

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

FEB 16 1979

HOUSE FILE 418

EDUCATION

Do Pass per 3351 3/8 (p. 844)

By CHIODO and JESSE

Passed House, Date 3-12-79 (p. 901) Passed Senate, Date _____

Vote: Ayes 75 Nays 18 Vote: Ayes _____ Nays _____

Approved May 7, 1979

A BILL FOR

1 An Act relating to the method for electing members of local
2 school district boards of directors, and to the procedure
3 for changing from one optional method to another.

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

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418

1 Section 1. Section two hundred seventy-five point twelve
2 (275.12), subsection two (2), Code 1979, is amended by adding
3 the following new paragraph:

4 NEW PARAGRAPH. In districts having seven directors,
5 election of three directors at large by the electors of the
6 entire district, one at each annual school election, and
7 election of the remaining directors as residents of and by
8 the electors of individual geographic subdistricts identified
9 as director districts. Boundaries of the subdistricts shall
10 follow precinct or other established political boundaries
11 or natural geographic divisions, insofar as practicable, and
12 shall not be changed less than sixty days prior to the annual
13 school election.

14 Sec. 2. Section two hundred seventy-five point thirty-
15 six (275.36), Code 1979, is amended to read as follows:

16 275.36 SUBMISSION OF CHANGE TO ELECTORS. If a petition
17 for a change in the number of directors or in the method
18 of election of school directors, describing the boundaries
19 of the proposed director districts, if any, signed by ~~at least~~
20 ~~one-third-of-the-voters-residing-within-the~~ eligible electors
21 of the school district equal in number to at least ten percent
22 of those who voted in the last previous annual school election
23 in the school district and accompanied by affidavit as required
24 by section 275.13 be filed with the school board of a school
25 district, not earlier than six months and not later than two
26 months before a regular or special school election, the school
27 board shall submit such proposition to the voters at such
28 election.

3245-
3351

29 Sec. 3. This Act is effective January first following
30 its enactment.

31 EXPLANATION

32 This bill creates a fifth optional method for electing
33 members of local school district boards of directors, for
34 use in districts having seven-member boards. The new option
35 provides for three directors to be elected from the district

1 at large by all its voters, and the other four to come from
2 single-member subdistricts drawn within the school district
3 on an equal population basis.

4 The bill also makes it possible for electors in a school
5 district to obtain a vote on a change to a method of electing
6 directors other than the one then in use, by presenting
7 petitions bearing a number of signatures equal to at least
8 ten percent of those who voted in the most recent annual
9 school election. At present, such petitions must be signed
10 by at least one-third of the voters residing in the school
11 district.

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HOUSE FILE 418

H-3245

1 Amend House File 418 as follows:
2 1. Page 1, line 23, by inserting after the word
3 "district" the following: "but not less than
4 twenty-five persons,".

H-3245 FILED *Withdrawn 3/12 (p. 901)*
FEBRUARY 21, 1979

BY THOMPSON of Polk

HOUSE FILE 418

H-3362

- 1 Amend House File 418 as follows:
- 2 1. Page 1, by inserting after line 28, the
- 3 following:
- 4 "A school district may adopt a different method of
- 5 electing directors not more often than once in a six
- 6 year period."

H-3362 FILED *Adopted 3/12 (p. 901)* BY CRAWFORD of Story
MARCH 9, 1979

HOUSE FILE 418

H-3351

- 1 Amend House File 418 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "district" the words ",but not less than twenty-five
- 4 persons,".
- 5 2. Page 1, by striking lines 29 and 30.

H-3351 FILED *Adopted 3/12 (p. 901)* BY COMMITTEE ON EDUCATION
MARCH 8, 1979 Stromer, Chairperson

HOUSE FILE 418

H-3374

- 1 Amend the House amendment H-3351 to House File
- 2 418 as follows:
- 3 1. Page 1, by inserting after line 1 the words
- 4 "1. Page 1, line 21, by striking the word "ten"
- 5 and inserting in lieu thereof the word "twenty-five"."
- 6 2. Renumber as required by this amendment.

H-3374 FILED BY HARBOR of Mills
MARCH 12, 1979
RULED NOT GERMANE (*p. 899*)

HOUSE FILE 418

H-3370

- 1 Amend House File 418 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "subdistricts" the words "established on the basis
- 4 of population and".

