

Reprinted 3/13/86

House File 2167

Education: Haverland, Chair: Daggett and Spear.

Amend (5/34) & Do Pass 2/21 (p 423)

JAN 29 1986

EDUCATION

HOUSE FILE 2167

BY DAGGETT

Passed House, Date 3-10-86 (p 418)

Passed Senate, Date 4-2-86 (p 978)

Vote: Ayes 93 Nays 0

Vote: Ayes 46 Nays 0

Approved May 29, 1986

A BILL FOR

1 An Act relating to the time allowed for persons to file
2 additional objections to a school reorganization petition if
3 the board continues the hearing on the petition.

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

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HF 2167

1 Section 1. Section 275.15, unnumbered paragraph 3, Code
2 Supplement 1985, is amended to read as follows:

3 If the petition is not dismissed and the board determines
4 that additional information is required in order to fix
5 boundary lines of the proposed school corporation, the board
6 may continue the hearing for no more than thirty days. The
7 date of the continued hearing shall be announced at the
8 original meeting. Additional objections in the form required
9 in section 275.14 may be considered if filed with the
10 administrator within five working days after the date of the
11 original board hearing. If the hearing is continued, the area
12 education agency administrator may conduct one or more
13 meetings with the boards of directors of the affected
14 districts. Notice of any such meeting must be given at least
15 forty-eight hours in advance by the area education agency
16 administrator in the manner provided in section 21.4. The
17 area education agency board may request that the administrator
18 make alternative recommendations regarding the boundary lines
19 of the proposed school corporation. The area education agency
20 board shall make a decision on the boundary lines within ten
21 days following the conclusion of the continued hearing.

22 EXPLANATION

23 This bill changes the deadline from five days to five
24 working days for persons to file objections to a
25 reorganization petition when the board has determined that
26 additional information is needed to fix boundary lines and the
27 board votes to continue the hearing.

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HOUSE FILE 2167

H-5239

1 Amend House File 2167 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 275.12, subsection 2,
5 paragraphs b and d, Code 1985, are amended to read as
6 follows:

7 b. Division of the entire school district into
8 designated geographical single director or multi-
9 director subdistricts on the basis of population for
10 each director, to be known as director districts, each
11 of which director districts shall be represented on
12 the school board by one director or more directors who
13 shall be a-resident residents of such the director
14 district but who shall be elected by the vote of the
15 electors of the entire school district. The-school
16 district-shall-be-divided-into-the-same-number-of
17 director-districts-as-the-number-of-school-directors
18 the-district-is-authorized-by-law. The boundaries of
19 such the director districts and the area and
20 population included within each district shall be such
21 as justice, equity, and the interests of the people
22 may require. Changes in the boundaries of director
23 districts shall not be made during a period commencing
24 sixty days prior to the date of the annual school
25 election. Insofar as may be practicable, the
26 boundaries of such the districts shall follow
27 established political or natural geographical
28 divisions.

29 d. Division of the entire school district into
30 designated geographical single director or multi-
31 director subdistricts on the basis of population for
32 each director, to be known as director districts, each
33 of which director districts shall be represented on
34 the school board by one director or more directors who
35 shall be a-resident residents of such the director
36 district and who shall be elected by the voters of
37 said the director district. Place of voting in such
38 the director districts shall be designated by the
39 commissioner of elections. Changes in the boundaries
40 of director districts shall not be made during a
41 period commencing sixty days prior to the date of the
42 annual school election."

43 2. Title page, line 1, by inserting after the
44 words "relating to" the following: "school district
45 reorganization, including".

46 3. Title page, line 3, by inserting after the
47 word "petition" the following: ", and to the drawing
48 of director districts".

49 4. By renumbering sections as necessary.

12/15 3/10 (p. 618)

HOUSE FILE 2167

H-5139

1 Amend House File 2167 as follows:

- 2 1. Page 1, line 10, by striking the words
3 "working days" and inserting the following: "days,
4 not including Saturdays, Sundays, or holidays,".

H-5139 FILED FEBRUARY 21, 1986 BY COMMITTEE ON EDUCATION

Adopted 3/10 (p. 618)

HOUSE FILE 2167
BY DAGGETT

(As Amended and Passed by the House March 10, 1986)

Be Passed House, Date 4-25-86 (p. 1797) Passed Senate, Date 4-2-86 (p. 978)

Vote: Ayes 97 Nays 0 Vote: Ayes 46 Nays 0

Approved May 29, 1986

*Motion to reconsider (p. 994) w/d 4/9
Proposed Senate 4-28-86 (p. 1421)*

A BILL FOR

46-0

1 An Act relating to the time allowed for persons to file
2 additional objections to a school reorganization petition if
3 the board continues the hearing on the petition.

