 education agency" and inserting in lieu thereof the
23 words "intermediate service unit".
- 24 129. Page 27, line 9, by striking the words "area
25 education agency" and inserting in lieu thereof the

Page 22

- 1 words "intermediate service unit".
- 2 130. Page 27, line 11, by striking the words "area
3 education agency" and inserting in lieu thereof the words
4 "intermediate service unit".
- 5 131. Page 27, line 19, by striking the words "area
6 education agency" and inserting in lieu thereof the words
7 "intermediate service unit".
- 8 132. Page 27, line 26, by striking the words "area
9 education agency" and inserting in lieu thereof the
10 words "intermediate service unit".
- 11 133. Page 27, line 32, by striking the words "area
12 education agency" and inserting in lieu thereof the words
13 "intermediate service unit".
- 14 134. Page 28, line 5, by striking the words "area
15 education agency" and inserting in lieu thereof the words
16 "intermediate service unit".
- 17 135. Page 28, line 14, by striking the words "area
18 education agencies" and inserting in lieu thereof the
19 words "intermediate service units".
- 20 136. Page 28, line 20, by striking the words "area
21 education agency" and inserting in lieu thereof the words
22 "intermediate service unit".
- 23 137. Page 28, line 24, by striking the words "area
24 education agencies" and inserting in lieu thereof the
25 words "intermediate service units".

Page 23

- 1 138. Page 28, line 26, by striking the words "area
2 education agency" and inserting in lieu thereof the words
3 "intermediate service unit".
- 4 139. Page 28, line 28, by striking the words "area
5 education agency" and inserting in lieu thereof the words
6 "intermediate service unit".
- 7 140. Page 28, line 31, by striking the words "area
8 education agency" and inserting in lieu thereof the words
9 "intermediate service unit".
- 10 141. Page 28, line 32, by inserting after the word
11 "counties" the word "merged".
- 12 142. Page 29, lines 21 and 22, by striking the words
13 "area education agency" and inserting in lieu thereof
14 the words "intermediate service unit".
- 15 143. Page 29, line 27, by striking the words "area
16 education agency" and inserting in lieu thereof the
17 words "intermediate service unit".
- 18 144. Page 30, line 4, by striking the words "area
19 education agency" and inserting in lieu thereof the
20 words "intermediate service unit".
- 21 145. Page 30, line 5, by striking the words "area
22 education agency" and inserting in lieu thereof the
23 words "intermediate service unit".
- 24 146. Page 30, line 13, by striking the words "area
25 education agency" and inserting in lieu thereof the

Page 24

- 1 words "intermediate service unit".
- 2 147. Page 30, lines 22 and 23, by striking the words
3 "area education agency" and inserting in lieu thereof
4 the words "intermediate service unit".
- 5 148. Page 30, line 25, by striking the words "area
6 education agency" and inserting in lieu thereof the words
7 "intermediate service unit".
- 8 149. Page 30, line 35, by striking the words "area
9 education agencies" and inserting in lieu thereof the
10 words "intermediate service units".
- 11 150. Page 31, line 1, by striking the words "area
12 education agency" and inserting in lieu thereof the words
13 "intermediate service unit".
- 14 151. Page 31, lines 2 and 3, by striking the words
15 "area education agency" and inserting in lieu thereof
16 the words "intermediate service unit".
- 17 152. Page 31, lines 10 and 11, by striking the words
18 "area education agency" and inserting in lieu thereof
19 the words "intermediate service unit".
- 20 153. Page 31, lines 12 and 13, by striking the words
21 "area education agency" and inserting in lieu thereof
22 the words "intermediate service unit".
- 23 154. Page 31, lines 34 and 35, by striking the words
24 "area education agency" and inserting in lieu thereof
25 the words "intermediate service unit".

Page 25

- 1 155. Page 32, line 7, by striking the words "area
2 education agency" and inserting in lieu thereof the
3 words "intermediate service unit".
4 156. Page 32, lines 12 and 13, by striking the words
5 "area education agency" and inserting in lieu thereof
6 the words "intermediate service unit".
7 157. Page 32, line 20, by striking the words "area
8 education agency" and inserting in lieu thereof the words
9 "intermediate service unit".
10 158. Page 32, line 21, by striking the words "area
11 education agency" and inserting in lieu thereof the
12 words "intermediate service unit".
13 159. Page 32, lines 23 and 24, by striking the words
14 "area education agency" and inserting in lieu thereof the
15 words "intermediate service unit".
16 160. Page 32, lines 27 and 28, by striking the words
17 "area education agencies" and inserting in lieu thereof
18 the words "intermediate service units".
19 161. Page 32, lines 28 and 29, by striking the words
20 "area education agencies" and inserting in lieu thereof
21 the words "intermediate service units".
22 162. Page 32, line 35, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
25 163. Page 33, line 15, by striking the words "area

Page 26

- 1 education agency" and inserting in lieu thereof the
2 words "intermediate service unit".
3 164. Page 33, line 17, by striking the words "area
4 education agency" and inserting in lieu thereof the words
5 "intermediate service unit".
6 165. Page 33, line 21, by striking the words "area
7 education agency" and inserting in lieu thereof the words
8 "intermediate service unit".
9 166. Page 33, line 27, by striking the words "area
10 education agency" and inserting in lieu thereof the words
11 "intermediate service unit".
12 167. Page 33, line 33, by striking the words "area
13 education agency" and inserting in lieu thereof the words
14 "intermediate service unit".
15 168. Page 34, line 19, by striking the words "area
16 education agency" and inserting in lieu thereof the words
17 "intermediate service unit".
18 169. Page 35, line 14, by striking the words "area
19 education agency" and inserting in lieu thereof the
20 words "intermediate service unit".
21 170. Page 35, lines 17 and 18, by striking the words
22 "area education agency" and inserting in lieu thereof
23 the words "intermediate service unit".
24 171. Page 35, line 27, by striking the words "area
25 education agency" and inserting in lieu thereof the

Page 27

- 1 words "intermediate service unit".
2 172. Page 35, line 28, by striking the words "area
3 education agency" and inserting in lieu thereof the
4 words "intermediate service unit".
5 173. Page 36, lines 17 and 18, by striking the words
6 "area education agency" and inserting in lieu thereof
7 the words "intermediate service unit".
8 174. Page 36, lines 20 and 21, by striking the words
9 "area education agency" and inserting in lieu thereof
10 the words "intermediate service unit".
11 175. Page 37, line 1, by striking the words "area
12 education agency" and inserting in lieu thereof the
13 words "intermediate service unit".
14 176. Page 37, lines 1 and 2, by striking the words
15 "area education agency" and inserting in lieu thereof
16 the words "intermediate service unit".
17 177. Page 37, line 10, by striking the words "area
18 education agency" and inserting in lieu thereof the
19 words "intermediate service unit".
20 178. Page 37, line 12, by striking the words "area
21 education agency" and inserting in lieu thereof the words
22 "intermediate service unit".
23 179. Page 37, lines 13 and 14, by striking the words
24 "area education agency" and inserting in lieu thereof
25 the words "intermediate service unit".

Page 28

- 1 180. Page 37, lines 14 and 15, by striking the
2 words "area education agency" and inserting in lieu
3 thereof the words "intermediate service unit".
4 181. Page 37, line 19, by striking the words "area
5 education agency" and inserting in lieu thereof the words
6 "intermediate service unit".
7 182. Page 37, lines 23 and 24, by striking the words
8 "area education agency" and inserting in lieu thereof
9 the words "intermediate service unit".
10 183. Page 37, line 30, by striking the words "area
11 education agency" and inserting in lieu thereof the words
12 "intermediate service unit".
13 184. Page 38, line 11, by striking the words "area
14 education agency" and inserting in lieu thereof the words
15 "intermediate service unit".
16 185. Page 38, line 24, by striking the words "area
17 education agency" and inserting in lieu thereof the
18 words "intermediate service unit".
19 186. Page 39, lines 16 and 17, by striking the words
20 "area education agency" and inserting in lieu thereof
21 the words "intermediate service unit".
22 187. Page 39, line 25, by striking the words "area
23 education agency" and inserting in lieu thereof the words
24 "intermediate service unit".
25 188. Page 40, line 27, by striking the words "area

Page 29

- 1 education agency" and inserting in lieu thereof the
2 words "intermediate service unit".
3 189. Page 40, lines 30 and 31, by striking the words
4 "area education agency" and inserting in lieu thereof
5 the words "intermediate service unit".
6 190. Page 41, line 3, by striking the words "area
7 education agency" and inserting in lieu thereof the words
8 "intermediate service unit".
9 191. Page 41, by striking lines 7 through 35, inclu-
10 sive.
11 192. Page 42, by striking lines 1 and 2.
12 193. Page 42, by striking lines 5 through 20, inclu-
13 sive, and inserting in lieu thereof the following:
14 "280A.12 GOVERNING BOARD. The governing board of a
15 merged area shall be a board of directors composed of
16 one member elected from each director district in the
17 area by the electors of the respective district. Members
18 of the board shall be residents of the district from
19 which elected. Successors shall be chosen at the annual
20 school elections for members whose terms expire on the
21 first Monday in October following such elections. Terms
22 of members of the board of directors shall be three
23 years except that members of the initial board of direc-
24 tors elected at the special election shall determine
25 their respective terms by lot so that the terms of one-

Page 30

- 1 third of the members, as nearly as may be, shall expire
2 on the first Monday in October of"
3 194. Page 42, line 30, by striking the words "as
4 a member elected by the electorate".
5 195. Page 42, by striking line 32 and inserting in
6 lieu thereof the words "district or a member of a county
7 board-of-education intermediate service unit board."
8 196. Page 43, line 10, by striking the word "merged"
9 and inserting in lieu thereof the word "merged".
10 197. Page 43, line 11, by striking the words
11 "education agency".
12 198. Page 43, by striking line 22 and inserting in
13 lieu thereof the words "of a merged area shall qualify
14 by taking".
15 199. Page 43, line 27, by striking the words "merged
16 area education agency" and inserting in lieu thereof
17 the words "merged area".
18 200. Page 43, lines 33 and 34, by striking the words
19 "merged area education agency" and inserting in lieu
20 thereof the words "merged area".
21 201. Page 44, line 16, by striking the words "a
22 merged an area education agency" and inserting in lieu
23 thereof the words "a merged area".
24 202. Page 44, line 20, by striking the words "merged
25 area education agency" and inserting in lieu thereof the

Page 31

- 1 words "merged area".
2 203. Page 44, by striking lines 22 through 35, in-
3 clusive.
4 204. Page 45, by striking lines 1 through 4, inclu-
5 sive.
6 205. Page 45, lines 7 and 8, by striking the words
7 "area education agency" and inserting in lieu thereof
8 the words "merged area".
9 206. Page 45, lines 9 and 10, by striking the words
10 and figure "eight (8) of this Act and by section".
11 207. Page 45, line 15, by striking the words "area
12 education agency" and inserting in lieu thereof the
13 words "merged area".
14 208. Page 45, lines 20 and 21, by striking the words
15 "area education agency" and inserting in lieu thereof
16 the words "merged area".
17 209. Page 46, line 5, by striking the words "area
18 education agency" and inserting in lieu thereof the
19 words "merged area".
20 210. Page 46, line 11, by striking the words "area
21 education agency" and inserting in lieu thereof the
22 words "merged area".
23 211. Page 46, lines 16 and 17, by striking the words
24 "area education agency" and inserting in lieu thereof
25 the words "merged area".

Page 32

- 1 212. Page 46, by striking lines 20 through 23, inclu-
2 sive.
3 213. Page 48, lines 17 and 18, by striking the words
4 "area education agency" and inserting in lieu thereof the
5 words "intermediate service unit".
6 214. Page 48, line 20, by striking the words "area
7 education agency" and inserting in lieu thereof the
8 words "intermediate service unit".
9 215. Page 48, line 32, by striking the words "area
10 education agency" and inserting in lieu thereof the
11 words "intermediate service unit".
12 216. Page 49, line 22, by striking the words "area
13 education agency" and inserting in lieu thereof the
14 words "intermediate service unit".
15 217. Page 49, line 26, by striking the words "area
16 education agency" and inserting in lieu thereof the
17 words "intermediate service unit".
18 218. Page 49, line 28, by striking the words "area
19 education agency" and inserting in lieu thereof the
20 words "intermediate service unit".
21 219. Page 50, lines 24 and 25, by striking the words
22 "area education agency" and inserting in lieu thereof
23 the words "intermediate service unit".
24 220. Page 50, line 29, by striking the words "area
25 education agency" and inserting in lieu thereof the

Page 33

- 1 words "intermediate service unit".
2 221. Page 50, lines 32 and 33, by striking the words
3 "area education agency" and inserting in lieu thereof
4 the words "intermediate service unit".
5 222. Page 51, line 3, by striking the words "area
6 education agency" and inserting in lieu thereof the
7 words "intermediate service unit".
8 223. Page 51, line 5, by striking the words "area
9 education agency" and inserting in lieu thereof the
10 words "intermediate service unit".
11 224. Page 51, line 7, by striking the words "area
12 education agency" and inserting in lieu thereof the
13 words "intermediate service unit".
14 225. Page 51, line 24, by striking the words "area
15 education agency" and inserting in lieu thereof the
16 words "intermediate service unit".
17 226. Page 53, line 12, by striking the word "area"
18 and inserting in lieu thereof the words "intermediate
19 service unit".
20 227. Page 53, line 24, by striking the word "area"
21 and inserting in lieu thereof the words "intermediate
22 service unit".
23 228. Page 53, line 28, by striking the word "area"
24 and inserting in lieu thereof the word "unit".
25 229. Page 53, line 34, by striking the word "area"

Page 34

- 1 and inserting in lieu thereof the words "intermediate
2 service unit".
3 230. Page 55, lines 34 and 35, by striking the words
4 "area education agency" and inserting in lieu thereof
5 the words "intermediate service unit".
6 231. Page 56, line 19, by striking the words "area
7 education agency" and inserting in lieu thereof the
8 words "intermediate service unit".
9 232. Page 56, line 22, by striking the words "area
10 education agency" and inserting in lieu thereof the
11 words "intermediate service unit".
12 233. Page 56, lines 29 and 30, by striking the words
13 "area education agency" and inserting in lieu thereof
14 the words "intermediate service unit".
15 234. Page 57, line 2, by striking the words "area
16 education agency" and inserting in lieu thereof the
17 words "intermediate service unit".
18 235. Page 57, lines 3 and 4, by striking the words
19 "area education agency" and inserting in lieu thereof
20 the words "intermediate service unit".
21 236. Page 57, line 28, by striking the words "area
22 education agency" and inserting in lieu thereof the
23 words "intermediate service unit".
24 237. Page 57, lines 33 and 34, by striking the words
25 "area education agency" and inserting in lieu thereof

Page 35

- 1 the words "intermediate service unit".
2 238. Page 57, line 35, by striking the words "area
3 education agency" and inserting in lieu thereof the
4 words "intermediate service unit".
5 239. Page 58, lines 7 and 8, by striking the words
6 "area education agency" and inserting in lieu thereof
7 the words "intermediate service unit".
8 240. Page 58, line 9, by striking the words "area
9 education agency" and inserting in lieu thereof the
10 words "intermediate service unit".
11 241. Page 58, line 15, by striking the word "AREA"
12 and inserting in lieu thereof the words "INTERMEDIATE
13 SERVICE UNIT".
14 242. Page 58, line 16, by striking the words "area
15 education agency" and inserting in lieu thereof the
16 words "intermediate service unit".
17 243. Page 58, line 22, by striking the words "area
18 education agency" and inserting in lieu thereof the
19 words "intermediate service unit".
20 244. Page 58, line 23, by striking the words "area
21 education agency" and inserting in lieu thereof the
22 words "intermediate service unit".
23 245. Page 58, line 27, by striking the words "area
24 education agency" and inserting in lieu thereof the
25 words "intermediate service unit".

Page 36

- 1 246. Page 59, line 1, by striking the words "area
2 education agency" and inserting in lieu thereof the
3 words "intermediate service unit".
4 247. Page 59, lines 12 and 13, by striking the words
5 "area education agency" and inserting in lieu thereof
6 the words "intermediate service unit".
7 248. Page 59, line 16, by striking the words "area
8 education agency" and inserting in lieu thereof the
9 words "intermediate service unit".
10 249. Page 59, line 20, by striking the words "area
11 education agency" and inserting in lieu thereof the
12 words "intermediate service unit".
13 250. Page 59, line 25, by striking the words "area
14 education agency" and inserting in lieu thereof the
15 words "intermediate service unit".
16 251. Page 59, line 27, by striking the words "area
17 education agency" and inserting in lieu thereof the
18 words "intermediate service unit".
19 252. Page 59, line 29, by striking the words "area
20 education agency" and inserting in lieu thereof the
21 words "intermediate service unit".
22 253. Page 59, line 33, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
25 254. Page 60, lines 1 and 2, by striking the words

Page 37

- 1 "area education agency" and inserting in lieu thereof
2 the words "intermediate service unit".
3 255. Page 60, line 5, by striking the words "area
4 education agency" and inserting in lieu thereof the
5 words "intermediate service unit".
6 256. Page 60, line 9, by striking the words "area
7 education agency" and inserting in lieu thereof the
8 words "intermediate service unit".
9 257. Page 60, line 19, by striking the words "area
10 education agency" and inserting in lieu thereof the
11 words "intermediate service unit".
12 258. Page 60, line 25, by striking the words "area
13 education agency" and inserting in lieu thereof the
14 words "intermediate service unit".
15 259. Page 61, line 4, by striking the words "area
16 education agency" and inserting in lieu thereof the
17 words "intermediate service unit".
18 260. Page 61, line 23, by striking the words "area
19 education agency" and inserting in lieu thereof the
20 words "intermediate service unit".
21 261. Page 65, lines 3 and 4, by striking the words
22 "area education agency" and inserting in lieu thereof
23 the words "intermediate service unit".
24 262. Page 65, line 4, by striking the word "area".
25 263. Page 65, line 21, by striking the words "area

Page 38

- 1 education agency" and inserting in lieu thereof the
2 words "intermediate service unit".
3 264. Page 65, line 22, by striking the word "area".
4 265. Page 65, line 23, by striking the words "area
5 education agency" and inserting in lieu thereof the
6 words "intermediate service unit".
7 266. Page 66, line 17, by striking the words "area
8 education agency" and inserting in lieu thereof the
9 words "intermediate service unit".
10 267. Page 69, line 25, by striking the words "area
11 education agency" and inserting in lieu thereof the
12 words "intermediate service unit".
13 268. Page 69, line 31, by striking the words "area
14 education agency" and inserting in lieu thereof the
15 words "intermediate service unit".
16 269. Page 69, line 35, by striking the words "area
17 education agency" and inserting in lieu thereof the
18 words "intermediate service unit".
19 270. Page 71, line 31, by striking the words "area
20 education" and inserting in lieu thereof the words
21 "intermediate service unit".
22 271. Page 71, line 34, by striking the words "area
23 education agency" and inserting in lieu thereof the
24 words "intermediate service unit".
25 272. Page 74, line 6, by striking the words "area

Page 39

- 1 education agency" and inserting in lieu thereof the
2 words "intermediate service unit".
3 273. Page 74, line 13, by striking the word "agency"
4 and inserting in lieu thereof the word "unit".
5 274. Page 74, lines 28 and 29, by striking the words
6 "area education agencies" and inserting in lieu thereof
7 the words "intermediate service units".
8 275. Page 76, by striking lines 32 through 35, in-
9 clusive.
10 276. Page 77, by striking lines 1 through 31, in-
11 clusive.
12 277. Page 78, by striking lines 8 through 31, in-
13 clusive.
14 278. Page 78, line 15, by striking the words and
15 figure "and section one hundred thirty-one (131)".
16 279. Amend the title, page 1, line 1, by striking
17 the words "area education agencies" and inserting in
18 lieu thereof the words "intermediate service units".
19 280. Amend the title, page 1, line 2, by striking
20 the comma and inserting in lieu thereof the word "and".
21 281. Amend the title, page 1, line 3, by striking the
22 words ", and merged areas with area education agencies"
23 and inserting in lieu thereof the words "with inter-
24 mediate service units".

Page 40

- 1 282. Amend the title, page 1, line 4, by striking
2 the words "area education agencies" and inserting in
3 lieu thereof the words "intermediate service units".
4 283. Amend the title, page 1, line 8, by striking
5 the words "area education agencies" and inserting in
6 lieu thereof the words "intermediate service units".
7 284. Amend the title, page 1, line 9, by striking
8 the words "area education agency" and inserting in lieu
9 thereof the words "intermediate service unit".

S-2252 Filed *Subs. no. of order by* February 26, 1974 *adoption of 2/27/74* By ORR, DODERER, POTTER, PALMER,
MURRAY, GALLAGHER, GLUBA,
WILLITS, SCOTT, ANDERSEN,
BLOUIN, BRILES, SCHABEN and
PLYMAT

EXPLANATION OF AMENDMENT

The amendment to Senate File 1163 separates the board governing the area schools from the board with authority to regulate intermediate educational services. The area schools board remains the same as it is presently constituted and area school laws are not amended except to remove references to the county school system.

Senate 25
February 27, 1974

A system of intermediate service units is established with boundary lines coterminous with the boundary lines of the merged areas. Each intermediate service unit is governed by a board of directors which is equal in number to the board of directors of the merged area. The board of directors of the intermediate service unit is elected at the regular school election from the director districts established for the merged area board. The term of office is three years.

The intermediate service unit is administered by a superintendent and a division of special education is established. Provisions relating to employees of the area education agency in Senate File 1163 are also given to employees of the intermediate service unit.

The method of financing programs and services remains the same as is set forth for the area education agency in Senate File 1163 as are the duties of the intermediate service unit.

SENATE FILE 1163

S-2248

1 Amend Senate File 1163 as follows:

2 1. Page 2, by striking lines 7 through 18, inclusive,
3 and inserting in lieu thereof the following:

4 "Sec. 2. NEW SECTION. AREA EDUCATION AGENCY
5 ESTABLISHED. There is established in each of the several
6 merged areas of the state an area education agency,
7 governed by an area education agency board of directors.
8 The area education agency shall have boundaries which
9 are conterminous with the boundaries of the merged areas
10 as provided in chapter two hundred eighty A (280A) of
11 the Code.

12 The area education agency board shall furnish educa-
13 tional services and programs to the local school districts
14 as provided in sections one (1) through eleven (11) of
15 this Act and chapter two hundred eighty-one (281) of the
16 Code.

17 The area education agency board shall provide for
18 special education services and media services for the
19 local school districts in the merged area."

20 2. Page 2, line 27, by striking the word "ADDI-
21 TIONAL".

22 3. Page 2, by striking lines 28, 29, and 30 and
23 inserting in lieu thereof the words "AGENCY BOARD."

24 4. Page 2, line 31, by striking the word "the" and
25 inserting in lieu thereof the word "The".

Page 2

1 5. Page 3, line 1, by striking the words "The money".

2 6. Page 3, by striking lines 2 and 3 and inserting
3 in lieu thereof the words "All costs incurred in provid-
4 ing the programs".

5 7. Page 4, by inserting after line 8 the following
6 subsections:

7 10. Employ personnel as required to carry out the
8 functions of the area education agency. The provisions
9 of section two hundred seventy-nine point thirteen
10 (279.13) of the Code shall apply to the area education
11 agency board and to all certificated school employees
12 of the area education agency.

13 11. Prepare an annual budget estimating income and
14 expenditures for programs and services as provided in
15 sections one (1) through eleven (11) of this Act and
16 chapter two hundred eighty-one (281) of the Code. The
17 proposed budget shall be submitted to the department
18 of public instruction, on forms provided by the depart-
19 ment, no later than December first preceding the next
20 fiscal year for approval. The department shall review
21 the proposed budget and shall prior to January first
22 either grant approval or return the budget without
23 approval with comments of the department included. Any
24 unapproved budget shall be resubmitted to the depart-
25 ment for final approval.

Page 3

1 12. Be authorized to contract indebtedness and issue
2 bonds to raise funds to acquire sites and to erect and
3 equip buildings for use by the area education agency.
4 No indebtedness shall be incurred under this section
5 until authorized by an election. A proposition to incur
6 indebtedness and issue bonds for the purposes stated in
7 this subsection shall be deemed carried in an area educa-
8 tion agency if approved by a sixty percent majority of
9 all voters voting on the proposition within the area
10 education agency.

11 The provisions of chapters seventy-five (75) and
12 seventy-six (76) of the Code shall apply to indebtedness
13 incurred under this subsection. Taxes for the payment
14 of bonds issued under this subsection shall be levied
15 in accordance with chapter seventy-six (76) of the Code.
16 The bonds shall be payable from a fund created from the
17 proceeds of the taxes in not more than twenty years and
18 bear interest at a rate not exceeding seven percent per
19 annum, and shall be of such form as the board issuing
20 the bonds shall by resolution provide. Any indebtedness
21 incurred shall not be considered an indebtedness for
22 general and ordinary purposes as prescribed under sec-
23 tion four hundred seven point one (407.1) of the Code.

24 13. Be authorized to pay, out of funds available to
25 the board reasonable annual dues to an Iowa association

Page 4

1 of school boards. Membership shall be limited to those
2 duly elected members of the area education agency board.

3 14. At the request of an employee through contractual
4 agreement the board may arrange for the purchase of an
5 individual annuity contract for any of its respective
6 employees from any company the employee may choose that
7 is authorized to do business in this state, and through
8 and Iowa-licensed insurance agent that the employee may
9 select, for retirement or other purposes and may make
10 payroll deductions in accordance with such arrangements
11 for the purpose of paying the entire premium due, and to
12 become due, under the contract. The deductions shall
13 be made in the manner which will qualify the annuity
14 premiums for the benefits afforded under section four
15 hundred three b (403b) of the Internal Revenue Code of
16 1954 and amendments thereto. The employee's rights
17 under such annuity contract shall be nonforfeitable
18 except for the failure to pay premiums.

19 15. Be authorized to establish and pay all or any
20 part of the cost of group health insurance plans, non-
21 profit group medical service plans and group life insur-
22 ance plans adopted by the board for the benefit of
23 employees of the area education agency, from funds
24 available to the board.

25 16. Meet at least two times per year with the

Page 5

- 1 members of the board of directors of the merged area
- 2 in which the area education agency is located to discuss
- 3 coordination of programs and services and other matters
- 4 of mutual interest to the two boards.
- 5 8. Page 4, by striking lines 21 through 28, inclu-
- 6 sive.
- 7 9. Page 4, line 30, by striking the words "within
- 8 the division of intermediate services".
- 9 10. Page 4, line 31, by striking the word "subdivi-
- 10 sion" and inserting in lieu thereof the word "division".
- 11 11. Page 4, line 31, by inserting after the word
- 12 "education" the words "of the area education agency".
- 13 12. Page 4, line 35, by striking the word "subdivi-
- 14 sion" and inserting in lieu thereof the word "division".
- 15 13. Page 7, by striking lines 26 through 35, inclu-
- 16 sive.
- 17 14. Page 8, by striking lines 1 through 35, inclu-
- 18 sive.
- 19 15. Page 9, by striking lines 1 through 28, inclu-
- 20 sive, and inserting in lieu thereof the following:
- 21 Sec. 9. NEW SECTION. AREA EDUCATION AGENCY BOARD OF
- 22 DIRECTORS.
- 23 1. Board of Directors. The board of directors of an
- 24 area education agency shall consist of the same number
- 25 of directors as are authorized to serve on the board of

Page 6

- 1 the merged area under the provisions of chapter two
- 2 hundred eighty A (280A) of the Code, within the area
- 3 being served by the area education agency. The members
- 4 of the area education agency board shall be elected from
- 5 director districts in the manner provided in this sec-
- 6 tion. Each director shall serve a three-year term which
- 7 expires on the first Monday in October, except that
- 8 directors elected at the initial election to take office
- 9 on October 7, 1974, shall determine their respective
- 10 terms by lot so that the terms of one-third of the
- 11 members, as nearly as may be, shall expire on the first
- 12 Monday of October of each succeeding year.
- 13 2. Election of Directors. Area education agency
- 14 directors shall be elected from director districts which
- 15 are coterminous with the director districts for the
- 16 election of members of the merged area board under
- 17 chapter two hundred eighty A (280A) of the Code.
- 18 The board of directors of the area education agency
- 19 shall be elected at director district conventions
- 20 attended by members of the boards of directors of the
- 21 local school districts located within the director
- 22 district.
- 23 A convention shall be held not later than September
- 24 20, 1974 and the date shall be determined by the county
- 25 superintendent of the county located entirely within the

Page 7

1 director district which has the largest public school
2 enrollment. The location of each director district
3 convention shall be determined by the county superin-
4 tendent of the county within the director district which
5 has the largest public school enrollment, and the loca-
6 tion shall be at a school facility located within the
7 director district. The presiding officer of the director
8 district convention shall be the president of the board
9 of directors of the school district in which the con-
10 vention is held. A single member shall be elected from
11 each director district. The member of the area education
12 agency board to be elected at the director district con-
13 vention may be a member of a local school district
14 board of directors and shall be an elector and a resident
15 of the director district, other than school district
16 employees.

17 After July 1, 1975, a director district convention
18 shall be called and the location of the convention shall
19 be determined by the area education agency superintendent.
20 Annually a director district convention shall be held
21 within two weeks following the regular school election.
22 Notice of the time, date and place of the director district
23 convention shall be published by the area education agency
24 superintendent at least forty-five days prior to the day
25 of the district convention in at least one newspaper of

Page 8

1 general circulation in the merged area. The cost of
2 publication shall be paid by the area education agency.
3 The board of each separate school district which is
4 located entirely or partially inside an area education
5 agency director district shall cast a vote for director
6 of the area education agency board based upon the ratio
7 that the population of the school district, or portion
8 of the school district, in the director district bears
9 to the total population in the director district. The
10 population of each school district or portion shall be
11 determined by the department of public instruction.

12 Vacancies, as defined in section two hundred seventy-
13 seven point twenty-nine (277.29) of the Code, in the
14 membership of the area education agency board shall be
15 filled for the unexpired portion of the term by the
16 board of the school district in which the member resided.

17 A candidate for election to the area education agency
18 board shall file a statement of candidacy with the area
19 education agency secretary at least ten days prior to the
20 date of the district director convention, on forms pre-
21 scribed by the department of public instruction. The
22 statement of candidacy shall include the candidate's name,
23 address and school district. The list of candidates
24 shall be sent by the secretary of the area education
25 agency by ordinary mail to the presidents of the boards

Page 9

1 of directors of all school districts within the director
2 district immediately following the last day for filing
3 the statement of candidacy. For the initial district
4 director convention the statement of candidacy shall be
5 filed with the county superintendent who determines the
6 date and location of the district convention and he shall
7 send the list of candidates to the presidents of the
8 school boards.

9 3. Organization. The board of directors of each
10 area education agency shall meet on the first Monday
11 in October at a suitable place designated by the presi-
12 dent. Directors whose terms commence at the organization
13 meeting shall qualify by taking the oath of office required
14 by section two hundred seventy-nine point twenty-eight
15 (279.28) of the Code at or before the organization meeting.
16 For the initial board the location of the organization
17 meeting shall be determined by the county superintendent
18 who determined the date and location of the director
19 district convention.

20 The provisions of section two hundred eighty A point
21 thirteen (280A.13) of the Code relating to organization,
22 officers, appointment of secretary and treasurer, and
23 meetings of the merged area board shall apply to the
24 area education agency board.

25 4. Quorum. A majority of the members of the board

Page 10

1 of directors of the area education agency shall consti-
2 tute a quorum.

3 16. Page 9, line 31, by striking the words "for the
4 division of intermediate services".

5 17. Page 11, lines 31, 32, and 33, by striking the
6 words "administrative officer of the area division of
7 intermediate services" and inserting in lieu thereof
8 the words "area education agency superintendent".

9 18. Page 12, line 23, by striking the words "divi-
10 sion of intermediate services".

11 19. Page 13, line 21, by striking the words "merged
12 areas" and inserting in lieu thereof the words "merged
13 areas,".

14 20. Page 13, line 35, by striking the words "merged
15 area" and inserting in lieu thereof the words "merged
16 area, area".

17 21. Page 14, line 15, by striking the words "merged
18 area" and inserting in lieu thereof the words "merged
19 area, area".

20 22. Page 15, by inserting after line 22 the follow-
21 ing sections:

22 Sec. _____. Section seventy-five point one (75.1),
23 unnumbered paragraph one (1), Code 1973, is amended to
24 read as follows:

25 When a proposition to authorize an issuance of bonds

Page 11

1 by a county, township, school corporation, area education
2 agency, city or town, or by any local board or commission,
3 is submitted to the electors, such proposition shall not
4 be deemed carried or adopted, anything in the statutes
5 to the contrary notwithstanding, unless the vote in favor
6 of such authorization is equal to at least sixty percent
7 of the total vote cast for and against said proposition
8 at said election.

9 Sec. _____. Section seventy-five point ten (75.10),
10 Code 1973, is amended to read as follows:

11 75.10 DENOMINATIONS OF BONDS. Notwithstanding any
12 other provisions in the statutes to the contrary, issues
13 of public bonds of every kind and character by counties,
14 cities, towns, and school corporations, and area education
15 agencies shall be issued in amounts of one hundred dollars
16 or multiples thereof not to exceed ten thousand dollars.
17 This provision shall not apply to bonds, the interest or
18 principal, or both, of which are payable out of special
19 assessments against benefited properties.

20 Sec. _____. Section seventy-six point one (76.1), Code
21 1973, is amended to read as follows:

22 76.1 MANDATORY RETIREMENT. Hereafter issues of bonds
23 of every kind and character by counties, cities, towns,
24 and school corporations, and area education agencies
25 shall be consecutively numbered. The annual levy shall

Page 12

1 be sufficient to pay the interest and approximately such
2 portion of the principal of the bonds as will retire them
3 in a period not exceeding twenty years from date of issue.
4 Each issue of bonds shall be scheduled to mature serially
5 in the same order as numbered.

6 Sec. _____. Section seventy-six point seven (76.7), Code
7 1973, is amended to read as follows:

8 76.7 PARTICULAR BONDS AFFECTED--PAYMENT. Counties,
9 cities, towns, and school corporations, and area educa-
10 tion agencies may at any time or times extend or renew
11 any legal indebtedness or any part thereof they may have
12 represented by bonds or certificates where such indebted-
13 ness is payable from a limited annual tax or from a voted
14 annual tax, and may by resolution fund or refund the same
15 and issue bonds therefor running not more than twenty
16 years to be known as funding or refunding bonds, and make
17 provision for the payment of the principal and interest
18 thereof from the proceeds of an annual tax for the period
19 covered by such bonds similar to the tax authorized by
20 law or by the electors for the payment of the indebted-
21 ness so extended or renewed.

22 23. Page 41, by striking lines 7 through 35, inclu-
23 sive.

24 24. Page 42, by striking lines 1 and 2.

25 25. Page 42, by striking lines 5 through 20, inclusive,

Page 13

- 1 and inserting in lieu thereof the following:
2 "280A.12 GOVERNING BOARD. The governing board of a
3 merged area shall be a board of directors composed of
4 one member elected from each director district in the
5 area by the electors of the respective district. Mem-
6 bers of the board shall be residents of the district
7 from which elected. Successors shall be chosen at the
8 annual school elections for members whose terms expire
9 on the first Monday in October following such elections.
10 Terms of members of the board of directors shall be
11 three years except that members of the initial board
12 of directors elected at the special election shall deter-
13 mine their respective terms by lot so that the terms of
14 one-third of the members, as nearly as may be, shall
15 expire on the first Monday in October of".
16 26. Page 42, line 30, by striking the words "as a
17 member elected by the electorate".
18 27. Page 42, by striking line 32 and inserting in
19 lieu thereof the words "district or a member of a
20 county-board-of-education an area education agency
21 board."
22 28. Page 43, lines 10 and 11, by striking the words
23 "merged area education agency" and inserting in lieu
24 thereof the words "merged area".
25 29. Page 43, by striking line 22 and inserting in

Page 14

- 1 lieu thereof the words "of a merged area shall qualify
2 by taking".
3 30. Page 43, line 27, by striking the words "merged
4 area education agency" and inserting in lieu thereof
5 the words "merged area".
6 31. Page 43, lines 33 and 34, by striking the words
7 "merged area education agency" and inserting in lieu
8 thereof the words "merged area".
9 32. Page 44, line 16, by striking the words "a
10 merged an area education agency" and inserting in lieu
11 thereof the words "a merged area".
12 33. Page 44, line 20, by striking the words "merged
13 area education agency" and inserting in lieu thereof the
14 words "merged area".
15 34. Page 44, by striking lines 22 through 35, inclu-
16 sive.
17 35. Page 45, by striking lines 1 through 4, inclu-
18 sive.
19 36. Page 45, lines 7 and 8, by striking the words
20 "area education agency" and inserting in lieu thereof
21 the words "merged area".
22 37. Page 45, lines 9 and 10, by striking the words
23 and figure "eight (8) of this Act and by section".
24 38. Page 45, line 15, by striking the words "area
25 education agency" and inserting in lieu thereof the

Page 15

- 1 words "merged area".
2 39. Page 45, lines 20 and 21, by striking the words
3 "area education agency" and inserting in lieu thereof
4 the words "merged area".
5 40. Page 46, line 5, by striking the words "area
6 education agency" and inserting in lieu thereof the
7 words "merged area".
8 41. Page 46, line 11, by striking the words "area
9 education agency" and inserting in lieu thereof the
10 words "merged area".
11 42. Page 46, lines 16 and 17, by striking the words
12 "area education agency" and inserting in lieu thereof
13 the words "merged area".
14 43. Page 46, by striking lines 20 through 23,
15 inclusive.
16 44. Page 76, by striking lines 32 through 35,
17 inclusive.
18 45. Page 77, by striking lines 1 through 31, inclu-
19 sive and inserting in lieu thereof the following:
20 Sec. 129. Initial operating funds required for payment
21 of salaries and other expenses for planning purposes prior
22 to July 1, 1975, implemented under the provisions of
23 section eight (8) of this Act, shall be advanced to the
24 board of directors of the area education agency by the
25 state comptroller, subject to the approval of the de-

Page 16

- 1 partment of public instruction. Any funds advanced
2 shall be deducted from payments by the state comptroller
3 to the area education agency after July 1, 1975.
4 46. Page 78, by striking lines 8 through 13,
5 inclusive.
6 47. Page 78, line 15, by striking the words and
7 figure "and section one hundred thirty-one (131)".
8 48. Amend the title, page 1, line 2, by striking the
9 comma and inserting in lieu thereof the word "and".
10 49. Amend the title, page 1, line 3, by striking
11 the words ", and merged areas".
12 50. Amend the title, page 1, line 8, by striking
13 the words "to change the size".
14 51. Amend the title, page 1, by striking line 9.
15 52. Amend the title, page 1, line 10, by striking
16 the word "board,".
17 53. By correcting section numbers and internal
18 references as necessary.