H-3370 FILED - ADOPTED (*p. 899*) BY CHIDO of Polk
MARCH 12, 1979 JESSE of Polk

Education
Carney, Chairperson
Gratias
Brown

2/16
Pass per 3322
2/29 (p. 1014)

HOUSE FILE 418

By CHIODO and JESSE
(As Amended and Passed by the House)

Passed House, Date 4-30-79 (p. 1923) Passed Senate, Date 4-19-79 (p. 1375)

Vote: Ayes 86 Nays 5 Vote: Ayes 42 Nays 0

Approved June 7, 1979

Motion to reconsider (p. 1944)
" prevailed 4/7 (p. 2103)

A BILL FOR

1 An Act relating to the method for electing members of local
2 school district boards of directors, and to the procedure
3 for changing from one optional method to another.

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

5 Repassed House 5-7-79 (p. 2105) Repassed Senate 5-9-79 (p. 1607)
6 94-2 47-0

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_____ House Amendments
* Language Sticken

1 Section 1. Section two hundred seventy-five point twelve
2 (275.12), subsection two (2), Code 1979, is amended by adding
3 the following new paragraph:

4 NEW PARAGRAPH. In districts having seven directors,
5 election of three directors at large by the electors of the
6 entire district, one at each annual school election, and
7 election of the remaining directors as residents of and by
8 the electors of individual geographic subdistricts established
9 on the basis of population and identified as director

10 districts. Boundaries of the subdistricts shall follow
11 precinct or other established political boundaries or natural
12 geographic divisions, insofar as practicable, and shall not
13 be changed less than sixty days prior to the annual school
14 election.

15 Sec. 2. Section two hundred seventy-five point thirty-
16 six (275.36), Code 1979, is amended to read as follows:

17 275.36 SUBMISSION OF CHANGE TO ELECTORS. If a petition
18 for a change in the number of directors or in the method of
19 election of school directors, describing the boundaries of
20 the proposed director districts, if any, signed by at least
21 one-third-of-the-voters-residing-within-the eligible electors
22 of the school district equal in number to at least ten percent
23 of those who voted in the last previous annual school election
24 in the school district, but not less than twenty-five persons,
25 and accompanied by affidavit as required by section 275.13
26 be filed with the school board of a school district, not
27 earlier than six months and not later than two months before
28 a regular or special school election, the school board shall
29 submit such proposition to the voters at such election.

3322-
3492

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3322

30 A school district may adopt a different method of electing
31 directors not more often than once in a six year period.
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HOUSE FILE 418

S-3322

1 Amend House File 418 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 22, by striking the word "ten"
 4 and inserting in lieu thereof the word "thirty".
 5 2. Page 1, line 29, by inserting after the period
 6 the words "A proposition for a change in the number
 7 of directors or in the method of election of school
 8 directors shall not be submitted to the voters more
 9 often than once every six years."
 10 3. Page 1, by striking lines 30 and 31 and
 11 inserting in lieu thereof the following new sections:
 12 "Sec. 3. Section two hundred seventy-eight point
 13 one (278.1), subsection nine (9), Code 1979, is amended
 14 to read as follows:
 15 9. Authorize the establishment or abandonment
 16 of director districts or a change of boundaries of
 17 director districts. ~~If a proposition submitted to~~
 18 ~~the voters under this subsection is rejected, it may~~
 19 ~~not be resubmitted to the voters of the district in~~
 20 ~~substantially the same form within the next three~~
 21 ~~years, if it is approved, no other~~ No proposal may
 22 be submitted to the voters of the district under this
 23 subsection ~~within the next~~ or subsection eight (8)
 24 of this section more often than once every six years.
 25 Sec. 4. Section two hundred seventy-eight point
 26 two (278.2), Code 1979, is amended to read as follows:
 27 278.2 SUBMISSION OF PROPOSITION. The board may,
 28 and upon the written request of twenty-five eligible
 29 electors of any district having a population of five
 30 thousand or less, or of fifty eligible electors of
 31 any other district, shall direct the county
 32 commissioner of elections to provide in the notice
 33 of the regular election for submitting any proposition
 34 authorized by law to the voters. However, when in
 35 the case of a proposition authorized by section two
 36 hundred seventy-eight point one (278.1), subsections
 37 eight (8) or nine (9) of the Code, the requirements
 38 of section two hundred seventy-five point thirty-six
 39 (275.36) of the Code shall govern with respect to
 40 the number of signatures required on a petition for
 41 submission of the proposition. When the board has
 42 directed the commissioner to submit to the voters
 43 a proposition authorized by section 278.1, subsections
 44 eight (8) or 9 ~~or 40~~, it shall not thereafter direct
 45 him or her to submit at the same election any other
 46 proposition under either of these subsections."