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

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House Amendments _____

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1 Section 1. Section 275.15, unnumbered paragraph 3, Code
2 Supplement 1985, is amended to read as follows:

3 If the petition is not dismissed and the board determines
4 that additional information is required in order to fix
5 boundary lines of the proposed school corporation, the board
6 may continue the hearing for no more than thirty days. The
7 date of the continued hearing shall be announced at the
8 original meeting. Additional objections in the form required
9 in section 275.14 may be considered if filed with the
10 administrator within five days, not including Saturdays,
11 Sundays, or holidays, after the date of the original board
12 hearing. If the hearing is continued, the area education
13 agency administrator may conduct one or more meetings with the
14 boards of directors of the affected districts. Notice of any
15 such meeting must be given at least forty-eight hours in
16 advance by the area education agency administrator in the
17 manner provided in section 21.4. The area education agency
18 board may request that the administrator make alternative
19 recommendations regarding the boundary lines of the proposed
20 school corporation. The area education agency board shall
21 make a decision on the boundary lines within ten days
22 following the conclusion of the continued hearing.

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HOUSE FILE 2167

S-5387

1 Amend House File 2167 as amended, passed, and re-
2 printed by the House as follows:

3 1. Page 1, by inserting after line 22, the
4 following:

5 "Sec. ____ . Section 275.25, subsection 4, Code
6 Supplement 1985, is amended to read as follows:

7 4. The board of the newly formed district shall
8 organize within fifteen days after the special
9 election upon the call of the area education agency
10 administrator. The new board shall have control of
11 the employment of personnel for the newly formed
12 district for the next following school year under
13 section 275.33. Following the organization first --
14 organizational meeting of the board of the newly
15 formed district, the board may establish policy,
16 organize curriculum, enter into contracts, complete
17 planning, and take action as necessary for the
18 efficient management of the newly formed community
19 school district.

20 Sec. ____ . Section 275.33, subsection 2, Code
21 Supplement 1985, is amended to read as follows:

22 2. The collective bargaining agreement of the
23 district with the largest basic enrollment, as defined
24 in section 442.4, in the new district shall serve as
25 the base agreement and the employees of the other
26 districts involved in the formation of the new
27 district shall automatically be accreted to the
28 bargaining unit of that collective bargaining
29 ~~agreement for purposes of negotiating the contract for~~
30 ~~the following year~~ without further action by the
31 public employment relations board. If only one
32 collective bargaining agreement is in effect among the
33 districts which are party to the reorganization, then
34 that agreement shall serve as the base agreement, and
35 the employees of the other districts involved in the
36 formation of the new district shall automatically be
37 accreted to the bargaining unit of that collective
38 ~~bargaining agreement for purposes of negotiating the~~
39 ~~contract for the following year~~ without further action
40 by the public employment relations board. The board
41 of the newly formed district, using the base agreement
42 as its existing contract, shall bargain with the
43 combined employees of the existing districts for the
44 school year beginning with the effective date of the
45 reorganization. The bargaining shall be completed by
46 March 15 prior to the school year in which the
47 reorganization becomes effective or within one hundred
48 twenty eighty days after the organization of the new
49 board, whichever is later. If a bargaining agreement
50 was already concluded by the board and employees of

1 the existing district with the contract serving as the
2 base agreement for the school year beginning with the
3 effective date of the reorganization, that agreement
4 shall be void. However, if the base agreement
5 contains multiyear provisions affecting school years
6 subsequent to the effective date of the
7 reorganization, the base agreement shall remain in
8 effect as specified in the agreement.

9 The provisions of the base agreement shall apply to
10 the offering of new contracts, or continuation,
11 modification, or termination of existing contracts as
12 provided in subsection 1 of this section.

13 Sec. ____ . Section 279.15, subsection 1, Code 1985,
14 is amended to read as follows:

15 1. The superintendent or the superintendent's
16 designee shall notify the teacher not later than March
17 15 that the superintendent will recommend in writing
18 to the board at a regular or special meeting of the
19 board held not later than March 31 that the teacher's
20 continuing contract be terminated effective at the end
21 of the current school year. However, if the district
22 is subject to reorganization under chapter 275, the
23 notification shall not occur until after the first
24 organizational meeting of the board of the newly
25 formed district."