S-2248 Filed *Adopted as amended by*
February 26, 1974 *22-21, 235-5, 227-8,*
2246, 3/7 (679)

By SHAFF, KENNEDY, GRIFFIN,
ANDERSEN, ROBINSON, TIEDEN
and JUNKINS



March 12, 1974

The Education 1/13, Pass per 2508 3/15

SENATE FILE 1163

By COMMITTEE ON SCHOOLS

**SENATE AMENDMENTS
SHOWN IN BOLD FACE**

(AS PASSED BY THE SENATE)

Passed Senate, Date *4-19-74 (1453)* Passed House, Date *4-5-74 (154)*

Vote: Ayes...*36*... Nays...*7*... Vote: Ayes...*85*... Nays...*4*...

Approved *5-28-74*
Pass per Senate amendment 4-25-74 (2095)
83-3

A BILL FOR

- .1 And Act relating to area education agencies, including provi-
- 2 sions to replace the county school systems and joint county
- 3 systems with area education agencies, to
- 4 require the area education agencies to provide for certain
- 5 programs and services for the school districts, to transfer
- 6 certain functions of the county school systems and joint
- 7 county systems to the department of public instruction
- 8 and to the area education agencies,
- 9 to provide a method for identification of children
- 10 requiring special education, to provide a method for
- 11 financing programs and services and to provide coordinating
- 12 amendments.

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

1 Section 1. *NEW SECTION.* SYSTEM ABOLISHED. The county
2 school systems and joint county systems established pursuant
3 to chapter two hundred seventy-three (273) of the Code are
4 abolished on July 1, 1975. Membership on county and joint
5 county boards of education and employment in county and joint
6 county systems shall terminate on July 1, 1975. Terms of
7 office of members of the boards of directors of county school
8 systems and joint county systems expiring on October 7, 1974
9 are extended until July 1, 1975 and members shall not be
10 elected to county boards of education and joint county boards
11 at the regular school election in 1974, except to fill a vacancy.

12 Sec. 2. *NEW SECTION.* AREA EDUCATION AGENCY ESTAB-
13 LISHED.

13 There is established in each of the several merged areas of
14 the state an area education agency, governed by an area educa-
15 tion agency board of directors. The area education agency shall
16 have boundaries which are conterminous with the boundaries of
17 the merged areas as provided in chapter two hundred eighty A
18 (280A) of the Code.

19 The area education agency board shall furnish educational
20 services and programs to the local school districts as provided
21 in sections one (1) through eleven (11) of the Act and chapter
22 two hundred eighty-one (281) of the Code.

23 The area education agency board shall provide for special
24 education services and media services for the local school
25 districts in the area.

26 The area education agency board may provide for the fol-
27 lowing programs and services to local school districts within
28 the limits of funds available:

29 1. In-service training, provided at the time programs and
30 services are established they do not duplicate programs and
31 services available in that area from the universities under the
32 state board of regents and from other universities and four-year
33 institutions of higher education in Iowa.

34 2. Educational data processing.

35 3. Research and educational planning, provided at the time

36 programs and services are established they do not duplicate
37 programs and services available in that area from the
38 universities under the state board of regents and from other
39 universities and four-year institutions of higher education
40 in Iowa.

41 4. Auxiliary services as provided by law.

42 5. Other programs and services.

43 Sec. 3. *NEW SECTION.*

DUTIES OF AREA
EDUCATION

44 AGENCY BOARD.

45 The board in carrying out the provisions of section two (2)
46 of this Act shall:

47 1. Determine the policies of the area education agency
48 for providing programs and services.

49 2. Be authorized to receive and expend money for provid-

1 ing programs and services as provided in this Act.

2 **All costs incurred in providing the programs**

3 and services, including administrative costs, shall be paid
4 from funds received pursuant to this Act.

5 3. Provide data and prepare reports as directed by the
6 superintendent of public instruction.

7 4. Provide for advisory committees as deemed necessary.

8 5. Be authorized, subject to rules and regulations of
9 the department of public instruction, to provide directly
10 or by contractual arrangement with public or private agencies
11 for special education programs and services, media services,
12 and other programs and services requested by the local boards
13 of education as provided in this Act, including but not limited
14 to contracts for the area education agency to provide programs
15 or services to the local school districts and contracts for
16 local school districts, other educational agencies, and pub-
17 lic and private agencies to provide programs and services
18 to the local school districts in the area education agency
19 in lieu of the area education agency providing such services.

20 6. Area education agencies may cooperate and con-
21 tract between themselves to provide special education
22 programs and services to children residing within their
23 respective areas.

24 7. Be authorized to lease, purchase, construct, receive
25 by gift, and operate and maintain such facilities and build-
26 ings as deemed necessary to provide authorized programs and
27 services.

28 8. Be authorized to make application for, accept, and
29 expend state and federal funds that are available for programs
30 of educational benefit approved by the department of public
31 instruction, and cooperate with the department in the manner
32 provided in federal-state plans or department rules and regu-
33 lations in the effectuation and administration of programs
34 approved by the department, or approved by other educational
35 agencies, which agencies have been approved as a state educa-

36 tional authority.

37 9. In any county operating a juvenile home, upon request of the

1 county board of supervisors in cooperation with and at the
2 expense of the school districts of residence of the children
3 residing in the home,
4 provide suitable curriculum, teaching staff, books, supplies,
5 and other necessary materials for the instruction of children
6 of school age who are maintained in the juvenile home of the
7 county, as provided in section two hundred thirty-two point
8 twenty-one (232.21) of the Code.

9 10. Be authorized to perform all other acts necessary to
10 carry out the provisions and intent of this Act.

11 11. Employ personnel as required to carry out the
12 functions of the area education agency which shall include
13 the employment of a superintendent who shall possess a super-
14 intendent's certificate issued under the provisions of section
15 two hundred sixty point nine (260.9) of the Code. The
16 superintendent shall be employed pursuant to the provisions
17 of section two hundred seventy-nine point fourteen (279.14)
18 of the Code. The provisions of section two hundred seventy-
19 nine point thirteen (279.13) of the Code shall apply to the
20 area education agency board and to all certificated school
21 employees of the area education agency.

22 12. Prepare an annual budget estimating income and ex-
23 penditures for programs and services as provided in sections
24 one (1) through eleven (11) of this Act and chapter two hundred
25 eighty-one (281) of the Code. The proposed budget shall be sub-
26 mitted to the department of public instruction, on forms provided
27 by the department, no later than December first preceding the next
28 fiscal year for approval. The department shall review the pro-
29 posed budget and shall prior to January first either grant approval
30 or return the budget without approval with comments of the depart-
31 ment included. Any unapproved budget shall be resubmitted to the
32 department for final approval.

33 13. Be authorized to contract indebtedness and issue bonds
34 to raise funds to acquire sites and to erect and equip buildings
35 for use by the area education agency including sites, buildings,

36 and facilities for providing evaluation, care, treatment, and an
37 educational program for children residing on the premises of the
38 facility. No indebtedness shall be incurred under this section
39 until authorized by an election. A proposition to incur indebted-
40 ness and issue bonds for the purposes stated in this subsection
41 shall be deemed carried in an area education agency if ap-
42 proved by sixty percent majority of all voters voting on
43 the proposition within the area education agency.

44 The provisions of chapters seventy-five (75) and seventy-
45 six (76) of the Code shall apply to indebtedness incurred under
46 this subsection. Taxes for the payment of bonds issued under
47 this subsection shall be levied in accordance with chapter
48 seventy-six (76) of the Code. The bonds shall be payable from
49 a fund created from the proceeds of the taxes in not more than
50 twenty years and bear interest at a rate not exceeding seven
51 percent per annum, and shall be of such form as the board issuing
52 the bonds shall by resolution provide. Any indebtedness incurred
53 shall not be considered an indebtedness for general and ordinary
54 purposes as prescribed under section four hundred seven point
55 one (407.1) of the Code.

56 14. Be authorized to pay, out of funds available to the
57 board reasonable annual dues to an Iowa association of school
58 boards. Membership shall be limited to those duly elected
59 members of the area education agency board.

60 15. At the request of an employee through contractual
61 agreement the board may arrange for the purchase of an individual
62 annuity contract for any of its respective employees from any
63 company the employee may choose that is authorized to do busi-
64 ness in this state, and through an Iowa-licensed insurance agent
65 that the employee may select, for retirement or other purposes
66 and may make payroll deductions in accordance with such arrange-
67 ments for the purpose of paying the entire premium due, and to
68 become due, under the contract. The deductions shall be made in
69 the manner which will qualify the annuity premiums for the benefits

1 afforded under section four hundred three b (403b) of the
2 Internal Revenue Code of 1954 and amendments thereto. The
3 employee's rights under such annuity contract shall be non-
4 forfeitable except for the failure to pay premiums.

5 16. Be authorized to establish and pay all or any part
6 of the cost of group health insurance plans, nonprofit group
7 medical service plans and group life insurance plans adopted
8 by the board for the benefit of employees of the area
9 education agency, from funds available to the board.

10 17. Meet quarterly with the members of the board of
11 directors of the merged area in which the area education
12 agency is located to discuss coordination of programs and
13 services and other matters of mutual interest to the two
14 boards.

15 Sec. 4. *NEW SECTION.* AREA EDUCATION AGENCY SU-
PERINTENDENT.

16 Under direction of the board of directors of the area education
17 agency, the superintendent of the area education agency shall,
18 in addition to his other duties:

19 1. Cooperate with boards of directors of local school
20 districts of the area education agency in considering and
21 developing plans for the improvement of the educational pro-
22 grams and services in the area education agency.

23 2. When requested, provide such other assistance as pos-
24 sible to school districts of the area education agency for
25 the general improvement of their educational programs and
26 operations.

27 Sec. 5. *NEW SECTION.* SPECIAL EDUCATION. There shall
28 be established a division of special education of the area
29 education agency which shall provide for
30 special education programs and services to the local school
31 districts. The special education programs and services shall
32 be at least commensurate with programs and services existing
33 on the effective date of this Act. The division of special

1 education shall be headed by a director of special education
2 who meets certification standards of the department of public
3 instruction. The director of special education shall have
4 the responsibility for implementation of state regulations
5 and guidelines relating to special education programs and
6 services. The director of special education shall have the
7 following powers and duties:

8 1. Properly identify children requiring special educa-
9 tion.

10 2. Insure that each child requiring special education
11 in the area receives an appropriate special education program
12 or service.

13 3. Assign appropriate weights for each child requir-
14 ing special education programs or services as provided in
15 section two hundred eighty-one point nine (281.9) of the
16 Code.

17 4. Supervise special education support personnel.

18 5. Provide each school district within the area served
19 and the department of public instruction with a special
20 education weighted enrollment count for the second Friday
21 in January and the second Friday in September of each year.

22 6. Submit to the department of public instruction special
23 education instructional and support program plans and
24 applications including those for new or expanded programs and
25 services, subject to criteria listed in chapter two hundred
26 eighty-one (281) of the Code, for approval by November first
27 of each year for the school year commencing the following
28 July first.

29 7. Coordinate the special education program within the
30 area served.

31 Sec. 6. *NEW SECTION. MEDIA CENTERS.*

32 1. The media centers required under section two (2) of
33 this Act shall contain:

34 a. A materials lending library, consisting of print and
35 nonprint materials.

S. F. 1163

—6B—

36 b. A professional library.

- 1 c. A curriculum laboratory, including textbooks and cor-
- 2 related print and audiovisual materials.
- 3 d. Capability for production of media-oriented instruc-
- 4 tional materials.
- 5 e. Qualified media personnel.
- 6 f. Appropriate physical facilities.
- 7 g. Other materials and equipment deemed necessary by the
- 8 department.

9 2. Program plans submitted by the area education agency
10 to the department of public instruction for approval of media
11 centers under this subsection shall include all of the follow-
12 ing:

- 13 a. Evidence that the services proposed are based upon
- 14 an analysis of the needs of the local school districts in
- 15 the area.
- 16 b. Description of the manner in which the services of
- 17 the area education agency media center will be coordinated
- 18 with other agencies and programs providing educational media.
- 19 c. Description of the means for delivery of circulation
- 20 materials.

21 4. Evidence that the media center fulfills the require-
22 ments of subsection one (1) of this section.

23 Sec. 7. *NEW SECTION. ADDITIONAL SERVICES.* If sixty
24 percent of the number of local school boards located in an
25 area education agency request in writing to the area educa-
26 tion agency board that an additional service be provided them,
27 the area education agency board may arrange for the service
28 to be provided to all school districts in the area.

29 Sec. 8. *NEW SECTION. COUNTY SYSTEMS.* County and joint
30 county boards of education and county and joint county school
31 systems shall continue to function through June 30, 1975.
32 During the interval between the October 7, 1974 and June 30,
33 1975, the area education agency board shall meet with the
34 county or joint county boards located in whole or in part
35 within the merged area and arrange for an orderly transfer

1 of records, assets and liabilities from the respective county
2 or joint county systems to the area education agency as of
3 June 30, 1975. In cases where the boundaries of the area
4 education agency include only a part of a county or joint
5 county system the respective boards shall arrange for a divi-
6 sion of assets and liabilities based on the proportionate
7 value of the taxable property of the county or joint county
8 system within and without the boundaries of the area educa-
9 tion agency. During the interim between October 7, 1974 and
10 July 1, 1975, the county and joint county boards and their
11 personnel shall furnish full cooperation to the area education
12 agency board in assisting it with the preparation of a budget,
13 the recruitment of personnel and other necessary preliminary
14 matters. Office space and other space furnished by the
15 counties to the several county and joint county boards shall
16 remain available for use by the area education agency board
17 for such period of time as the area education agency board
18 deems continued use of the space to be necessary and
19 convenient. The area education board may arrange for
20 the appointment of officers and the hiring of other personnel
21 for terms of office or employment to commence on July 1, 1975,
22 or may employ the administrative officer of the
23 division of intermediate services, the area director of
24 special education and the necessary support personnel, includ-
25 ing clerical assistance before July 1, 1975 to perform
26 functions necessary for the implementation of sections one
27 (1) through eleven (11) of this Act and chapter two hundred
28 eighty-one (281) of the Code on July 1, 1975.

29 Any tax revenues collected by a county treasurer or
30 county auditor for a county or joint county system, or funds
31 to be paid by the state of Iowa to a county or joint county
32 system, after July 1, 1975, shall be paid directly to the
33 proper area education agency on behalf of the county or
34 joint county system.

1 **Sec. 9. NEW SECTION. AREA EDUCATION AGENCY BOARD**
2 **DIRECTORS.**

3 1. Board of Directors. The board of directors of an
4 area education agency shall consist of the same number of
5 directors as are authorized to serve on the board of the
6 merged area under the provisions of chapter two hundred eighty
7 A (280A) of the Code, within the area being served by the area
8 education agency. The members of the area education agency
9 board shall be elected from director districts in the same
10 manner provided in this section. Each director shall serve a
11 three-year term which expires on the first Monday in October,
12 except that directors elected at the initial election to take
13 office on October 7, 1974 shall determine their respective
14 terms by lot so that the terms of one-third of the members,
15 as nearly as may be, shall expire on the first Monday of
16 October of each succeeding year.

17 2. Election of Directors. Area education agency directors
18 shall be elected from director districts which are conterminous
19 with the director districts for the election of members of the
20 merged area board under chapter two hundred eighty A (280A)
21 of the Code.

22 The board of directors of the area education agency shall
23 be elected at director district conventions attended by
24 members of the boards of directors of the local school districts
25 located within the director district.

26 A convention shall be held not later than September 20,
27 1974 and the date shall be determined by the county superintendent
28 of the county located entirely within the director district
29 which has the largest public school enrollment. The location of
30 each director district convention shall be determined by the
31 county superintendent of the county within the director district
32 which has the largest public school enrollment, and the location
33 shall be at a school facility located within the director district.
34 The presiding officer of the director district convention shall be
35 the president of the board of directors of the school district in

1 which the convention is held. A single member shall be
2 elected from each director district. The member of the area
3 education agency board to be elected at the director district
4 convention may be a member of a local school district board
5 of directors and shall be an elector and a resident of the
6 director district, other than school district employees.

7 After July 1, 1975, a director district convention shall
8 be called and the location of the convention shall be deter-
9 mined by the area education agency superintendent. Annually
10 a director district convention shall be held within two weeks
11 following the regular school election. Notice of the time,
12 date and place of the director district convention shall be
13 published by the area education agency superintendent at least
14 forty-five days prior to the day of the district convention in
15 at least one newspaper of general circulation in the merged
16 area. The cost of publication shall be paid by the area
17 education agency.

18 The board of each separate school district which is located
19 entirely or partially inside an area education agency director
20 district shall cast a vote for director of the area education
21 agency board based upon the ratio that the population of the
22 school district, or portion of the school district, in the
23 director district bears to the total population in the director
24 district. The population of each school district or portion shall
25 be determined by the department of public instruction.

26 Vacancies, as defined in section two hundred seventy-seven
27 point twenty-nine (277.29) of the Code, in the membership of
28 the area education agency board shall be filled for the unexpired
29 portion of the term by the board of the school district in which
30 the member resided.

31 A candidate for election to the area education agency board
32 shall file a statement of candidacy with the area education
33 agency secretary at least ten days prior to the date of the
34 district director convention, on forms prescribed by the depart-
35 ment of public instruction. The statement of candidacy shall

1 include the candidate's name, address and school district.
2 The list of candidates shall be sent by the secretary of
3 the area education agency by ordinary mail to the presidents
4 of the boards of directors of all school districts within
5 the director district immediately following the last day for
6 filing the statement of candidacy. For the initial district
7 director convention the statement of candidacy shall be filed
8 with the county superintendent who determines the date and
9 location of the district convention and he shall send the list
10 of candidates to the presidents of the school boards.

11 3. Organization. The board of directors of each area
12 education agency shall meet on the first Monday in October
13 at a suitable place designated by the president. Directors
14 whose terms commence at the organization meeting shall qualify
15 by taking the oath of office required by section two hundred
16 seventy-nine point twenty-eight (279.28) of the Code at or
17 before the organization meeting. For the initial board the
18 location of the organization meeting shall be determined by
19 the county superintendent who determined the date and location
20 of the director district convention.

21 The provisions of section two hundred eighty A point
22 thirteen (280A.13) of the Code relating to organization, officers,
23 appointment of secretary and treasurer, and meetings of the
24 merged area board shall apply to the area education agency
25 boards.

26 4. Quorum. A majority of the members of the board of
27 directors of the area education agency shall constitute a quorum.

28 Sec. 10. *NEW SECTION.* EMPLOYMENT OF COUNTY
SCHOOL SYSTEM

29 AND JOINT COUNTY SYSTEM PERSONNEL. In employing
30 personnel
31 , the area education
32 agency board shall give preference to qualified personnel
33 who seek employment with the area education agency because
34 their employment by county school systems and joint county
systems will be terminated on July 1, 1975. Sick leave and

1 vacations accrued by the employee shall be carried over to
2 his employment by the area education agency board. Any
3 employee of an area education agency who was a member of a
4 public retirement system of a school district or county
5 system, other than the Iowa public employees' retirement
6 system established in chapter ninety-seven B (97B) of the
7 Code, shall, if the employee elects in writing to the area
8 education agency board, continue to be a member of that retire-
9 ment system. Employer contributions required by the retirement
10 system shall be made by the area education agency board.

11 Sec. 11. *NEW SECTION.* PAYMENT FOR PROGRAMS AND
SERVICES.

12 1. As used in this section, unless the context requires
13 otherwise:

14 a. "Allowable growth" means the allowable growth for a
15 school district as computed under section four hundred forty-
16 two point seven (442.7) of the Code.

17 b. "Enrollment" means the enrollment as determined under
18 section four hundred forty-two point four (442.4) of the Code,
19 and "per pupil" means per pupil in enrollment.

20 c. "Weighted enrollment" means the weighted enrollment
21 as determined under section two hundred eighty-one point nine
22 (281.9) of the Code.

23 2. For the school year beginning July 1, 1975, and each
24 succeeding school year, school districts shall pay for the
25 programs and services provided through the area education
26 agency and shall include expenditures for the programs and
27 services in their budgets, in accordance with the provisions
28 of this section.

29 3. School districts shall pay the costs of special edu-
30 cation instructional programs with the moneys available to
31 the districts because of weighted enrollment. Special edu-
32 cation instructional programs shall be provided at the local
33 level if practicable, or otherwise by contractual arrange-
34 ments with the area education agency board as provided in
35 section three (3), subsection five (5) of this Act, but in

36 each case the money available through chapter four hundred forty-
37 two (442) of the Code because of weighted enrollment
38 for each child requiring special education instruction shall
39 be made available to the district or agency which provides
40 the special education instructional program to the child,
41 subject to adjustments for transportation or other costs which
42 may be paid by the school district in which the child is en-
43 rolled. Each district shall cooperate with its area educa-
44 tion agency to provide an appropriate special education in-

1 instructional program for each child who requires special ed-
2 ucation instruction, as identified counted within the
3 certification by the area
4 director of special education, and shall not provide a spe-
5 cial education instructional program to a child who has not
6 been so identified and counted within the certification.

7 4. To provide moneys to pay the costs of special educa-
8 tion support services, each school district shall add to its
9 allowable growth for the school year beginning July 1, 1975,
10 an amount equal to the cost per pupil in its area education
11 agency, for special education support services needed by the
12 agency for that year, determined in accordance with the program
13 plans submitted by the area director of special education
14 and approved by the department of public instruction. For
15 each succeeding school year, each school district shall add
16 to its allowable growth an amount equal to the cost per pupil
17 in its area education agency, for additional special education
18 support services needed by the agency for that year, to serve
19 newly identified children who require the services, determined
20 in accordance with the program plans submitted by the area
21 director of special education and approved by the department
22 of public instruction. The department shall make decisions
23 regarding approval of program plans according to the criteria
24 provided in chapter two hundred eighty-one (281) of the Code,
25 and the rules promulgated by the department pursuant to that
26 chapter and chapter seventeen A (17A) of the Code.

27 5. To provide moneys to pay the costs of media services,
28 each school district shall add to its allowable growth for
29 the school year beginning July 1, 1975 only, an amount equal
30 to the cost per pupil in its area education agency for media
31 services needed by the agency for that year, determined in
32 accordance with the media program plans submitted by the
33 area education agency superintendent
34 and approved by the department of public instruc-
35 tion. However, the amount added for each area education

36 agency shall not exceed five *dollars* per pupil in that area

1 education agency unless a larger amount per pupil was budgeted
2 for media services for pupils in that area education agency
3 for the school year beginning July 1, 1974, and in that case
4 shall not exceed one hundred eight percent of the amount so
5 budgeted. The amount budgeted for media services for pupils
6 in an area education agency shall be determined by averaging
7 a proportionate part of the expenditures by county school
8 systems and joint county systems formerly serving pupils in
9 the area education agency, based upon the enrollment in the
10 systems compared to the enrollment in the area education
11 agency. If the total amount added to allowable growth for
12 all area education agencies in the state, as otherwise
13 determined under this subsection, exceeds five dollars per
14 pupil in the state, the state comptroller shall reduce the
15 amount for each area ratably so that the total amount does
16 not exceed five dollars per pupil in the state. The department
17 shall make decisions regarding approval of program plans
18 according to the criteria provided in section six (6) of this
19 Act, and the rules promulgated by the department pursuant
20 to that section and chapter seventeen A (17A) of the Code.

21 6. To provide moneys to pay the costs of all other ser-
22 vices which may be provided through the area education agency
23 , each school district shall
24 add to its allowable growth for the school year beginning
25 July 1, 1975 only, the amount of ten dollars per pupil.

26 7. The department of public instruction, in cooperation
27 with the appropriate personnel of the area education agency,
28 shall determine the per pupil amounts for each area educa-
29 tion agency, as required under subsections four (4) and five
30 (5) of this section. The state comptroller shall calculate
31 the amounts needed by each area education agency by multi-
32 plying the per pupil amounts needed by each agency under sub-
33 sections four (4), five (5) and six (6) of this section by
34 the enrollment in the area education agency, and shall cal-
35 culate the amounts due from each school district to its area

1 education agency by multiplying the per pupil amounts needed
2 by the agency by the enrollment in the school district. The
3 state comptroller shall deduct the amounts so calculated for
4 each school district from the state aid due to the district
5 pursuant to chapter four hundred forty-two (442) of the Code
6 and shall pay the amounts to the area education agencies on
7 a quarterly basis during each school year. The state comp-
8 troller shall notify each school district the amount of state
9 aid deducted for this purpose and the balance which will be
10 paid to the district. If a district does not qualify for
11 state aid under chapter four hundred forty-two (442) of the
12 Code in an amount sufficient to cover its amount due to the
13 area education agency as calculated by the state comptroller,
14 the school district shall pay the deficiency to the area edu-
15 cation agency from other moneys received by the district,
16 on a quarterly basis during each school year.

17 Sec. 12. Section eleven point eighteen (11.18), unnumbered
18 paragraphs one (1) and two (2), Code 1973, are amended to
19 read as follows:

20 The financial condition and transactions of all cities
21 and city offices, **merged areas**, *area education agencies*, and
22 all school offices in school districts, shall be examined
23 at least once each year. The financial condition and transac-
24 tions of all towns having a population of seven hundred or
25 more shall be examined at least once every four years. Such
26 examination shall cover the fiscal year next preceding the
27 year in which the audit is conducted. The examination of
28 school offices shall include an audit of activity funds.
28 Examinations may be made by the auditor of state, or in lieu
30 of the examination by state accountants the local governing
31 body whose accounts are to be examined, in case it elects
32 so to do, may contract with, or employ, certified or registered
33 public accountants, certified and registered in the state
34 of Iowa, and pay the same from the proper public funds. If
35 the city, **merged area**, *area education agency* or school district

1 elect to have the audit made by certified or registered public
2 accountants, they must so notify the auditor of state within
3 sixty days after the close of the fiscal year to be examined
4 and towns electing to have their audit made by a certified
5 public accountant must so notify the state auditor by resolu-
6 tion of the council designating the name of the person or
7 firm to be employed at least ninety days prior to the end
8 of a fiscal year. Such notification and designation shall
9 remain in effect until rescinded or modified by a subsequent
10 resolution of the town council filed with the state auditor.
11 For town audits to be conducted by certified public
12 accountants, the state auditor shall notify the designated
13 person or firm of the year to be examined at least sixty days
14 prior to the end of the year to be examined. If any city,
15 town, **merged area**, *area education agency* or school district does
16 not file such notification with the auditor of state within
17 the required period, the auditor of state is authorized to
18 make the examination and cover any period which has not been
19 previously examined.

20 Any township or municipal corporation not embraced within
21 the foregoing provisions of this chapter [and any school
22 corporation in which an annual examination is not required]
23 may, on application to the auditor of state, secure an exami-
24 nation of its financial transactions and condition of its
25 funds, or a like examination shall be had on application of
26 one hundred or more taxpayers, or if there are fewer than
27 five hundred taxpayers, then by five percent thereof. [The
28 examination in any such school district may be had upon the
29 written request of the county superintendent of schools.]
30 In lieu of such examination by state accountants, the local
31 governing body may contract with, or employ, certified or
32 registered public accountants and pay the same from the proper
33 public funds.

34 Sec. 13. Section sixteen point eighteen (16.18), Code
35 1973, is amended to read as follows:

1 16.18 COUNTY SUPERINTENDENTS. The official register shall
 2 be distributed, in addition to the foregoing provisions, to
 3 the school libraries[, through the county superintendent of
 4 schools to whom they shall be sent in bulk, and who shall
 5 direct their distribution each in his own county].

6 Sec. 14. Section sixteen point twenty-four (16.24), subsec-
 7 tion sixteen (16), Code 1973, as amended by Acts of the Sixty-
 8 fifth General Assembly, 1973 Session, chapter one hundred twenty-
 9 seven (127), section one (1), is amended to read as follows:

10 16. To the clerk of the district court, the county attorney,
 11 the county auditor, the county recorder, county and city assessor,
 12 the county treasurer, the sheriff, and the [county superintendent
 13 of each county] *superintendent of each area education agency* in
 14 the state and also for use in each courtroom of the district
 15 district court 1 copy

16 Sec. 15. Section sixty-four point eight (64.8), Code 1973,
 17 is amended to read as follows:

18 64.8 COUNTY OFFICERS. The bonds of the following county
 19 officers, viz.: Clerks of the district courts, county attor-
 20 neys, recorders, auditors, [superintendents of schools.] sheriffs
 21 and assessors shall each be in a penal sum of not less than
 22 ten thousand dollars each per annum.

23 Sec. 16. Section seventy-five point one (75.1),
 24 unnumbered paragraph one (1), Code 1973, is amended to read
 25 as follows:

26 When a proposition to authorize an issuance of bonds by
 27 a county, township, school corporation, *area education agency*,
 28 city or town, or by any local board or commission, is sub-
 29 mitted to the electors, such proposition shall not be deemed
 30 carried or adopted, anything in the statutes to the contrary
 31 notwithstanding, unless the vote in favor of such authori-
 32 zation is equal to at least sixty percent of the total vote
 33 cast for and against said proposition at said election.

34 Sec. 17. Section seventy-five point ten (75.10),
 35 Code 1973, is amended to read as follows:

36 75.10 DENOMINATIONS OF BONDS. Notwithstanding any other
37 provisions in the statutes to the contrary, issues of public
38 bonds of every kind and character by counties, cities, towns,
39 [and] school corporations, *and area education agencies* shall be
40 issued in amounts of one hundred dollars or multiples thereof
41 not to exceed ten thousand dollars. This provision shall not
42 apply to bonds, the interest or principal, or both, of which
43 are payable out of special assessments against benefited pro-
44 perties.

45 Sec. 18. Section seventy-six point one (76.1), Code 1973,
46 is amended to read as follows:

47 76.1 MANDATORY RETIREMENT. Hereafter issues of bonds of
48 every kind and character by counties, cities, towns, [and] school
49 corporations, *and area education agencies* shall be consecutively
50 numbered. The annual levy shall be sufficient to pay the
51 interest and approximately such portion of the principal of the
52 bonds as will retire them in a period not exceeding twenty years
53 from date of issue. Each issue of bonds shall be scheduled to
54 mature serially in the same order as numbered.

1 Sec. 19. Section seventy-six point seven (76.7), Code
2 1973, is amended to read as follows:

3 76.7 PARTICULAR BONDS AFFECTED—PAYMENT. Counties,
4 cities, towns, [and] school corporations, *and area education*
5 *agencies* may at any time or times extend or renew any legal
6 indebtedness or any part thereof they may have represented
7 by bonds or certificates where such indebtedness is payable
8 from a limited annual tax or from a voted annual tax, and
9 may by resolution fund or refund the same and issue bonds
10 therefor running not more than twenty years to be known as
11 funding or refunding bonds, and make provision for the pay-
12 ment of the principal and interest thereof from the proceeds
13 of an annual tax for the period covered by such bonds similar
14 to the tax authorized by law or by the electors for the payment
15 of the indebtedness so extended or renewed.

16 Sec. 20. Section eighty-five point two (85.2), Code 1973,
17 is amended to read as follows:

18 85.2 COMPULSORY WHEN. Where the state, county, municipal
19 corporation, school corporation, [county board of education,]
20 *area education agency,*
21 or city under any form of government is the employer, the
22 provisions of this chapter for the payment of compensation
23 and amount thereof for an injury sustained by an employee
24 of such employer shall be exclusive, compulsory, and obliga-
25 tory upon both employer and employee, except as otherwise
26 provided in section 85.1. For the purposes of this chapter
27 elected and appointed officials shall be employees.

28 Sec. 21. Section eighty-five point sixty-one (85.61),
29 subsections one (1) and two (2), Code 1973, are amended to
30 read as follows:

1 1. "Employer" includes and applies to any person, firm,
2 association, or corporation, state, county, municipal corpo-
3 ration, school corporation, [county board of education,]
4 *area education agency*, and the legal representatives of a deceased
employee

5 2. "Workman" or "employee" means a person who has entered
6 into the employment of, or works under contract of service,
7 express or implied, or apprenticeship, for an employer, every
8 executive officer elected or appointed and empowered under
9 and in accordance with the charter and bylaws of a corporation,
10 including a person holding an official position, or standing
11 in a representative capacity of the employer, and including
12 officials elected or appointed by the state, counties, school
13 districts, [county boards of education] *area education agencies*,
14 municipal corporations, or cities under any form of govern-
15 ment, and including members of the Iowa highway safety patrol
16 and conservation officers, except as hereinafter specified.

17 Sec. 22. Section one hundred forty-three point one (143.1),
18 Code 1973, is amended to read as follows:

19 143.1 AUTHORITY TO EMPLOY. Any local board of health,
20 [the county board of education of any county,] *area education*
21 *agency board* or the school board of any school district may
22 employ public health nurses at such periods each year and
23 in such numbers as may be deemed advisable. The board of
24 supervisors of any county, the council of any city or town,
25 or the school board of any school district, or any of them
26 acting in co-operation, may contract with any nonprofit nurses'
27 association for public health nursing service. The
28 compensation and expenses thereof shall be paid out of the
29 general fund of the political subdivision employing said
30 nurses.

31 Sec. 23. Section two hundred fifty-seven point eighteen
32 (257.18), subsections eleven (11), twelve (12), and twenty-
33 one (21), Code 1973, are amended to read as follows:

34 11. Prepare for the approval of the state board, such
35 forms and procedures as are deemed necessary to be used by

1 [county boards] *area education agency boards*, district boards,
2 school officials, principals, teachers, and other employees,
3 and to insure uniformity, accuracy, and efficiency in keeping
4 records in both pupil and cost accounting, the execution of
5 contracts, and the submission of reports; furnish, when deemed
6 advisable by him and approved by the state board, those forms
7 which can more economically and efficiently be provided in
8 that manner; and notify the [county board] *area education agency*
9 *board*, or district board, or school authorities, in any case
10 when any report has not been filed in the manner or on the
11 dates prescribed by law or by regulation of the state board
12 that the school be not approved until the report has been
13 properly filed.

14 12. Ascertain by inspection, supervision, or otherwise,
15 the condition, needs, and progress of the schools under the
16 supervision of his department and make recommendations to
17 the proper authorities for the correction of deficiencies
18 and the educational and physical improvement of such schools,
19 and recommend to the state board the need for a state audit
20 of the accounts of any school district, [county school system]
21 *area education agency*, school official, or any school employee
22 handling school funds when it is apparent that such audit
23 should be made. If deemed advisable the state board may call
24 upon the state auditor to make such an audit and he shall
25 proceed to do so as soon as practicable.

26 21. Cause to be printed in book form, during the months
27 of June and July in the year 1955 and every four years there-
28 after, if deemed necessary, all school laws then in force
29 with such forms, rulings, and decisions, and such notes and
30 suggestions as may aid school officers in the proper discharge
31 of their duties. A sufficient number shall be furnished to
32 [the county superintendent of each county to supply therein]
33 school officers, directors, superintendents, and others in
34 such numbers as may be reasonably requested.

35 Sec. 24. Section two hundred fifty-seven point twenty-

1 five (257.25), subsection twelve (12), Code 1973, is amended
2 to read as follows:

3 12. The state board of public instruction shall remove
4 for cause, after due investigation and notice, any such school,
5 college, or school district failing to comply with such
6 approval standards, rules, and regulations from the approved
7 list; which removal shall, during the period of noncompliance,
8 permit parents of children eligible for school attendance
9 to request the [county board of education] *area education agency*
10 *board* to designate their children to an approved school with
11 the district of residence responsible for the tuition and
12 transportation costs. The [county board of education] *area*
13 *education agency board* is [hereby] authorized to make such
14 designation. Procedure, insofar as applicable, shall be that
15 provided in chapter 285. In the event a parent of such child
16 so designated is dissatisfied with said designation, appeal
17 may be made to the state superintendent of public instruction
18 as provided in section 285.12. A school, college, or school
19 district which is removed from the approved list in accordance
20 with this section shall be ineligible to receive state
21 financial aid during the period of noncompliance. The state
22 board shall allow a reasonable period of time, which shall
23 be at least one year, for compliance with such approval
24 standards, rules, and regulations, if such school, college,
25 or school district is making a good faith effort and
26 substantial progress toward full compliance and if the failure
27 to comply is due to factors beyond the control of the board
28 of directors or governing body of such school, college, or
29 school district. In allowing such time for compliance, the
30 board shall follow consistent policies, taking into account
31 the circumstances of each case. The reasonable period of
32 time for compliance may be, but need not be, given prior to
33 the one-year notice requirement that is required under
34 subsection 13 of this section.

35 Sec. 25. Section two hundred sixty point nine (260.9),

1 subsection one (1), Code 1973, is amended to read as follows:

2 1. SUPERINTENDENT'S CERTIFICATE. The superintendent's
3 certificate shall be issued to an applicant who has met the
4 requirements for an advanced elementary certificate or an
5 advanced or a standard secondary certificate and who has in
6 addition such other qualifications with reference to special
7 training and experience as the board of educational examiners
8 shall from time to time prescribe. It shall be valid for
9 service [as county superintendent, or]
10 as superintendent, principal, or teacher
11 in any elementary or secondary school.

12 *The area education agency superintendent's certificate*
13 *shall be issued to an applicant who has met either of the*
14 *requirements in two of the four following paragraphs:*

15 a. *Five years experience in higher education administra-*
16 *tion at a fully accredited two or four-year college, or*
17 *university; or an earned doctorate in higher education ad-*
18 *ministration.*

19 b. *Five years experience in special education administra-*
20 *tion; or an earned doctorate in special education or any sub-*
21 *specialty thereof.*

22 c. *Five years experience in primary or secondary school*
23 *education; or an earned doctorate in educational administration*
24 *for the primary or secondary level; and five years teaching*
25 *experience at any educational level.*

26 d. *Five years experience in business or other nonacademic*
27 *career pursuit; or an earned doctorate in public administration*
28 *or business administration.*

29 *No person shall be issued a temporary or emergency certifi-*
30 *cate for more than one year; and no education agency shall employ*
31 *uncertificated superintendents, or employ temporary or emergency*
32 *certificated superintendents for more than two consecutive years.*

33 *The provisions of this subsection relating to the certification*
34 *of an area education agency superintendent shall not apply to*
35 *persons holding a superintendent's certificate prior to the*

1 *effective date of this Act.*

2 Sec. 26. Section two hundred sixty point twenty (260.20),
3 Code 1973, is amended to read as follows:

4 260.20 REGISTRATION OF CERTIFICATES AND DIPLOMAS.

All

5 diplomas and certificates shall be valid in any [county] *area*
6 *education agency* when registered therein, and no person shall
7 teach in any public school whose certificate has not been
8 registered with the [county] superintendent of the [county] *area*
9 *education agency* in which the school is located, provided
10 that whenever there is a sufficient number of holders of
11 advanced and standard elementary certificates available to
12 supply the elementary schools in any [county] *area education*
13 *agency* it shall not be incumbent upon the [county] *area education*
14 *agency* superintendent to register limited elementary cer-
15 tificates.