S-3322 FILED *Adopted as amended by* BY COMMITTEE ON EDUCATION
MARCH 29, 1979 *3555 4/19 (p. 1275)* W.R. BILL HANSEN, CHAIRPERSON

HOUSE FILE 418

S-3492

1 Amend House File 418 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, line 22 by striking the word "ten"
 4 and inserting in lieu thereof the word "twenty-five".

S-3492 FILED *Placed out of order* BY CALVIN O. HULTMAN
APRIL 17, 1979 *4/19 (p. 1275)*

HOUSE FILE 418

S-3555

- 1 | Amend the Committee on Education amendment, S-3322
2 | to House File 418 as amended, passed, and reprinted
3 | by the House as follows:
4 | 1. Page 1, line 9, by striking the word "six"
5 | and inserting in lieu thereof the word "six".
6 | 2. Page 1, line 24, by striking the word "three".
7 | "six" and inserting in lieu thereof the word
8 | "six three".

S-3555 FILED & ADOPTED (p. 1275) BY EARL M. WILLITS
APRIL 19, 1979

HOUSE FILE 418

H-4222

- 1 | Amend the Senate amendment, H-4050, to House File
2 | 418 as amended, passed and reprinted by the House,
3 | as follows:
4 | 1. Page 1, by striking lines 6 through 9 and
5 | inserting in lieu thereof the words "the words "If
6 | a proposition for a change in the number of directors
7 | or in the method of election of school directors
8 | submitted to the voters under this section is rejected,
9 | it shall not be resubmitted to the voters of the
10 | district in substantially the same form within the
11 | next three years; if it is approved, no other proposal
12 | may be submitted to the voters of the district under
13 | this section within the next six years."
14 | 2. Page 1, by striking lines 17 through 25 and
15 | inserting in lieu thereof the words "director
16 | districts. If a proposition submitted to the voters
17 | under this subsection or subsection eight (8) of this
18 | section is rejected, it may not be resubmitted to
19 | the voters of the district in substantially the same
20 | form within the next three years; if it is approved,
21 | no other proposal may be submitted to the voters of
22 | the district under this subsection or subsection eight
23 | (8) of this section within the next six years."

H-4222 FILED MAY 1, 1979

Adopted 5/7 (p. 2105)

BY STROMER of Hancock

SENATE AMENDMENT TO
HOUSE FILE 418

H-4050

1 Amend House File 418 as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, line 22, by striking the word "ten"
4 and inserting in lieu thereof the word "thirty".

5 2. Page 1, line 29, by inserting after the period
6 the words "A proposition for a change in the number
7 of directors or in the method of election of school
8 directors shall not be submitted to the voters more
9 often than once every three years."

10 3. Page 1, by striking lines 30 and 31 and
11 inserting in lieu thereof the following new sections:

12 "Sec. 3. Section two hundred seventy-eight point
13 one (278.1), subsection nine (9), Code 1979, is amended
14 to read as follows:

15 9. Authorize the establishment or abandonment
16 of director districts or a change of boundaries of
17 director districts. ~~If a proposition submitted to~~
18 ~~the voters under this subsection is rejected, it may~~
19 ~~not be resubmitted to the voters of the district in~~
20 ~~substantially the same form within the next three~~
21 ~~years, if it is approved, no other~~ No proposal may
22 be submitted to the voters of the district under this
23 subsection ~~within the next~~ or subsection eight (8)
24 of this section more often than once every ~~six~~ three
25 years.

26 Sec. 4. Section two hundred seventy-eight point
27 two (278.2), Code 1979, is amended to read as follows:

28 278.2 SUBMISSION OF PROPOSITION. The board may,
29 and upon the written request of twenty-five eligible
30 electors of any district having a population of five
31 thousand or less, or of fifty eligible electors of
32 any other district, shall direct the county
33 commissioner of elections to provide in the notice
34 of the regular election for submitting any proposition
35 authorized by law to the voters. However, when in
36 the case of a proposition authorized by section two
37 hundred seventy-eight point one (278.1), subsections
38 eight (8) or nine (9) of the Code, the requirements
39 of section two hundred seventy-five point thirty-six
40 (275.36) of the Code shall govern with respect to
41 the number of signatures required on a petition for
42 submission of the proposition. When the board has
43 directed the commissioner to submit to the voters
44 a proposition authorized by section 278.1, subsections
45 eight (8) or 9 or 40, it shall not thereafter direct
46 him or her to submit at the same election any other
47 proposition under either of these subsections."