26 2. Title page, by striking lines 1 through 3 and
27 inserting the following: "An Act relating to
28 petitions, notice of termination, and the collective
29 bargaining process because of reorganization of school
30 districts."

S-5387 Filed March 18, 1986

BY MURPHY

Adopted 4/2 (p. 971) Motion to Rescind (p. 995) Shows as of order 4/7

SENATE AMENDMENT TO HOUSE FILE 2167

H-5767

1 Amend House File 2167 as amended, passed, and re-
2 printed by the House as follows:

3 1. Page 1, by inserting after line 22, the
4 following:

5 "Sec. _____. Section 275.25, subsection 4, Code
6 Supplement 1985, is amended to read as follows:
7 4. The board of the newly formed district shall
8 organize within fifteen days after the special
9 election upon the call of the area education agency
10 administrator. The new board shall have control of
11 the employment of personnel for the newly formed
12 district for the next following school year under
13 section 275.33. Following the organization first
14 organizational meeting of the board of the newly
15 formed district, the board may establish policy,
16 organize curriculum, enter into contracts, complete
17 planning, and take action as necessary for the
18 efficient management of the newly formed community
19 school district.

20 Sec. _____. Section 275.33, subsection 2, Code
21 Supplement 1985, is amended to read as follows:

22 2. The collective bargaining agreement of the
23 district with the largest basic enrollment, as defined
24 in section 442.4, in the new district shall serve as
25 the base agreement and the employees of the other
26 districts involved in the formation of the new
27 district shall automatically be accreted to the
28 bargaining unit of that collective bargaining
29 ~~agreement for purposes of negotiating the contract for~~
30 ~~the following year~~ without further action by the
31 public employment relations board. If only one
32 collective bargaining agreement is in effect among the
33 districts which are party to the reorganization, then
34 that agreement shall serve as the base agreement, and
35 the employees of the other districts involved in the
36 formation of the new district shall automatically be
37 accreted to the bargaining unit of that collective
38 bargaining agreement ~~for purposes of negotiating the~~
39 ~~contract for the following year~~ without further action
40 by the public employment relations board. The board
41 of the newly formed district, using the base agreement
42 as its existing contract, shall bargain with the
43 combined employees of the existing districts for the
44 school year beginning with the effective date of the
45 reorganization. The bargaining shall be completed by
46 March 15 prior to the school year in which the
47 reorganization becomes effective or within one hundred
48 twenty eighty days after the organization of the new
49 board, whichever is later. If a bargaining agreement
50 was already concluded by the board and employees of

1 the existing district with the contract serving as the
 2 base agreement for the school year beginning with the
 3 effective date of the reorganization, that agreement
 4 shall be void. However, if the base agreement
 5 contains multiyear provisions affecting school years
 6 subsequent to the effective date of the
 7 reorganization, the base agreement shall remain in
 8 effect as specified in the agreement.

9 The provisions of the base agreement shall apply to
 10 the offering of new contracts, or continuation,
 11 modification, or termination of existing contracts as
 12 provided in subsection 1 of this section.

13 Sec. ____ . Section 279.15, subsection 1, Code 1985,
 14 is amended to read as follows:

15 1. The superintendent or the superintendent's
 16 designee shall notify the teacher not later than March
 17 15 that the superintendent will recommend in writing
 18 to the board at a regular or special meeting of the
 19 board held not later than March 31 that the teacher's
 20 continuing contract be terminated effective at the end
 21 of the current school year. However, if the district
 22 is subject to reorganization under chapter 275, the
 23 notification shall not occur until after the first
 24 organizational meeting of the board of the newly
 25 formed district."

26 2. Title page, by striking lines 1 through 3 and
 27 inserting the following: "An Act relating to
 28 petitions, notice of termination, and the collective
 29 bargaining process because of reorganization of school
 30 districts."

H-5767 FILED APRIL 9, 1986 RECEIVED FROM THE SENATE

House amended & concurred 4/25 (p. 1797)

HOUSE FILE 2167

1 Amend the Senate amendment, H--5767, to House File
 2 2167 as amended, passed, and reprinted by the House as
 3 follows:

4 1. Page 1, by striking lines 29 and 30 and
 5 inserting the following: "agreement for purposes of
 6 negotiating the contract contracts for the following
 7 year years without further action by the".