16 Sec. 27. Section two hundred sixty point twenty-three
17 (260.23), Code 1973, is amended to read as follows:

18 260.23 REVOCATION BY BOARD. Any [diploma or] certificate
19 issued by the board may be suspended or revoked by it for
20 any cause which would have authorized or required a refusal
21 to grant the same, and the holder shall have ten days' notice
22 by registered mail and be allowed to be present and make de-
23 fense.

24 Sec. 28. Section two hundred sixty-two point thirty-two
25 (262.32), Code 1973, is amended to read as follows:

1 262.32 CONTRACT—TIME LIMIT. Such contracts shall be
2 in writing and shall extend over a period of not to exceed
3 two years, and a copy thereof shall be filed in the office
4 of the superintendent [of schools] of the [county] *area education*
5 *agency*.

6 Sec. 29. Section two hundred seventy-two point one (272.1),
7 Code 1973, is amended to read as follows:

8 272.1 IMPROVEMENT OF INSTRUCTION. The [county] *area*
9 *education agency* superintendent shall arrange for such
10 professional teachers meetings, demonstration teaching or
11 other field work for the improvement of instruction as may
12 best fit the needs of the public schools in his [county] *area*
13 *education agency* and as directed by the superintendent of
14 public instruction.

15 Sec. 30. Section two hundred seventy-two point four
16 (272.4), Code 1973, is amended to read as follows:

17 272.4 CERTIFICATE OF ATTENDANCE. The [county] *area*
18 *education agency* superintendent shall notify the [secretary] *secretaries*
19 of the school boards as to the co-operation and attendance
20 of its teachers in said meetings and any teacher failing to
21 attend when requested by the [county] *area education agency*
22 superintendent to do so, shall forfeit his average daily
23 salary for that day of nonattendance, except when excused
24 by the [county] *area education agency* superintendent for physical
25 disability to perform his duties in the schoolroom.

26 Sec. 31. Section two hundred seventy-two point seven
27 (272.7), Code 1973, is amended to read as follows:

28 272.7. DISBURSEMENT REQUIREMENTS. All disbursements
29 *from* the fund provided by this chapter shall be by warrants drawn
30 by the county auditor *of each county in the area education*
31 *agency* upon the written order of the [county] *area education*
32 *agency* superintendent, and said written order must be
33 accompanied by an itemized bill for services rendered or ex-
34 penses incurred in connection therewith, which bill must be
35 signed and sworn to by the party in whose favor the order

1 is made and must be verified by the [county] *area education*
2 *agency* superintendent. All said orders and bills shall be
3 kept on file in the auditor's office until the final settlement
4 of the [county] *area education agency* superintendent with [the]
5 *each board of supervisors in the area education agency* at
6 the close of his term of office. No warrant shall be drawn
7 by the auditor in excess of the amount then in the county
8 treasury.

9 Sec. 32. Section two hundred seventy-two point eight
10 (272.8), Code 1973, is amended to read as follows:

11 272.8 ITEMIZED ACCOUNT OF FUNDS. The [county] *area*
education
12 *agency* superintendent shall furnish to the county board of
13 supervisors of *each county in the area education agency* a
14 certified itemized account of all receipts and disbursements
15 for the improvement of instruction. They shall examine and
16 audit the account and publish a summary thereof with the
17 proceedings of the regular June meeting of the board. The
18 [county] *area education agency* superintendent shall also make
19 such reports to the superintendent of public instruction as
20 required by him.

21 Sec. 33. Section two hundred seventy-four point four
22 (274.4), Code 1973, is amended to read as follows:

23 274.4 RECORD OF REORGANIZATION FILED. When an election
24 on the proposition of organizing, reorganizing, enlarging,
25 or changing the boundaries of any school corporation carries
26 by the required statutory margin [or any area of less than
27 four sections is attached to any school corporation by order
28 of a county board of education], or the boundary lines of con-
29 tiguous school corporations are changed by the concurrent
30 action of the respective boards of directors, [the county
31 superintendent, or] the secretary of said school corporation,
32 shall file a written description of the new boundaries of
33 the school corporation in the office of the county auditor
34 of each county in which any portion of the school corporation
35 lies.

1 of directors at their regular meetings in July, or at special
2 meetings called for that purpose. Such concurrent action
3 shall be subject to the approval of the [county] *area education*
4 *agency* board [or boards of education involved] but such
5 concurrent action shall stand approved if the [county] *area*
6 *education agency* board [or boards of education do] *does* not
7 disapprove such concurrent action within thirty days following
8 receipt of notice thereof. The corporation from which terri-
9 tory is detached shall, after the change, contain not less
10 than four government sections of land.

11 Sec. 37. Section two hundred seventy-four point forty
12 (274.40), Code 1973, is amended to read as follows:

13 274.40 VESTING OF POWERS TO CONVEY. Whenever a
majority
14 of the directors of any school district affected as in section
15 274.39 have moved from such district and have ceased to be
16 residents thereof thereby creating vacancies on the school
17 board and reducing it to less than a quorum, the powers vested
18 by said section in the board of directors shall vest in the
19 [county] *area education agency* board [of education] and the
20 instrument of conveyance shall be executed on behalf of such
21 school district by the chairman of the [county] *area education*
22 *agency* board [of education] *until an election is called pursuant*
23 *to chapter two hundred seventy-seven (277) of the Code.*

24 Sec. 38. Section two hundred seventy-four point forty-
25 two (274.42), Code 1973, is amended to read as follows:

26 274.42 ADJUSTING OF DISTRICT BOUNDARIES. Whenever the
27 federal government, or any agency or department thereof shall
28 have heretofore located or shall hereafter locate [in] any
29 [county an ordinance plant or other] project which may be deemed
30 desirable for the development of the national defense or for
31 the purpose of flood control, and for the purpose of so
32 locating such [plant or] project shall have heretofore determined
33 or shall hereafter determine, that certain real property
34 making up a portion of a school district is required, the
35 [county board of education of the county wherein such district

1 lies,] *superintendent of public instruction with the approval*
2 *of the state board* shall have the power by resolution to
3 adjust the boundaries of school districts wherein the federally
4 owned property is located and the boundaries of adjoining
5 school districts so as to effectively provide for the schooling
6 of children residing within all of said districts. A copy
7 of such resolution shall be promptly filed with the board
8 of directors of such adjoining school district or districts
9 and with the board of directors of such school district wherein
10 the federally owned property is located unless such board
11 has been reduced below a quorum in the manner contemplated
12 in section 274.40, in which event such resolution shall be
13 posted in two public places within the altered district.

14 [In any case where any school district affected by any
15 project relating to national defense or flood control in-
16 cludes territory in more than one county, or where it is
17 deemed advisable to incorporate in another county, the county
18 boards of education of all counties involved shall meet jointly
19 for the purpose of taking action as provided in this section.]

20 Sec. 39. Section two hundred seventy-four point forty-
21 three (274.43), Code 1973, is amended to read as follows:

22 274.43 RELINQUISHING FUNDS. The officers of the altered
23 district shall relinquish to the proper officers of such ad-
24 joining district or districts all funds, claims for taxes,
25 credits, and such other personal property in such a manner
26 as the [county board of education] *superintendent of public*
27 *instruction* shall direct, which said funds, credits, and
28 personal property shall become the property of such adjoin-
29 ing district or districts as enlarged, to be used as the
30 boards of directors of such districts may direct.

31 Sec. 40. Section two hundred seventy-four point forty-
32 four (274.44), Code 1973, is amended to read as follows:

33 274.44 DETERMINATION FINAL. The determination of the
34 [county board of education of such county wherein such school
35 districts are located,] *superintendent of public instruction*

1 in *such* matters [herein committed to it,] shall be final.

2 Sec. 41. Section two hundred seventy-four point forty-
3 five (274.45), Code 1973, is amended to read as follows:

4 274.45 EXPENSE AUDITED AND PAID. The expense of the
5 [county board of education] *superintendent of public instruc-*
6 *tion* in respect to the carrying out of the provisions of
7 sections 274.42 to 274.44, inclusive, shall be [audited and
8 allowed by the county board of supervisors and] paid from [the
9 general fund of the county] *funds appropriated to the department*
10 *of public instruction.*

11 Sec. 42. Section two hundred seventy-four point forty-
12 six (274.46), Code 1973, is amended to read as follows:

13 274.46 REIMBURSEMENT FOR LOSS OF TAXES. When any
school

14 district is enlarged or modified under the provisions of sec-
15 tions 274.42 to 274.44, inclusive, such district shall be
16 entitled to receive reimbursement for loss of taxes as pro-
17 vided by chapter 284. The [county board of education] *super-*
18 *intendent of public instruction* shall, when enlarging, mod-
19 ifying or reorganizing any school district as provided under
20 the provisions of sections 274.42 to 274.44, inclusive, desig-
21 nate which lands each district, as enlarged, modified or re-
22 organized, shall be entitled to make application for reim-
23 bursement for loss of taxes as provided by chapter 284.

24 Sec. 43. Section two hundred seventy-five point one
25 (275.1), Code 1973, is amended by striking the section and
26 inserting in lieu thereof the following:

27 275.1 DECLARATION OF POLICY—SURVEYS. It is declared
28 to be the policy of the state to encourage the reorganization
29 of school districts into such units as are necessary, economi-
30 cal and efficient and which will insure an equal educational
31 opportunity to all children of the state. All area of the
32 state shall be in school districts maintaining twelve grades.
33 If any school district ceases to maintain twelve grades, it
34 shall merge with a contiguous school district within six
35 months or the state board shall attach the school district

1 not maintaining twelve grades to a contiguous district.

2 If a district is attached, division of assets and lia-
3 bilities shall be made as provided in sections two hundred
4 seventy-five point twenty-nine (275.29), two hundred seventy-
5 five point thirty (275.30), and two hundred seventy-five point
6 thirty-one (275.31) of the Code. The area education agency
7 boards may initiate detailed studies and surveys of the school
8 districts within the area education agency and adjacent
9 territory for the purpose of promoting reorganization of
10 school districts in order to effect more economical operation
11 and the attainment of higher standards of education in the
12 schools.

13 Sec. 44. Section two hundred seventy-five point four
14 (275.4), Code 1973, is amended to read as follows:

15 275.4 HEARINGS. In making [the] *any* studies and surveys
16 [required by sections 275.1 and 275.2] the *area education agency*
17 board [in each county] shall consult with the officials of
18 affected districts and other citizens, and shall from time
19 to time hold public hearings, and may employ such research
20 and other assistance as it may determine reasonably necessary
21 in order to properly carry on its survey and prepare definite
22 plans of reorganization.

23 Upon the written request of the [county] *area education*
24 *agency* boards [of education] in adopting reorganization plans
25 which conform to the state-wide plan of education and to state
26 laws, the [state] superintendent of public instruction, subject
27 to the approval of the state board of public instruction,
28 shall cause reorganization plans and suggestions to be prepared
29 and forwarded to the [county] *area education agency*
30 superintendents [of schools] together with such recommendations
31 as may promote the purposes set forth in section 275.1.

32 Sec. 45. Section two hundred seventy-five point five
33 (275.5), Code 1973, is amended to read as follows:

34 275.5 TENTATIVE PLANS. [Pending completion of the final
35 plans provided for in sections 275.1 to 275.4 hereof, the

1 county board of education shall prepare and approve tentative
2 plans for reorganization of school districts within the county
3 after consultation with the boards of the various districts
4 in the county and the state department of public instruction.
5 Within ten days after the county board has approved their
6 tentative plan they shall file such plan with the state depart-
7 ment of public instruction.] Any proposal for merger, consoli-
8 dation or boundary change of local school districts shall
9 first be submitted to the [county] area education agency board
10 [of education] for approval before being submitted at an
11 election. The [county] area education agency board [of education]
12 shall adopt and file a tentative [county] plan with the state
13 department of public instruction no later than sixty days
14 after a proposal for merger or consolidation has been presented
15 to them for their approval under this section. Such proposals
16 may provide for reducing an existing school district to less
17 than four government sections and where such proposal is put
18 into effect by election by the method hereinafter provided
19 the [county] area education agency board shall by resolution
20 attach or subdivide and attach the remaining portion or
21 portions of said district to another school district or
22 districts.

23 Sec. 46. Section two hundred seventy-five point six
24 (275.6), Code 1973, is amended to read as follows:

25 275.6 PROGRESSIVE PROGRAM. It is the intent of this chap-
26 ter that the [county] area education agency board shall carry
27 on the program of reorganization progressively and shall,
28 insofar as is possible, authorize submission of proposals
29 to electors as they are developed and approved.

30 Sec. 47. Section two hundred seventy-five point seven
31 (275.7), Code 1973, is amended to read as follows:

32 275.7 BUDGET. The [county] area education agency board
33 [of education] shall include in the budget submitted each year
34 such sums as it deems necessary to carry on its reorganization
35 work under this chapter.

1 Sec. 48. Section two hundred seventy-five point eight
2 (275.8), Code 1973, is amended to read as follows:

3 275.8 CO-OPERATION OF STATE DEPARTMENT—PLAN-
NING JOINT

4 DISTRICTS. The state department of public instruction shall
5 co-operate with the several [county] *area education agency* boards
6 [of education] in making [the] studies and surveys [required here-
7 under]. In the case of controversy over the planning of joint
8 districts, the matter shall be submitted to the state board
9 of public instruction and its decision may be appealed to
10 [a] *the district* court [of record in one of the counties in-
11 volved], by an aggrieved party to the controversy, within
12 thirty days after the decision of the state board of public
13 instruction. Joint districts shall mean districts that lie
14 in two or more adjacent [counties] *area education agencies*.

15 An aggrieved party is hereby defined as the board of directors
16 of a school district whose directors are elected at large,
17 or, if said board is elected from director districts, then
18 that membership of the board of directors whose districts
19 are included in the proposed reorganized area, or [a county]
20 *an area education agency* board [of education].

21 For purposes of this chapter the planning of joint dis-
22 tricts is defined to include all of the following acts:

23 1. Preparation of a written joint plan in which contig-
24 uous territory in two or more [counties] *area education agencies*
25 is considered as a part of a potential school district in
26 the [county] *area education agency* on behalf of which such
27 [county] plan is filed with the state department of public
28 instruction by the [county] *area education agency* board [of
29 education in and for such county].

30 2. Adoption of such plan at a joint session of the several
31 [county] *area education agency* boards [of education] in whose
32 [counties] *areas* such territory is situated.

33 3. Filing said plan with the state department of public
34 instruction.

35 For purposes of subsection 1 hereof, joint planning shall

1 be evidenced by filing the following items with the state
2 department of public instruction:

3 a. A plat of the entire area of such potential district.

4 b. A statement of the number of pupils residing within
5 the area of said potential district enrolled in public schools
6 in the preceding school year.

7 c. A statement of the assessed valuation of taxable prop-
8 erty located within such potential district.

9 d. An affidavit signed on behalf of each of said county
10 boards of education by a member of such board stating the
11 boundaries as shown on such plat have been agreed upon by
12 the respective boards as a part of the over-all county plan
13 of school district reorganization of each such school.

14 Sec. 49. Section two hundred seventy-five point nine
15 (275.9), unnumbered paragraph two (2), Code 1973, is amended
16 to read as follows:

17 The provisions of sections 275.1 to 275.5, inclusive re-
18 lating to studies, surveys, hearings, and adoption of [county]
19 plans shall constitute a mandatory prerequisite to the ef-
20 fectuation of any proposal for district boundary change.
21 It shall be the mandatory duty of the [county] *area education*
22 *agency* board [or joint county boards] to dismiss the petition
23 if the above provisions are not complied with fully.

24 Sec. 50. Section two hundred seventy-five point eleven
25 (275.11), Code 1973, is amended to read as follows:

26 275.11 PROPOSALS INVOLVING TWO OR MORE DISTRICTS.

Subject

27 to the approval of the [county] *area education agency* board
28 [of education] contiguous territory located in two or more
29 school districts may be united into a single district in the
30 manner provided in sections 275.12 to 275.23 hereof.

31 Sec. 51. Section two hundred seventy-five point twelve
32 (275.12), subsections one (1) and four (4), Code 1973, are
33 amended to read as follows:

34 1. A petition describing the boundaries, or accurately
35 describing the area included therein by legal descriptions,

1 of the proposed district, which boundaries or area described
2 shall conform to [county plan] *plans developed* or the petition
3 shall request change of the [county] plan, shall be filed with
4 the *area education agency* superintendent [of schools] of the
5 [county] *area education agency* in which the greatest number
6 of electors reside. Such petition shall be signed by voters
7 in each existing school district affected or portion thereof
8 equal in number to at least twenty percent of the number of
9 eligible voters or four hundred voters, whichever is the
10 smaller number. School districts affected or portion thereof
11 shall be defined to mean that area to be included in the plan
12 of the proposed new school district.

13 4. The [county] *area education agency* board [or boards of
14 education] in reviewing such petition as provided in sections
15 275.15 and 275.16 shall review the proposed method of election
16 of school directors and shall have the duty and authority
17 to change or amend such plan in any manner, including the
18 changing of boundaries of director districts if proposed,
19 or to specify a different method of electing school directors
20 on the basis of area, school population, or assessed valuation
21 as may be required by law, justice, equity, and the interest
22 of the people. In such action the [county] *area education*
23 *agency* board [or boards] shall follow the same procedure as
24 is required by sections 275.15 and 275.16 for other action on
25 the petition by the [county] *area education agency* board [or
26 boards].

27 Sec. 52. Section two hundred seventy-five point thir-
28 teen (275.13), Code 1973, is amended to read as follows:

29 275.13 AFFIDAVIT—PRESUMPTION. Such petition shall be
30 accompanied by an affidavit showing the number of qualified
31 electors living in each affected district or portion thereof
32 described in the petition and signed by a qualified elector
33 residing in the territory, and if parts of the territory
34 described in the petition are situated in different [counties]
35 *area education agencies*, the affidavit shall show separately

1 as to each [county] *area education agency*, the number of
2 qualified electors in the part of the [county] *area education*
3 *agency* included in the territory described. The affidavit
4 shall be taken as true unless objections to it are filed on
5 or before the time fixed for filing objections as provided
6 in section 275.14 hereof.

7 Sec. 53. Section two hundred seventy-five point fourteen
8 (275.14), Code 1973, is amended to read as follows:

9 275.14 OBJECTION—TIME OF FILING—NOTICE. Within ten
10 days after the petition is filed, the [county] *area education*
11 *agency* superintendent shall fix a final date for filing objec-
12 tions to the petition in the office of the [county] *area*
13 *education agency* superintendent, and give notice for at least
14 ten days, by one publication in a newspaper published within
15 the territory described in the petition, or if none is pub-
16 lished therein, in a newspaper published in the county where
17 the petition is filed, and of general circulation in the
18 territory described. *The cost of publication shall be assessed*
19 *to each district whose territory is involved in the ratio*
20 *that the number of pupils in enrollment, as defined in sec-*
21 *tion four hundred forty-two point four (442.4) of the Code*
22 *in each district bears to the total number of pupils in*
23 *enrollment in the total area involved.* Objections shall be
24 in writing in the form of an affidavit and may be made by
25 any person residing or owning land within the territory
26 described in the petition, or who would be injuriously affected
27 by the change petitioned for and shall be on file not later
28 than twelve o'clock noon of the final day for filing
29 objections.

30 Sec. 54. Section two hundred seventy-five point fifteen
31 (275.15), Code 1973, is amended to read as follows:

32 275.15 HEARING—DECISION—PUBLICATION OF ORDER.
33 final day fixed for filing objections, interested parties
34 may present evidence and arguments, and the [county] *area*
35 *education agency* board [of education] shall review the matter
On the

1 on its merits and within five days after the conclusion of
2 any hearing, shall rule on the objections and shall enter
3 an order fixing such boundaries for the proposed school
4 corporation as will in its judgment be for the best interests
5 of all parties concerned, having due regard for the welfare
6 of adjoining districts or dismiss the petition. The [county]
7 *area education agency* superintendent shall at once publish
8 this order in the same newspaper in which the original notice
9 was published [and file any amendments to the county plan in
10 the same manner as hereinabove provided for the original or
11 tentative county plan]. Within twenty days after the publi-
12 cation thereof the decision rendered by the [county] *area*
13 *education agency* board [of education] may be appealed to [a court
14 of record] *the district court* in the county involved by any
15 school district affected.

16 Sec. 55. Section two hundred seventy-five point sixteen
17 (276.16), Code 1973, is amended to read as follows:

18 275.16 HEARING WHEN TERRITORY IN DIFFERENT COUN-
TIES.

19 If the territory described in the petition for the proposed
20 corporation lies in more than one [county] *area education agency*,
21 the [county] *area education agency* superintendent with whom
22 the petition is filed shall fix the time and place and call
23 a joint meeting of the members of the [county] *area education*
24 *agency* boards [of education of the counties] in which any
25 territory of the proposed school corporation lies, to act
26 as a single board for the hearing of the said objections,
27 and a majority of all members of the [county] *area education*
28 *agencies* boards [of education] of the different [counties] *area*
29 *education agencies* in which any part of the proposed
30 corporation lies, shall constitute a quorum. The joint boards
31 acting as a single board shall determine whether the petition
32 conforms to [county] plans or, if the petition requests a change
33 in [county] plans, whether such change should be made, and shall
34 have the authority to change the plans of any or all the
35 [county] *area education agency* boards affected by the petition,

1 and it shall determine and fix boundaries for the proposed
2 corporation as provided in section 275.15 or dismiss the pe-
3 tition. However, if such joint boards cast a tie vote and
4 are unable to agree to an order fixing the boundaries for
5 the proposed school district or to an order to dismiss the
6 petition, the time during which such actions must be taken
7 under the provisions of section 275.15 shall be extended from
8 five days to fifteen days after the conclusion of the hearing
9 under the provisions of section 275.15, and such joint board
10 shall reconvene not less than ten and not more than fifteen
11 days after the conclusion of such hearing. At such hearing
12 the joint board shall reconsider their action and if a tie
13 vote shall again be cast it shall be deemed an order grant-
14 ing the petition and changing the plans of any and all of
15 the [county] *area education agency* boards affected by the
16 petition and fixing the boundaries for the proposed school
17 corporation. The [county] *area education agency* superintendent
18 shall at once publish the decision in the same newspaper in
19 which the original notice was published.

20 In case a controversy arises from such meeting, the [county]
21 *area education agency* board or boards or any school district
22 aggrieved may bring the controversy to the state department
23 of public instruction, as provided in section 275.8, within
24 twenty days from the publication of this order, and if said
25 controversy is taken to the state department of public
26 instruction, a ten-day notice in writing shall be given to
27 all [county] *area education agency* boards and school districts
28 affected or portions thereof. The state department shall
29 have the authority to affirm the action of the joint boards,
30 to vacate, to dismiss all proceedings or to make such
31 modification of the action of the joint boards as in their
32 judgment would serve the best interest of all the [counties]
33 *area education agency*. This decision may be appealed to [a
34 court of record] *the district court* in one of the counties
35 by any aggrieved party to the controversy as defined in section

1 275.8, within thirty days after the decision of the state
2 department of public instruction.

3 The court on appeal shall have the same authority as is
4 granted in this section to the state department of public
5 instruction.

6 [The provisions of this section shall apply to all tie votes
7 under any provision of this chapter where a joint meeting
8 of the members of two or more county boards of education are
9 required and to all petitions pending on June 9, 1965.]

10 Sec. 56. Section two hundred seventy-five point eighteen
11 (275.18), Code 1973, as amended by Acts of the Sixty-fifth
12 General Assembly, 1973 Session, chapter one hundred thirty-
13 six (136), section two hundred sixty-one (261), is amended
14 to read as follows:

15 275.18 SPECIAL ELECTION CALLED—TIME. When the bound-
aries

16 of the territory to be included in a proposed school corpora-
17 tion and the number and method of the election of the school
18 directors of such proposed school corporation have been deter-
19 mined as herein provided, the [county] *area education agency*
20 superintendent with whom such petition is filed shall call
21 a special election in such proposed school corporation within
22 thirty days from the date of the final determination of such
23 boundaries and serve notice on the county commissioner of
24 elections of the county in the proposed school corporation
25 which has the greatest taxable base in the proposed school
26 corporation. The county commissioner of elections shall give
27 notice of the election by one publication in the same newspaper
28 in which previous notices have been published regarding the
29 proposed school reorganization, and in addition thereto, if
30 more than one county is involved, by one publication in a
31 legal newspaper in each county other than that of the first
32 publication, which publication shall be not less than ten
33 nor more than fifteen days prior to the election. In the
34 case of [joint] districts *located in more than one county*, no
35 notice for an election shall be published until the time for

1 appeal, which shall be the same as that provided in section
2 285.12, has expired; and in the event of an appeal, not until
3 the same has been disposed of.

4 Sec. 57. Section two hundred seventy-five point twenty-
5 three (275.23), Code 1973, as amended by Acts of the Sixty
6 fifth General Assembly, 1973 Session, chapter one hundred
7 thirty-six (136), section two hundred sixty-two (262), is
8 amended to read as follows:

9 275.23 CANVASS AND RETURN. The judges of election shall
10 count the ballots, make return to and deposit the ballots
11 with the county commissioner of elections, who shall enter
12 the return of record in his office. The county commissioner
13 of elections shall certify the results of the election to
14 the [county] *area education agency* superintendent. If the
15 majority of the votes cast by the qualified electors are in
16 favor of the proposition, as provided in section 275.20, a
17 *new school corporation shall be organized*. The [county] *area*
18 *education agency* superintendent shall file a written
19 description of the boundaries as provided in section 274.4.

20 Sec. 58. Section two hundred seventy-five point twenty-
21 five (275.25), unnumbered paragraph one (1), Code 1973, as
22 amended by Acts of the Sixty-fifth General Assembly, 1973
23 Session, chapter one hundred thirty-six (136), section two
24 hundred sixty-three (263), is amended to read as follows:

25 If the proposition to establish a new corporation carries
26 *under the method hereinabove provided a special election shall*
27 *be called by the [county] area education agency superintendent*.
28 The [county] *area education agency* superintendent shall notify
29 the county commissioner of elections who shall publish notice
30 by one publication in the same newspaper in which the former
31 notices were published. At such election, two directors shall
32 be elected to serve until the next regular election, two until
33 the second, and one until the third regular election
34 thereafter, except in districts which include all or part
35 of a city of fifteen thousand or more population and in

1 districts in which the proposition to establish a new
2 corporation provides for seven directors, three directors
3 shall be elected to serve until the third regular election
4 thereafter, all of whom to serve until such time as their
5 successors are elected and qualified. Provided, however,
6 that in all community school districts which include a city
7 of fifteen thousand or more population and which became
8 effective prior to July 4, 1955, and in all community school
9 districts containing a city which has attained a population
10 of fifteen thousand or more as shown by the most recent
11 decennial federal census, the board of directors shall consist
12 of seven members. Where it becomes necessary to increase
13 the membership of any such board under the provisions hereof,
14 two directors shall be added according to the procedure
15 described in section 277.23. The county board of supervisors
16 shall canvass the votes and the county commissioner of
17 elections report the results to the [county] *area education*
18 *agency* superintendent who shall notify the persons who are
19 elected directors. The new board shall organize within fifteen
20 days following their election upon call of the [county] *area*
21 *education agency* superintendent. The new board of directors
22 shall have complete control of the employment of all personnel
23 for the newly formed community school district for the ensuing
24 school year. Following the organization of the new board
25 they shall have authority to establish policy, organize
26 curriculum, enter into contracts and complete such other
27 planning and take such action as is essential for the efficient
28 management of the newly formed community school district.

29 Sec. 59. Section two hundred seventy-five point twenty-
30 six (275.26), Code 1973, as amended by Acts of the Sixty-fifth
31 General Assembly, 1973 Session, chapter one hundred thirty-
32 six (136), section two hundred sixty-four (264), is amended
33 to read as follows:

34 275.26 PAYMENT OF EXPENSES. If a district is established
35 or changes its boundaries it shall pay all expenses incurred

1 by the *area education agency* superintendent and the *area*
2 *education agency* board [of education] in connection with the
3 proceedings. The county commissioner of elections shall
4 assess the costs of the election against the district as
5 provided in section forty-seven point three (47.3) of the Code.
6 If the proposition is dismissed or defeated at the election all
7 expenses shall be apportioned among the several districts in
8 proportion to the assessed valuation of property therein.

9 If the proposed district or boundary change embraces ter-
10 ritory in more than one [county] *area education agency* such
11 expenses shall be certified to and, if necessary, apportioned
12 among the several districts by the joint *area education agency*
13 board [of education]. If only one [county] *area education*
14 *agency* the certification shall be made by the [county] *area*
15 *education agency* superintendent.

16 The respective boards to which such expenses are certified
17 shall audit and order the same paid from the general fund.
18 In the event of failure of any board to so audit and pay the
19 expenses certified to it, the [county] *area education agency*
20 superintendent shall certify the expenses to the county auditor
21 in the same manner as is provided for tuition claims in sec-
22 tion 282.21 and the funds shall be transferred by the county
23 treasurer from the debtor district to the [county] *area education*
24 *agency* board [of education] for payment of said expenses.

25 Sec. 60. Section two hundred seventy-five point twenty-
26 seven (275.27), Code 1973, is amended to read as follows:

27 275.27 NAMES. School districts created or enlarged under
28 the provisions of this chapter shall be known as community
29 school districts and shall be part of the [county school system
30 of the county] *area education agency* in which the greatest
31 number of electors of said district reside at the time of
32 the special election called for in section 275.18, and this
33 provision pertaining to greatest number of electors shall
34 be in full force and effect any statute to the contrary
35 notwithstanding, and all provisions of the law applicable

1 to the common schools generally shall be applicable to such
2 districts in addition to the powers and privileges conferred
3 by this chapter.

4 Sec. 61. Section two hundred seventy-five point thirty
5 (275.30), Code 1973, is amended to read as follows:

6 275.30 ARBITRATION. If the boards cannot agree on such
7 division and distribution, the matters on which they differ
8 shall be decided by disinterested arbitrators, one selected
9 by each board having an interest therein, and if the number
10 thus selected is even, then one shall be added by the [county]
11 *area education agency* superintendent. The decision of the
12 arbitrators shall be made in writing and filed with the secre-
13 tary of the new corporation, and any party to the proceedings
14 may appeal therefrom to the district court by serving notice
15 thereof on such secretary within twenty days after the deci-
16 sion is filed. Such appeal shall be tried in equity and a
17 decree entered determining the entire matter, including the
18 levy, collection, and distribution of any necessary taxes.

19 Sec. 62. Section two hundred seventy-five point thirty-
20 nine (275.39), Code 1973, is amended to read as follows:

21 275.39 EXCLUDED TERRITORY INCLUDED IN NEW PETI-
TION.
22 Territory described in the petition of a proposed reorgani-
23 zation which has been set out of the proposed reorganization
24 by the [county] *area education agency* board or the joint boards,
25 as the case may be, and in the event of an appeal, after the
26 decision of the state department of public instruction or
27 the courts as by law provided, may be included in any new
28 petition for reorganization.

29 Sec. 63. Section two hundred seventy-seven point twenty-
30 eight (277.28), unnumbered paragraph one (1), Code 1973, is
31 amended to read as follows:

32 Each director elected at a regular district or director
33 district election, as the case may be, shall qualify by taking
34 the oath of office on or before the time set for the organiza-
35 tion meeting of the board the third Monday in September, and

1 his election and qualification entered of record by the
2 secretary. The oath may be administered by any qualified
3 member of the board[,] or the secretary of the board, [or the
4 county superintendent of schools,] and may be taken in
5 substantially the following form:

6 Sec. 64. Section two hundred seventy-nine point seven
7 (279.7), unnumbered paragraph one (1), Code 1973, as amended
8 by Acts of the Sixty-fifth General Assembly, 1973 Session,
9 chapter one hundred thirty-six (136), section two hundred
10 seventy-three (273), is amended to read as follows:

11 In any case where a vacancy or vacancies occur among the
12 elective officers or members of a school board and the remain-
13 ing members of such board have not filled such vacancy within
14 ten days after the occurrence thereof, or when the board is
15 reduced below a quorum for any cause, the secretary of the
16 board, or if there be no secretary, the [county] *area education*
17 *agency* superintendent [of schools] shall call a special election
18 in the district, subdistrict, or subdistricts, as the case
19 may be, to fill such vacancy or vacancies. The county
20 commissioner of elections shall publish the notices required
21 by law for such special elections, which election shall be
22 held not sooner than thirty days nor later than forty days
23 thereafter. In any case where the secretary fails for more
24 than three days to call such election, the [county]
25 superintendent of the *area education agency* shall call it.

26 Sec. 65. Section two hundred seventy-nine point eighteen
27 (279.18), Code 1973, is amended to read as follows:

28 279.18 TUITION. The tuition cost to be mutually agreed
29 upon by the respective boards shall be paid by the home
30 district and shall be equal to the average cost per elementary
31 child (including both resident and tuition students) in [average
32 daily attendance] *enrollment* in the tuition-receiving district
33 for the preceding year. Such tuition rates shall include
34 expenditures from the general fund for general control,
35 instruction, auxiliary agencies except transportation costs,

1 co-ordinate activities, operation of plant, maintenance of
2 plant, fixed charges including insurance on buildings and
3 contents, capital, interest paid for debt service from the
4 general fund, interest paid for debt service and retirement
5 of bonds from the schoolhouse fund. A pro rata charge for
6 depreciation on buildings shall be made at the rate of two
7 percent per annum on the appraised value, less bonded indebted-
8 ness thereon, of all buildings owned by the school corporation
9 and used for elementary school purposes, but not exceeding
10 the maximum tuition rate as determined by the state superin-
11 tendent of public instruction as prescribed in section 282.24.
12 No depreciation charge shall be made for the portion of the
13 initial cost of buildings and equipment purchased with federal
14 grants. [On or before July 15, 1953, the board in each school
15 corporation accepting tuition pupils shall cause its buildings
16 to be appraised and an itemized statement of the results of
17 the appraisal filed with the county superintendent. Such
18 statement shall constitute the basis for the hereinabove
19 provided depreciation charge. Such appraisal shall be made
20 by a board comprised of the county or city assessor and one
21 member appointed by the local school corporation and one
22 member appointed by the county board of education.] *An*
23 *appraisal of the value of the buildings in each school*
24 *corporation shall be completed at least one time each five*
25 *years.*

26 The tuition rates and the computation thereof shall be
27 filed with the [county board of education] *area education agency*
28 *board* not later than July 30 for its review and approval.
29 Receiving districts cannot receive tuition until approval
30 is granted by the [county board of education] *area education*
31 *agency board*. The right of appeal shall be as provided in
32 section 285.13.

33 Sec. 66. Section two hundred seventy-nine point thirty-
34 three (279.33), Code 1973, is amended to read as follows:

35 279.33 OTHER DISTRICTS—FILING STATEMENT. In every
school

1 district wherein no newspaper is published, the president
2 and secretary of the board of directors thereof shall file
3 the above statement with the [county] *area education agency*
4 superintendent [of schools] during the second week of July of
5 each year and shall post copies thereof in three conspicuous
6 places in the district.

7 Sec. 67. Section two hundred eighty A point twelve
8 (280A.12), Code 1978, is amended to read as follows:

9 **280A.12 GOVERNING BOARD.** The governing board of a merged
10 area shall be a board of directors composed of one member elected
11 from each director district in the area by the electors of the
12 respective district. Members of the board shall be residents of
13 the district from which elected. Successors shall be chosen at the
14 annual school elections for members whose terms expire on the first
15 Monday in October following such elections. Terms of members of
16 the board of directors shall be three years except that members of
17 the initial board of directors elected at the special election shall
18 determine their respective terms by lot so that the terms of one-
19 third of the members, as nearly as may be, shall expire on the first
20 Monday in October of
21 each succeeding year. Vacancies on the board which occur
22 more than ninety days prior to the next annual school election
23 shall be filled at the next regular meeting of the board by
24 appointment by the remaining members of the board. The member
25 so chosen shall be a resident of the district in which the
26 vacancy occurred and shall serve until the next annual school
27 election, at which election a member shall be elected to fill
28 the vacancy for the balance of the unexpired term. A vacancy
29 shall be defined as in section 277.29. No member shall serve
30 on the board of directors
31 who is a member of a board of directors of a local school
32 district or a member of [a county board of education] *an area*
33 *education agency board.*

34 Sec. 68. Section two hundred eighty A point fifteen
35 (280A.15), Code 1978, as amended by Acts of the Sixty-fifth

36 General Assembly, 1973 Session, chapter one hundred thirty-

1 six (136), section two hundred seventy-seven (277), is amended
2 to read as follows:

3 280A.15 CONDUCT OF ELECTIONS. [The nomination of candi-
4 dates, preparation of ballots, and canvass for all elections
5 of members of the board of directors of an area vocational
6 school or an area community college, except as otherwise di-
7 rected, shall be conducted in the manner provided in sections
8 273.5, 273.6, and 273.7 for members of county boards of
9 education.] Nomination papers in behalf of a candidate shall
10 be filed with the secretary of the board of the
11 merged area. Each candidate shall be nominated by a
12 petition signed by not less than fifty qualified electors
13 of the district from which the member is to be elected. The
14 notice shall be published as provided in chapter forty-nine
15 (49) of the Code and the election shall be conducted by the
16 county commissioner of elections pursuant to the provisions
17 of chapters thirty-nine (39) through fifty-three (53) of the
18 Code. The votes cast in the election shall be canvassed by
19 the county board of supervisors and the county commissioner
20 of elections shall issue certificates of election as prescribed
21 in section 273.7. Members elected to the board of directors
22 of a merged area shall qualify by taking
23 the oath of office prescribed in section 277.28.

24 Sec. 69. Section two hundred eighty A point seventeen
25 (280A.17), unnumbered paragraph one (1), Code 1973, is amended
26 to read as follows:

27 The board of directors of each merged area
28 shall prepare an annual budget designating the proposed
29 expenditures for operation of the area vocational school or
30 area community college. The board shall further designate
31 the amounts which are to be raised by local taxation and the
32 amounts which are to be raised by other sources of revenue
33 for such operation. The budget of each merged area
34 shall be submitted to the state board no later than
35 [June 1] December first preceding the next fiscal year for

1 approval. The state board shall review the proposed budget
2 and shall, prior to [July 1] *January first*, either grant its
3 approval or return the budget without approval with the
4 comments of the state board attached thereto. Any unapproved
5 budget shall be resubmitted to the state board for final
6 approval. Upon approval of the budget by the state board,
7 the board of directors shall prorate the amount to be raised
8 by local taxation among the respective [county] school [systems,
9 or parts thereof,] *districts* in the proportion that the value
10 of taxable property in each [system, or part thereof,] *school*
11 *district* bears to the total value of taxable property in the
12 area. The board of directors shall certify the amount so
13 determined to the respective county auditors and the boards
14 of supervisors shall levy a tax sufficient to raise the amount.
15 No tax in excess of three-fourths mill shall be levied on
16 taxable property in a merged area for
17 the operation of an area vocational school or area community
18 college. Taxes collected pursuant to such levy shall be paid
19 by the respective county treasurers to the treasurer of the
20 merged area in the same manner that other
21 school taxes are paid to local school districts.