H-4050 FILED
APRIL 23, 1979

Motion to reconsider (p. 1940)
" prevailed 5/7 (p. 2103)

RECEIVED FROM THE SENATE

House concurred 4/30 (p. 1923)
" reconsidered, amended & concurred 5/7 (2105)

H-4224

1 Amend the Senate amendment, H-4050, to House File
2 418 as amended, passed and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 2 the following:

5 "1. Page 1, lines 11 and 12, by striking the words
6 "or other established political boundaries or natural
7 geographic divisions" and inserting in lieu thereof
8 the word "boundaries"."

9 2. Page 1, by striking line 12 and inserting in
10 lieu thereof the following:

11 "Sec. 3. Section two hundred seventy-five point
12 thirty-eight (275.38), Code 1979, is amended to read
13 as follows:

14 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.
15 If change in the method of election of school directors
16 is approved at a regular or special school election,
17 the directors who were serving unexpired terms or
18 were elected concurrently with approval of the change
19 of method shall serve out the terms for which they
20 were elected. If the plan adopted is that described
21 in section 275.12, subsection 2, paragraph "b," "c"
22 ~~or~~, "d," or section one (1) of this Act the board
23 shall at the earliest practicable time designate the
24 districts from which residents are to be elected as
25 school directors at each of the next three succeeding
26 annual school elections, arranging so far as possible
27 for elections of directors as residents of the
28 respective districts to coincide with the expiration
29 of terms of incumbent members residing in those
30 districts. If an increase in the size of the board
31 from five to seven members is approved concurrently
32 with the change in method of election of directors,
33 the board shall make the necessary adjustment in the
34 manner prescribed in section 275.37, as well as
35 providing for implementation of the districting plan
36 under this section.

37 Sec. 4. Section two hundred seventy-eight point".

38 3. Page 1, line 26, by striking the figure "4"
39 and inserting in lieu thereof the figure "5".

H-4224 FILED *Adopted 5/7* BY CRAWFORD of Story
MAY 2, 1979 (*p. 2104*)

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 418

S-3737

1 Amend the Senate amendment, H-4050, to House File
2 418 as amended, passed and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 2 the following:

5 "1. Page 1, lines 11 and 12, by striking the words
6 "or other established political boundaries or natural
7 geographic divisions" and inserting in lieu thereof
8 the word "boundaries"."

9 2. Page 1, by striking lines 6 through 9 and
10 inserting in lieu thereof the words "the words "If
11 a proposition for a change in the number of directors
12 or in the method of election of school directors
13 submitted to the voters under this section is rejected,
14 it shall not be resubmitted to the voters of the
15 district in substantially the same form within the
16 next three years; if it is approved, no other proposal
17 may be submitted to the voters of the district under
18 this section within the next six years.""

19 3. Page 1, by striking line 12 and inserting in
20 lieu thereof the following:

21 "Sec. 3. Section two hundred seventy-five point
22 thirty-eight (275.38), Code 1979, is amended to read
23 as follows:

24 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.
25 If change in the method of election of school directors
26 is approved at a regular or special school election,
27 the directors who were serving unexpired terms or
28 were elected concurrently with approval of the change
29 of method shall serve out the terms for which they
30 were elected. If the plan adopted is that described
31 in section 275.12, subsection 2, paragraph "b," "c"
32 ~~or~~, "d," or section one (1) of this Act the board
33 shall at the earliest practicable time designate the
34 districts from which residents are to be elected as
35 school directors at each of the next three succeeding
36 annual school elections, arranging so far as possible
37 for elections of directors as residents of the
38 respective districts to coincide with the expiration
39 of terms of incumbent members residing in those
40 districts. If an increase in the size of the board
41 from five to seven members is approved concurrently
42 with the change in method of election of directors,
43 the board shall make the necessary adjustment in the
44 manner prescribed in section 275.37, as well as
45 providing for implementation of the districting plan
46 under this section.

47 Sec. 4. Section two hundred seventy-eight point".

48 4. Page 1, by striking lines 17 through 25 and
49 inserting in lieu thereof the words "director
50 districts. If a proposition submitted to the voters

S-3737

1 under this subsection or subsection eight (8) of this
2 section is rejected, it may not be resubmitted to
3 the voters of the district in substantially the same
4 form within the next three years; if it is approved,
5 no other proposal may be submitted to the voters of
6 the district under this subsection or subsection eight
7 (8) of this section within the next six years."
8 5. Page 1, line 26, by striking the figure "4"
9 and inserting in lieu thereof the figure "5".