8 2. Page 1, by striking lines 38 and 39 and
 9 inserting the following: "bargaining agreement for
 10 purposes of negotiating the contract contracts for the
 11 following year years without further action".

H-6034 FILED APRIL 25, 1986 BY HAVERLAND of Polk

ADOPTED (p. 1797)

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 2167

S-5759

1 Amend the Senate amendment, H--5767, to House File
2 2167 as amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 29 and 30 and
5 inserting the following: "agreement for purposes of
6 negotiating the ~~contract~~ contracts for the following
7 ~~year~~ years without further action by the".

8 2. Page 1, by striking lines 38 and 39 and
9 inserting the following: "bargaining agreement for
10 purposes of negotiating the ~~contract~~ contracts for the
11 following ~~year~~ years without further action".

S-5759 Filed April 25, 1986 REC'D FROM THE HOUSE

Senate concurred 4/28 (p. 142c)

HOUSE FILE 2167

AN ACT

RELATING TO PETITIONS, NOTICE OF TERMINATION, AND THE COLLECTIVE BARGAINING PROCESS BECAUSE OF REORGANIZATION OF SCHOOL DISTRICTS.

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

Section 1. Section 275.15, unnumbered paragraph 3, Code Supplement 1985, is amended to read as follows:

If the petition is not dismissed and the board determines that additional information is required in order to fix boundary lines of the proposed school corporation, the board may continue the hearing for no more than thirty days. The date of the continued hearing shall be announced at the original meeting. Additional objections in the form required in section 275.14 may be considered if filed with the administrator within five days, not including Saturdays, Sundays, or holidays, after the date of the original board hearing. If the hearing is continued, the area education agency administrator may conduct one or more meetings with the boards of directors of the affected districts. Notice of any

such meeting must be given at least forty-eight hours in advance by the area education agency administrator in the manner provided in section 21.4. The area education agency board may request that the administrator make alternative recommendations regarding the boundary lines of the proposed school corporation. The area education agency board shall make a decision on the boundary lines within ten days following the conclusion of the continued hearing.

Sec. 2. Section 275.25, subsection 4, Code Supplement 1985, is amended to read as follows:

4. The board of the newly formed district shall organize within fifteen days after the special election upon the call of the area education agency administrator. The new board shall have control of the employment of personnel for the newly formed district for the next following school year under section 275.33. Following the organization first organizational meeting of the board of the newly formed district, the board may establish policy, organize curriculum, enter into contracts, complete planning, and take action as necessary for the efficient management of the newly formed community school district.

Sec. 3. Section 275.33, subsection 2, Code Supplement 1985, is amended to read as follows:

2. The collective bargaining agreement of the district with the largest basic enrollment, as defined in section 442.4, in the new district shall serve as the base agreement and the employees of the other districts involved in the formation of the new district shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contract contracts for the following year years without further action by the public employment relations board. If only one collective bargaining agreement is in effect among the districts which are party to the reorganization, then that agreement shall serve as the base agreement, and the employees of the other districts

involved in the formation of the new district shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contract contracts for the following year years without further action by the public employment relations board. The board of the newly formed district, using the base agreement as its existing contract, shall bargain with the combined employees of the existing districts for the school year beginning with the effective date of the reorganization. The bargaining shall be completed by March 15 prior to the school year in which the reorganization becomes effective or within one hundred twenty eighty days after the organization of the new board, whichever is later. If a bargaining agreement was already concluded by the board and employees of the existing district with the contract serving as the base agreement for the school year beginning with the effective date of the reorganization, that agreement shall be void. However, if the base agreement contains multiyear provisions affecting school years subsequent to the effective date of the reorganization, the base agreement shall remain in effect as specified in the agreement.

The provisions of the base agreement shall apply to the offering of new contracts, or continuation, modification, or termination of existing contracts as provided in subsection 1 of this section.

Sec. 4. Section 279.15, subsection 1, Code 1985, is amended to read as follows:

1. The superintendent or the superintendent's designee shall notify the teacher not later than March 15 that the superintendent will recommend in writing to the board at a regular or special meeting of the board held not later than March 31 that the teacher's continuing contract be terminated effective at the end of the current school year. However, if the district is subject to reorganization under chapter 275, the notification shall not occur until after the first

organizational meeting of the board of the newly formed district.

.....
DONALD D. AVENSON
Speaker of the House

.....
ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2167, Seventy-first General Assembly.

.....
JOSEPH O'HERN
Chief Clerk of the House

Approved May 29, 1986

.....
TERRY E. BRANSTAD
Governor