1 Sec. 70. Chapter two hundred eighty A (280A), Code 1973,
2 is amended by adding the following new sections:

3 *NEW SECTION.* Regular elections held annually by the
4 **merged area** for the election of members of the board
5 of directors as required by section
6 two hundred eighty A point twelve (280A.12)
7 of the Code, for the renewal of the three-fourths mill levy
8 authorized in section two hundred eighty A point twenty-two
9 (280A.22) of the Code, or for any other matter authorized
10 by law and designated for election by the board of directors
11 of the **merged area**, shall be held on the date of
12 the annual school election for local school districts as
13 established by section two hundred seventy-seven point one
14 (277.1) of the Code.

15 *NEW SECTION.* Nomination papers in behalf of a candidate
16 for a member of the board of directors of the **merged area**
17 shall be filed with the secretary of the board not
18 more than sixty days nor less than forty days prior to the
19 election at which a member is to be elected. Nomination peti-
20 tions shall be filed not later than five o'clock p.m. on the
21 last day for filing. Each candidate shall be nominated by
22 a petition signed by not less than fifty eligible electors
23 of the director district from which the member is to be
24 elected, which petition shall state the number of the director
25 district from which a member is to be elected, the office
26 to which he is to be elected, the name of the candidate and
27 that he is a resident and elector in the director district.
28 Signers of the petition in addition to signing their names,
29 shall show their residence, including street and number, if
30 any, school district in which they reside, and the date
31 of signing, and each nomination paper shall have appended

1 to it an affidavit of an elector other than the candidate
2 in substantially the form provided in section forty-three
3 point seventeen (43.17) of the Code, except as to party
4 affiliation.

5 The merged area superintendent shall deliver
6 all nomination petitions to the county commissioner of elec-
7 tions not later than five o'clock p.m. on the day following
8 the last day on which nomination petitions can be filed.

9 *NEW SECTION.* Within five days following the election,
10 the county commissioner of elections shall make a return of
11 the votes cast in the county to the merged area
12 board of directors on forms provided therefor and the county
13 board of supervisors shall meet at eight o'clock a.m. on the
14 last Monday in September, and canvass the vote and the county
15 commissioner of elections shall issue certificates of elec-
16 tion. Members elected to the board of directors of a
17 merged area shall qualify by taking the oath of office
18 prescribed in section two hundred seventy-seven point twenty-
19 eight (277.28) of the Code.

20 Sec. 71. Section two hundred eighty-one point two [281.2),
21 Code 1973, is amended by striking the section and inserting
22 in lieu thereof the following:

23 281.2 DEFINITIONS:

24 1. "Children requiring special education" means persons
25 under twenty-one years of age, including children under five
26 years of age, who are handicapped in obtaining an education
27 because of physical, mental, emotional, communication or
28 learning disabilities or who are chronically disruptive,
29 as defined by the rules of the
30 department of public instruction.

31 2. "Special education" means classroom, home, hospital,
32 institutional, or other instruction designed to meet the needs

1 of children requiring special education as defined in subsec-
2 tion one (1) of this section; transportation and corrective
3 and supporting services required to assist children requiring
4 special education, as defined in subsection one (1) of this
5 section, in taking advantage of, or responding to, educational
6 programs and opportunities, as defined by rules of the depart-
7 ment of public instruction.

8 It is the policy of this state to provide and to require
9 school districts to make provision, as an integral part of
10 public education, for special education opportunities
11 sufficient to meet the needs and maximize the capabilities
12 of children requiring special education. This chapter is
13 not to be construed as encouraging separate facilities or
14 segregated programs designed to meet the needs of children
15 requiring special education when such children can benefit
16 from all or part of the education program as offered by the
17 local school district. To the maximum extent possible,
18 children requiring special education shall attend regular
19 classes and shall be educated with children who do not require
20 special education. Whenever possible, hinderances to learning
21 and to the normal functioning of children requiring special
22 education within the regular school environment shall be
23 overcome by the provision of special aids and services rather
24 than by separate programs for those in need of special
25 education. Special classes, spearate schooling or other
26 removal of children requiring special education from the
27 regular educational environment, shall occur only when, and
28 to the extent that the nature or severity of the educational
29 handicap is such that education in regular classes, even with
30 the use of supplementary aids and services, cannot be
31 accomplished satisfactorily. For those children who cannot
32 adapt to the regular educational or home living conditions,
33 the area education agency may provide residential and
34 detention facilities in which to administer special education
35 programs and services.

36 Special aids and services shall be provided to children
37 requiring special education who are less than five years of
38 age if the aids and services will reasonably permit the child
39 to enter the educational process or school environment
40 when the child attains school age.

1 Every child requiring special education shall, if
2 reasonably possible, receive a level of education com-
3 mensurate with the level provided each child who does not
4 require special education. The cost of providing such an
5 education shall be paid as provided in section eleven (11)
6 of this Act and chapters two hundred eighty-one (281) and
7 four hundred forty-two (442) of the Code. It shall be the
8 primary responsibility of each school district to provide
9 special education to children who reside in that district
10 if the children requiring special education are properly
11 identified, the educational program or service has been
12 approved, the teacher or instructor has been certified, the
13 number of children requiring special education needing that
14 educational program or service is sufficient to make offering
15 the program or service feasible, and the program or service
16 cannot more economically and equably be obtained from the area
17 education agency, another school district, another group of
18 school districts, a qualified private agency, or in cooperation
19 with one or more other districts.

20 Any funds received by the school district of the child's
21 residence for the child's education, derived from funds received
22 through chapters four hundred forty-two (442) and two hundred
23 eighty-one (281) of the Code and section eleven (11) of this
24 Act shall be paid by the school district of the child's
25 residence to the appropriate education agency or other school
26 district providing special education for the child pursuant
27 to contractual arrangements as provided in section three (3),
28 subsections five (5) and seven (7) of this Act.

29 Sec. 72. Section two hundred eighty-one point three
30 (281.3), subsections seven (7), eight (8), and nine (9), Code
31 1973, are amended to read as follows:

32 7. To provide for certification by [competent medical and
33 psychological authorities] *the director of special education*
34 of the eligibility of children requiring special education
35 for admission to, or discharge from, special schools, classes

36 or instruction.

37 8. To initiate the establishment of classes for children
38 requiring special education *or home study services* in
39 hospitals and, *nursing, convalescent and juvenile*
40 homes, in co-operation with the management thereof and local
41 school districts or [county boards of education] *area education*
42 *agency boards*.

43 9. To co-operate with school districts or [county boards
44 of education] *area education agency boards* in arranging for
45 any child requiring special education to attend school in
46 a district other than the one in which he resides when there
47 is no available special school, class, or instruction in the
48 districts in which he resides.

49 Sec. 73. Section two hundred eighty-one point three
50 (281.3), subsections three (3) and twelve (12), Code 1973,
51 are amended by striking the subsections and inserting in lieu
52 thereof the following:

53 3. To adopt rules consistent with the provisions of this
54 chapter for the approval of plans for special education pro-
55 grams and services submitted by the director of special edu-
56 cation of the area education agency.

57 12. To provide for the employment and establish standards
58 for the performance of special education support personnel
59 required to assist in the identification of and educational

1 programs for children requiring special education.

2 Sec. 74. Section two hundred eighty-one point three
3 (281.3), Code 1973, is amended by adding the following new
4 subsections:

5 *NEW SUBSECTION.* To provide for the establishment of special
6 education research and demonstration projects and models for
7 special education program development.

8 *NEW SECTION.* To establish a special education resource,
9 materials and training system for the purposes of developing
10 specialized instructional materials and provide in-service
11 training to personnel employed to provide educational services
12 to children requiring special education.

13 *NEW SUBSECTION.* To approve the acquisition and use of
14 special facilities designed for the purpose of providing edu-
15 cational services to children requiring special education.

16 *NEW SUBSECTION.* To make rules and regulations to carry
17 out the powers and duties provided for in this section.

18 Sec. 75. Section two hundred eighty-one point four (281.4),
19 Code 1973, is amended by striking the section and inserting
20 in lieu thereof the following:

21 281.4 POWERS OF THE BOARD OF DIRECTORS. The board of
22 directors of any school district or area education agency,
23 with the approval of the state department of public
24 instruction, may provide special education programs and
25 services as defined in this chapter. If services are provided
26 by the area education agency, with the approval of the
27 department of public instruction, the board of directors of
28 the area education agency with the cooperation of the local
29 school districts within its jurisdiction may:

30 1. Establish and operate special education programs and
31 classes for the education of children requiring special edu-
32 cation.

33 2. Acquire, maintain, and construct facilities in which
34 to provide education, corrective services, and supportive
35 services for children requiring special education.

- 1 3. Make arrangements with participating school districts
2 for the provision of special education, corrective, and sup-
3 portive services to the children requiring special education
4 residing in the school districts.
 - 5 4. Employ special education teachers and personnel required
6 to furnish corrective or supportive services to children
7 requiring special education services.
 - 8 5. Provide transportation for children requiring special
9 education services that are in need of transportation in
10 connection with any programs, classes or services.
 - 11 6. Receive, administer and expend funds appropriated for
12 its use.
 - 13 7. Receive, administer and expend the proceeds of any
14 issue of school bonds or other bonds intended wholly or partly
15 for its benefit.
 - 16 8. Apply for, accept, and utilize grants, gifts or other
17 assistance.
 - 18 9. Participate in, and make its employees eligible to
19 participate in, any retirement system, group insurance system,
20 or other program of employee benefits, on the same terms as
21 govern school districts and their employees.
 - 22 10. Do such other things as are necessary and incidental
23 to the execution of any of its powers.
- 24 The board of directors of the local district or the area
25 education agency shall employ qualified teachers certified
26 by the authority provided by law as teachers for children
27 requiring such special education. The maximum number of
28 pupils per teacher shall be determined by the board of
29 directors of the local district or the area education agency
30 board in accordance with the rules and regulations of the
31 state department of public instruction.
- 32 The board of directors of the local district or the area
33 education agency may establish and operate one or more special
34 education centers to provide diagnostic, therapeutic,
35 corrective, and other services, on a more comprehensive,

1 expert, economic and efficient basis that can be reasonably
2 provided by a single school district. Such services, if
3 offered by the area education agency board, may be provided
4 in the regular schools using personnel and equipment of the
5 area education agency or, whenever it is impractical or
6 inefficient to provide them on the premises of a regular
7 school, the area education agency may provide services in
8 its own facilities. To the maximum extent feasible, such
9 centers shall be established at and in conjunction with, or
10 in close proximity to one or more elementary and secondary
11 schools. Local districts or the area education agencies
12 may accept diagnostic and evaluation studies conducted by
13 other individuals, hospitals, or centers, if determined to
14 be competent. Children requiring special education services
15 may be identified in any way that the department of public
16 instruction determines to be reliable. Centers established
17 pursuant to this section may
18 contain classrooms and other educational facilities and
19 equipment to supplement instruction and other services to
20 handicapped children in the regular schools, and to provide
21 separate instruction to children whose degree or type of edu-
22 cational handicap makes it impractical or inappropriate for
23 them to participate in classes with normal children.

24 Sec. 76. Section two hundred eighty-one point five (281.5),
25 Code 1973, is amended by striking unnumbered paragraph one
26 (1).

27 Sec. 77. Section two hundred eighty-one point six (281.6),
28 Code 1973, is amended to read as follows:

29 281.6 PARENT'S OR GUARDIAN'S DUTIES. When the school
30 district or [county board of education] *area education agency*
31 has provided special education [facilities] *services and programs*
32 as provided herein for any child requiring special education,
33 either by admission to a special class or by [special instruc-
34 tion] *supportive services*, it shall be the duty of the parent
35 or guardian to enroll said child for instruction in such

36 special classes or [instruction] *supportive services* as may
37 be established, except in the event a doctor's certificate
38 is filed with the secretary of the school district showing
39 that it is inadvisable *for medical reasons* for the child
40 requiring special education to receive the special education
41 provided; all the provisions and conditions of chapter 299

1 and amendments thereto shall be applicable to this section,
2 and any violations shall be punishable as provided in said
3 chapter.

4 *A child, or his parent or guardian, or the school*
5 *district in which the child resides, may obtain a review*
6 *of any action or omission of state or local authorities*
7 *pursuant to the procedures established in chapter two hundred*
8 *ninety (290) of the Code on the ground that the child has*
9 *been or is about to be:*

10 1. *Denied entry or continuance in a program of special*
11 *education appropriate to his condition and needs.*

12 2. *Placed in a special educational program which is inappro-*
13 *priate to his condition and needs.*

14 3. *Denied educational services because no suitable program*
15 *of education or related services is maintained.*

16 4. *Provided with special education which is insufficient*
17 *in quantity to satisfy the requirements of law.*

18 5. *Assigned to a program of special education when he*
19 *is not handicapped.*

20 Sec. 78. Section two hundred eighty-one point nine (281.9),
21 Code 1973, is amended by striking the section and inserting
22 in lieu thereof the following:

23 281.9 WEIGHTING PLAN.

24 1. In order to provide funds for the excess costs of in-
25 struction of children requiring special education, above the
26 costs of instruction of pupils in a regular curriculum, a
27 special education weighting plan for determining enrollment
28 in each school district is adopted as follows:

29 a. Pupils in a regular curriculum are assigned a weighting
30 of one.

31 b. Children requiring special education who require special
32 adaptations while assigned to a regular classroom for basic
33 instructional purposes and handicapped pupils placed in a
34 special education class who receive part of their instruction
35 in regular classrooms are assigned a weighting of one and

36 eight-tenths.

1 c. Children requiring special education who require full-
2 time, self-contained special education placement with little
3 integration into a regular classroom are assigned a weighting
4 of two and two-tenths.

5 d. Children requiring special education who are severely
6 handicapped or who have multiple handicaps , or who are
7 chronically disruptive, are assigned to a weighting of
8 four and four-tenths.

9 e. Shared-time and part-time pupils of school age
10 who require special education shall be placed in the proper
11 category and counted in the proportion that the time for
12 which they are enrolled or receive instruction for the school
13 year bears to the time that full-time pupils, carrying a
14 normal course schedule, in the same school district, for the
15 same school year are enrolled and received instruction.

16 2. The weighting for each category of child requiring
17 special education multiplied by the number of children in
18 each category in the enrollment of a school district, as
19 identified and certified by the director of special education
20 for the area, determines the weighted enrollment to be used in
21 that district for purposes of computations required under
27 the state school foundation plan in chapter four hundred
28 forty-two (442) of the Code.

24 3. The weight that a child is assigned under this
25 section shall be dependent upon the required educational
26 modifications necessary to meet the special education needs
27 of the child. Enrollment for the purpose of this section,
28 and all payments to be made pursuant thereto, includes all
29 children for whom a special education program or course is
30 to be provided pursuant to sections one (1) through eleven (11)
31 of this Act and chapter two hundred eighty-one (281) of the
32 Code, whether or not the children are actually enrolled upon
33 the records of a school district.

34 4. The department of public instruction shall promulgate
35 rules under chapter seventeen A (17A) of the Code, to assist

36 in identification and proper indexing of each child in the
37 state who requires special education. The superintendent
38 of public instruction shall report to the general assembly
39 if experience indicates that the weighting index for any type
40 of child requiring special education should be revised.

41 5. The division of special education shall audit the re-
42 ports to determine that all children in the area who have
43 been identified as requiring special education have received
44 the appropriate special education instructional and support
45 services, and to verify the proper identification of pupils
46 in the area who will require special education instructional
47 services during the school year in which the report is filed.
48 The division shall certify to the state comptroller the correct
49 total enrollment of each school district in the state,
50 determined by applying the appropriate pupil weighting index
51 to each child requiring special education, as certified by
52 the directors of special education in each area.

53 6. The division may conduct an evaluation of the special
54 education instructional program or special education support
55 services being provided by an area education agency, school
56 district, or private agency, pursuant to sections one (1)
57 through eleven (11) of this Act and chapter two hundred eighty-
58 one (281) of the Code, to determine if the program or service
59 is adequate and proper to meet the needs of the child; if the
60 child is benefiting from the program or service; if the costs
61 are in proportion to the educational benefits being received;
62 and if there are any improvements that can be made in the
63 program or service. A written report of the evaluation shall
64 be sent to the area education agency, school district, or
65 private agency evaluated and to the president of the senate and
66 speaker of the house of representatives of the general assembly.

67 Sec. 79. Section two hundred eighty-one point eleven

1 (281.11), Code 1973, is amended by striking the section and
2 inserting in lieu thereof the following:

3 281.11 PROGRAM PLANS. Program plans submitted to the
4 department of public instruction pursuant to section five
5 (5) of this Act for approval shall establish all of the fol-
6 lowing:

7 1. That there are sufficient children requiring special
8 education within the area.

9 2. That the service or program will be provided by the
10 most appropriate educational agency.

11 3. That the educational agency providing the service or
12 program has employed qualified special educational person-
13 nel.

14 4. That the instruction is a natural and normal progres-
15 sion of a planned course of instruction.

16 5. That all revenue raised for support of special
17 education instruction and services is expended for actual
18 delivery of special education instruction or services.

19 6. Other factors as the department may require.

20 Sec. 80. Section two hundred eighty-two point three
21 (282.3), unnumbered paragraph one (1), Code 1973, is amended
22 to read as follows:

23 No child under the age of six years on the fifteenth of
24 September of the current school year shall be admitted to
25 any public school unless the board of directors of the school
26 [(or the county board of education)] shall have adopted and
27 put into effect courses of study for the school year immedi-
28 ately preceding the first grade, approved by the department
29 of public instruction and shall have employed a teacher or
30 teachers for this work with standards of training approved
31 by the department of public instruction.

32 Sec. 81. Section two hundred eighty-two point twenty
33 (282.20), unnumbered paragraphs one (1) and three (3), Code

1 1973, are amended to read as follows:

2 The school corporation in which such student resides shall
3 pay from the general fund to the secretary of the corporation
4 in which he shall be permitted to enter a tuition fee suffi-
5 cient to cover the average cost per high school child (includ-
6 ing both resident and tuition students) in average daily
7 attendance in the tuition-receiving district in the preceding
8 year. Such tuition rates shall include expenditures from
9 the general fund for general control, instruction, auxiliary
10 agencies except transportation costs, co-ordinate activities,
11 operation of plant, maintenance of plant, fixed charges includ-
12 ing insurance on buildings and contents, capital, interest
13 paid for debt service from the general fund, interest paid
14 for debt service and retirement of bonds from the schoolhouse
15 fund. A pro rata charge for depreciation on buildings shall
16 be made at the rate of two percent per annum on the appraised
17 value, less bonded indebtedness thereon, of all buildings
18 owned by the school corporation and used for high school
19 purposes, but not exceeding the maximum tuition rate as
20 determined by the state superintendent of public instruction
21 as prescribed in section 282.24. No depreciation charge shall
22 be made for the portion of the initial cost of buildings and
23 equipment purchased with federal grants. [On or before July
24 15, 1958, the board in each school corporation accepting
25 tuition pupils shall cause its buildings to be appraised and
26 an itemized statement of the results of the appraisal filed
27 with the county superintendent. Such] *The appraisal and*
28 *itemized statement of the appraisal filed in 1958 shall be*
29 *updated commencing July 1, 1975 at least one time every five*
30 *years and shall constitute the basis for the hereinabove*
31 *provided depreciation charge. Such appraisal shall be made*
32 *by the board comprised of the county or city assessor and one*
33 *member appointed by the local school corporation and one*
34 *member appointed by [county board of education] area*
35 *education agency board.*

1 The tuition rates and the computation thereof shall be
2 filed with the [county board of education] *superintendent of*
3 *public instruction* not later than July 30 for [its] *his* review
4 and approval. Receiving districts cannot receive tuition
5 until approval is granted by the [county board of education]
6 *superintendent of public instruction*. [The right of appeal
7 shall be as provided in section 285.13.]

8 Sec. 82. Section two hundred eighty-five point one (285.1),
9 subsections six (6), seven (7), and nine (9), and thirteen (13),
10 Code 1973, are amended to read as follows:

11 6. When the school designated for attendance of pupils
12 is engaged in the transportation of pupils, the sending or
13 designating school shall use these facilities and pay the
14 pro rata cost of transportation except that a district sending
15 pupils to another school may make other arrangements when
16 it can be shown that such arrangements will be more efficient
17 and economical than to use facilities of the receiving school,
18 providing such arrangements are approved by the [county board
19 of education] *board of the area education agency*.

20 7. If a *local* board closes either elementary or high
21 school facilities and is approved by the [county] board of
22 education] *the area education agency* to operate its own
23 transportation equipment, the full cost of transportation
24 shall be paid by the board for all pupils living beyond the
25 statutory walking distance from the school designated for
26 attendance.

27 9. Distance to school or to a bus route shall in all cases
28 be measured on the public highway only and over the most pass-
29 able and safest route as determined by the [county] *area*
30 *education agency* board [of education], starting in the roadway
31 opposite the private entrance to the residence of the pupil
32 and ending in the roadway opposite the entrance to the school
33 grounds or designated point on bus route.

34 13. When a local board fails to pay transportation costs
35 due to another school for transportation service rendered,

1 the board of the creditor corporation shall file a sworn
2 statement with the [county] *area education agency* board [of
3 education] specifying the amount due. The [county] *area education*
4 *agency* board [of education] shall check such claim and if the
5 claim is valid shall certify to the county auditor. The
6 auditor shall transmit to the county treasurer an order
7 directing him to transfer the amount of such claim from the
8 funds of the debtor corporation to the creditor corporation
9 and the treasurer shall pay the same accordingly.

10 Sec. 83. Section two hundred eighty-five point four
11 (285.4), Code 1973, is amended to read as follows:

12 285.4 PUPILS SENT TO ANOTHER DISTRICT. On or before July
13 8, 1949, the board in districts not maintaining high school
14 facilities shall by record action designate the school or
15 schools for attendance of all high school pupils from their
16 respective districts. In making designations, the local board
17 shall give consideration to the wishes of the majority of
18 the patrons, the adequacy of the facilities and curricular
19 offerings and available bus service to avoid duplication of
20 transportation facilities to different receiving schools.

21 When a board closes its elementary school facilities for
22 lack of pupils or by action of the board, it shall, if there
23 is a school bus service available in the area, designate for
24 attendance the school operating the buses, provided the board
25 of such school is willing to receive them and the facilities
26 and curricular offerings are adequate. The board of the dis-
27 trict where the pupils reside may with the approval of the
28 [county] *area education agency* board [of education], subject to
29 legal limitations and established uniform standards, designate
30 another rural school and provide their own transportation
31 if the transportation costs will be less than to use the
32 established bus service.

33 All designations must be submitted to the [county] *area*
34 *education agency* board [of education] on or before July 15,
35 for review and approval. The [county] *area education agency*

1 board [of education] shall after due investigation alter or
2 change designations to make them conform to legal requirements
3 and established uniform standards for making designations
4 and for locating and establishing bus routes. After
5 designations are made, they will remain the same from year
6 to year except that on or before July 15, of each year, the
7 rural board or parents may petition the [county] *area education*
8 *agency* board for a change of designation to another school.
9 Appeals from the decision of the [county] *area education agency*
10 board on designations may be made by either the parents or
11 board to the state superintendent of public instruction as
12 provided in section 285.12 and section 285.13.

13 Sec. 84. Section two hundred eighty-five point nine
14 (285.9), Code 1973, is amended to read as follows:

15 285.9 POWERS AND DUTIES OF [COUNTY] AREA BOARDS.
The powers

16 and duties of the respective [county] *area education agency*
17 boards [of education] shall be to:

- 18 1. Enforce all laws and all rules and regulations of the
19 state department of public instruction relating to transpor-
20 tation.
- 21 2. Review and approve all transportation arrangements
22 between districts in the [county] *area education agency* and
23 in all districts in the [county] *area education agency* not
24 operating high schools. If such transportation arrangements,
25 designations, and contracts are not in conformity to law or
26 established uniform standards for the locating and operating
27 of bus routes, the [county] *area education agency* board shall,
28 after receiving all facts, make such alterations or changes
29 as necessary to make the arrangements, designations, and
30 contracts conform to the legal and established requirements
31 and shall notify local board of such action.
- 32 3. Approve all bus routes outside the boundary of the
33 district of the school operating buses.
- 34 4. When a local board fails to make designations and other
35 necessary arrangements for transportation as required by law,

1 the [county] *area education agency* board shall, after due notice
2 to the local board, make necessary arrangements in conformity
3 with law and established requirements. Notice shall be given
4 to the local board of the arrangements as made. The
5 arrangements shall be binding on the local board which shall
6 pay the costs for service as arranged.

7 Sec. 85. Section two hundred eighty-five point twelve
8 (285.12), Code 1973, is amended to read as follows:

9 285.12 DISPUTES—HEARINGS AND APPEALS. In the event of
10 a disagreement between a school patron and the board of the
11 school district, the patron if dissatisfied with the decision
12 of the district board, may appeal the same to the [county] *area*
13 *education agency* board [of education], notifying the secretary
14 of the district in writing within ten days of the decision
15 of the board and by filing an affidavit of appeal with the
16 [county] *area education agency* board [of education] within the
17 ten-day period. The affidavit of appeal shall include the
18 reasons for the appeal and points at issue. The secretary
19 of the local board on receiving notice of appeal shall certify
20 all papers to the [county] *area education agency* board [of
21 education] which shall hear the appeal within ten days of the
22 receipt of the papers and decide it within three days of the
23 conclusion of the hearing and shall immediately notify all
24 parties of its decision. Either party may appeal the decision
25 of the [county] *area education agency* board to the [state]
26 superintendent of public instruction by notifying the opposite
27 party and the [county] *area education agency* superintendent
28 [of schools] in writing within five days after receipt of notice
29 of the decision of the [county] *area education agency* board
30 [of education] and shall file with the [state] superintendent
31 of public instruction an affidavit of appeal, reasons for
32 appeal, and the facts involved in the disagreement. The
33 [county] *area education agency* superintendent [of schools] shall,
34 within ten days of said notice, file with the [state]
35 superintendent of public instruction all records and papers

1 pertaining to the case, including action of the [county] *area*
2 *education agency* board [of education]. The [state] superintendent
3 of public instruction shall hear the appeal within fifteen
4 days of the filing of the records in his office, notifying
5 all parties and the [county] *area education agency* superintendent
6 [of schools] of the time of hearing. The state superintendent
7 of public instruction shall forthwith decide the same and
8 notify all parties of his decision and return all papers with
9 a copy of the decision to the [county] *area education agency*
10 superintendent [of schools]. The decision of the [state]
11 superintendent of public instruction shall be subject to
12 appeal to the district court. Any order of the district court
13 shall be subject to appeal to the supreme court in accord
14 with the statutes respecting appeals to that court. Pending
15 final order made by the [state] superintendent of public
16 instruction, or the district court, or the supreme court,
17 as the case may be, upon any appeal prosecuted to such
18 superintendent or to such courts, the order of the [county]
19 *area education agency* board [of education] from which the appeal
20 is taken shall be operative and be in full force and effect.

21 Sec. 86. Section two hundred eighty-five point thirteen
22 (285.13), Code 1973, is amended to read as follows:

23 285.13 DISAGREEMENTS BETWEEN BOARDS. In the event of
24 a disagreement between the board of a school district and
25 the [county] board of [education] *an area education agency*, the
26 board of the school district may appeal to the state
27 superintendent of public instruction and the procedure and
28 times provided for in section 285.12 shall prevail in any
29 such case. The decision of the state superintendent of public
30 instruction shall be subject to appeal to the courts as
31 provided for in section 285.12.

32 Sec. 87. Section two hundred eighty-five point fifteen
33 (285.15), Code 1973, is amended to read as follows:

34 285.15 FORFEITURE OF REIMBURSEMENT RIGHTS. The fail
35 of any local district to comply with the provisions of this
ura

1 chapter or any other laws relating to the transportation of
 2 pupils, or any rules or regulations made by the state depart-
 3 ment of public instruction under this chapter or the final
 4 decisions of the [county] *area education agency* board [of
 5 [education], or the final decisions of the state department
 6 of public instruction shall [cause such district to forfeit
 7 any rights to reimbursement for any transportation costs
 8 incurred] during the period such failure to comply existed
 9 [and] *forfeit* the rights to collect transportation costs from
 10 school or parents while operating in such illegal manner.
 11 Any superintendent, board, or board member who knowingly
 12 operates or permits to be operated any school bus transporting
 13 public school pupils in violation of any school transportation
 14 law shall be deemed guilty of a misdemeanor.

15 Sec. 88. Section two hundred eighty-nine point seven
 16 (289.7), Code 1973, is amended to read as follows:

17 289.7 ENFORCEMENT. The enforcement of this chapter shall
 18 rest with the school board in the district in which such
 19 part-time school, department, or class shall have been estab-
 20 lished, and the state department of public instruction through
 21 its inspectors and the state board for vocational education
 22 through its supervisors of vocational education, in conjunc-
 23 tion with the [county] *area education agency* superintendent
 24 [of schools], are empowered to require enforcement of the same
 25 on the part of school boards.

26 Sec. 89. Section two hundred ninety point one (290.1),
 27 Code 1973, is amended to read as follows:

28 290.1 APPEAL TO [COUNTY SUPERINTENDENT STATE
 BOARD. Any
 29 person aggrieved by any decision or order of the board of
 30 directors of any school corporation in a matter of law or
 31 fact may, within thirty days after the rendition of such
 32 decision or the making of such order, appeal therefrom to
 33 the [county superintendent of the proper county] *state board*
 34 *of public instruction*; the basis of the proceedings shall
 35 be an affidavit filed with the [county superintendent] *state*

1 *board* by the party aggrieved within the time for taking the
2 appeal, which affidavit shall set forth any error complained
3 of in a plain and concise manner.

4 Sec. 90. Section two hundred ninety point two (290.2),
5 Code 1973, is amended to read as follows:

6 290.2. NOTICE—TRANSCRIPT—HEARING. The [county
7 ent] *state board of public instruction* shall, within five
8 days after the filing of such affidavit [in his office], notify
9 the secretary of the proper school corporation in writing
10 of the taking of such appeal, who shall, within ten days after
11 being thus notified, file [in the office of the county
12 superintendent] *with the state board* a complete certified
13 transcript of the record and proceedings relating to the
14 decision appealed from. Thereupon, the [county superintendent]
15 *state board* shall notify in writing all persons adversely
16 interested of the time when and place where the matter of
17 appeal will be heard [by him].

18 Sec. 91. Section two hundred ninety point three (290.3),
19 Code 1973, is amended to read as follows:

20 290.3 HEARING—SHORTHAND REPORTER—DECISION. At
21 fixed for the hearing, [he] *it* shall hear testimony for either
22 party, and may cause the same to be taken down and transcribed
23 by a shorthand reporter, whose fees shall be fixed by the
24 [county superintendent] *state board* and be [taxes] *taxed* as a part
25 of the costs in the case, and [he] *it* shall make such decision
26 as may be just and equitable, which shall be final unless
27 appealed from as hereinafter provided.

28 Sec. 92. Section two hundred ninety point four (290.4),
29 Code 1973, is amended to read as follows:

30 290.4 WITNESSES—FEES—COLLECTION. The [county
31 ent] *state board of public instruction* in all matters triable
32 before [him] *it* shall have power to issue subpoenas for
33 witnesses, which may be served by any peace officer, compel
34 the attendance of those thus served, and the giving of evidence
35 by them, in the same manner and to the same extent as the

1 district court may do, and such witnesses and officers may
2 be allowed the same compensation as is paid for like attendance
3 or service in such court, which shall be paid out of the
4 general fund of the proper school corporation, upon the
5 certificate of the superintendent to and warrant of the
6 secretary upon the treasurer; but if the [superintendent] *state*
7 *board* is of the opinion that the proceedings were instituted
8 without reasonable cause therefor, or if, in case of an appeal,
9 it shall not be sustained, [he] *it* shall enter such findings
10 in the record, and tax all costs to the party responsible
11 therefor. A transcript thereof shall be filed in the office
12 of the clerk of the district court and a judgment entered
13 thereon by him, which shall be collected as other judgments.

14 Sec. 93. Section two hundred ninety point five (290.5),
15 Code 1973, is amended by striking the section and inserting
16 in lieu thereof the following:

17 290.5 DECISION OF STATE BOARD. The decision of the *state*
18 board shall be final. The state board may adopt rules of
19 procedure for hearing appeals which shall include the power
20 to delegate the actual hearing of the appeal to the superintend-
21 ent of public instruction and members of his staff desig-
22 nated by him. The record of appeal so board shall be reviewed
23 by the state board and the decision recommended by the superin-
24 tendent of public instruction shall be approved by the state
25 board in the manner provided in section two hundred fifty-
26 seven point ten (157.10), subsection four (4), of the Code.

27 Sec. 94. Section two hundred ninety point six (290.6),
28 Code 1973, is amended to read as follows:

29 290.6 MONEY JUDGMENT. Nothing in this chapter shall be
30 so construed as to authorize [either] the [county superintend-
31 ent or] state board of public instruction to render judgment
32 for money; neither shall they be allowed any other compensa-
33 tion than is now allowed by law. All necessary postage must
34 first be paid by the party aggrieved.

35 Sec. 95. Section two hundred ninety-one point six (291.6),

1 subsection one (1), Code 1973, is amended to read as follows:

2 1. PRESERVATION OF RECORDS. File and preserve copies
3 of all reports made [to the county superintendent,] and all
4 papers transmitted [to him] pertaining to the business of the
5 corporation.

6 Sec. 96. Section two hundred ninety-one point ten (291.10),
7 unnumbered paragraph one (1), Code 1973, is amended to read
8 as follows:

9 He shall notify the [county] superintendent of public
10 instruction when each school is to begin and its length of
11 term, and, ten days after the regular July meeting in each
12 year, file with the [county] superintendent of public instruction
13 a report on blanks prepared for that purpose by the
14 superintendent of public instruction, showing:

15 Sec. 97. Section two hundred ninety-one point eleven
16 (291.11), Code 1973, is amended to read as follows:

17 291.11 OFFICERS REPORTED. He shall report to the [county]
18 superintendent of public instruction, the county auditor,
19 and county treasurer the name and post-office address of the
20 president, treasurer, and secretary of the board as soon as
21 practicable after the qualification of each.

22 Sec. 98. Section two hundred ninety-one point fifteen
23 (291.15), Code 1973, is amended to read as follows:

24 291.15 ANNUAL REPORT. He shall make an annual report
25 to the board at its regular July meeting, which shall show
26 the amount of the general fund and the schoolhouse fund held
27 over, receiver, paid out, and on hand, the several funds to
28 be separately stated, and he shall immediately file a copy
29 of this report with the [county] superintendent of public
30 instruction and a copy with the county treasurer.

31 Sec. 99. Section two hundred ninety-two point two (292.2),
32 Code 1973, is amended to read as follows:

33 292.2 PURCHASE OF BOOKS—DISTRIBUTION. Between the
34 Monday of July and the first day of October in each year,
35 the county [board of education shall expend] auditor shall
first

1 *distribute* all money withheld [by the auditor], as provided
2 in section 292.1, [in] *for* the purchase of books *and materials*
3 *for* the use of the school [district] *districts to the area*
4 *education agency board for the area media center.* [The county
5 board of education may distribute the books thus purchased
6 to the librarians of the several school districts in the
7 proportion that the number of persons of school age living
8 in the school district bears to the number of such persons
9 living in the county, or may entrust the custody of such books
10 to the county superintendent of schools to be loaned by him
11 to schools of the county in the manner of a circulating
12 library, provided that if the circulating library method is
13 adopted, in whole or in part, any district maintaining a high
14 school shall, upon request of its board of directors, be
15 excluded therefrom and be allowed its distributive share of
16 such books on the basis first above mentioned in this section.]

17 Directors of the school districts having permanent librar-
18 ies shall [, upon approval by the county superintendent of
19 schools,] be permitted to make temporary and permanent exchanges
20 of books between school districts or to turn books over to
21 the [county] *area education agency* superintendent [of schools]
22 to become a part of the [circulating library] *area media center.*
23 The [county] *area education agency* superintendent shall keep
24 a record of all books in his custody.

25 Sec. 100. Section two hundred ninety-four point one
26 (294.1), Code 1973, is amended to read as follows:

27 294.1 QUALIFICATIONS—COMPENSATION PROHIBITED. No
person

28 shall be employed as a teacher in a common school [which is
29 to receive its distributive share of the school fund] without
30 having [a certificate of qualification given by the county
31 superintendent of the county in which the school is situated,
32 or] a certificate [or diploma] issued by some [other] officer duly
33 authorized by law.

34 No compensation shall be recovered by a teacher for ser-
35 vices rendered while without such certificate [or diploma].

1 Sec. 101. Section two hundred ninety-four point five
2 (294.5), Code 1973, is amended to read as follows:

3 294.5 REPORTS. The teacher shall file with the [county
4 [superintendent] *school superintendent and the superintendent*
5 *of public instruction* such reports and in such manner as [he]
6 *may be [require] required.*

7 Sec. 102. Section two hundred ninety-seven point eight
8 (297.8), Code 1973, is amended to read as follows:

9 297.8 EMERGENCY REPAIRS. When emergency repairs costing
10 more than [twenty-five hundred] *five thousand* dollars are
11 necessary in order to prevent the closing of any school, the
12 provisions of the law with reference to advertising for bids
13 shall not apply, and in that event the board may contract
14 for such emergency repairs without advertising for bids;
15 provided, however, that before such emergency repairs can
16 be made to any schoolhouse, it shall be necessary to procure
17 a certificate from the [county] *area education agency super-*
18 *intendent* that such emergency repairs are necessary to prevent
19 the closing of such school.

20 Sec. 103. Section two hundred ninety-seven point sixteen
21 (297.16), Code 1973, is amended to read as follows:

22 297.16 APPRAISERS. In case the school district and said
23 owner of the tract from which such school site was taken,
24 do not agree as to the value of such site, the [county superin-
25 tendent] *chief judge of the judicial district* of the county
26 in which the greater part of such school district is situated,
27 shall, on the written application of either party, appoint
28 three disinterested voters of the county *from the list of*
29 *persons eligible to serve as compensation commissioners* to
30 appraise [said] *the site.*

31 Sec. 104. Section two hundred ninety-seven point seventeen
32 (297.17), Code 1973, is amended to read as follows:

33 297.17 NOTICE. The county [superintendent] *sheriff* shall
34 give notice to both parties of the time and place of making
35 such appraisalment, which notice shall be served in the same

1 manner and for the same time as for the commencement of action
2 in the district court.

3 Sec. 105. Section two hundred ninety-seven point eighteen
4 (297.18), Code 1973, is amended to read as follows:

5 297.18 APPRAISEMENT. Such appraisers shall inspect the
6 premises and, at the time and place designated in the notice,
7 appraise said site in writing, which appraisal, after being
8 duly verified, shall be filed with the county [superintendent]
9 *sheriff*.