S-3737 FILED
MAY 8, 1979

RECEIVED FROM THE HOUSE

Senate concurred 5/9 (p. 1606)

HOUSE FILE 418

AN ACT

RELATING TO THE METHOD FOR ELECTING MEMBERS OF LOCAL SCHOOL DISTRICT BOARDS OF DIRECTORS, AND TO THE PROCEDURE FOR CHANGING FROM ONE OPTIONAL METHOD TO ANOTHER.

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

Section 1. Section two hundred seventy-five point twelve (275.12), subsection two (2), Code 1979, is amended by adding the following new paragraph:

NEW PARAGRAPH. In districts having seven directors, election of three directors at large by the electors of the entire district, one at each annual school election, and election of the remaining directors as residents of and by the electors of individual geographic subdistricts established on the basis of population and identified as director districts. Boundaries of the subdistricts shall follow precinct boundaries, insofar as practicable, and shall not be changed less than sixty days prior to the annual school election.

Sec. 2. Section two hundred seventy-five point thirty-six (275.36), Code 1979, is amended to read as follows:

275.36 SUBMISSION OF CHANGE TO ELECTORS. If a petition for a change in the number of directors or in the method of election of school directors, describing the boundaries of

the proposed director districts, if any, signed by at least one-third-of-the-voters-residing-within-the eligible electors of the school district equal in number to at least thirty percent of those who voted in the last previous annual school election in the school district, but not less than twenty-five persons, and accompanied by affidavit as required by section 275.13 be filed with the school board of a school district, not earlier than six months and not later than two months before a regular or special school election, the school board shall submit such proposition to the voters at such election. If a proposition for a change in the number of directors or in the method of election of school directors submitted to the voters under this section is rejected, it shall not be resubmitted to the voters of the district in substantially the same form within the next three years; if it is approved, no other proposal may be submitted to the voters of the district under this section within the next six years.

Sec. 3. Section two hundred seventy-five point thirty-eight (275.38), Code 1979, is amended to read as follows:

275.38 IMPLEMENTING CHANGED METHOD OF ELECTION. If change in the method of election of school directors is approved at a regular or special school election, the directors who were serving unexpired terms or were elected concurrently with approval of the change of method shall serve out the terms for which they were elected. If the plan adopted is that described in section 275.12, subsection 2, paragraph "b," "c" ~~or~~, "d," or section one (1) of this Act the board shall at the earliest practicable time designate the districts from which residents are to be elected as school directors at each of the next three succeeding annual school elections, arranging so far as possible for elections of directors as residents of the respective districts to coincide with the expiration of terms of incumbent members residing in those districts. If an increase in the size of the board from five

to seven members is approved concurrently with the change in method of election of directors, the board shall make the necessary adjustment in the manner prescribed in section 275.37, as well as providing for implementation of the districting plan under this section.

Sec. 4. Section two hundred seventy-eight point one (278.1), subsection nine (9), Code 1979, is amended to read as follows:

9. Authorize the establishment or abandonment of director districts or a change of boundaries of director districts. If a proposition submitted to the voters under this subsection or subsection eight (8) of this section is rejected, it may not be resubmitted to the voters of the district in substantially the same form within the next three years; if it is approved, no other proposal may be submitted to the voters of the district under this subsection or subsection eight (8) of this section within the next six years.

Sec. 5. Section two hundred seventy-eight point two (278.2), Code 1979, is amended to read as follows:

278.2 SUBMISSION OF PROPOSITION. The board may, and upon the written request of twenty-five eligible electors of any district having a population of five thousand or less, or of fifty eligible electors of any other district, shall direct the county commissioner of elections to provide in the notice of the regular election for submitting any proposition authorized by law to the voters. However, when in the case of a proposition authorized by section two hundred seventy-eight point one (278.1), subsections eight (8) or nine (9) of the Code, the requirements of section two hundred seventy-five point thirty-six (275.36) of the Code shall govern with respect to the number of signatures required on a petition for submission of the proposition. When the board has directed the commissioner to submit to the voters a proposition authorized by section 278.1, subsections eight (8) or 9 or 10, it shall not thereafter direct him or her to submit at

the same election any other proposition under either of these subsections.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 418, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved May 7, 1979

ROBERT D. RAY
Governor