10 Sec. 106. Section two hundred ninety-seven point nineteen
11 (297.19), Code 1973, is amended to read as follows:

12 297.19 PUBLIC SALE. If the owner of the tract from which
13 said site was taken fails to pay the amount of such appraise-
14 ment to such school district within twenty days after the
15 filing of same with the county [superintendent] *sheriff*, the
16 school district may sell said site to any other person at
17 the appraised value, or may sell the same at public sale to
18 the highest bidder.

19 Sec. 107. Section two hundred ninety-seven point twenty-
20 two (297.22), unnumbered paragraph four (4), Code 1973, is
21 amended to read as follows:

22 Before the board of directors may sell, lease or dispose
23 of any property belonging to the school district it shall
24 comply with the requirements set forth in sections 297.15
25 to 297.20, inclusive, and sections 297.23 and 297.24. Any
26 real estate proposed to be sold shall be appraised by three
27 disinterested freeholders residing in the school district
28 and appointed by the [county superintendent of schools] *chief*
29 *judge of the judicial district* of the county in which said
30 real estate is located *from the list of compensation commis-*
31 *sioners*.

32 Sec. 108. Section two hundred ninety-seven point twenty-
33 eight (297.28), Code 1973, is amended to read as follows:

34 297.28 APPRAISERS. In case the executive council and
35 said owner of the tract from which such school site was taken,

1 do not agree as to the value of such site or building, the
2 [county superintendent] *chief judge of the judicial district*
3 of the county in which the greater part of such school site
4 is situated, shall, on the written application of either
5 party, appoint three disinterested voters of the county *from*
6 *the list of compensation commissioners* to appraise such site.
7 The county [superintendent] *sheriff* shall give notice to both
8 parties of the time and place of making such appraisalment,
9 which notice shall be served in the same manner and for the
10 same time as for the commencement of an action in the district
11 court.

12 Sec. 109. Section two hundred ninety-seven point twenty-
13 nine (279.29), Code 1973, is amended to read as follows:

14 297.29 REPORT FILED. Such appraisers shall inspect the
15 premises and at the time and place designated in the notice,
16 appraise such site or building in writing, which appraisalment,
17 after being duly verified, shall be filed with the [county
18 superintendent] *sheriff*.

19 Sec. 110. Section two hundred ninety-seven point thirty
20 (297.30), Code 1973, is amended to read as follows:

21 297.30 PUBLIC SALE. If the owner of the tract from which
22 said site was taken fails to pay the amount of such appraise-
23 ment to such executive council within thirty days after the
24 filing of the same with the [county superintendent] *sheriff*,
25 the executive council may sell said site or building to any
26 other person at the appraised value, or may sell the same
27 at public sale to the highest bidder and the proceeds of such
28 sale are to be added to the permanent school fund of the
29 state.

30 Sec. 111. Section two hundred ninety-eight point eleven
31 (298.11), unnumbered paragraph one (1), Code 1973, is amended
32 to read as follows:

33 The county auditor shall, on the first Monday in April
34 and the first Monday in October of each year, apportion the
35 school tax, together with the interest of the permanent school

1 fund and rents on unsold school lands to which the county
2 is entitled as shown in notice from the state comptroller,
3 and all other money in the hands of the county treasurer
4 belonging in common to the schools of the county and not
5 included in any previous apportionment, among the several
6 corporations therein, in proportion to the number of persons
7 of school age, as shown by the [report of the county superin-
8 tendent filed with him] *reports filed with the state depart-*
9 *ment of public instruction* for the year immediately preceding.

10 Sec. 112. Section two hundred ninety-nine point three
11 (299.3), Code 1973, is amended to read as follows:

12 299.3 REPORTS FROM PRIVATE SCHOOLS. Within ten days
from

13 receipt of notice from the secretary of the school district
14 within which any private school is conducted, the principal
15 of such school shall, once during each school year, and at
16 any time when requested in individual cases, furnish to such
17 secretary a certificate and report in duplicate of the names,
18 ages, and number of days attendance of each pupil of such
19 school over seven and under sixteen years of age, the course
20 of study pursued by each such child, the texts used, and the
21 names of the teachers, during the preceding year and from
22 the time of the last preceding report to the time at which
23 a report is required. The secretary shall retain one of the
24 reports and file the other [in the office of the county
25 superintendent] *with the secretary of the area education agency.*

26 Sec. 113. Section two hundred ninety-nine point twelve
27 (299.12), Code 1973, is amended to read as follows:

28 299.12 NEGLECT BY TRUANCY OFFICER. Any truancy officer
29 or any director neglecting his duty to enforce the truancy
30 law after written notice so to do served upon him by any
31 citizen of the county or by the [county] *area education agency*
32 superintendent shall be liable to a fine not exceeding twenty-
33 five dollars and be removed from such office. The county
34 attorney shall prosecute such persons upon request of the
35 [county] *area education agency superintendent.*

1 Sec. 114. Section three hundred one point five (301.5),
2 Code 1973, is is amended to read as follows:

3 301.5 PURCHASE—EXCHANGE. In the purchasing of text-
books
4 it shall be the duty of the board of directors [or the county
5 board of education] to take into consideration the books then
6 in use in the respective districts, and they may buy such
7 additional number of said books as may from time to time
8 become necessary to supply their schools, and they may arrange
9 on equitable terms for exchange of books in use for new books
10 adopted.

11 Sec. 115. Section three hundred one point six (301.6),
12 Code 1973, is amended to read as follows:

13 301.6 SUIT ON BOND. If at any time the publishers of
14 such books as shall have been adopted by any board of directors
15 [or county board of education] shall neglect or refuse to furnish
16 such books when ordered by said board in accordance with the
17 provisions of this chapter, at the very lowest price, either
18 contract or wholesale, that such books are furnished any other
19 district or state board, then said board of directors [or
20 county board of education] may and it is hereby made their
21 duty to bring suit upon the bond given by the contract-
22 ing publisher.

23 Sec. 116. Section three hundred one point seven (301.7),
24 Code 1973, is amended to read as follows:

25 301.7 BIDS—ADVERTISEMENT. Before purchasing textbooks
26 from a source other than the publisher and before purchasing
27 supplies under the provisions of this chapter, it shall be
28 the duty of the board of directors[, or county board of
29 education,] to advertise, by publishing a notice once each
30 week for two consecutive weeks in one or more newspapers
31 published in the county; said notice shall state the time
32 up to which all bids will be received, the classes and grades
33 for which textbooks and other necessary supplies are to be
34 bought, and the approximate quantity needed.

35 Sec. 117. Section three hundred one point ten (301.10),

1 Code 1973, is amended to read as follows:

2 301.10 SAMPLES AND LISTS. Any person or firm desiring
3 to furnish books or supplies under this chapter [in any county]
4 shall, at or before the time of filing his bid hereunder,
5 [deposit in the office of the county superintendent] *make*
6 *available* samples of all textbooks included in his bid,
7 accompanied with lists giving the lowest wholesale and contract
8 prices for the same. [Said samples and lists shall remain
9 in the county superintendent's office, and shall be delivered
10 by him to his successor in office and shall be kept by him
11 in such safe and convenient manner as to be open at all times
12 to the inspection of such school officers, school patrons,
13 and school teachers as may desire to examine the same and
14 compare them with others, for the purpose of use in the public
15 schools.]

16 Sec. 118. Section three hundred one point eleven (301.11),
17 Code 1973, is amended to read as follows:

18 301.11 BOND. The board of directors [and county board
19 of education mentioned] shall require any person or persons
20 with whom they contract for furnishing any books or supplies
21 to enter into a good and sufficient bond, in such sum and
22 with such conditions and sureties as may be required by such
23 board of directors [or county board of education,] for the
24 faithful performance of any such contract. Bonds of surety
25 companies duly authorized under the laws of Iowa shall be
26 accepted.

27 Sec. 119. Section three hundred one point twenty-eight
28 (301.28), Code 1973, is amended to read as follows:

29 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS
AND SUP-
30 PLIES. It shall be unlawful for any school director, *officer*,
31 *area education director*, or teacher [, or member of the county
32 board of education] to act as *agent* for any school textbooks
33 or school supplies during such term of office or employment,
34 and any school director, officer, *area education agency*
35 *director*, or teacher, [or member of the county board of

1 education] who shall act as agent or dealer in school textbooks
2 or school supplies, during the term of such office or employ-
3 ment, shall be deemed guilty of a misdemeanor, and shall,
4 upon conviction thereof, be fined not less than ten dollars
5 nor more than one hundred dollars, and pay the costs of prose-
6 cution.

7 Sec. 120. Section three hundred thirty-two point nine
8 (332.9), Code 1973, is amended to read as follows:

9 332.9 OFFICES FURNISHED. The board of supervisors shall
10 furnish the clerk of the district court, sheriff, recorder,
11 treasurer, auditor, county attorney, [county superintendent,]
12 county surveyor or engineer, and county assessor, with offices
13 at the county seat, but in no case shall any such officer,
14 except the county attorney, be permitted to occupy an office
15 also occupied by a practicing attorney.

16 Sec. 121. Section three hundred forty-nine point sixteen
17 (349.16), subsection one (1), Code 1973, is amended to read
18 as follows:

19 1. The proceedings of the board of supervisors, excluding
20 from the publication of said proceedings, its canvass of the
21 various elections, as provided by law; witness fees of
22 witnesses before the grand jury and in the district court
23 in criminal cases[, the county superintendent's report].

24 Sec. 122. Section four hundred forty-one point two (441.2),
25 Code 1973, is amended to read as follows:

26 441.2 CONFERENCE BOARD. In each county and each city
27 having an assessor there shall be established a conference
28 board. In counties the conference board shall consist of
29 the mayors of all incorporated cities and towns in the county
30 whose property is assessed by the county assessor, [members
31 of the county boards of education as now or hereafter consti-
32 tuted] *one representative from the board of directors of*
33 *each high school district of the county, who is a resident*
34 *of the county, said board of directors appointing said*
35 *representative for a one-year term and notifying the clerk*

36 *of the conference board as to their representative, and*
37 *members of the board of super-*
38 *visors. In cities having an assessor the conference board*

1 shall consist of the members of the city council, school board
2 and county board of supervisors. In the counties the chairman
3 of the board of supervisors shall act as chairman of the con-
4 ference board, in cities having an assessor the mayor of the
5 city council shall act as chairman of the conference board.
6 In any action taken by the conference board, the mayors of
7 all incorporated cities and towns in the county whose prop-
8 erty is assessed by the county assessor shall constitute one
9 voting unit, the members of the [county or] city board of
10 education *or one representative from the board of directors*
11 *of each high school district of the county shall constitute*
12 *one voting unit, the*
13 members of the city council shall constitute one voting unit,
14 and the county board of supervisors shall constitute one
15 voting unit, each unit having a single vote and no action
16 shall be valid except by the vote of not less than two out
17 of the three units. The majority vote of the members present
18 of each unit shall determine the vote of the unit. The
19 assessor shall be clerk of the conference board.

20 **Sec. 123. Section four hundred forty-two point one**
21 **(442.1), Code 1973, as amended by Acts of the Sixty-fifth**
22 **General Assembly, 1973 Session, chapter two hundred fifty-**
23 **eight (258), section one (1), is amended to read as follows:**
24 **442.1 STATE SCHOOL FOUNDATION PROGRAM. This chapter**
25 **establishes a state school foundation program. For each school**
26 **year, each school district in the state is entitled to receive**
27 **state school foundation aid, which shall be an amount per pupil**
28 **equal to the difference between the amount per pupil of foundation**
29 **property tax in the district, and the state foundation base or the**
30 **district cost per pupil, whichever is less. However, for the**
31 **school years beginning July 1, 1973, and July 1, 1974, only, if**
32 **the amount so determined for any district is less than two hundred**
33 **dollars per pupil, the district is entitled to receive not less**
34 **than two hundred dollars per pupil except when a district's total**
35 **general fund millage rate is reduced to ninety percent or less of**

36 the district's total general fund millage rate for the school year
37 beginning July 1, 1970. *However, if this computation is made for*
38 *the school years beginning July 1, 1975, and July 1, 1976, the*
39 *general fund levy for each district for the school year which*
40 *began July 1, 1970, shall be determined by including the levy*
41 *certified by the county school system or joint county system in*
42 *which the district was located, for the school year which began*
43 *July 1, 1970. In this case the district is entitled to receive*
44 *only that portion of the two hundred dollars per pupil necessary*
45 *to retain that ten percent reduction. In making computations and*
46 *payments under this chapter, the state comptroller shall round*
47 *amounts to the nearest whole dollar.*

48 Sec. 124. Section four hundred forty-two point four
49 (442.4), Code 1973, as amended by Acts of the Sixty-fifth
50 General Assembly, 1973 Session, chapter two hundred fifty-
51 eight (258), section three (3), is further amended by adding
52 the following new unnumbered paragraph:

53 *NEW UNNUMBERED PARAGRAPH.* As used in this chapter,
54 "enrollment" means enrollment determined pursuant to this
55 section, "weighted enrollment" means enrollment modified by
56 the special education weighting plan pursuant to section two
57 hundred eighty-one point nine (281.9) of the Code, and "per
58 pupil" means per pupil in enrollment for years prior to the
59 school year beginning July 1, 1975, and "per pupil in weighted
60 enrollment" for the school year beginning July 1, 1975 and
61 each succeeding school year.

62 Sec. 125. Section four hundred forty-two point seven
63 (442.7), Code 1973, as amended by Acts of the Sixty-fifth
64 General Assembly, 1973 Session, chapter two hundred fifty-

1 eight (258), section six (6), is further amended by adding
2 the following new unnumbered paragraph:

3 *NEW UNNUMBERED PARAGRAPH.* For the school year begin-
ning

4 July 1, 1975, the allowable growth for each district as other-
5 wise determined under this section shall be modified for dis-
6 tricts in that area education agency by the addition of the
7 amount to compensate for the costs of special education sup-
8 port services, media services, and other services as pro-
9 vided in section eleven (11), subsections four (4), five (5)
10 and six (6), of this Act. For each succeeding school year
11 the allowable growth, as otherwise determined, is modified
12 for additional special education support services needed by
13 the agency for that year to serve newly identified children
14 who require the services pursuant to section eleven (11),
15 subsection four (4), of this Act. The determination of whether
16 special education support services are for newly identified
17 children or are new and expanded services shall be made by the
18 director of special education in each area education agency,
19 pursuant to rules and regulations adopted and promulgated by
20 the department of public instruction. The determination shall
21 be subject to audit by the department of public instruction.

22 Sec. 126. Section four hundred forty-two point eight
23 (442.8), Code 1973, as amended by Acts of the Sixty-fifth
24 General Assembly, 1973 Session, chapter two hundred fifty-
25 eight (258), section seven (7), is further amended by adding
26 the following new unnumbered paragraph:

27 *NEW UNNUMBERED PARAGRAPH.* For the school year begin-
ning

28 July 1, 1975, the allowable growth added to the state cost
29 per pupil shall be the allowable growth as otherwise computed
30 under section four hundred forty-two point seven (442.7) of
31 the Code, increased by an amount equal to the average of the
32 amounts of allowable growth added for each school district
33 in the state for special education support services
34 provided through the area edu-
35 cation agencies under section eleven (11), subsection four (4)

1 special education support services needed for that year to
2 serve newly identified children who require the services,
3 under section eleven (11), subsection four (4) of this Act.
4 The state comptroller shall compute the applicable amount
5 of allowable growth to be added to the state cost per pupil
6 for each school year.

7 Sec. 127. Section four hundred forty-two point nine
8 (442.9), subsection one (1), paragraphs b and c, Code 1973,
9 as amended by Acts of the Sixty-fifth General Assembly, 1973
10 Session, chapter two hundred fifty-eight (258), section eight
11 (8), is amended to read as follows:

12 b. The district cost for the budget year is equal to the dis-
13 trict cost per pupil for the budget year multiplied by the
14 *weighted* enrollment. A school district may not increase its
15 district cost for the budget year except to the extent that ex-
16 cess millage is authorized by the school budget review committee
17 as provided in section 442.13, subsection eight (8).

18 c. The amount to be raised by the additional school dis-
19 trict property tax levy is equal to the district cost for
20 the budget year, less the product of the state or district
21 foundation base and the *weighted* enrollment. However, said
22 amount shall be adjusted in accordance with the maximum millage
23 provided in section 442.10 and the maximum millage reduction
24 provided in section 442.21.

25 Sec. 128. Section four hundred forty-two point ten
26 (442.10), Code 1973, as amended by Acts of the Sixty-fifth
27 General Assembly, 1973 Session, chapter two hundred fifty-
28 eight (258), section nine (9), is amended to read as follows:

29 **442.10 MAXIMUM MILLAGE LEVY.** For the purpose of deter-
30 mining the maximum millage levy for the general fund in a
31 school district, the state comptroller shall determine the
32 sum of the foundation property tax levy and the additional
33 property tax levy, in mills. When this total millage levy
34 exceeds the district general fund levy in mills for the school
35 year which began July 1, 1970, he shall adjust the district

36 general fund millage levy to a rate equal to the millage levy
37 for the school year beginning July 1, 1970, except that excess
38 millage authorized by the school budget review committee, as
39 provided in section 442.13, subsection eight (8), may be added
40 to that rate. *However, in making this adjustment for the school*
41 *years beginning July 1, 1975, and July 1, 1976, the general fund*
42 *levy for each district for the school year which began July 1,*
43 *1970, shall be determined by including the levy certified by*
44 *the county school system or joint county system in which the*
45 *district was located, for the school year which began July 1,*
46 *1970.*

47 Sec. 129. Section four hundred sixty-seven B point four-
48 teen (467B.14), Code 1973, is amended to read as follows:

49 467B.14 ALLOCATION [TO COUNTY BOARD OF EDUCATION
FUND].

50 Sixty-five percent of any such payments or payment received
51 from the federal government shall be [credited to the county
52 board of education fund as created by section 273.13 and the
53 county board of education shall determine the districts of
54 the county which are principally affected in their activities
55 by the federal flood control project involved and shall allo-
56 cate to the general fund of each said school district the
57 amount of such federal payments paid to the county board of

1 education fund] *distributed to the general fund of the school*
2 *districts of the county after the county auditor has deter-*
3 *mined the districts which are principally affected by the*
4 *federal flood control project involved in an amount deemed*
5 *to be the equitable share of each such district and the amount*
6 *allocated to each school district shall be paid over [by the*
7 *county board of education] to the treasurer of such school*
8 *district.*

9 The county [board of education] *auditor shall certify to*
10 *the executive council of the state the amounts allocated*
11 *to each school district in the previous year, on January*
12 *second of the following year. The executive council of the*
13 *state shall deduct this amount from any tax free land*
14 *reimbursement claim filed that year under section 284.4;*
15 *except that in no case shall the deduction result in an amount*
16 *less than the total of the tax free land reimbursement plus*
17 *any benefits payable to the school district other than the*
18 *amounts specified in this paragraph. The remaining ten percent*
19 *of any such payment received by the county treasurer from*
20 *the federal government, or so much thereof as may be deemed*
21 *necessary by the board of supervisors, shall be allocated*
22 *to the local fire departments of the unincorporated villages,*
23 *towns, townships and cities of the county which are principally*
24 *affected by the federal flood control project involved, to*
25 *be paid and prorated among them as determined by the board*
26 *of supervisors. If the funds prorated to local fire*
27 *departments in any county are less than ten percent of the*
28 *total county share of such federal payments for any year,*
29 *the amount which exceeds such prorations shall revert back*
30 *to and be divided equally between the secondary road fund*
31 *and the [county board of education] local school district fund.*

1 Sec. 130. Acts of the Sixty-fifth General Assembly,
2 1973 Session, chapter one hundred thirty-six (136),
3 section eleven (11), is amended to read as follows:

4 Sec. 11. Chapter thirty-nine (39), Code 1973, is
5 amended by adding the following new section:

6 **NEW SECTION. SCHOOL OFFICERS.** Members of [county
7 boards of education,] boards of directors of community and
8 independent school districts, and *elective members of*
9 boards of directors of [merged areas] *area education agencies*
10 shall be elected at the school election. Their respective
11 terms of office shall be three years, except as otherwise
12 provided by section two hundred eighty A point twelve (280A.12)
13 of the Code.

14 Sec. 131. Initial operating funds required for payment of
15 salaries and other expenses for planning purposes prior to
16 July 1, 1975, implemented under the provisions of section
17 eight (8) of this Act, shall be advanced to the board of
18 directors of the area education agency by the state comptroller,
19 subject to the approval of the department of public instruction.
20 Any funds advanced shall be deducted from payments by the state
21 comptroller to the area education agency after July 1, 1975.

22 Sec. 132. Sections two hundred sixty point eighteen
23 (260.18), two hundred sixty point twenty-two (260.22), two
24 hundred sixty point twenty-four (260.24), two hundred sixty
25 point twenty-five (260.25), two hundred sixty point twenty-

1 six (260.26), two hundred seventy-five point forty (275.40),
2 two hundred seventy-nine point thirty-six (279.36), two hundred
3 eighty-one point ten (281.10), two hundred ninety-two point
4 three (292.3), two hundred ninety-two point four (292.4),
5 three hundred one point nineteen (301.19), and three hundred
6 one point twenty (301.20), and chapter two hundred seventy-
7 three (273), Code 1973, are repealed.

8 Sec. 133. Sections one (1) through eleven (11), inclusive,
9 of this Act shall
10 become effective July 1, 1974; and the remaining sections
11 of this Act shall become effective
12 July 1, 1975.

13 CORRECTED

14 EXPLANATION

15 This bill establishes fifteen area education agencies
16 with boundary lines coterminous with the fifteen merged
17 areas. The area education agencies are directed to provide
18 programs and services to the local school districts in the
19 area which may previously have been provided by the county
20 school systems or joint county systems in the state. The
21 area education agency is governed by a board of directors
22 with the same number of members as are on the board of direc-
23 tors of the merged area.

24 The bill requires that the area education agencies provide
25 for special education services and media services and allows
26 the area education agencies to provide for in-service train-
27 ing, educational data processing, research and educational
28 planning, auxiliary services, and supplemental services.

29 The bill provides for the chief executive officer to be
30 the area education agency superintendent and mandates the
31 employment of a director of special education.

32 The county and joint county school systems will be abolished
33 as of July 1, 1975, but prior to that time, a board of di-
34 rectors of the area education agency will be elected from
35 the director districts of the merged area at director dis-

36 trict conventions held in each area education agency direc-
37 tor district. Local school boards will cast votes at the
38 conventions in the ratio that the local district population
39 bears to the population in the director district. Directors
40 will be elected for three-year terms commencing in October,
41 1974 and the terms will be staggered.

42 From October 7, 1974 until July 1, 1975 the area educa-
43 tion agency board will meet with the county and joint county
44 boards in their area education agency and arrange for a divi-
45 sion of assets and liabilities and the county and joint
46 county boards will assist the area education agency board
47 in establishing programs and services. The superintendent,
48 director of special education, and necessary support person-

1 nel may be employed prior to July 1, 1975.

2 Terms of office of members of county boards of education
3 and joint county boards which expire on October 7, 1974 are
4 extended until July 1, 1975.

5 The special education instructional services are mandated
6 and a weighting plan is established for each type of handi-
7 cap. The handicapped pupils receive a weight for enrollment
8 purposes of from 1.8 for the least handicapped to 4.4 for the
9 most handicapped. The enrollment of a local school dis-
10 trict is increased by adding the weights, and state founda-
11 tion aid is paid on the basis of the adjusted enrollment to
12 provide additional funds for the local district to pay for
13 costs of special education instructional services.

14 For the cost of special education support services in 1975
15 each district in an area adds to its allowable growth the
16 per pupil cost of special education support services for that
17 area pursuant to plans approved by the department of public
18 instruction. For each succeeding year the cost of providing
19 special education support services to newly identified chil-
20 dren who require services is added to the allowable growth.
21 The state cost in the foundation aid chapter is increased in
22 1975 by the average amount of special education support
23 services needed in the state, so that state aid will share in
24 providing these services.

25 For the cost of providing media services during the school
26 year beginning July 1, 1975, each distaict adds to its allow-
27 able growth the per pupil amount needed by the area education
26 year beginning July 1, 1975, each district adds to its allow-
29 unless a larger amount was spent during the school year begin-
30 ning July 1, 1974 and then the area education agency may spend
31 108% of the amount spent for the school year beginning July
32 1, 1974. The average per pupil amount on a statewide basis
33 cannot exceed \$5 per pupil or the allowable growth increase
34 will be adjusted proportionally.

35 For the cost of providing additional optional services,

1 each district's allowable growth is increased by ten dollars.
2 Because of the increases to be made in each district's
3 allowable growth, and the fact that the county or joint county
4 system levy will no longer be made to provide special educa-
5 tion services and other special services, districts must
6 include their county or joint county levy in 1970 in order to
7 determine the district's eligibility for the \$200 per pupil
8 minimum and the guarantee state aid, based on the maximum
9 millage levy, under the foundation formula.





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SENATE AMENDMENT TO THE HOUSE AMENDMENT TO
SENATE FILE 1163

- 1 Amend the House Amendment to Senate File 1163 as
2 follows:
3 1. Page 2, lines 1 and 2, by striking the words
4 "and members of boards of directors".
5 2. Page 4, after line 12, by inserting the following
6 amendments:
7 _____. Page 4A, line 13, by striking the words
8 "a superintendent" and inserting in lieu thereof the
9 words "an administrator".
10 _____. Page 4A, line 16, by striking the word
11 "superintendent" and inserting in lieu thereof the
12 word "administrator".
13 3. Page 4, line 15, by striking the word "super-
14 intendent" and inserting in lieu thereof the word
15 "administrator".
16 4. Page 4, by striking lines 21 through 25.
17 5. Page 5, by striking lines 1 through 6.
18 6. Page 5, after line 6, by inserting the follow-
19 ing amendments:
20 _____. Page 5, line 15, by striking the word
21 "SUPERINTENDENT" and inserting in lieu thereof
22 the word "ADMINISTRATOR".
23 _____. Page 5, line 17, by striking the word
24 "superintendent" and inserting in lieu thereof
25 the word "administrator".
26 7. Page 6, lines 4 and 5, by striking the word
27 "superintendent" and inserting in lieu thereof
28 the word "administrator".
29 8. Page 6, by striking lines 15 through 22.
30 9. Page 7, by striking lines 24 and 25.
31 10. Page 8, by striking lines 1 and 2.
32 11. Page 8, after line 13, by inserting the
33 following amendment:
34 _____. Page 13A, line 33, by striking the word
35 "superintendent" and inserting in lieu thereof the
36 word "administrator".
37 12. Page 8, after line 17, by inserting the follow-
38 ing amendment:
39 _____. Page 17A, line 13, by striking the word
40 "superintendent" and inserting in lieu thereof the
41 word "administrator".
42 13. Page 8, after line 20, by inserting the follow-
43 ing amendments:
44 _____. Page 20, line 33, by inserting after the
45 word "superintendents" the words ", area administrators".
46 _____. Page 22, line 12, by inserting before the
47 word "The" the following: "The board of educational
48 examiners shall establish a certificate for area edu-
49 cation agency administrators."
50 _____. Page 22, line 12, by striking the word

51 "superintendent's" and inserting in lieu thereof the
52 word "administrator's".
53 14. Page 9, by striking lines 8 through 10.
54 15. Page 9, after line 10, by inserting the following
55 amendments:
56 _____. Page 22, line 31, by striking the word
57 "superintendents" and inserting in lieu thereof the
58 word "administrators".
59 _____. Page 22, line 32, by striking the word
60 "superintendents" and inserting in lieu thereof the
61 word "administrators".
62 _____. Page 22, line 34, by striking the word
63 "superintendent" and inserting in lieu thereof the
64 word "administrator".
65 _____. Page 23, line 8, by striking the word
66 "superintendent" and inserting in lieu thereof the
67 words "superintendent administrator".
68 _____. Page 23, line 14, by striking the word
69 "superintendent" and inserting in lieu thereof the
70 words "superintendent administrator".
71 _____. Page 24, line 4, by striking the word
72 "superintendent" and inserting in lieu thereof the
73 words "superintendent administrator".
74 _____. Page 24, line 9, by striking the word
75 "superintendent" and inserting in lieu thereof the
76 words "superintendent administrator".
77 _____. Page 24, line 18, by striking the word
78 "superintendent" and inserting in lieu thereof the
79 words "superintendent administrator".
80 _____. Page 24, line 22, by striking the word
81 "superintendent" and inserting in lieu thereof the
82 words "superintendent administrator".
83 _____. Page 24, line 24, by striking the word
84 "superintendent" and inserting in lieu thereof the
85 words "superintendent administrator".
86 _____. Page 24, line 32, by striking the word
87 "superintendent" and inserting in lieu thereof the
88 words "superintendent administrator".
89 _____. Page 25, line 2, by striking the word
90 "superintendent" and inserting in lieu thereof the
91 words "superintendent administrator".
92 _____. Page 25, line 4, by striking the word
93 "superintendent" and inserting in lieu thereof the
94 words "superintendent administrator".
95 _____. Page 25, line 12, by striking the word
96 "superintendent" and inserting in lieu thereof the
97 words "superintendent administrator".
98 _____. Page 25, line 18, by striking the word
99 "superintendent" and inserting in lieu thereof the
100 words "superintendent administrator".

101 _____ . Page 26, line 6, by striking the word
102 "superintendent" and inserting in lieu thereof the
103 words "superintendent administrator".
104 _____ . Page 26, line 20, by striking the word
105 "superintendent" and inserting in lieu thereof the
106 words "superintendent administrator".
107 _____ . Page 26, line 28, by striking the word
108 "superintendent" and inserting in lieu thereof the
109 words "superintendent administrator".
110 _____ . Page 26, line 30, by striking the word
111 "superintendent" and inserting in lieu thereof the
112 words "superintendent administrator".
113 16. Page 9, after line 16, by inserting the follow-
114 ing amendments:
115 _____ . Page 34, line 4, by striking the word "super-
116 intendent" and inserting in lieu thereof the words
117 "superintendent administrator".
118 _____ . Page 35, line 11, by striking the word
119 "superintendent" and inserting in lieu thereof the
120 words "superintendent administrator".
121 _____ . Page 35, line 13, by striking the word
122 "superintendent" and inserting in lieu thereof the
123 words "superintendent administrator".
124 _____ . Page 36, line 7, by striking the word
125 "superintendent" and inserting in lieu thereof the
126 words "superintendent administrator".
127 _____ . Page 36, line 21, by striking the word
128 "superintendent" and inserting in lieu thereof the
129 words "superintendent administrator".
130 _____ . Page 37, line 17, by striking the word
131 "superintendent" and inserting in lieu thereof the
132 words "superintendent administrator".
133 _____ . Page 38, line 20, by striking the word
134 "superintendent" and inserting in lieu thereof the
135 words "superintendent administator".
136 _____ . Page 39, line 18, by striking the word
137 "superintendent" and inserting in lieu thereof the
138 words "superintendent administrator".
139 _____ . Page 39, line 27, by striking the word
140 "superintendent" and inserting in lieu thereof the
141 words "superintendent administrator".
142 _____ . Page 39, line 28, by striking the word
143 "superintendent" and inserting in lieu thereof the
144 words "superintendent administrator".
145 _____ . Page 40, line 18, by striking the word
146 "superintendent" and inserting in lieu thereof the
147 words "superintendent administrator".
148 _____ . Page 40, line 21, by striking the word
149 "superintendent" and inserting in lieu thereof the
150 words "superintendent administrator".

- 151 _____. Page 41, line 1, by striking the word
152 "superintendent" and inserting in lieu thereof the
153 words "superintendent administrator".
- 154 _____. Page 41, line 15, by striking the word
155 "superintendent" and inserting in lieu thereof the
156 words "superintendent administrator".
- 157 _____. Page 41, line 20, by striking the word
158 "superintendent" and inserting in lieu thereof the
159 words "superintendent administrator".
- 160 _____. Page 42, line 11, by striking the word
161 "superintendent" and inserting in lieu thereof the
162 words "superintendent administrator".
- 163 17. Page 10, after line 23, by inserting the follow-
164 ing amendments:
- 165 _____. Page 43, line 17, by striking the word
166 "superintendent" and inserting in lieu thereof the
167 words "superintendent administrator".
- 168 _____. Page 43, line 25, by striking the word
169 "superintendent" and inserting in lieu thereof the
170 words "superintendent administrator".
- 171 _____. Page 45A, line 4, by striking the word
172 "superintendent" and inserting in lieu thereof the
173 words "superintendent administrator".
- 174 18. Page 13, line 19, by inserting after the quotation
175 marks the words "upon the request of the board of
176 directors of an area education-agency,".
- 177 19. Page 13, line 19, by inserting before the second
178 word "the" the words "and who are attending facilities
179 under chapters two hundred sixty-three (263), two
180 hundred sixty-nine (269) and two hundred seventy
181 (270) of the Code,".
- 182 20. Page 13, line 22, by inserting after the word
183 "services." the sentence, "The area education
184 agencies shall cooperate with the board of regents
185 to provide the services required by this Act."
- 186 21. Page 15, after line 16, by inserting the
187 following amendments:
- 188 _____. Page 62, line 27, by striking the word
189 "superintendent" and inserting in lieu thereof the
190 words "superintendent administrator".
- 191 _____. Page 62, line 33, by striking the word
192 "superintendent" and inserting in lieu thereof the
193 words "superintendent administrator".
- 194 _____. Page 63, line 5, by striking the word
195 "superintendent" and inserting in lieu thereof the
196 words "superintendent administrator".
- 197 _____. Page 63, line 10, by striking the word
198 "superintendent" and inserting in lieu thereof the
199 words "superintendent administrator".
- 200 _____. Page 64, line 23, by striking the word

House 15
April 23, 1974

201 "superintendent" and inserting in lieu thereof the
202 words "superintendent administrator".
203 _____. Page 68, line 21, by striking the word
204 "superintendent" and inserting in lieu thereof the
205 words "superintendent administrator".
206 _____. Page 68, line 23, by striking the word
207 "superintendent" and inserting in lieu thereof the
208 words "superintendent administrator".
209 _____. Page 69, lines 17 and 18, by striking the
210 word "superintendent" and inserting in lieu thereof
211 the words "superintendent administrator".
212 _____. Page 72, line 32, by striking the word
213 "superintendent" and inserting in lieu thereof the
214 words "superintendent administrator".
215 _____. Page 72, line 35, by striking the word
216 "superintendent" and inserting in lieu thereof the
217 words "superintendent administrator".
218 22. By renumbering amendments as necessary.

Received from the Senate
April 22, 1974

Lawrence 4/25

H-2770

1 Amend the Bittle, et al., amendment H-2671, to Senate
2 File 1163, as amended, passed, and reprinted by the
3 Senate, to page 3A, as follows:
4 1. By striking lines 3, 4, and 5, and inserting
5 in lieu thereof the following:
6 "1. Page 3A, line 24, by inserting after the word
7 'authorized' the words ', subject to the approval of
8 the department of public instruction,'.
9 2. Page 3A, line 24, by striking the words
10 'purchase, construct,'.
11 3. Page 3A, by inserting after line 27 the follow-
12 ing subsection:"
13 2. Line 6, by striking the figure "7" and insert-
14 ing in lieu thereof the figure "8".
15 3. By inserting after line 11 the following:
16 "4. Page 52, by striking lines 33 through 35,
17 inclusive.
18 5. Page 53, by striking lines 13 through 15,
19 inclusive.
20 6. By renumbering subsections and amendments as
21 necessary."

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with
1/5

H-2770 Filed - A. adopted 4/5 (1526)
April 4, 1974

By STROMER of Hancock
PATCHETT of Johnson
BITTLE of Polk
BYERLY of Polk
HORN of Linn
STANLEY of Muscatine
MENNENGA of Clinton
DAGGETT of Adams
FERGUSON of Carroll

H-2784

1 Amend the Patchett amendment H-2734, to page 4A
2 of Senate File 1163, as passed by the Senate and re-
3 printed, line 8, by inserting after the period the
4 following: "However, a person employed as an area
5 education agency superintendent for the school year
6 commencing July 1, 1975, who was employed as a county
7 superintendent during the school year commencing
8 July 1, 1974, shall not receive a salary for the
9 school year commencing July 1, 1975 which exceeds the
10 salary he received for the school year commencing
11 July 1, 1974 by more than two thousand dollars."

H-2784 Filed and lost
April 5, 1974

By STROMER of Hancock
MENDENHALL of Allamakee

H-2786

1 Amend the Daggett, et al., amendment, H-2663, to page
2 2A of Senate File 1163, as passed and reprinted by the
3 Senate, line 11, by inserting after the word "twelve"
4 the words "except that programs and services for pu-
5 pils in grades kindergarten through twelve shall not
6 be initiated by the area education agency if the same
7 programs and services are being provided by any other
8 educational agency in the area".

H-2786 Filed and withdrawn
April 5, 1974

By DAGGETT of Adams
STROMER of Hancock

H-2790

1 Amend Senate File 1163 as passed by the Senate and
2 reprinted, page 50A, line 32, by inserting after the
3 comma the words "except the blind, the deaf, and other
4 physically handicapped children attending or entitled
5 to attend special schools or institutions provided by
6 the state,".

H-2790 Filed and withdrawn
April 5, 1974

By SCHROEDER of Pottawattamie

H-2772

1 Amend Senate File 1163 as passed by the Senate
2 and reprinted, as follows:
3 1. Page 50A, by striking all of lines 33, 34
4 and 35 and inserting in lieu thereof the following:
5 "the department of social services shall provide
6 residential or detention facilities and the area
7 education agency shall provide special education
8 programs and services."
9 2. Page 51A, line 25, by adding after the word
10 "agency" the words ", private agency,".

H-2772 Filed. *Adopted 4/5 (1974)*
April 4, 1974

By LIPSKY of Linn

SENATE FILE 1163

H-2740-*adapted 4/5*

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 42, by inserting after line 28 the
4 following new section:

5 Sec. _____. Section two hundred seventy-seven point
6 twenty (277.20), Code 1973, as amended by Acts of
7 the Sixty-fifth General Assembly, 1973 Session,
8 chapter one hundred thirty-six (136), section two
9 hundred seventy (270), is amended by striking the
10 section and inserting in lieu thereof the following:

11 277.20 CANVASSING RETURNS. On the next Friday
12 after the school election, the county board of super-
13 visors shall canvass the returns made to the county
14 commissioner of elections from the several precinct
15 polling places and the absentee ballot counting
16 board, ascertain the result of the voting with regard
17 to every matter voted upon and cause a record to
18 be made thereof as required by section fifty point
19 twenty-four (50.24) of the Code. The board shall
20 declare the results of the voting for members of
21 boards of directors of school corporations nominated
22 pursuant to section two hundred seventy-seven point
23 four (277.4) of the Code, and the commissioner shall
24 at once issue a certificate of election to each per-
25 son declared elected. The board shall also declare
26 the results of the voting on any public question
27 submitted to the voters of a single school district,
28 and the commissioner shall certify the result as
29 required by section fifty point twenty-seven (50.27)
30 of the Code.

31 The abstracts of the votes cast for members of
32 the board of directors of any merged area, and of
33 the votes cast on any public question submitted to
34 the voters of any merged area, shall be promptly
35 certified by the commissioner to the county
36 commissioner of elections who is responsible under
37 section forty-seven point two (47.2) of the Code
38 for conducting the elections held for that merged
39 area.

40 2. Page 46, by striking lines 2 through 23, in-
41 clusive, and inserting in lieu thereof the following:

42 "by striking the section and inserting in lieu
43 thereof the following:

44 280.15 CONDUCT OF ELECTIONS.

45 1. Regular elections held annually by the merged
46 area for the election of members of the board of
47 directors as required by section two hundred eighty
48 A point twelve (280A.12) of the Code, for the renewal
49 of the three-fourths mill levy authorized in section
50 two hundred eighty A point twenty-two (280A.22) of

51 the Code, or for any other matter authorized by law
52 and designated for election by the board of direc-
53 tors of the merged area, shall be held on the date
54 of the school election as fixed by section two hun-
55 dred seventy-seven point one (277.1) of the Code.
56 The election notice shall be published as provided
57 in section forty-nine point fifty-three (49.53) of
58 the Code and the election shall be conducted by the
59 county commissioner of elections pursuant to chap-
60 ters thirty-nine (39) through fifty-three (53) and
61 section two hundred seventy-seven point twenty
62 (277.20) of the Code.

63 2. Each candidate for member of the board of
64 directors of a merged area shall be nominated by
65 a petition signed by not less than fifty eligible
66 electors of the director district from which the
67 member is to be elected. The petition shall state
68 the number of the director district from which the
69 candidate seeks election, and the candidate's name
70 and status as an eligible elector of the director
71 district. Signers of the petition, in addition to
72 signing their names, shall show their residence,
73 including street and number if any, the school
74 district in which they reside, and the date they
75 signed the petition. Each nomination paper shall
76 have appended to it an affidavit of an eligible
77 elector other than the candidate in substantially
78 the form provided in section forty-three point
79 seventeen (43.17) of the Code, except as to party
80 affiliation. The petition shall include the affidavit
81 of the candidate being nominated, stating the
82 candidate's name and residence, and that he or she
83 is a candidate, is eligible for the office sought,
84 and if elected will qualify for the office.

85 3. Nomination papers in behalf of candidates
86 for member of the board of directors of a merged
87 area shall be filed with the secretary of the board
88 not earlier than sixty-five days nor later than five
89 o'clock p.m. on the fortieth day prior to the
90 election at which members of the board are to be
91 elected. The secretary shall deliver all nomination
92 petitions to the county commissioner of elections
93 who is responsible under section forty-seven point
94 two (47.2) of the Code for conducting elections held
95 for the merged area, not later than five o'clock
96 p.m. on the day following the last day on which
97 nomination petitions can be filed.

98 4. The votes cast in the election shall be can-
99 vassed and abstracts of the votes cast shall be
100 certified as required by section two hundred seventy-

House 10
April 3, 1974

101 seven point twenty (277.20) of the Code. In each
102 county whose commissioner of elections is responsible
103 under section forty-seven point two (47.2) of the
104 Code for conducting elections held for a merged area,
105 the county board of supervisors shall convene at
106 ten o'clock a.m. on the last Monday in September,
107 canvass the abstracts of votes cast and declare the
108 results of the voting. The commissioner shall at
109 once issue certificates of election to each person
110 declared elected, and shall certify to the merged
111 area board in substantially the manner prescribed
112 by section fifty point twenty-seven (50.27) of the
113 Code the result of the voting on any public ques-
114 tion submitted to the voters of the merged area.
115 Members elected to the board of directors of a merged
116 area shall qualify by taking the oath of office
117 prescribed in section two hundred seventy-seven point
118 twenty-eight (277.28) of the Code."
119 3. Page 48, by striking lines 1 through 31,
120 inclusive, and page 49, by striking lines 1 through
121 19, inclusive.
122 4. By renumbering sections and correcting internal
123 references as necessary.

H-2740 Filed - *Adopted 4/5*
April 2, 1974

By BITTLE of Polk
DRAKE of Muscatine

H-2738

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 9, by striking line 28 and inserting in
4 lieu thereof the words "of the county school system
5 or joint county system".
6 2. Page 9, line 29, by inserting after the word
7 "enrollment" the words "in the director district".
8 3. Page 9, by striking lines 31 and 32 and in-
9 serting in lieu thereof the words "county superin-
10 tendent who determines the date of the director
11 district convention, and the location".
12 4. Page 10, line 7, by striking the words "a
13 director district convention" and inserting in lieu
14 thereof the words "the director district conventions".
15 5. Page 10, line 8, by striking the words "loca-
16 tion of the convention" and inserting in lieu thereof
17 the words "locations of the conventions".
18 6. Page 10, line 10, by striking the words "a
19 director district convention" and inserting in lieu
20 thereof the words "the director district conventions".
21 7. Page 10, line 12, by striking the word "conven-
22 tion" and inserting in lieu thereof the word
23 "conventions".
24 8. Page 10, line 14, by striking the word "conven-
25 tion" and inserting in lieu thereof the word
26 "conventions".

H-2738 Filed - *Adopted 4/5*
April 2, 1974

By PATCHETT of Johnson

H-2778

1 Amend the Stromer, et al., amendment H-2629 to page
2 56A of Senate File 1163 as amended, passed and re-
3 printed by the Senate, as follows:
4 1. Lines 22 and 23, strike the words "or in other
5 categories as may be needed".
6 2. Line 30, insert after the period the words "The
7 school budget review committee shall not alter the
8 weighting assigned to pupils in a regular curriculum,
9 but it may increase or decrease the weighting assigned
10 to each category of children requiring special educa-
11 tion by not more than two-tenths of the weighting
12 assigned to pupils in a regular curriculum."

H-2778 Filed *adptd 4/5*
April 4, 1974

By BYERLY of Polk
STROMER of Hancock
STANLEY of Muscatine

H-2782

1 Amend the Ferguson amendment, H-2604, to Senate
2 File 1163, as amended, passed, and reprinted by the
3 Senate, to page 5, as follows:
4 1. Line 6, by inserting after the word "units"
5 the words "or to expand the area by combining two
6 or more merged area administrative units,".
7 2. Line 7, by inserting after the word "board"
8 the words "or boards" and by inserting after the
9 word "division" the words "or expansion".

H-2782 Filed and adopted
April 5, 1974

By STROMER of Hancock

H-2774

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4A, line 15, by inserting after the
4 period following the word "Code" the words "The
5 salary of the superintendent shall not exceed
6 \$25,000."

H-2774 Filed *Revised out of order*
April 4, 1974 *by adoption of 2734* BY FISCHER of Grundy

H—2746

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2B, line 42, by inserting after the word
4 "services" the words "as approved by the department
5 of public instruction".
6 2. Page 2B, by inserting after line 42 the
7 following:
8 "The board of directors of an area education
9 agency shall not establish programs and services which
10 duplicate programs and services provided by the area
11 schools under the provisions of chapter two hundred
12 eighty A (280A) of the Code. An area education
13 agency shall contract, whenever practicable, with other
14 school corporations for the use of personnel,
15 buildings, facilities, supplies, equipment, programs,
16 and services."

H—2746 Filed. *Adopted 4/5*
April 2, 1974

By BYERLY of Polk
GRASSLEY of Butler
STANLEY of Muscatine
BITTLE of Polk
HORN of Linn
STROMER of Hancock
LOGUE of Iowa
DAGGETT of Adams
MENNENGA of Clinton
BORTELL of Madison
WOODS of Polk
HARVEY of Scott
MENDENHALL of Aillamakee
COCHRAN of Webster
HUSAK of Tama
McCORMICK of Delaware
MILLEN of Van Buren
HUTCHINS of Guthrie
CAFFREY of Polk
MENKE of O'Brien

H—2735

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, page 22, lines 19 and 20, by
3 inserting after the word "administration" the words
4 "or in the administration of any of the services
5 listed in section two (2) of this Act".

H—2735 Filed. *Adopted 4/5*
April 2, 1974

By PATCHETT of Johnson
STROMER of Hancock

H—2734

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, page 4A, line 18, by inserting
3 after the period the following: The salary range for
4 an area education agency superintendent shall be from
5 seventeen thousand dollars to twenty-seven thousand
6 five hundred dollars per annum, including additional
7 benefits, over and above the additional benefits
8 given all full-time employees.

H—2734 Filed. *Adopted 4/5*
April 2, 1974

By PATCHETT of Johnson
STROMER of Hancock

H-2739

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 10, line 6, by striking the words ", other
4 than school district employees".
5 2. Page 10, line 6, by inserting after the period
6 the following: "An employee of a school district who
7 is not involved in the delivery of any services listed
8 in section two (2) of this Act may be elected at the
9 director district convention to serve as a member of
10 the board of directors of an area education agency."

H-2739 Filed - *Adopted 4/5*
April 2, 1974

By PATCHETT of Johnson
MENNENGA of Clinton
WELLS of Linn
HANSEN of O'Brien

H-2744

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 13A, line 4, by inserting after the word
4 "education" the words "or as identified by the area
5 director of special education subsequent to the
6 certification".
7 2. Page 13A, line 6, by inserting after the word
8 "certification" the words "or identified subsequent
9 to the certification".
10 3. Page 51B, line 39, by striking all after the
11 word "convalescent" and inserting in lieu thereof the
12 following: ", juvenile, and private".

H-2744 Filed - *Adopted 4/5*
April 2, 1974

By PATCHETT of Johnson

H-2758

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4A, line 15, by inserting after the
4 period following the word "Code" the words "The
5 salary of the superintendent shall not exceed
6 twenty thousand dollars annually."

H-2758 Filed - *Withdrawn 4/5*
April 3, 1974

By MENDENHALL of Allamakee

H-2736

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, page 33, as follows:
3 1. Page 33, lines 9 and 10, by striking the words
4 "county boards of education" and inserting in lieu
5 thereof the words "county-boards-of-education boards
6 of directors of area education agencies".
7 2. Page 33, line 12, by striking the word "county"
8 and inserting in lieu thereof the word "county".

H-2736 Filed - *Adopted 4/5*
April 2, 1974

By PATCHETT of Johnson

SENATE FILE 1163

H-2714

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2A, by striking lines 12 through 22,
4 inclusive, and inserting in lieu thereof the fol-
5 lowing:

6 Sec. 2. NEW SECTION. PROGRAMS AND SERVICES
7 PROVIDED. The boards of directors of area education
8 agencies established under the provisions of chapter
9 two hundred eighty A (280A) of the Code, in addition
10 to having the duties, responsibilities, and authority
11 stated in chapter two hundred eighty A (280A) of the
12 Code, shall also have the responsibility for providing
13 programs and services to the local school districts
14 as provided in sections one (1) through eleven (11)
15 of this Act and chapter two hundred eighty-one (281)
16 of the Code.

17 However, in lieu of the establishment of an area
18 education agency, a separate board for the area educa-
19 tion agency may be established to perform the functions
20 and duties prescribed under this section for the
21 school districts in the area and the merged area board
22 shall continue to function as provided in chapter
23 two hundred eighty A (280A) of the Code.

24 2. Page 2B, line 43, by inserting before the
25 word "DUTIES" the word "ADDITIONAL".

26 3. Page 2B, by striking line 44 and inserting
27 in lieu thereof the words "AGENCY BOARD. In addi-
28 tion to the authority granted the board of directors
29 of each area education agency in section two hun-
30 dred eighty A point twenty-three (280A.23) of the
31 Code,".

32 4. Page 2B, line 45, by striking the word "The"
33 and inserting in lieu thereof the word "the".

34 5. Page 2B, line 46, by inserting after the word
35 "Act" the words "or the separate educational services
36 board if separate boards are established".

37 6. Page 3A, line 2, by striking the word "All"
38 and inserting in lieu thereof the words "The money
39 shall not be commingled with other funds of the area
40 education agency if an area education agency is
41 established and all".

42 7. Page 4A, by inserting after line 10 the fol-
43 lowing:

44 11. By authorized, subject to the approval of
45 the department of public instruction, to divide the
46 area into subarea administrative units if, in the
47 opinion of the area education agency board if an area
48 education agency is established or the educational
49 services agency board, the division will allow more effec-
50 tive delivery of the services offered under sections one

- 51 (1) through eleven (11) of this Act and chapter two
52 hundred eighty-one (281) of the Code.
- 53 Sec. _____. NEW SECTION. DUTIES OF SEPARATE BOARD.
54 If a separate educational services agency board is
55 established, the educational services board, in
56 addition to the duties listed in section three (3)
57 of this Act shall:
- 58 8. Page 4A, line 11, by striking the figure "11"
59 and inserting in lieu thereof the figure "1".
- 60 9. Page 4A, line 12, by striking the words "area
61 education" and inserting in lieu thereof the words
62 "educational services".
- 63 10. Page 4A, line 20, by striking the words "area
64 education" and inserting in lieu thereof the words
65 "educational services".
- 66 11. Page 4A, line 21, by striking the words "area
67 education" and inserting in lieu thereof the words
68 "educational services".
- 69 12. Page 4A, line 22, by striking the figure "12"
70 and inserting in lieu thereof the figure "2".
- 71 13. Page 4A, line 33, by striking the figure "13"
72 and inserting in lieu thereof the figure "3".
- 73 14. Page 4A, line 35, by striking the words "area
74 education" and inserting in lieu thereof the words
75 "educational services".
- 76 15. Page 4B, line 41, by striking the words "area
77 education" and inserting in lieu thereof the words
78 "educational services".
- 79 16. Page 4B, line 43, by striking the words "area
80 education" and inserting in lieu thereof the words
81 "educational services".
- 82 17. Page 4B, line 56, by striking the figure "14"
83 and inserting in lieu thereof the figure "4".
- 84 18. Page 4B, line 59, by striking the words "area
85 education" and inserting in lieu thereof the words
86 "educational services".
- 87 19. Page 4B, line 60, by striking the figure "15"
88 and inserting in lieu thereof the figure "5".
- 89 20. Page 5, line 5, by striking the figure "16"
90 and inserting in lieu thereof the figure "6".
- 91 21. Page 5, lines 8 and 9, by striking the words
92 "area education" and inserting in lieu thereof the
93 words "educational services".
- 94 2. Page 5, line 10, by striking the figure "17"
95 and inserting in lieu thereof the figure "7".
- 96 23. Page 5, line 11, by striking the words "area
97 education" and inserting in lieu thereof the words
98 "educational services".
- 99 24. Page 5, by inserting after line 26 the fol-
100 lowing subsections:

101 3. If an area education agency board is
102 established, designate a division of intermediate
103 services within the area education agency and appoint,
104 subject to the approval of the area education agency
105 board, an administrative officer of the division who
106 is directly responsible to the area superintendent.
107 The division of intermediate services shall possess
108 the responsibility for carrying out the policy of
109 the area education agency board as it relates to pro-
110 grams and services listed in section two (2) of this
111 Act.

112 4. If an educational services agency is estab-
113 lished, the superintendent of the educational services
114 agency shall perform the duties prescribed in subsec-
115 tions one (1) and two (2) of this section and sub-
116 section three (3) of this section shall not be appli-
117 cable.

118 25. Page 5, line 28, by striking the words "a
119 division" and inserting in lieu thereof the words
120 "within the division of intermediate services a sub-
121 division".

122 26. Page 5, lines 28 and 29, by striking the words
123 "of the area education agency".

124 27. Page 5, line 31, by inserting after the period
125 the following sentence: "However, if an educational
126 services agency is established, a division of special
127 education of the agency shall be designated."

128 28. Page 5, line 33, by inserting after the word
129 "division" the words "or subdivision".

130 29. Page 8, line 23, by inserting after the word
131 "services" the words "if only a single board is
132 established and the superintendent of the special
133 services agency if the separate agency is established".

134 30. Page 8, line 23, by striking the word "area".

135 31. Page 9, by striking lines 1 through 35,
136 inclusive.

137 32. Page 10, by striking lines 1 through 35,
138 inclusive.

139 33. Page 11, by striking lines 1 through 27,
140 inclusive, and inserting in lieu thereof the fol-
141 lowing:

142 Sec. 9. NEW SECTION. AREA EDUCATION AGENCY BOARD.

143 If only an area educational agency board is
144 established, it is the intent of the general assembly
145 in granting the authority for the area education
146 agency boards to provide programs and services listed
147 in section two (2) of this Act to the local school
148 districts that the governing board which decides
149 policy for such programs and services contain
150 representation from the local boards of directors

151 and the local school districts. In order to accomplish
152 this purpose, the number of members of an area
153 education agency board of directors shall be doubled
154 for the three years commencing October 7, 1974 and
155 ending October 3, 1977, and the additional members
156 shall be selected by the local school district boards
157 of directors pursuant to this section. Thereafter,
158 the number of members of an area education agency
159 board shall be established at twelve pursuant to this
160 section.

161 Commencing October 7, 1974 and continuing until
162 October 3, 1977, the number of members of the board
163 of directors of an area education agency shall be
164 two times the number of members serving on the area
165 education agency board on July 1, 1974. One-half
166 of the members of the board shall continue to be
167 elected one from each director district in the area
168 by the electors of the respective director district
169 until the regular school election in 1977. The other
170 half of the members of the board of directors of the
171 area education agency shall be elected at director
172 district conventions attended by boards of direc-
173 tors of the local school districts located within
174 the director district.

175 A convention shall be held no later than Septem-
176 ber 20, 1974 and the date shall be determined by the
177 area education agency superintendent. The location
178 of each director district convention shall be deter-
179 mined by the area education agency superintendent,
180 and the location shall be at a school facility lo-
181 cated within the director district. The presiding
182 officer of the director district convention shall
183 be the president of the board of directors of the
184 school district in which the convention is held.
185 A single member shall be elected from each direc-
186 tor district and shall be a resident elector of that
187 director district. The member of the area education
188 agency board to be elected at the director district
189 convention may be a member of a local school district
190 board of directors and shall not be an employee of
191 a local school district.

192 Members of area education agency boards elected
193 by local school boards shall be elected for three-
194 year terms commencing October 7, 1974 and ending
195 October 3, 1977. Each separate school board which
196 is located entirely or partially inside an area
197 education agency director district shall cast a vote
198 for director of the area education agency board based
199 upon the ratio that the population of the school
200 district, or portion of the school district, in the

201 director district bears to the total population in
202 the director district.

203 Vacancies in the membership of the area education
204 agency board elected by the local school boards shall
205 be filled by the local school board in which the
206 member resided until the next regular joint conven-
207 tion of school board members, at which convention
208 a successor shall be elected to serve for the remainder
209 of the unexpired term.

210 The terms of office of all members of the area
211 education agency board shall expire on October 3,
212 1977. Commencing with the school election to be held
213 on September 13, 1977, the board of directors in each
214 area education agency shall consist of twelve members.
215 Six members shall be elected, one from each director
216 district in the area by the electors of the respective
217 director district and six members shall be elected
218 at director district conventions attended by boards
219 of directors of the local school districts located
220 within the director district as provided in this
221 section for election of the interim area education
222 agency board. Annually the director district
223 conventions shall be conducted within two weeks
224 following the regular school election date. The
225 provisions of sections two hundred eighty A point
226 twelve (280A.12), two hundred eighty A point thirteen
227 (280A.13), and two hundred eighty A point fifteen
228 (280A.15) of the Code concerning the conduct of
229 elections shall apply.

230 34. Page 11, line 31, by inserting after the word
231 "board" the words ", or the educational services
232 agency board in employing personnel for the special
233 services agency".

234 35. Page 11, line 32, by inserting after the word
235 "agency" the words "or educational services agency".

236 36. Page 12A, line 2, by inserting after the word
237 "board" the words "or the educational services agency
238 board".

239 37. Page 12A, line 3, by inserting after the word
240 "agency" the words "or an educational services agency".

241 38. Page 12A, line 8, by inserting after the word
242 "board" the words "or the educational services agency
243 board".

244 39. Page 12A, line 10, by inserting after the
245 word "board" the words "or the educational services
246 agency board".

247 40. Page 12A, line 26, by inserting after the
248 word "agency" the words "or educational services
249 agency".

250 41. Page 12A, line 34, by inserting after the

251 word "board" the words "or the educational services
252 agency board".
253 42. Page 12B, line 44, by inserting after the
254 word "agency" the words "or its educational services
255 agency".
256 43. Page 13A, line 3, by striking the word "area".
257 44. Page 13A, line 11, by inserting after the
258 word "agency", the words "or its educational services
259 agency".
260 45. Page 13A, line 13, by striking the word "area".
261 46. Page 13A, line 17, by inserting after the
262 word "agency" the words "or its educational services
263 agency".
264 47. Page 13A, line 20, by striking the word "area".
265 48. Page 13A, line 30, by inserting after the
266 word "agency" the words "or its educational services
267 agency".
268 49. Page 13A, by striking line 33 and inserting
269 in lieu thereof the words "the administrative officer
270 of the division of intermediate services if an area
271 education board is established or the educational
272 services agency superintendent if an educational
273 services agency is established".
274 50. Page 13B, line 36, by inserting after the
275 word "agency" the words "or educational services
276 agency".
277 51. Page 14, line 1, by inserting after the word
278 "agency" the words "or educational services agency".
279 52. Page 14, line 2, by inserting after the word
280 "agency" the words "or educational services agency".
281 53. Page 14, line 6, by inserting after the word
282 "agency" the words "or an educational services agency".
283 54. Page 14, line 9, by inserting after the word
284 "agency" the words "or educational services agency".
285 55. Page 14, line 12, by inserting after the word
286 "agencies" the words "and educational services
287 agencies".
288 56. Page 14, line 23, by inserting after the
289 comma the words "or educational services agency,".
290 57. Page 14, line 27, by inserting after the word
291 "agency" the words "or educational services agency".
292 58. Page 14, line 29, by inserting after the word
293 "agency" the words "or educational services agency".
294 59. Page 14, line 31, by inserting after the word
295 "agency" the words "or educational services agency".
296 60. Page 14, line 34, by inserting after the word
297 "agency" the words "or educational services agency".
298 61. Page 15, line 1, by inserting after the word
299 "agency" the words "or educational services agency".
300 62. Page 15, line 6, by inserting after the word

301 "agencies" the words "and educational services
302 agencies".
303 63. Page 15, line 13, by inserting after the word
304 "agency" the words "or educational services agency".
305 64. Page 15, line 15, by inserting after the word
306 "agency" the words "or educational services agency".
307 65. Page 15, by inserting after line 16 the fol-
308 lowing section:
309 Sec. ____ . NEW SECTION. ALTERNATIVE GOVERNING
310 BOARD PLAN. Before July 10, 1974 the merged area
311 superintendent shall call a convention to be held
312 by August 10, 1974 at a suitable location in the
313 merged area to be selected by the merged area super-
314 intendent. The members of boards of directors of
315 each school district in the merged area shall be
316 informed by certified mail of the date and location
317 of the convention by the merged area superintendent.
318 The convention shall be held to determine whether
319 the area education agency board established under
320 section nine (9) of this Act shall provide programs
321 and services pursuant to sections one (1) through
322 eleven (11) of this Act and chapter two hundred eighty-
323 one (281) of the Code or whether the merged area board
324 shall continue to function as provided in chapter
325 two hundred eighty A (280A) of the Code and a separate
326 educational services agency be established to provide
327 programs and services listed in section two (2) of
328 this Act.
329 Each school district board of directors shall cast
330 a weighted vote based upon the ratio that the popula-
331 tion in the school district bears to the total pop-
332 ulation in the merged area.
333 If the convention votes by majority vote to utilize
334 the area educational agency board for the purposes
335 of sections one (1) through eleven (11) of this Act
336 and chapter two hundred eighty-one (281) of the Code,
337 the board shall be established pursuant to section
338 nine (9) of this Act.
339 If the convention votes by majority vote that the
340 provisions of chapter two hundred eighty A (280A)
341 of the Code and the provisions of sections one (1)
342 through eleven (11) of this Act and chapter two hun-
343 dred eighty-one (281) of the Code shall be performed
344 by separate agencies, the board established pursuant
345 to section two hundred eighty A point twelve (280A.12)
346 of the Code shall continue as the merged area board
347 and a separate educational services agency board shall
348 be established pursuant to this section.
349 Educational services agencies shall be established
350 with boundaries coterminous with the boundaries of

351 the merged areas established pursuant to chapter two
352 hundred eighty A (280A) of the Code. The governing
353 board of an educational services agency shall be a
354 board of directors composed of one member elected
355 from each director district in a merged area by the
356 electors of the director district. The director dis-
357 tricts shall be as established pursuant to chapter
358 two hundred eighty A (280A) of the Code. Members
359 shall be elected at the regular school election com-
360 mencing with the regular school election in 1974,
361 and the term of office shall be three years except
362 that the initial terms shall be determined respec-
363 tively by lot. One third of the members, as nearly
364 as may be, shall be elected for one-year terms; one
365 third of the members, as nearly as may be, shall be
366 elected for two-year terms; and one third of the
367 members, as nearly as may be, shall be elected for
368 three-year terms. Vacancies on the board shall be
369 filled in the manner provided for vacancies on the
370 merged area board pursuant to section two hundred
371 eighty A point twelve (280A.12) of the Code.

372 The educational services agency board shall organize
373 on the first Monday of October in each year and a
374 president and such other officers as are deemed
375 necessary by the board shall be elected from the
376 membership of the board. The provisions of section
377 two hundred eighty A point thirteen (280A.13) of the
378 Code relating to the appointment of a secretary and
379 treasurer shall apply to the appointment of a secretary
380 and treasurer of the educational services agency.

381 The provisions of sections two hundred eighty A
382 point twelve (280A.12) and two hundred eighty A point
383 fourteen (280A.14) of the Code, and sections sixty-
384 seven (67) and seventy-one (71) of this Act shall
385 apply to elections in the educational services
386 agency.

387 66. Page 15, line 21, by inserting after the word
388 "agencies," the words "educational service agencies,".

389 67. Page 15, line 35, by inserting after the word
390 "agency" the words ", educational service agency,".

391 68. Page 16, line 15, by inserting after the word
392 "agency" the words ", educational service agency,".

393 69. Page 17A, line 12, by striking the word "and"
394 and inserting in lieu thereof the word "and".

395 70. Page 17A, line 13, by inserting after the
396 word "agency" the words ", and the superintendent
397 of each educational services agency".

398 71. Page 17A, line 27, by inserting after the
399 word "agency," the words "educational services agency,"

400 72. Page 17B, line 39, by inserting after the

401 word "corporations," the words "educational services
402 agencies,".
403 73. Page 17B, line 49, by inserting after the
404 word "corporations," the words "educational services
405 agencies,".
406 74. Page 18, line 4, by inserting after the word
407 "corporations," the words "educational services
408 agencies,".
409 75. Page 18, line 20, by inserting after the word
410 "agency," the words "educational services agency,".
411 76. Page 19, line 4, by inserting after the word
412 "agency," the words "educational services agency,".
413 77. Page 19, line 13, by inserting after the word
414 "agencies," the words "educational services agencies,".
415 78. Page 20, line 1, by inserting after the word
416 "boards," the words "educational services boards,".
417 79. Page 20, line 9, by inserting after the first
418 use of the word "board," the words "educational ser-
419 vices board,".
420 80. Page 20, line 21, by inserting after the word
421 "agency," the words "educational services agency,".
422 81. Page 45A, by inserting after line 6 the fol-
423 lowing sections:
424 Sec. _____. Section two hundred eighty A point one
425 (280A.1), unnumbered paragraph one (1), Code 1973,
426 is amended to read as follows:
427 It is hereby declared to be the policy of the state
428 of Iowa and the purpose of this chapter to provide
429 for the establishment of not more than seventeen areas
430 which shall include all of the area of the state and
431 which may operate either area vocational schools or
432 area community colleges and shall provide programs
433 and services to the local school districts within
434 the area education agency, if an area education agency
435 is established, offering to the greatest extent
436 possible, educational opportunities and services in
437 each of the following, when applicable, but not
438 necessarily limited to:
439 Sec. _____. Section two hundred eighty A point one
440 (280A.1), Code 1973, is amended by adding the fol-
441 lowing new subsection:
442 NEW SUBSECTION. Programs and services to local
443 school districts in the area education agency as
444 listed in section two (2) of this Act if an area
445 education agency is established.
446 Sec. _____. Section two hundred eighty A point two
447 (280A.2), subsections four (4), five (5), and six
448 (6), Code 1973, are amended to read as follows:
449 4. "Merged area or area education agency area"
450 means an area where two or more county school systems

451 or parts thereof merged resources to establish and
452 operate a vocational school or a community college
453 in the manner provided in this chapter.

454 5. "Area vocational school" means a vocational
455 school established and operated by a merged area or
456 an area education agency.

457 6. "Area community college" means a community
458 college established and operated by a merged area
459 or an area education agency.

460 82. Page 45A, lines 32 and 33, by striking the
461 words "area education" and inserting in lieu thereof
462 the words "educational services".

463 83. Page 45A, by inserting after line 33, the
464 following:

465 If an area education agency is established, the
466 governing board of the area education agency shall
467 be a board of directors elected pursuant to section
468 nine (9) of this Act. Members of the board shall
469 be residents of the director district from which
470 electd. Terms of members of the area education
471 agency board shall be three years except that members
472 of the initial board shall be determined by lot so
473 that the terms of two of the members elected by the
474 electorate and two of the members elected at director
475 district conventions shall expire on the first Monday
476 in October of each succeeding year. Vacancies on
477 the board which occur more than ninety days prior
478 to the next annual school election shall be filled
479 at the next regular meeting of the board by appointment
480 by the remaining members of the board. The member
481 so chosen shall be a resident of the district in which
482 the vacancy occurred and shall serve until the next
483 annual school election, at which election a member
484 shall be elected to fill the vacancy for the balance
485 of the unexpired term. A vacancy shall be defined
486 as in section two hundred seventy-seven point twenty-
487 nine (277.29) of the Code. No member shall serve
488 on the board of directors as a member elected by the
489 electorate who is a member of a board of directors
490 of a local school district.

491 84. Page 46, line 11, by inserting after the word
492 "area" the words "or area education agency".

493 85. Page 46, line 22, by inserting after the word
494 "area" the words "or area education agency".

495 86. Page 46, line 27, by inserting after the word
496 "area" the words "or area education agency".

497 87. Page 46, line 33, by inserting after the word
498 "area" the words "or area education agency".

499 88. Page 47, line 16, by inserting after the word
500 "area" the words "or area education agency".

501 89. Page 47, line 20, by inserting after the word
502 "area" the words "or area education agency".

503 90. Page 47, by inserting after line 21 the fol-
504 lowing sections:

505 Sec. _____. Section two hundred eighty A point
506 nineteen (280A.19), Code 1973, is amended to read
507 as follows:

508 280A.19 ACQUISITION OF SITES AND BUILDINGS. Boards
509 of directors of merged areas or area education agencies
510 may acquire sites and erect and equip buildings for
511 use by the division of intermediate services if an
512 area education agency is established, area vocational
513 schools or area community colleges and may contract
514 indebtedness and issue bonds to raise funds for such
515 purposes.

516 Sec. _____. Section two hundred eighty A point
517 twenty-one (280A.21), Code 1973, is amended to read
518 as follows:

519 280A.21 ELECTION TO INCUR INDEBTEDNESS. No
520 indebtedness shall be incurred under section 280A.19
521 until authorized by an election. A proposition to
522 incur indebtedness and issue bonds for the division
523 of intermediate services if an area education agency
524 is established, area vocational school or area
525 community college purposes shall be deemed carried
526 in a merged area or an area education agency if
527 approved by a sixty percent majority of all voters
528 voting on the proposition in the area.

529 91. Page 80, by inserting after line 21 the fol-
530 lowing section:

531 Sec. _____. Sections two hundred sixty point twenty-
532 five (260.25), two hundred seventy-seven point one
533 (277.1) as amended by Acts of the Sixty-fifth General
534 Assembly, 1973 Session, chapter one hundred thirty-
535 six (136), section two hundred sixty-seven (267),
536 two hundred eighty A point sixteen (280A.16), two
537 hundred eighty A point eighteen (280A.18) as amended
538 by Acts of the Sixty-fifth General Assembly, 1973
539 Session, chapter one hundred ten (110), section ten
540 (10), two hundred eighty A point twenty-one (280A.21),
541 two hundred eighty A point twenty-three (280A.23)
542 as amended by Acts of the Sixty-fifth General Assembly,
543 1973 Session, chapter one hundred ten (110), sec-
544 tions eleven (11) and twelve (12), two hundred eighty
545 A point twenty-four (280A.24), two hundred eighty
546 A point twenty-five (280A.25), two hundred eighty
547 A point twenty-six (280A.26), two hundred eighty A
548 point thirty-five (280A.35), two hundred eighty A
549 point thirty-seven (280A.37), two hundred eighty A
550 point thirty-nine (280A.39) as amended by Acts of

551 the Sixty-fifth General Assembly, 1973 Session, chap-
552 ter one hundred thirty-six (136), section two hun-
553 dred seventy-eight (278), two hundred eighty A point
554 forty (280A.40), two hundred eighty-six A point five
555 (286A.5), two hundred eighty-six A point nine (286A.9),
556 two hundred eighty-six A point ten (286A.10), two
557 hundred eighty-six A point eleven (286A.11), two
558 hundred ninety-eight point eighteen (298.18) as amended
559 by Acts of the Sixty-fifth General Assembly, 1973
560 Session, chapter one hundred thirty-six (136), section
561 two hundred eighty-two (282), five hundred ninety-
562 four A point seven (594A.7) and five hundred ninety-
563 four A point nine (594A.9), Code 1973, and Acts of
564 the Sixty-fifth General Assembly, 1973 Session, chapter
565 one hundred ten (110), are amended by inserting in
566 such sections after the words "merged area" the words
567 "or area education agency" and by inserting in such
568 sections after the words "merged areas" the words
569 "or area education agencies".

570 92. Page 81A, line 9, by inserting before the
571 word "of" the words and figures "one hundred thirty-
572 one (131), and one hundred thirty-four (134)".

573 93. Page 81A, by inserting after line 12, the
574 following section:

575 Sec. 134. For the purposes of the implementation
576 of sections one (1) through eleven (11) of this Act,
577 for the period commencing October 7, 1974 and ending
578 June 30, 1975, "area education agency" means "merged
579 area" and "area education agency board" means "board
580 of directors of the merged area" as defined in chapter
581 two hundred eighty A (280A) of the Code.

582 94. By inserting in sections 22 through 26, inclu-
583 sive, 28 through 32, 34 through 37, 43 through 62,
584 inclusive, 64, 65, 66, 71, 72, 73, 75, 77, 78, 81
585 through 88, inclusive, 99, 102, 112, 113, 119, 125,
586 126, 130, and 131 of this Act after the words "area
587 education agency" the words "or educational services
588 agency" and after the words "area education agencies"
589 the words "or educational services agencies".

590 95. Amend the title, page 1, line 2, by striking
591 the word "and" and inserting in lieu thereof a comma.

592 96. Amend the title, page 1, line 3, by inserting
593 after the word "systems" the words ", and merged
594 areas".

595 97. Amend the title, page 1, line 3, by inserting
596 after the word "agencies" the words "or retaining
597 the merged areas and establishing a separate
598 educational services agency to replace the county
599 school systems and joint county systems and providing
600 a procedure therefor".

601 98. Amend the title, page 1, line 8, by inserting
602 after the comma the words "to change the size and
603 method of selection of the area education agency board
604 if an area education agency is established".

605 99. By correcting section numbers and internal
606 references as needed.

SENATE FILE 1163

H-2698

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 42, by inserting after line 28 the
4 following new section:

5 Sec. _____. Section two hundred seventy-seven point
6 twenty (277.20), Code 1973, as amended by Acts of
7 the Sixty-fifth General Assembly, 1973 Session,
8 chapter one hundred thirty-six (136), section two
9 hundred seventy (270), is amended by striking the
10 section and inserting in lieu thereof the following:

11 277.20 CANVASSING RETURNS. On the next Friday
12 after the school election, the county board of super-
13 visors shall canvass the returns made to the county
14 commissioner of elections from the several precinct
15 polling places and the absentee ballot counting
16 board, ascertain the result of the voting with regard
17 to every matter voted upon and cause a record to
18 be made thereof. The board shall declare the re-
19 sults of the voting for members of boards of di-
20 rectors of school corporations nominated pursuant
21 to section two hundred seventy-seven point four
22 (277.4) of the Code, and the commissioner shall at
23 once issue a certificate of election to each per-
24 son declared elected. The board shall also declare
25 the results of the voting on any public question
26 submitted to the voters of a single school district,
27 and the commissioner shall certify the result as
28 required by section fifty point twenty-seven (50.27)
29 of the Code.

30 The results of the voting for members of the board
31 of directors of any merged area, and of the voting
32 on any public question submitted to the voters of
33 any merged area, shall be determined by the county
34 board of supervisors in the course of the canvass
35 and duplicate tally sheets showing the results so
36 determined shall be promptly certified by the
37 commissioner to the county commissioner of elections
38 who is responsible under section forty-seven point
39 two (47.2) of the Code for conducting the elections
40 held for that merged area.

41 2. Page 46, by striking lines 2 through 23, in-
42 clusive, and inserting in lieu thereof the following:

43 "by striking the section and inserting in lieu
44 thereof the following:

45 280A.15 CONDUCT OF ELECTIONS.

46 1. Regular elections held annually by the merged
47 area for the election of members of the board of
48 directors as required by section two hundred eighty
49 A point twelve (280A.12) of the Code, for the renewal
50 of the three-fourths mill levy authorized in section

51 two hundred eighty A point twenty-two (280A.22) of
52 the Code, or for any other matter authorized by law
53 and designated for election by the board of direc-
54 tors of the merged area, shall be held on the date
55 of the school election as fixed by section two hun-
56 dred seventy-seven point one (277.1) of the Code.
57 The election notice shall be published as provided
58 in section forty-nine point fifty-three (49.53) of
59 the Code and the election shall be conducted by the
60 county commissioner of elections pursuant to chap-
61 ters thirty-nine (39) through fifty-three (53) and
62 section two hundred seventy-seven point twenty
63 (277.20) of the Code.

64 2. Each candidate for member of the board of
65 directors of a merged area shall be nominated by
66 a petition signed by not less than fifty eligible
67 electors of the director district from which the
68 member is to be elected. The petition shall state
69 the number of the director district from which the
70 candidate seeks election, and the candidate's name
71 and status as a resident and eligible elector of
72 the director district. Signers of the petition,
73 in addition to signing their names, shall show their
74 residence, including street and number if any, the
75 school district in which they reside, and the date
76 they signed the petition. Each nomination paper
77 shall have appended to it an affidavit of an elig-
78 ible elector other than the candidate in substan-
79 tially the form provided in section forty-three point
80 seventeen (43.17) of the Code, except as to party
81 affiliation. The petition shall include the affidavit
82 of the candidate being nominated, stating the
83 candidate's name and residence, and that he or she
84 is a candidate, is eligible for the office sought,
85 and if elected will qualify for the office.

86 3. Nomination papers in behalf of candidates
87 for member of the board of directors of a merged
88 area shall be filed with the secretary of the board
89 not earlier than sixty-five days nor later than five
90 o'clock p.m. on the fortieth day prior to the
91 election at which members of the board are to be
92 elected. The secretary shall deliver all nomination
93 petitions to the county commissioner of elections
94 who is responsible under section forty-seven point
95 two (47.2) of the Code for conducting elections held
96 for the merged area, not later than five o'clock
97 p.m. on the day following the last day on which
98 nomination petitions can be filed.

99 4. The votes cast in the election shall be can-
100 vassed by the county board of supervisors and the

House 5
April 1, 1974

101 county commissioner of elections and duplicate tally
102 sheets showing the results so determined shall be
103 certified as required by section two hundred seventy-
104 seven point twenty (277.20) of the Code. In each
105 county whose commissioner of elections is responsible
106 under section forty-seven point two (47.2) of the
107 Code for conducting elections held for a merged area,
108 the county board of supervisors shall convene at
109 ten o'clock a.m. on the last Monday in September,
110 canvass the duplicate tally sheets so certified,
111 and determine and declare the results of the voting.
112 The commissioner shall at once issue certificates
113 of election to each person declared elected, and
114 shall certify to the merged area board in
115 substantially the manner prescribed by section fifty
116 point twenty-seven (50.27) of the Code the result
117 of the voting on any public question submitted to
118 the voters of the merged area. Members elected to
119 the board of directors of a merged area shall qualify
120 by taking the oath of office prescribed in section
121 two hundred seventy-seven point twenty-eight
122 (277.28),"
123 3. Page 48, by striking lines 1 through 31,
124 inclusive, and page 49, by striking lines 1 through
125 19, inclusive.
126 4. By renumbering sections and correcting internal
127 references as necessary.

H-2698 Filed - *Withdrawn 4/5*
March 29, 1974

By BITTLE of Polk
DRAKE of Muscatine

H-2697

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 4A, line 35, by striking the words "in-
4 cluding sities, buildings,".
5 2. Page 4B, by striking lines 36 and 37.
6 3. Page 4B, line 38, by striking the word "facility".

H-2697 Filed - *Withdrawn 4/5*
March 29, 1974

By LIPSKY of Linn

H-2733

1 Amend the Bittle, et al., amendment, H-2671, to Senate
2 File 1163, as amended, passed, and reprinted by the
3 Senate, to page 3A, as follows:
4 1. By striking lines 3, 4, and 5, and inserting
5 in lieu thereof the following:
6 "1. Page 3A, line 24, by inserting after the word
7 'authorized' the words ', subject to the approval of
8 the department of public instruction,'.
9 2. Page 3A, by inserting after line 27 the follow-
10 ing subsection:".
11 2. Line 6, by striking the figure "7" and insert-
12 ing in lieu thereof the figure "8".

H-2733 Filed - *Withdrawn 4/5*
April 2, 1974

By PATCHETT of Johnson
STROMER of Hancock

H—2688

1 Amend the Daggett, et al., amendment H-2663, to
2 page 2A of Senate File 1163 as passed by the Senate
3 and reprinted, by inserting after the word agencies
4 in line 20 the following: "provided at the time
5 programs and services are established they do not
6 duplicate programs and services available in that area
7 from the universities under the state board of regents
8 and from other universities and four-year institutions
9 of higher education in Iowa."

H—2688 Filed - *Adopted 4/5*
March 28, 1974

By BRINCK of Lee

H—2680

1 Amend Senate File 1163, as amended and passed by
2 the Senate, as follows:
3 1. Page 10, line 32, by striking the word "shall"
4 and inserting in lieu thereof the word "may".
5 2. Page 11, by inserting the following after the
6 period in line 6:
7 "The filing of a statement of candidacy shall not
8 be a prerequisite or eligibility requirement for
9 election as an area education agency director."

H—2680 Filed - *Adopted 4/5*
March 28, 1974

By STANLEY of Muscatine
STROMER of Hancock
BYERLY of Polk

H—2679

1 Amend Senate File 1163, as passed by the Senate
2 and reprinted, page 56A, line 7, by inserting after
3 the word "disruptive," the following: "as defined by
4 the rules of the department of public instruction,".

H—2679 Filed - *Withdrawn 4/5*
March 28, 1974

By CUSACK of Scott
BYERLY of Polk

H—2676

1 Amend Senate File 1163 as amended, passed, and
2 reprinted by the Senate, as follows:
3 Page 8, by striking from line 22 the words "the
4 administrative officer of the" and by striking all of
5 line 23 and inserting in lieu thereof the following:
6 "the superintendent of the area education agency,
7 the area director of".

H—2676 Filed - *Withdrawn 4/5*
March 28, 1974

By DAGGETT of Adams

H—2725

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2B, by inserting after line 42 the
4 following:
5 Nothing herein contained in this section shall be
6 construed to authorize an area education agency
7 board to provide programs and services which the
8 merged areas are now authorized to provide under
9 Chapter 280A.1, Code 1973.

H—2725 Filed - *Withdrawn 4/5*
April 2, 1974

By HANSEN of O'Brien

H-2675

1 Amend the Daggett, et al., amendment H-2663, to
2 Senate File 1163, as amended, passed, and reprinted
3 by the Senate, as follows:

4 1. By striking lines 7 through 9 and inserting in
5 lieu thereof the following:

6 "efficient, and economical means of identifying
7 and serving children from under five years of age
8 through grade twelve who require special education and
9 any other children requiring special education as
10 defined in section two hundred eighty-one point two
11 (281.2) of the Code; to provide for media".

12 2. Line 11, by inserting the following after the
13 word "twelve":

14 "and children requiring special education as
15 defined in section two hundred eighty-one point two
16 (281.2) of the Code".

17 3. Line 30, by inserting the following after the
18 word "twelve":

19 "and children requiring special education as
20 defined in section two hundred eighty-one point two
21 (281.2) of the Code".

22 4. Line 34, by inserting the following after the
23 word "twelve":

24 "and children requiring special education as
25 defined in section two hundred eighty-one point two
26 (281.2) of the Code".

27 5. Line 37, by inserting the following after the
28 word "twelve":

29 "and children requiring special education as
30 defined in section two hundred eighty-one point two
31 (281.2) of the Code".

32 6. Line 49, by inserting the following after the
33 word "twelve":

34 "or children requiring special education as
35 defined in section two hundred eighty-one point two
36 (281.2) of the Code".

H-2675 Filed and adopted
March 28, 1974

By STANLEY of Muscatine
DAGGETT of Adams
HARVEY of Scott

H-2673

1 Amend the Committee on Education amendment, H-2508,
2 to Senate File 1163, as amended, passed, and reprinted
3 by the Senate, page 81A, as follows:

4 1. Line 355, by inserting after the figure "(134)"
5 the words and figures "and one hundred thirty-five
6 (135)".

7 2. Line 357, by striking the word "section" and
8 inserting in lieu thereof the word "sections".

9 3. By inserting after line 364 the following sec-
10 tion:

11 Sec. 135. Contracts of merged area superintendents
12 issued under the provisions of section two hundred
13 seventy-nine point fourteen (279.14) of the Code are
14 terminated on June 30, 1975.

H-2673 Filed and adopted
March 28, 1974

By PATCHETT of Johnson
LIPPOLD of Black Hawk

H-2678

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 9, by striking lines 1 through 35, in-
4 clusive.
5 2. Page 10, by striking lines 1 through 35, in-
6 clusive.
7 3. Page 11, by striking lines 1 through 27, in-
8 clusive, and inserting in lieu thereof the following:
9 Sec. 9. NEW SECTION. AREA EDUCATION AGENCY BOARD.
10 The governing board of an area education agency shall
11 be a board of directors composed of one member elected
12 from each director district in an area education agency
13 by the electors of the director district. The direc-
14 tor districts shall be as established pursuant to
15 chapter two hundred eighty A (280A) of the Code. Mem-
16 bers shall be elected at the regular school election
17 commencing with the regular school election in 1974,
18 and the term of office shall be three years except that
19 the initial terms shall be determined respectively by
20 lot. One-third of the members, as nearly as may be,
21 shall be elected for one-year terms; one-third of the
22 members, as nearly as may be, shall be elected for
23 two-year terms; and one-third of the members, as
24 nearly as may be, shall be elected for three-year
25 terms. Vacancies on the board shall be filled in the
26 manner provided for vacancies on the merged area board
27 pursuant to section two hundred eighty A point twelve
28 (280A.12) of the Code.
29 The board shall organize on the first Monday of
30 October in each year and a president and such other
31 officers as are deemed necessary by the board shall be
32 elected from the membership of the board. The provi-
33 sions of section two hundred eighty A point thirteen
34 (280A.13) of the Code relating to the appointment of
35 a secretary and treasurer shall apply to the appoint-
36 ment of a secretary and treasurer of the area educa-
37 tion agency.
38 The provisions of sections two hundred eighty A
39 point twelve (280A.12) and two hundred eighty A point
40 fourteen (280A.14), and sections sixty-seven (67)
41 and seventy-one (71) of this Act shall apply to
42 elections in the area education agency.

H-2678 Filed - *H. Andrew H/S*
March 28, 1974

By PATCHETT of Johnson

H-2677

1 Amend the Daggett, et al., amendment, H-2663, to
2 Senate File 1163, as amended, passed, and reprinted
3 by the Senate, by inserting after line 50 the follow-
4 ing amendments:
5 . Page 7, line 27, by striking the word "may"
6 and inserting in lieu thereof the word "shall".
7 . Page 7, line 28, by inserting after the word
8 "area" the words "within the financial capabilities
9 of the area education agency".

H-2677 Filed and adopted
March 28, 1974

By PATCHETT of Johnson

H-2671

- 1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 3A, by striking lines 24 through 27, in-
4 clusive, and by inserting in lieu thereof the follow-
5 ing:
6 7. Be authorized, subject to the approval of the
7 department of public instruction, to enter into agree-
8 ments for the joint use of personnel, buildings,
9 facilities, supplies, and equipment with school
10 corporations as deemed necessary to provide authorized
11 programs and services.
12 2. Pages 4A and 4B, by striking lines 33 through
13 55, inclusive.
14 3. Pages 17A and 17B, by striking lines 23 through
15 54, inclusive.
16 4. Page 18, by striking lines 1 through 15, inclu-
17 sive.
18 5. By renumbering sections as necessary.

H-2671 Filed - *Adopted as amended*
March 28, 1974 *By 2770A 4/5*

By BITTLE of Polk
DAGGETT of Adams
HORN of Linn
BYERLY of Polk

H-2668

- 1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, page 47, by inserting after
3 line 21 the following section:
4 Sec. . Section two hundred eighty A point twenty
5 three (280A.23), subsection nine (9), Code 1973, as
6 amended by Acts of the Sixty-fifth General Assembly,
7 1973 Session, chapter one hundred ten (110), section
8 twelve (12), is amended to read as follows:
9 9. The area board, when setting the salary of the
10 area superintendent, shall take into consideration the
11 salaries of administrators of educational institutions
12 in the area, and the enrollment of the area schools;
13 the salary range shall be from seventeen thousand dol-
14 lars to twenty-seven-thousand-five-hundred thirty
15 thousand dollars per annum including additional bene-
16 fits, over and above the additional benefits given all
17 full-time employees. The superintendent shall not be
18 required to hold any teacher's certificate.

H-2668 Filed - *Hutchins 4/5*
March 28, 1974

By PATCHETT of Johnson
STROMER of Hancock

H-2670

- 1 Amend the Stromer, et al., amendment H-2629 to
2 page 56A of Senate File 1163, as amended, passed, and
3 reprinted by the Senate, by striking lines 15 and 16
4 and inserting in lieu thereof the following:
5 "4. On December 1, 1975, and no later than December
6 first every two years thereafter, for".

H-2670 Filed - *Adopted 4/5*
March 28, 1974

By BYERLY of Polk
STROMER of Hancock

H-2672

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, page 22, lines 16 and 17.
3 by striking the words "a fully accredited two or
4 four-year college, or university" and inserting in
5 lieu thereof the words "a two or four-year college
6 or university which is accredited by the North Central
7 Association of Colleges and Secondary Schools ac-
8 crediting agency or which has been certified by the
9 North Central Association of Colleges and Secondary
10 Schools accrediting agency as a candidate for accredi-
11 tation by such agency or as a school giving satis-
12 factory assurance that it has the potential for
13 accreditation and is making progress which, if con-
14 tinued, will result in its achieving accreditation
15 by such agency within a reasonable time".

H-2672 Filed - *Adopted 4/5*
March 28, 1974

By BYERLY of Polk

H-2674

1 Amend Senate File 1163 as amended, passed, and
2 reprinted by the Senate, as follows:
3 Page 81A, by inserting after line 7 a new
4 section as follows:
5 "Sec. _____. Section two hundred fifty-seven point
6 ten (257.10), subsection fourteen (14), Code 1973, is
7 amended to read as follows:
8 "14. Approve, coordinate, and supervise the use
9 of electronic data processing by local school districts,
10 ~~county-or-joint-county-school-systems~~ area education
11 agency and merged areas. A committee, consisting of
12 the state superintendent of public instruction, the
13 director of the department of general services, the
14 state comptroller, or their designees, and two persons
15 knowledgeable in the area of administrative-instructional
16 computer systems to be appointed by the governor, shall
17 assist and advise the state board of public instruction
18 in approving, co-ordinating and supervising the use of
19 electronic data processing computers by local school
20 districts, ~~county-or-joint-county-school-systems~~ area
21 education agency and merged areas. The committee shall
22 further inventory current practice and prepare and
23 recommend a statewide plan for the use of electronic
24 data processing computers in order to prevent the
25 unnecessary proliferation of computers. These recom-
26 mendations shall be submitted to the general assembly
27 by December 1 of each year. For purposes of this
28 subsection the term "electronic data processing
29 computers" shall refer to equipment having as a
30 component thereof a memory core to store information."

H-2674 Filed - *Adopted 4/5*
March 28, 1974

By DAGGETT of Adams

H-2667

1 Amend the Committee on Education amendment, H-2508,
2 to Senate File 1163 as follows:

3 1. Line 273, by striking the word "section" and
4 inserting in lieu thereof the word "sections".

5 2. By inserting after line 273 the following
6 section:

7 Sec. _____. Section two hundred eighty A point
8 nineteen (280A.19), Code 1973, is amended to read as
9 follows:

10 280A.19 ACQUISITION OF SITES AND BUILDINGS. Boards
11 of directors of ~~merged-areas~~ area education agencies
12 may acquire sites and erect and equip buildings for
13 use by the division of intermediate services, area
14 vocational schools or area community colleges and
15 may contract indebtedness and issue bonds to raise
16 funds for such purposes.

H-2667 Filed, substituted By LIPSKY of Linn
for amendment H-2614, and
adopted
March 28, 1974

H-2666

1 Amend Senate File 1163 as passed by the Senate
2 and reprinted, as follows:

3 1. Page 50A, by striking all of lines 33, 34
4 and 35 and inserting in lieu thereof the following:
5 "the department of social services shall provide
6 residence detention facilities and the area education
7 agency shall provide special education programs and
8 services."

9 2. Page 51A, line 25, by adding after the word
10 "agency" the words ", private agency,".

H-2666 Filed - *H. L. Linn 4/5* By LIPSKY of Linn
March 28, 1974

H-2664

1 Amend the Committee on Education amendment, H-2508,
2 to Senate File 1163, as amended, passed, and reprinted
3 by the Senate, as follows:

4 Line 126, by striking the words "shall not"
5 and inserting in lieu thereof the word "may".

H-2664 Filed - *Lee 3/28* By PATCHETT of Johnson
March 27, 1974

H-2660

1 Amend Senate File 1163, as amended, passed,
2 and reprinted by the Senate, page 7, line 25, by in-
3 sserting after the word "agency" the words ", or if
4 local school boards representing sixty percent of the
5 enrollment in the school districts located in the
6 agency,".

H-2660 Filed - *Adopted 4/5* By BYERLY of Polk
March 27, 1974

H-2663

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2A, by inserting after line 11 the fol-
4 lowing section:

5 Sec. _____. NEW SECTION. INTENT. It is the intent
6 of the general assembly to provide an effective,
7 efficient, and economic means of identifying children
8 from under five years of age through grade twelve
9 who require special education; to provide for media
10 services and other programs and services for pupils
11 in grades kindergarten through twelve; to provide
12 a method of financing the programs and services;
13 and to avoid a duplication of programs and services
14 provided by any other school corporation in the
15 state.

16 2. Page 2A, by striking lines 29 through 33,
17 and inserting in lieu thereof the following:

18 1. In-service training programs for employees
19 and members of boards of directors of school districts
20 and area education agencies.

21 3. Page 2A, line 34, by inserting after the word
22 "processing" the words "pursuant to section two hun-
23 dred fifty-seven point ten (257.10), subsection four-
24 teen (14), of the Code".

25 4. Pages 2A and 2B, by striking lines 35 through
26 40, inclusive, and inserting in lieu thereof the
27 following:

28 3. Research, demonstration projects and models,
29 and educational planning for children under five years
30 of age through grade twelve as approved by the
31 department of public instruction.

32 5. Page 2B, line 41, by inserting after the word
33 "services" the words "for children under five years
34 of age through grade twelve".

35 6. Page 2B, line 42, by inserting after the word
36 "services" the words "for children under five years
37 through grade twelve and for employees of school
38 districts and area education agencies".

39 7. Page 4A, by striking line 11 and inserting
40 in lieu thereof the following:

41 "Employ such personnel as may be required, if
42 any, to carry out the".

43 8. Page 4A, line 12, by striking the word "shall"
44 and inserting in lieu thereof the word "may".

45 9. Page 4B, line 37, by inserting after the word
46 "children" the words "requiring special education".

47 10. Page 7, line 26, by inserting after the word
48 "them" the words "for pupils in grades kindergarten
49 through twelve or for employees or board members
50 of school districts or area education agencies".

H-2663 Filed. *Adopted as amended*
March 27, 1974 *by 2615 and 2617* 3/28

revised to recommend filed 3/28
privatized 4/5

adopted as further amended
by 2688 4/5

By DAGGETT of Adams
BORTELL of Madison
BYERLY of Polk
LIPSKY of Linn
CARR of Dubuque
GRIFFEE of Chickasaw
McCORMICK of Delaware
HENNESSEY of Delaware

SENATE FILE 1163

H-2658

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate as follows:

3 1. Page 2A, line 1, strike the words "NEW SECTION."

4 2. Page 3A, line 1, strike the words "this Act"
5 and insert in lieu thereof the words and figures "sec-
6 tions one (1) through eleven (11) of this Act and
7 chapter two hundred eighty-one (281) of the Code".

8 3. Page 3A, line 4, strike the words "this Act"
9 and insert in lieu thereof the words and figures "sec-
10 tions one (1) through eleven (11) of this Act and
11 chapters two hundred eighty-one (281) and four hundred
12 forty-two (442) of the Code".

13 4. Page 4B, line 38, strike the word "section" and
14 insert in lieu thereof the word "subsection".

15 5. Page 7, line 29, strike the words "NEW SECTION."

16 6. Page 9, line 9, strike the word "same".

17 7. Page 10, line 34, strike the words "district
18 director" and insert in lieu thereof the words "di-
19 rector district".

20 8. Page 11, lines 6 and 7, strike the words "dis-
21 trict director" and insert in lieu thereof the words
22 "director district".

23 9. Page 11, line 28, strike the words "NEW SECTION."

24 10. Page 12A, line 19, insert after the word "en-
25 rollment" the words and figures "for years prior to
26 the school year beginning July 1, 1975, and per pupil
27 in weighted enrollment for the school year beginning
28 July 1, 1975, and each succeeding school year".

29 11. Page 14, line 34, insert before the word "en-
30 rollment" the word "weighted".

31 12. Page 15, line 2, insert before the word "en-
32 rollment" the word "weighted".

33 13. Page 56A, lines 16 and 17, strike the words
34 "requiring special education".

35 14. Page 56B, line 42, insert after the partial
36 word "ports" the words "required in section five (5)
37 of this Act".

38 15. Page 78A, insert after line 24 the following:

39 Sec. _____. Section four hundred forty-two point nine
40 (442.9), Code 1973, as amended by Acts of the Sixty-
41 fifth General Assembly, 1973 Session, chapter two
42 hundred fifty-eight (258), section eight (8), is
43 amended by striking subsection three (3).

44 16. Page 78B, insert after line 46 the following:

45 Sec. _____. Section four hundred forty-two point
46 thirteen (442.13), subsection three (3), Code 1973,
47 as amended by Acts of the Sixty-fifth General Assembly,
48 1973 Session, chapter two hundred fifty-eight (258),
49 section eleven (11), is amended to read as follows:

50 3. The committee shall meet ~~beginning not later~~

House 6
March 28, 1974

51 than March first of each year, shall review the pro-
52 posed budget and certified budget of each school dis-
53 trict, and may make recommendations. The committee
54 may make decisions affecting budgets to the extent
55 provided in this chapter. The costs and computations
56 referred to in this section relate to the budget
57 year unless otherwise expressly stated.
58 Sec. _____. Section four hundred forty-two point
59 thirteen (442.13), Code 1973, as amended by Acts of
60 the Sixty-fifth General Assembly, 1973 Session,
61 chapter two hundred fifty-eight (258), section eleven
62 (11), is amended by striking subsection thirteen (13).
63 17. Renumber sections and correct internal refer-
64 ences in accordance with this amendment.

H-2658 Filed *Adopted 3/27*
March 27, 1974

By STROMER of Hancock

H-2665

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 2A, line 22, by inserting after the period
4 the following:
5 The programs and services provided shall be at
6 least commensurate with programs and services exist-
7 ing on the effective date of this Act.
8 2. Page 5, by striking lines 31, 32, and 33 and in-
9 serting in lieu thereof the words "districts. The
10 division of special".
11 3. Page 7, line 27, by striking the word "may" *Withdrawn*
12 and inserting in lieu thereof the word "shall". *4/5*
13 4. Page 7, line 28, by inserting after the word
14 "area" the words "within the financial capabilities
15 of the area education agency".
16 5. Page 12A, line 2, by inserting after the
17 period the words "Provisions of contracts of
18 personnel whose employment is terminated on July 1,
19 1975 shall be carried forward to employment by the
20 area education agency as fully as possible."
21 6. Page 60, lines 12 and 13, by striking the words
22 "On or before July 8, 1949, the" and inserting in
23 lieu thereof the words "~~On or before July 8, 1949, the~~
24 The".

H-2665 Filed *1, 2, 5, 6 adopted 4/5*
March 28, 1974

By PATCHETT of Johnson

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 55B, line 36, by inserting after the word
4 "eight-tenths" the words "for the school year commencing
5 July 1, 1975".

6 2. Page 56A, line 4, by inserting after the word
7 "two-tenths" the words "for the school year commencing
8 July 1, 1975".

9 3. Page 56A, line 8, by inserting after the word
10 "four-tenths" the words "for the school year commencing
11 July 1, 1975".

12 4. Page 56A, by striking lines 34 and 35, and page
13 56B, by striking lines 36 through 40 and inserting in
14 lieu thereof the following:

15 4. ~~Annually commencing~~ December 1, 1975, and no
16 later than December first of each succeeding year, for
17 the school year commencing the following July first,
18 the superintendent of public instruction shall report
19 to the school budget review committee the average costs
20 of providing instruction for children requiring special
21 education in the categories of the weighting plan
22 established under this section or in other categories
23 as may be needed, and shall make recommendations to
24 the school budget review committee for needed altera-
25 tions to make the weighting plan suitable for subsequent
26 school years. The school budget review committee
27 shall establish the weighting plan for each school
28 year after the school year commencing July 1, 1975,
29 and shall report the plan to the superintendent of
30 public instruction. The department of public instruc-
31 tion shall promulgate rules under chapter seventeen A
32 (17A) of the Code, to implement the weighting plan for
33 each year and to assist in identification and proper in-
34 dexing of each child in the state who requires special
35 education.

36 5. Page 78B, by inserting after line 46 the follow-
37 ing:

38 Sec. _____. Section four hundred forty-two point
39 thirteen (442.13), Code 1973, as amended by Acts of
40 the Sixty-fifth General Assembly, 1973 Session, chapter
41 two hundred fifty-eight (258), section eleven (11), is
42 amended by adding the following new subsection:

43 NEW SUBSECTION. The committee shall review the
44 recommendations of the superintendent of public in-
45 struction relating to the special education weighting
46 plan, and shall establish a weighting plan for each
47 school year after the school year commencing July 1,
48 1975, and report the plan to the superintendent of
49 public instruction.

50 6. Renumber sections and correct internal refer-
51 ences in accordance with this amendment.

H-2628

1 Amend Senate File 1163, as amended, passed and re-
2 printed by the Senate, as follows:
3 1. Page 78A, line 2, insert after the word "para-
4 graphs" the letter "a,".
5 2. Page 78A, line 11, strike the word "is" and in-
6 sert in lieu thereof the word "are".
7 3. Page 78A, insert after line 11 the following:
8 a. The district cost per pupil for the budget
9 year is equal to the district cost per pupil for the
10 base year plus the allowable growth. However, in de-
11 termining the district cost per pupil for the budget
12 year beginning July 1, 1973, district cost per pupil
13 in the base year means the general fund budget for
14 the school year beginning July 1, 1971, as authorized
15 and funded under Acts of the General Assembly, 1971
16 Session, chapter seventy-two (72), including additional
17 approved funding authorized by the school budget re-
18 view committee, less the amount of adjusted miscel-
19 laneous income including adjustments pursuant to sec-
20 tion four hundred forty-two point twenty-five (442.25)
21 of the Code, divided by the fall enrollment certified
22 in September of 1971, plus the allowable growth for
23 the school year beginning July 1, 1972, as computed
24 on the basis of state cost per pupil excluding miscel-
25 laneous income. Also, in determining the district cost
26 per pupil for the budget year beginning July 1, 1973,
27 the amount received by a school district under sec-
28 tions two hundred eighty-one point nine (281.9) through
29 two hundred eighty-one point eleven (281.11) of the
30 Code, as state reimbursement for special education
31 costs for the school year beginning July 1, 1974, shall
32 be deducted.

H-2628 Filed - *Adopted 4/5*
March 25, 1974

By STROMER of Hancock

H-2614

1 Amend the Committee on Education amendment, H-2508,
2 to Senate File 1163 as follows:
3 1. Line 273, by striking the word "section" and
4 inserting in lieu thereof the word "sections".
5 2. By inserting after line 273 the following
6 section:
7 Sec. _____. Section two hundred eighty A point nine-
8 teen (280A.19), Code 1973, is amended to read as
9 follows:
10 280A.19 ACQUISITION OF SITES AND BUILDINGS. Boards
11 of directors of merged-areas area education agencies
12 may acquire sites and erect and equip buildings, includ-
13 ing sites, buildings, and facilities for providing
14 evaluation, care, treatment, and an educational program
15 for children residing on the premises of the facility,
16 for use by the division of intermediate services, area
17 vocational schools or area community colleges and may
18 contract indebtedness and issue bonds to raise funds
19 for such purposes.

H-2614 Filed - *2667 substituted 3/28*
March 21, 1974 *Withdrawn* By STROMER of Hancock

SENATE FILE 1163

H-2508

1 Amend Senate File 1163, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2A, by striking lines 12 through 22,
4 inclusive, and inserting in lieu thereof the
5 following:

6 Sec. 2. NEW SECTION. PROGRAMS AND SERVICES
7 PROVIDED. The boards of directors of area education
8 agencies established under the provisions of chapter
9 two hundred eighty A (280A) of the Code, in addition
10 to having the duties, responsibilities, and authority
11 state in chapter two hundred eighty A (280A) of
12 the Code, shall also have the responsibility for
13 providing programs and services to the local school
14 districts as provided in sections one (1) through
15 eleven (11) of this Act and chapter two hundred
16 eighty-one (281) of the Code.

17 2. Page 2A, by striking lines 29 through 33,
18 inclusive, and inserting in lieu thereof the fol-
19 lowing:

20 1. In-service training.

21 3. Pages 2A and 2B, by striking lines 35 through
22 40, inclusive, and inserting in lieu thereof the
23 following:

24 3. Research and educational planning.

25 4. Page 2B, line 43, by inserting before the
26 word "DUTIES" the word "ADDITIONAL".

27 5. Page 2B, by striking line 44 and inserting
28 in lieu thereof the words "AGENCY BOARD. In addition
29 to the authority granted the board of directors of
30 each area education agency in section two hundred
31 eighty A point twenty-three (280A.23) of the Code,".

32 6. Page 2B, line 45, by striking the word "The"
33 and inserting in lieu thereof the word "the".

34 7. Page 3A, line 2, by striking the word "All"
35 and inserting in lieu thereof the words "The money
36 shall not be commingled with other funds of the area
37 education agency and all".

38 8. Pages 4A and 4B, by striking lines 11 through
39 69, inclusive, and inserting in lieu thereof the
40 following subsection:

41 11. Be authorized, subject to the approval of
42 the department of public instruction, to divide the
43 area into sub-area administrative units if, in the
44 opinion of the area education agency board, the
45 division will allow more effective delivery of the
46 services offered under sections one (1) through
47 eleven (11) of this Act and chapter two hundred
48 eighty-one (281) of the Code.

49 9. Page 5, by striking lines 1 through 14, in-
50 clusive.

- 51 10. Page 5, by inserting after line 26 the fol-
52 lowing subsection:
53 3. Designate a division of intermediate services
54 within the area education agency and appoint, subject
55 to the approval of the area education agency board,
56 an administrative officer of the division who is
57 directly responsible to the area superintendent.
58 The division of intermediate services shall possess
59 the responsibility for carrying out the policy of
60 the area education agency board as it relates to
61 programs and services listed in section two (2) of
62 this Act.
- 63 11. Page 5, line 28, by striking the words "a
64 division" and inserting in lieu thereof the words
65 "within the division of intermediate services a
66 subdivision".
- 67 12. Page 5, lines 28 and 29, by striking the
68 words "of the area education agency".
- 69 13. Page 5, line 33, by striking the word
70 "division" and inserting in lieu thereof the word
71 "subdivision".
- 72 14. Page 9, by striking lines 1 through 35,
73 inclusive.
- 74 15. Page 10, by striking lines 1 through 35,
75 inclusive.
- 76 16. Page 11, by striking lines 1 through 27,
77 inclusive, and inserting in lieu thereof the fol-
78 lowing:
- 79 Sec. 9. NEW SECTION. AREA EDUCATION AGENCY
80 BOARD. It is the intent of the general assembly
81 in granting the authority for the area education
82 agency boards to provide programs and services listed
83 in section two (2) of this Act to the local school
84 districts that the governing board which decides
85 policy for such programs and services contain
86 representation from the local boards of directors
87 and the local school districts. In order to
88 accomplish this purpose, the number of members of
89 an area education agency board of directors shall
90 be doubled for the three years commencing October
91 7, 1974 and ending October 3, 1977, and the additional
92 members shall be selected by the local school district
93 boards of directors pursuant to this section.
94 Thereafter, the number of members of an area education
95 agency board shall be established at twelve pursuant
96 to this section.
- 97 Commencing October 7, 1974 and continuing until
98 October 3, 1977, the number of members of the board
99 of directors of an area education agency shall be
100 two times the number of members serving on the area

101 education agency board on July 1, 1974. One-half
102 of the members of the board shall continue to be
103 selected one from each director district in the area
104 by the electors of the respective director district
105 until the regular school election in 1977. The other
106 half of the members of the board of directors of
107 the area education agency shall be elected at director
108 district conventions attended by boards of directors
109 of the local school districts located within the
110 director district.

111 A convention shall be held no later than September
112 20, 1974 and the date shall be determined by the
113 area education agency superintendent. The location
114 of each director district convention shall be
115 determined by the area education agency
116 superintendent, and the location shall be at a school
117 facility located within the director district. The
118 presiding officer of the director district convention
119 shall be the president of the board of directors
120 of the school district in which the convention is
121 held. A single member shall be elected from each
122 director district and shall be a resident elector
123 of that director district. The member of the area
124 education agency board to be elected at the director
125 district convention may be a member of a local school
126 district board of directors and shall not be an
127 employee of a local school district.

128 Members of area education agency boards elected
129 by local school boards shall be elected for three
130 year terms commencing October 7, 1974 and ending
131 October 3, 1977. Each separate school board which
132 is located entirely or partially inside an area
133 education agency director district shall cast a vote
134 for director of the area education agency board based
135 upon the ratio that the population of the school
136 district, or portion of the school district, in the
137 director district bears to the total population in
138 the director district.

139 Vacancies in the membership of the area education
140 agency board elected by the local school boards shall
141 be filled by the local school board in which the
142 member resided until the next regular joint convention
143 of school board members, at which convention a
144 successor shall be elected to serve for the remainder
145 of the unexpired term.

146 The terms of office of all members of the area
147 education agency shall expire on October 3,
148 1977. Commencing with the school election to be
149 held on September 13, 1977, the board of directors
150 in each area education agency shall consist of twelve

151 members. Six members shall be elected, one from
152 each director district in the area by the electors
153 of the respective director district and six members
154 shall be elected at director district conventions
155 attended by boards of directors of the local school
156 districts located within the director district as
157 provided in this section for election of the interim
158 area education agency board. Annually the director
159 district conventions shall be conducted within two
160 weeks following the regular school election date.
161 The provisions of sections two hundred eighty A point
162 twelve (280A.12), two hundred eighty A point thirteen
163 (280A.13), and two hundred eighty A point fifteen
164 (280A.15) of the Code concerning the conduct of
165 elections shall apply.

166 17. Page 11, line 30, by inserting before the
167 comma the words "for the division of intermediate
168 services".

169 18. Page 13A, by striking line 33 and inserting
170 in lieu thereof the words "administrative officer
171 of the area division of intermediate services".

172 19. Page 14, line 23, by inserting before the
173 comma the words "division of intermediate services".

174 20. Page 15, line 21, by striking the words
175 "merged areas," and inserting in lieu thereof the
176 words "~~merged~~-areas".

177 21. Page 15, line 35, by striking the words
178 "merged area, area" and inserting in lieu thereof
179 the words "~~merged~~ area".

180 22. Page 16, line 15, by striking the words
181 "merged area, area" and inserting in lieu thereof
182 the words "~~merged~~ area".

183 23. Pages 17A and 17B, by striking lines 23
184 through 54, inclusive.

185 24. Page 18, by striking lines 1 through 15,
186 inclusive.

187 25. Page 45A, by inserting after line 6 the fol-
188 lowing sections:

189 Sec. _____. Section two hundred eighty A point
190 one (280A.1), unnumbered paragraph one (1), Code
191 1973, is amended to read as follows:

192 It is hereby declared to be the policy of the
193 state of Iowa and the purpose of this chapter to
194 provide for the establishment of not more than
195 seventeen areas which shall include all of the area
196 of the state and which may operate either area
197 vocational schools or area community colleges and
198 shall provide programs and services to the local
199 school districts within the area education agency
200 offering to the greatest extent possible, educational

201 opportunities and services in each of the following,
202 when applicable, but not necessarily limited to:

203 Sec. _____. Section two hundred eighty A point
204 one (280A.1), Code 1973 is amended by adding the
205 following new subsection.

206 NEW SUBSECTION. Programs and services to local
207 school districts in the area education agency as
208 listed in section two (2) of this Act.

209 Sec. _____. Section two hundred eighty A point
210 two (280A.2), subsections four (4), five (5), and
211 six (6), Code 1973, are amended to read as follows:

212 4. "Merged-area Area education agency" means
213 an-area-where an agency formed by the merger of two
214 or more county school systems or parts thereof merge
215 resources to establish and operate a vocational
216 school or a community college and to provide programs
217 and services to the constituent local school districts
218 in the manner provided in this chapter.

219 5. "Area vocational school" means a vocational
220 school established and operated by a-merged an area
221 education agency.

222 6. "Area community college" means a community
223 college established and operated by a-merged an area
224 education agency.

225 26. Page 45A, by striking lines 9 through 20,
226 inclusive, and inserting in lieu thereof the follow-
227 ing:

228 "280A.12 GOVERNING BOARD. The governing board
229 of a-merged an area education agency shall be a board
230 of directors ~~composed of one member elected from~~
231 ~~each director district in the area by the electors~~
232 ~~of the respective district~~ elected pursuant to section
233 eight (8) of this Act. Members of the board shall
234 be residents of the district from which elected.
235 ~~Successors shall be chosen at the annual school~~
236 ~~elections for members whose terms expire on the first~~
237 ~~Monday in October following such elections.~~ Terms
238 of members of the board of directors shall be three
239 years except that members of the initial board of
240 directors ~~elected at the special election shall~~
241 ~~determine their respective terms by lot so that the~~
242 ~~terms of one-third of the members, as nearly as may~~
243 ~~be,~~ shall be determined by lot so that the terms
244 of two of the members elected by the electorate and
245 two of the members elected at director district
246 conventions shall expire on the first Monday in
247 October of".

248 27. Page 45A, line 30, by inserting after the
249 word "directors" the words "as a member elected by
250 the electorate".

- 251 28. Page 45A, by striking lines 32 and 33 and
252 inserting in lieu thereof the words "district or
253 ~~a-member-of-a-county-board-of-education.~~"
- 254 29. Page 46, line 11, by striking the words
255 "merged area" and inserting in lieu thereof the words
256 "merged area education agency".
- 257 30. Page 46, line 22, by striking the words "a
258 merged area" and inserting in lieu thereof the words
259 "a-merged an area education agency".
- 260 31. Page 46, line 27, by striking the words
261 "merged area" and inserting in lieu thereof the words
262 "merged area education agency".
- 263 32. Page 46, line 33, by striking the words
264 "merged area" and inserting in lieu thereof the words
265 "merged area education agency".
- 266 33. Page 47, line 16, by striking the words "a
267 merged area" and inserting in lieu thereof the words
268 "a-merged an area education agency".
- 269 34. Page 47, line 20, by striking the words
270 "merged area" and inserting in lieu thereof the words
271 "merged area education agency".
- 272 35. Page 47, by inserting after line 21 the
273 following section:
274 Sec. ____ . Section two hundred eighty A point
275 twenty-one (280A.21), Code 1973, is amended to read
276 as follows:
277 280A.21 ELECTION TO INCUR INDEBTEDNESS. No
278 indebtedness shall be incurred under section 280A.19
279 until authorized by an election. A proposition to
280 incur indebtedness and issue bonds for the division
281 of intermediate services, area vocational school
282 or area community college purposes shall be deemed
283 carried in a-merged an area education agency if ap-
284 proved by a sixty percent majority of all voters
285 voting on the proposition in the area.
- 286 36. Page 48, line 4, by striking the words "merged
287 area" and inserting in lieu thereof the words "area
288 education agency".
- 289 37. Page 48, line 11, by striking the words
290 "merged area" and inserting in lieu thereof the words
291 "area education agency".
- 292 38. Page 48, line 16, by striking the words
293 "merged area" and inserting in lieu thereof the words
294 "area education agency".
- 295 39. Page 49, line 5, by striking the words "merged
296 area" and inserting in lieu thereof the words "area
297 education agency".
- 298 40. Page 49, line 11, by striking the words
299 "merged area" and inserting in lieu thereof the words
300 "area education agency".

301 41. Page 49, line 17, by striking the words
302 "merged area" and inserting in lieu thereof the words
303 "area education agency".

304 42. Page 49, by inserting after line 19 the
305 following:

306 NEW SECTION. Prior to the election in September,
307 1977, the board of directors of each area education
308 agency shall have established the geographic
309 boundaries of six director districts of approximately
310 equal population.

311 43. Page 80, by inserting after line 21 the fol-
312 lowing section:

313 Sec. _____. Sections two hundred sixty point twenty-
314 five (260.25), two hundred seventy-seven point one
315 (277.1) as amended by Acts of the Sixty-fifth General
316 Assembly, 1973 Session, chapter one hundred thirty-
317 six (136), section two hundred sixty-seven (267),
318 two hundred eighty A point sixteen (280A.16), two
319 hundred eighty A point eighteen (280A.18) as amended
320 by Acts of the Sixty-fifth General Assembly, 1973
321 Session, chapter one hundred ten (110), section ten
322 (10), two hundred eighty A point twenty-one (280A.21),
323 two hundred eighty A point twenty-three (280A.23)
324 as amended by Acts of the Sixty-fifth General
325 Assembly, 1973 Session, chapter one hundred ten
326 (110), sections eleven (11) and twelve (12), two
327 hundred eighty A point twenty-four (280A.24), two
328 hundred eighty A point twenty-five (280A.25), two
329 hundred eighty A point twenty-six (280A.26), two
330 hundred eighty A point thirty-five (280A.35), two
331 hundred eighty A point thirty-seven (280A.37), two
332 hundred eighty A point thirty-nine (280A.39) as
333 amended by Acts of the Sixty-fifth General Assembly,
334 1973 Session, chapter one hundred thirty-six (136),
335 section two hundred seventy-eight (278), two hundred
336 eighty A point forty (280A.40), two hundred eighty-
337 six A point five (286A.5), two hundred eighty-six
338 A point nine (286A.9), two hundred eighty-six A point
339 ten (286A.10), two hundred eighty-six A point eleven
340 (286A.11), two hundred ninety-eight point eighteen
341 (298.18) as amended by Acts of the Sixty-fifth General
342 Assembly, 1973 Session, chapter one hundred thirty-
343 six (136), section two hundred eighty-two (282),
344 five hundred ninety-four A point seven (594A.7) and
345 five hundred ninety-four A point nine (594A.9), Code
346 1973, and Acts of the Sixty-fifth General Assembly,
347 1973 Session, chapter one hundred ten (110), are
348 amended by striking from such sections the words
349 "merged area" and inserting in lieu thereof the words
350 "area education agency" and by striking from such

House 9
March 18, 1974

351 sections the words "merged areas" and inserting in
352 lieu thereof the words "area education agencies".
353 44. Page 81A, line 9, by inserting before the
354 word "of" the words and figures "one hundred thirty-
355 one (131), and one hundred thirty-four (134)".
356 45. Page 81A, by inserting after line 12, the
357 following section:
358 Sec. 134. For the purposes of the implementation
359 of sections one (1) through eleven (11) of this Act,
360 for the period commencing October 7, 1974 and ending
361 June 30, 1975, "area education agency" means "merged
362 area" and "area education agency board" means "board
363 of directors of the merged area" as defined in chapter
364 two hundred eighty A (280A) of the Code.
365 46. By renumbering sections and correcting
366 internal references as necessary.

H-2508 Filed - *A. Lost 3/28*
March 15, 1974 *B. Redrawn 4/5*

By COMMITTEE ON EDUCATION
STROMER of Hancock, Chairman

H-2568

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 8, line 22, by striking the word "or" and
4 inserting in lieu thereof the word "and".
5 2. Page 8, lines 22 and 23, by striking the words
6 "administrative officer of the division of inter-
7 mediate services" and inserting in lieu thereof the
8 words "superintendent of the area education agency".
9 3. Page 80, line 8, by striking the words
10 "elective members of".
11 4. Page 80, line 9, by striking the words "merged
12 areas area education agencies" and inserting in lieu
13 thereof the words "merged areas".

H-2568 Filed - *Adopted 4/5*
March 19, 1974

By STROMER of Hancock

H-2604

1 Amend Senate File 1163, as amended, passed, and re-
2 printed by the Senate, page 5, by inserting after line
3 14 the following subsection:
4 18. Be authorized, subject to the approval of the
5 department of public instruction, to divide the area
6 into subarea administrative units, if, in the opinion
7 of the area education agency board, the division will
8 allow more effective delivery of the services offered
9 under sections one (1) through eleven (11) of this
10 Act and chapter two hundred eighty-one (281) of the
11 Code.

H-2604 Filed - *Adopted as amended*
March 22, 1974 *by 2782 4/5*

By FERGUSON of Carroll

SENATE FILE 1163

S--2807

1 Amend the House Amendment to Senate File 1163 as
2 follows:

3 1. Page 4, after line 12, by inserting the follow-
4 ing amendments:

5 _____. Page 4A, line 13, by striking the words "a
6 superintendent" and inserting in lieu thereof the
7 words "an administrator".

8 _____. Page 4A, line 16, by striking the word
9 "superintendent" and inserting in lieu thereof the
10 word "administrator".

11 2. Page 4, line 15, by striking the word "super-
12 intendent" and inserting in lieu thereof the word
13 "administrator".

14 3. Page 5, after line 6, by inserting the follow-
15 ing amendments:

16 _____. Page 5, line 15, by striking the word "SUPER-
17 INTENDENT" and inserting in lieu thereof the word
18 "ADMINISTRATOR".

19 _____. Page 5, line 17, by striking the word "super-
20 intendent" and inserting in lieu thereof the word
21 "administrator".

22 4. Page 6, lines 4 and 5, by striking the word
23 "superintendent" and inserting in lieu thereof the
24 word "administrator".

25 5. Page 8, after line 13, by inserting the

Page 2

1 following amendment:

2 _____. Page 13A, line 33, by striking the word
3 "superintendent" and inserting in lieu thereof the
4 word "administrator".

5 6. Page 8, after line 17, by inserting the follow-
6 ing amendment:

7 _____. Page 17A, line 13, by striking the word
8 "superintendent" and inserting in lieu thereof the
9 word "administrator".

10 7. Page 8, after line 20, by inserting the follow-
11 ing amendments:

12 _____. Page 20, line 33, by inserting after the
13 word "superintendents" the words ", area administra-
14 tors".

15 _____. Page 22, line 12, by inserting before the
16 word "The" the following: "The board of educational
17 examiners shall establish a certificate for area edu-
18 cation agency administrators."

19 _____. Page 22, line 12, by striking the word
20 "superintendent's" and inserting in lieu thereof the
21 word "administrator's".

22 8. Page 9, after line 10, by inserting the
23 following amendments:

24 _____. Page 22, line 31, by striking the word
25 "superintendents" and inserting in lieu thereof the

Page 3

- 1 word "administrators".
- 2 _____, Page 22, line 32, by striking the word "super-
- 3 intendents" and inserting in lieu thereof the word
- 4 "administrators".
- 5 _____, Page 22, line 34, by striking the word "super-
- 6 intendent" and inserting in lieu thereof the word
- 7 "administrator".
- 8 _____, Page 23, line 8, by striking the word "super-
- 9 intendent" and inserting in lieu thereof the words
- 10 "superintendent administrator".
- 11 _____, Page 23, line 14, by striking the word
- 12 "superintendent" and inserting in lieu thereof the
- 13 words "superintendent administrator".
- 14 _____, Page 24, line 4, by striking the word "super-
- 15 intendent" and inserting in lieu thereof the words
- 16 "superintendent administrator".
- 17 _____, Page 24, line 9, by striking the word "super-
- 18 intendent" and inserting in lieu thereof the words
- 19 "superintendent administrator".
- 20 _____, Page 24, line 18, by striking the word
- 21 "superintendent" and inserting in lieu thereof the
- 22 words "superintendent administrator".
- 23 _____, Page 24, line 22, by striking the word
- 24 "superintendent" and inserting in lieu thereof the
- 25 words "superintendent administrator".

Page 4

- 1 _____, Page 24, line 24, by striking the word
- 2 "superintendent" and inserting in lieu thereof the
- 3 words "superintendent administrator".
- 4 _____, Page 24, line 32, by striking the word
- 5 "superintendent" and inserting in lieu thereof the
- 6 words "superintendent administrator".
- 7 _____, Page 25, line 2, by striking the word "super-
- 8 intendent" and inserting in lieu thereof the words
- 9 "superintendent administrator".
- 10 _____, Page 25, line 4, by striking the word "super-
- 11 intendent" and inserting in lieu thereof the words
- 12 "superintendent administrator".
- 13 _____, Page 25, line 12, by striking the word
- 14 "superintendent" and inserting in lieu thereof the
- 15 words "superintendent administrator".
- 16 _____, Page 25, line 18, by striking the word
- 17 "superintendent" and inserting in lieu thereof the
- 18 words "superintendent administrator".
- 19 _____, Page 26, line 6, by striking the word "super-
- 20 intendent" and inserting in lieu thereof the words
- 21 "superintendent administrator".
- 22 _____, Page 26, line 20, by striking the word
- 23 "superintendent" and inserting in lieu thereof the
- 24 words "superintendent administrator".
- 25 _____, Page 26, line 28, by striking the word

Page 5

1 "superintendent" and inserting in lieu thereof the
2 words "superintendent administrator".
3 _____. Page 26, line 30, by striking the word
4 "superintendent" and inserting in lieu thereof the
5 words "superintendent administrator".
6 9. Page 9, after line 16, by inserting the follow-
7 ing amendments:
8 _____. Page 34, line 4, by striking the word "super-
9 intendent" and inserting in lieu thereof the words
10 "superintendent administrator".
11 _____. Page 35, line 11, by striking the word
12 "superintendent" and inserting in lieu thereof the
13 words "superintendent administrator".
14 _____. Page 35, line 13, by striking the word
15 "superintendent" and inserting in lieu thereof the
16 words "superintendent administrator".
17 _____. Page 36, line 7, by striking the word "super-
18 intendent" and inserting in lieu thereof the words
19 "superintendent administrator".
20 _____. Page 36, line 21, by striking the word
21 "superintendent" and inserting in lieu thereof the
22 words "superintendent administrator".
23 _____. Page 37, line 17, by striking the word
24 "superintendent" and inserting in lieu thereof the
25 words "superintendent administrator".

Page 6

1 _____. Page 38, line 20, by striking the word
2 "superintendent" and inserting in lieu thereof the
3 words "superintendent administrator".
4 _____. Page 39, line 18, by striking the word
5 "superintendent" and inserting in lieu thereof the
6 words "superintendent administrator".
7 _____. Page 39, line 27, by striking the word
8 "superintendent" and inserting in lieu thereof the
9 words "superintendent administrator".
10 _____. Page 39, line 28, by striking the word
11 "superintendent" and inserting in lieu thereof the
12 words "superintendent administrator".
13 _____. Page 40, line 18, by striking the word
14 "superintendent" and inserting in lieu thereof the
15 words "superintendent administrator".
16 _____. Page 40, line 21, by striking the word
17 "superintendent" and inserting in lieu thereof the
18 words "superintendent administrator".
19 _____. Page 41, line 1, by striking the word "super-
20 intendent" and inserting in lieu thereof the words
21 "superintendent administrator".
22 _____. Page 41, line 15, by striking the word
23 "superintendent" and inserting in lieu thereof the
24 words "superintendent administrator".
25 _____. Page 41, line 20, by striking the word

Page 7

1 "superintendent" and inserting in lieu thereof the
2 words "superintendent administrator".
3 _____. Page 42, line 11, by striking the word
4 "superintendent" and inserting in lieu thereof the
5 words "superintendent administrator".
6 10. Page 10, after line 23, by inserting the
7 following amendments:
8 _____. Page 43, line 17, by striking the word
9 "superintendent" and inserting in lieu thereof the
10 words "superintendent administrator".
11 _____. Page 43, line 25, by striking the word
12 "superintendent" and inserting in lieu thereof the
13 words "superintendent administrator".
14 _____. Page 45A, line 4, by striking the word
15 "superintendent" and inserting in lieu thereof the
16 words "superintendent administrator".
17 11. Page 15, after line 16, by inserting the
18 following amendments:
19 _____. Page 62, line 27, by striking the word
20 "superintendent" and inserting in lieu thereof the
21 words "superintendent administrator".
22 _____. Page 62, line 33, by striking the word
23 "superintendent" and inserting in lieu thereof the
24 words "superintendent administrator".
25 _____. Page 63, line 5, by striking the word "super-

Page 8

1 intendent" and inserting in lieu thereof the words
2 "superintendent administrator".
3 _____. Page 63, line 10, by striking the word
4 "superintendent" and inserting in lieu thereof the
5 words "superintendent administrator".
6 _____. Page 64, line 23, by striking the word
7 "superintendent" and inserting in lieu thereof the
8 words "superintendent administrator".
9 _____. Page 68, line 21, by striking the word
10 "superintendent" and inserting in lieu thereof the
11 words "superintendent administrator".
12 _____. Page 68, line 23, by striking the word
13 "superintendent" and inserting in lieu thereof the
14 words "superintendent administrator".
15 _____. Page 69, lines 17 and 18, by striking the
16 word "superintendent" and inserting in lieu thereof
17 the words "superintendent administrator".
18 _____. Page 72, line 32, by striking the word
19 "superintendent" and inserting in lieu thereof the
20 words "superintendent administrator".
21 _____. Page 72, line 35, by striking the word
22 "superintendent" and inserting in lieu thereof the
23 words "superintendent administrator".
24 12. By renumbering amendments as necessary.

HOUSE AMENDMENT TO SENATE FILE 1163

1 Amend Senate File 1163, as amended, passed, and reprinted
2 by the Senate as follows:

3 1. Page 2A, line 1, strike the words "NEW SECTION."

4 2. Page 2A, by inserting after line 11 the following
5 section:

6 Sec. . NEW SECTION. INTENT. It is the intent of the
7 general assembly to provide an effective, efficient, and
8 economical means of identifying and serving children from
9 under five years of age through grade twelve who require
10 special education and any other children requiring special
11 education as defined in section two hundred eighty-one point
12 two (281.2) of the Code; to provide for media services and
13 other programs and services for pupils in grades kindergarten
14 through twelve and children requiring special education as
15 defined in section two hundred eighty-one point two (281.2)
16 of the Code; to provide a method of financing the programs
17 and services; and to avoid a duplication of programs and
18 services provided by any other school corporation in the state.

19 3. Page 2A, line 22, by inserting after the period the
20 following:

21 The programs and services provided shall be at least
22 commensurate with programs and services existing on the
23 effective date of this Act.

24 4. Page 2A, by striking lines 29 through 33, and inserting
25 in lieu thereof the following:

Page 2

1 1. In-service training programs for employees and members of
2 boards of directors of school district and area education
3 agencies, provided at the time programs and services are
4 established they do not duplicate programs and services
5 available in that area from the universities under the state
6 board of regents and from other universities and four-year
7 institutions of higher education in Iowa.

8 5. Page 2A, line 34, by inserting after the word "processing"
9 the words "pursuant to section two hundred fifty-seven point ten
10 (257.10), subsection fourteen (14), of the Code".

11 6. Pages 2A and 2B, by striking lines 35 through 40,
12 inclusive, and inserting in lieu thereof the following:

13 3. Research, demonstration projects and models, and educa-
14 tional planning for children under five years of age through
15 grade twelve and children requiring special education as
16 defined in section two hundred eighty one point two (281.2) of
17 the Code as approved by the department of public instruction.

18 7. Page 2B, line 41, by inserting after the word "services"
19 the words "for children under five years of age through grade
20 twelve and children requiring special education as defined
21 in section two hundred eighty-one point two (281.2) of the Code."

22 8. Page 2B, line 42, by inserting after the word "services"
23 the words "for children under five years through grade twelve
24 and children requiring special education as defined in section
25 two hundred eighty-one point two (281.2) of the Code and for

Page 3

1 employees of school districts and area education agencies as
2 approved by the department of public instruction."

3 9. Page 2B, by inserting after line 42 the following:

4 The board of directors of an area education agency shall
5 not establish programs and services which duplicate programs
6 and services provided by the area schools under the provisions
7 of chapter two hundred eighty A (280A) of the Code. An area
8 education agency shall contract, whenever practicable, with
9 other school corporations for the use of personnel, buildings,
10 facilities, supplies, equipment, programs, and services.

11 10. Page 3A, line 1, strike the words "this Act" and insert
12 in lieu thereof the words and figures "sections one (1)
13 through eleven (11) of this Act and chapter two hundred eighty-
14 one (281) of the Code".

15 11. Page 3A, line 4, strike the words "this Act" and insert
16 in lieu thereof the words and figures "sections one (1)
17 through eleven (11) of this Act and chapters two hundred
18 eighty-one (281) and four hundred forty-two (442) of the
19 Code".

20 12. Page 3A, line 24, by inserting after the word
21 "authorized" the words ", subject to the approval of the
22 department of public instruction,".

23 13. Page 3A, line 24, by striking the words "purchase,
24 construct,".

25 14. Page 3A, by inserting after line 27 the following

Page 4

1 subsection:

2 8. Be authorized, subject to the approval of the depart-
3 ment of public instruction, to enter into agreements for the
4 joint use of personnel, buildings, facilities, supplies, and
5 equipment with school corporations as deemed necessary to
6 provide authorized programs and services.

7 15. Page 4A, by striking line 11 and inserting in lieu
8 thereof the following:

9 11. Employ such personnel as may be required, if any,
10 to carry out the".

11 16. Page 4A, line 12, by striking the word "shall" and
12 inserting in lieu thereof the word "may".

13 17. Page 4A, line 18, by inserting after the period the
14 following: The salary range for an area education agency
15 superintendent shall be from seventeen thousand dollars to
16 twenty-seven thousand five hundred dollars per annum,
17 including additional benefits over and above the additional
18 benefits given all full-time employees.

19 18. Pages 4A and 4B, by striking lines 33 through 55,
20 inclusive.

21 19. Page 5, by inserting after line 14 the following
22 subsection:

23 Be authorized, subject to the approval of the department
24 of public instruction, to divide the area into subarea
25 administrative units or to expand the area by combining two

Page 5

- 1 or more merged area administrative units, if, in the opinion
2 of the area education agency board or boards, the division
3 or expansion will allow more effective delivery of the
4 services offered under sections one (1) through eleven (11) of
5 this Act and chapter two hundred eighty-one (281) of the
6 Code.
- 7 20. Page 5, by striking lines 31, 32, and 33 and inserting
8 in lieu thereof the words "districts. The division of special".
- 9 21. Page 7, line 25, by inserting after the word "agency"
10 the words ", or if local school boards representing sixty
11 percent of the enrollment in the school districts located in
12 the agency,".
- 13 22. Page 7, line 26, by inserting after the word "them"
14 the words "for pupils in grades kindergarten through twelve
15 or children requiring special education as defined in section
16 two hundred eighty-one point two (281.2) of the Code or for
17 employees or board members of school districts or area
18 education agencies".
- 19 23. Page 7, line 27, by striking the word "may" and in-
20 serting in lieu thereof the word "shall"
- 21 24. Page 7, line 28, by inserting after the word "area"
22 the words "within the financial capabilities of the area
23 education agency".
- 24 25. Page 7, line 29, strike the words "NEW SECTION."
- 25 26. Page 8, line 22, by striking the word "or" and in-

Page 6

- 1 serting in lieu thereof the word "and".
- 2 27. Page 8, lines 22 and 23, by striking the words
3 "administrative officer of the division of intermediate
4 services" and inserting in lieu thereof the words "superinten-
5 dent of the area education agency".
- 6 28. Page 9, line 9, strike the word "same".
- 7 29. Page 9, by striking line 28 and inserting in lieu
8 thereof the words "of the county school system or joint county
9 system".
- 10 30. Page 9, line 29, by inserting after the word
11 "enrollment" the words "in the director district".
- 12 31. Page 9, by striking lines 31 and 32 and inserting
13 in lieu thereof the words "county superintendent who determines
14 the date of the director district convention, and the location".
- 15 32. Page 10, line 6, by striking the words ", other than
16 school district employees".
- 17 33. Page 10, line 6, by inserting after the period the
18 following: "An employee of a school district who is not
19 involved in the delivery of any services listed in section
20 two (2) of this Act may be elected at the director district
21 convention to serve as a member of the board of directors of
22 an area education agency."
- 23 34. Page 10, line 7, by striking the words "a director
24 district convention" and inserting in lieu thereof the words
25 "the director district conventions".

Page 7

1 35. Page 10, line 8, by striking the words "location of
2 the convention" and inserting in lieu thereof the words
3 "locations of the conventions".

4 36. Page 10, line 10, by striking the words "a director
5 district convention" and inserting in lieu thereof the words
6 "the director district conventions".

7 37. Page 10, line 12, by striking the word "convention"
8 and inserting in lieu thereof the word "conventions".

9 38. Page 10, line 14, by striking the word "convention" and
10 inserting in lieu thereof the word "conventions".

11 39. Page 10, line 32, by striking the word "shall" and
12 inserting in lieu thereof the word "may".

13 40. Page 10, line 34, strike the words "district director"
14 and insert in lieu thereof the words "director district".

15 41. Page 11, by inserting the following after the period
16 in line 6:

17 "The filing of a statement of candidacy shall not be a
18 prerequisite or eligibility requirement for election as an
19 area education agency director."

20 42. Page 11, lines 6 and 7, strike the words "district
21 director" and insert in lieu thereof the words "director
22 district".

23 43. Page 11, line 28, strike the words "NEW SECTION."

24 44. Page 12A, line 2, by inserting after the period the
25 words "Provisions of contracts of personnel whose employment

Page 8

1 is terminated on July 1, 1975 shall be carried forward to
2 employment by the area education agency as fully as possible.

3 45. Page 12A, line 19, by inserting after the word "enrollment"
4 the words and figures "for years prior to the school year
5 beginning July 1, 1975, and per pupil in weighted enrollment
6 for the school year beginning July 1, 1975, and each succeeding
7 school year".

8 46. Page 13A, line 4, by inserting after the word
9 "education" the words "or as identified by the area director
10 of special education subsequent to the certification".

11 47. Page 13A, line 6, by inserting after the word
12 "certification" the words "or identified subsequent to the
13 certification".

14 48. Page 14, line 34, by inserting before the word
15 "enrollment" the word "weighted".

16 49. Page 15, line 2, by inserting before the word "enrollment"
17 the word "weighted".

18 50. Pages 17A and 17B, by striking lines 23 through 54,
19 inclusive.

20 51. Page 18, by striking lines 1 through 15, inclusive.

21 52. Page 22, lines 16 and 17, by striking the words "a
22 fully accredited two-or four-year college, or university" and
23 inserting in lieu thereof the words "a two- or four-year
24 college or university which is accredited by the North Central
25 Association of Colleges and Secondary Schools accrediting

Page 9

1 agency or which has been certified by the North Central
2 Association of Colleges and Secondary Schools accrediting
3 agency as a candidate for accreditation by such agency or as
4 a school giving satisfactory assurance that it has the potential
5 for accreditation and is making progress which, if continued,
6 will result in its achieving accreditation by such agency
7 within a reasonable time".

8 53. Page 22, lines 19 and 20, by inserting after the word
9 "administration" the words "or in the administration of any
10 of the services listed in section two (2) of this Act".

11 54. Page 33, lines 9 and 10, by striking the words "county
12 boards of education" and inserting in lieu thereof the words
13 "county-boards-of-education boards of directors of area
14 education agencies".

15 55. Page 33, line 12, by striking the word "county" and
16 inserting in lieu thereof the word "county".

17 56. Page 42, by inserting after line 28 the following new
18 section:

19 Sec. _____. Section two hundred seventy-seven point twenty
20 (277.20), Code 1973, as amended by Acts of the Sixty-fifth
21 General Assembly, 1973 Session, chapter one hundred thirty-
22 six (136), section two hundred seventy (270), is amended by
23 striking the section and inserting in lieu thereof the
24 following:

25 277.20 CANVASSING RETURNS. On the next Friday after the

Page 10

1 school election, the county board of supervisors shall canvass
2 the returns made to the county commissioner of elections from
3 the several precinct polling places and the absentee ballot
4 counting board, ascertain the result of the voting with regard
5 to every matter voted upon and cause a record to be made
6 thereof as required by section fifty point twenty-four (50.24)
7 of the Code. The board shall declare the results of the
8 voting for members of boards of directors of school corpora-
9 tions nominated pursuant to section two hundred seventy-seven
10 point four (277.4) of the Code, and the commissioner shall at
11 once issue a certificate of election to each person declared
12 elected. The board shall also declare the results of the
13 voting on any public question submitted to the voters of a
14 single school district, and the commissioner shall certify
15 the result as required by section fifty point twenty-seven
16 (50.27) of the Code.

17 The abstracts of the votes cast for members of the board
18 of directors of any merged area, and of the votes cast on
19 any public question submitted to the voters of any merged
20 area, shall be promptly certified by the commissioner to the
21 county commissioner of elections who is responsible under
22 section forty-seven point two (47.2) of the Code for conducting
23 the elections held for that merged area.

24 57. Page 46, by striking lines 2 through 23, inclusive,
25 and inserting in lieu thereof the following:

Page 11

1 "by striking the section and inserting in lieu thereof the
2 following:
3 280A.15 CONDUCT OF ELECTIONS.
4 1. Regular elections held annually by the merged area for
5 the election of members of the board of directors as required
6 by section two hundred eighty A point twelve (280A.12) of the
7 Code, for the renewal of the three-fourths mill levy authorized
8 in section two hundred eighty A point twenty-two (280A.22) of
9 the Code, or for any other matter authorized by law and
10 designated for election by the board of directors of the
11 merged area, shall be held on the date of the school election
12 as fixed by section two hundred seventy-seven point one (277.1)
13 of the Code. The election notice shall be published as
14 provided in section forty-nine point fifty-three (49.53) of the
15 Code and the election shall be conducted by the county
16 commissioner of elections pursuant to chapters thirty-nine
17 (39) through fifty-three (53) and section two hundred seventy-
18 seven point twenty (277.20) of the Code.
19 2. Each candidate for member of the board of directors
20 of a merged area shall be nominated by a petition signed by
21 not less than fifty eligible electors of the director district
22 from which the member is to be elected. The petition shall
23 state the number of the director district from which the
24 candidate seeks election, and the candidate's name and status
25 as an eligible elector of the director district. Signers of

Page 12

1 the petition, in addition to signing their names, shall show
2 their residence, including street and number if any, the
3 school district in which they reside, and the date they signed
4 the petition. Each nomination paper shall have appended to it
5 an affidavit of an eligible elector other than the candidate
6 in substantially the form provided in section forty-three point
7 seventeen (43.17) of the Code, except as to party affiliation.
8 The petition shall include the affidavit of the candidate
9 being nominated, stating the candidate's name and residence,
10 and that he or she is a candidate, is eligible for the office
11 sought, and if elected will qualify for the office.
12 3. Nomination papers in behalf of candidates for member
13 of the board of directors of a merged area shall be filed
14 with the secretary of the board not earlier than sixty-five
15 days nor later than five o'clock p.m. on the fortieth day
16 prior to the election at which members of the board are to be
17 elected. The secretary shall deliver all nomination
18 petitions to the county commissioner of elections who is
19 responsible under section forty-seven point two (47.2) of
20 the Code for conducting elections held for the merged area,
21 not later than five o'clock p.m. on the day following the
22 last day on which nomination petitions can be filed.
23 4. The votes cast in the election shall be canvassed and
24 abstracts of the votes cast shall be certified as required
25 by section two hundred seventy-seven point twenty (277.20) of

Page 13

1 the Code. In each county whose commissioner of elections is
2 responsible under section forty-seven point two (47.2) of the
3 Code for conducting elections held for a merged area, the
4 county board of supervisors shall convene at ten o'clock a.m.
5 on the last Monday in September, canvass the abstracts of
6 votes cast and declare the results of the voting. The
7 commissioner shall at once issue certificates of election to
8 each person declared elected, and shall certify to the merged
9 area board in substantially the manner prescribed by section
10 fifty point twenty-seven (50.27) of the Code the result of
11 the voting on any public question submitted to the voters of
12 the merged area. Members elected to the board of directors of
13 a merged area shall qualify by taking the oath of office
14 prescribed in section two hundred seventy-seven point twenty-
15 eight (277.28) of the Code."

16 58. Page 48, by striking lines 1 through 31, inclusive,
17 and page 49, by striking lines 1 through 19, inclusive.

18 59. Page 50A, by striking all of lines 33, 34 and 35 and
19 inserting in lieu thereof the following: "the department of
20 social services shall provide residential or detention
21 facilities and the area education agency shall provide special
22 education programs and services."

23 60. Page 51A, line 25, by adding after the word "agency"
24 the words ", private agency,".

25 61. Page 51B, line 39, by striking all after the word

Page 14

1 "convalescent" and inserting in lieu thereof the following:
2 ", juvenile, and private".

3 62. Page 55B, line 36, by inserting after the word "eight-
4 tenths" the words "for the school year commencing July 1, 1975".

5 63. Page 56A, line 4, by inserting after the word "two-
6 tenths" the words "for the school year commencing July 1, 1975".

7 64. Page 56A, line 8, by inserting after the word "four-
8 tenths" the words "for the school year commencing July 1, 1975".

9 65. Page 56A, lines 16 and 17, strike the words "requiring
10 special education".

11 66. Page 56A, by striking lines 34 and 35, and page 56B,
12 by striking lines 36 through 40 and inserting in lieu thereof
13 the following:

14 4. On December 1, 1975, and no later than December first
15 every two years thereafter, for the school year commencing the
16 following July first, the superintendent of public instruction
17 shall report to the school budget review committee the average
18 costs of providing instruction for children requiring special
19 education in the categories of the weighting plan established
20 under this section, and shall make recommendations to the
21 school budget review committee for needed alterations to make
22 the weighting plan suitable for subsequent school years. The
23 school budget review committee shall establish the weighting
24 plan for each school year after the school year commencing
25 July 1, 1975, and shall report the plan to the superintendent

Page 15

1 of public instruction. The school budget review committee
2 shall not alter the weighting assigned to pupils in a regular
3 curriculum, but it may increase or decrease the weighting
4 assigned to each category of children requiring special
5 education by not more than two-tenths of the weighting
6 assigned to pupils in a regular curriculum. The department of
7 public instruction shall promulgate rules under chapter
8 seventeen A (17A) of the Code, to implement the weighting plan
9 for each year and to assist in identification and proper
10 indexing of each child in the state who requires special
11 education.

12 67. Page 56B, line 42, by inserting after the partial word
13 "ports" the words "required in section five (5) of this Act".

14 68. Page 60, lines 12 and 13, by striking the words "On
15 or before July 8, 1949, the" and inserting in lieu thereof
16 the words "~~On or before July 8, 1949, the~~ The".

17 69. Page 78A, line 8, by inserting after the word "paragraphs"
18 the letter "a,".

19 70. Page 78A, line 11, by striking the word "is" and in-
20 serting in lieu thereof the word "are".

21 71. Page 78A, by inserting after line 11 the following:

22 a. The district cost per pupil for the budget year is
23 equal to the district cost per pupil for the base year plus
24 the allowable growth. However, in determining the district
25 cost per pupil for the budget year beginning July 1, 1973,

Page 16

1 district cost per pupil in the base year means the general
2 fund budget for the school year beginning July 1, 1971, as
3 authorized and funded under Acts of the General Assembly, 1971
4 Session, chapter seventy-two (72), including additional approved
5 funding authorized by the school budget review committee, less
6 the amount of adjusted miscellaneous income including adjust-
7 ments pursuant to section four hundred forty-two point twenty-
8 five (442.25) of the Code, divided by the fall enrollment
9 certified in September of 1971, plus the allowable growth for
10 the school year beginning July 1, 1972, as computed on the
11 basis of state cost per pupil excluding miscellaneous income.
12 Also, in determining the district cost per pupil for the
13 budget year beginning July 1, 1975, the amount received by a
14 school district under sections two hundred eighty-one point
15 nine (281.9) through two hundred eighty-one point eleven
16 (281.11) of the Code, as state reimbursement for special
17 education costs for the school year beginning July 1, 1974,
18 shall be deducted.

19 72. Page 78A, by inserting after line 24 the following:
20 Sec. _____. Section four hundred forty-two point nine (442.9),
21 Code 1973, as amended by Acts of the Sixty-fifth General
22 Assembly, 1973 Session, chapter two hundred fifty-eight (258),
23 section eight (8), is amended by striking subsection three (3).

24 73. Page 78B, by inserting after line 46 the following:
25 Sec. _____. Section four hundred forty-two point thirteen

Page 17

1 (442.13), subsection three (3), Code 1973, as amended by Acts
2 of the Sixty-fifth General Assembly, 1973 Session, chapter two
3 hundred fifty-eight (258), section eleven (11), is amended
4 to read as follows:

5 3. The committee shall ~~meet-beginning-not-later-than-March~~
6 ~~first-of-each-year-shall~~ review the proposed budget and
7 certified budget of each school district, and may make
8 recommendations. The committee may make decisions affecting
9 budgets to the extent provided in this chapter. The costs
10 and computations referred to in this section relate to the
11 budget year unless otherwise expressly stated.

12 Sec. _____. Section four hundred forty-two point thirteen
13 (442.13), Code 1973, as amended by Acts of the Sixty-fifth
14 General Assembly, 1973 Session, chapter two hundred fifty-eight
15 (258), section eleven (11), is amended by striking subsection
16 thirteen (13).

17 74. Page 78B, by inserting after line 46 the following:

18 Sec. _____. Section four hundred forty-two point thirteen
19 (442.13), Code 1973, as amended by Acts of the Sixty-fifth
20 General Assembly, 1973 Session, chapter two hundred fifty-
21 eight (258), section eleven (11), is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. The committee shall review the
24 recommendations of the superintendent of public instruction
25 relating to the special education weighting plan, and shall

Page 18

1 establish a weighting plan for each school year after the
2 school year commencing July 1, 1975, and report the plan
3 to the superintendent of public instruction.

4 75. Page 80, line 8, by striking the words "elective
5 members of".

6 76. Page 80, line 9, by striking the words "merged-areas
7 area education agencies" and inserting in lieu thereof the
8 words "merged areas".

9 77. Page 81A, by inserting after line 7 a new section as
10 follows:

11 Sec. _____. Section two hundred fifty-seven point ten
12 (257.10), subsection fourteen (14), Code 1973, is amended to
13 read as follows:

14 14. Approve, co-ordinate, and supervise the use of
15 electronic data processing by local school districts, ~~county~~
16 ~~or-joint-county-school-systems~~ area education agency and
17 merged areas. A committee, consisting of the state
18 superintendent of public instruction, the director of the
19 department of general services, the state comptroller, or
20 their designees, and two persons knowledgeable in the area of
21 administrative-instructional computer systems to be appointed
22 by the governor, shall assist and advise the state board of
23 public instruction in approving, co-ordinating and supervising
24 the use of electronic data processing computers by local
25 school district, ~~county-or-joint-county-school-systems~~

Senate 11
April 11, 1974

Page 19

1 area education agency and merged areas. The committee shall
2 further inventory current practice and prepare and recommend
3 a statewide plan for the use of electronic data processing
4 computers in order to prevent the unnecessary proliferation of
5 computers. These recommendations shall be submitted to the
6 general assembly by December 1 of each year. For purposes of
7 this subsection the term "electronic data processing
8 computers" shall refer to equipment having as a component
9 thereof a memory core to store information.
10 78. By renumbering sections, subsections and cross
11 references to conform to this amendment.

Received from the House
April 10, 1974

Senate amended and concurred 4/19

S-2737

1 Amend the House amendment to Senate File 1163, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 13, line 22, by adding after the word
5 "services" the following:
6 "except for the blind, the deaf, and other physically
7 handicapped children attending special schools or
8 institutions provided by the state board of regents"

S-2737 Filed *Withdrawn 4/19*
April 11, 1974

By GRIFFIN, HULTMAN, SCHABEN,
DODERER and SHAW

S-2781

1 Amend the House amendment to Senate File 1163,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, by striking lines 21 through 25. *a - adopted 4/18 11430*
5 2. Page 5, by striking lines 1 through 6.
6 3. Page 6, by striking lines 15 through 22. *b - adopted 4/19 (11451)*
7 4. Page 7, by striking lines 24 and 25. *c - adopted 4/19*
8 5. Page 8, by striking lines 1 and 2.
9 6. Page 8, by striking lines 21 through 25. *d - adopted 4/19*
10 7. Page 9, by striking lines 1 through 7.
11 8. Page 9, by striking lines 8 through 10. *e - adopted 4/19*

S-2781 Filed
April 16, 1974

By HANSEN

S-2815

1 Amend the House Amendment to Senate File 1163, as
2 amended, passed and reprinted by the Senate, page 2,
3 lines 1 and 2, by striking the words "and members
4 of boards of directors".

S-2815 Filed *Adopted 4/19*
April 18, 1974

By SCHWENGELS, MURRAY and
COLEMAN

S-2788

1 Amend the House amendment to Senate File 1163,
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 13, line 19, by inserting before the second
5 word "the" the words "and who are not provided for
6 under chapters two hundred sixty-three (263), two
7 hundred sixty-nine (269) and two hundred seventy
8 (270) of the Code,"
9 2. Page 13, line 22, by inserting after the word
10 "services." the sentence, "The area education
11 agencies shall cooperate with the board of regents
12 to provide the services required by this Act."

S-2788 Filed *Adopted as amended* By GRIFFIN, HULTMAN, SCHABEN,
April 17, 1974 *by 2816 4/19* DODERER and SHAW

S-2812

1 Amend the House amendment to Senate File 1163, as
2 amended, passed, and reprinted by the Senate, page 13,
3 line 19, by inserting after the quotation marks the
4 words "upon the request of the board of directors of
5 an area education agency,".

S-2812 Filed *Adopted 4/19* By GLUBA and RABEDEAUX
April 18, 1974

S-2816

1 Amend the Griffin, et al., amendment S-2788, to the
2 House amendment to Senate File 1163, as follows:
3 1. Line 5, by striking the words "not provided for"
4 and inserting in lieu thereof the words "attending
5 facilities".

S-2816 Filed *Adopted 4/19* By DODERER
April 18, 1974

S-2820

1 Amend the House amendment to Senate File 1163, as
2 amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 15, by inserting after line 16 the fol-
5 lowing:
6 _____ . Page 77A, line 33, by inserting after the
7 word "services" the words ", media services, and
8 other services".
9 _____ . Page 77A, line 35, by striking the words
10 and figure "subsection four (4)" and inserting in
11 lieu thereof the words and figures "subsections
12 four (4), five (5) and six (6)".

S-2820 Filed, ruled out By RODGERS and PRIEBE
of order *by adoption of another amendment*
April 19, 1974 (1453)