

FEB 28 1997

EDUCATION

HOUSE JOINT RESOLUTION
BY CARROLL

16

(COMPANION TO LSB 1656SS
BLACK of Jasper)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of
2 the State of Iowa granting home rule power and authority to
3 local school districts.

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

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HSR 16

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Article IX of the Constitution of the State of Iowa is
4 amended by adding the following new section:

5 SCHOOL DISTRICT HOME RULE. Sec. 8. School districts are
6 granted home rule power and authority, not inconsistent with
7 the laws of the General Assembly, regarding the administrative
8 and financial operation of the school district, and the
9 district's educational program standards, except that they
10 shall not have power to levy or impose any tax unless
11 expressly authorized by the General Assembly.

12 The General Assembly shall provide by law for the creation,
13 dissolution, and reorganization of school districts.

14 The rule or proposition of law that a school district
15 possesses and can exercise only those powers granted in
16 express words is not a part of the law of this state.

17 Sec. 2. The foregoing amendment to the Constitution of the
18 State of Iowa is referred to the General Assembly to be chosen
19 at the next general election for members of the General
20 Assembly and the Secretary of State is directed to cause the
21 same to be published for three consecutive months previous to
22 the date of that election as provided by law.

23 EXPLANATION

24 This joint resolution proposes an amendment to the
25 Constitution of the State of Iowa granting home rule authority
26 to local school districts. Currently, school districts must
27 be operated in accordance with their statutory authority.
28 This resolution would authorize a school district to make
29 independent administrative and financial operation decisions
30 and decisions regarding educational program standards, unless
31 those decisions conflict with the laws of the general assembly
32 or the district is specifically prohibited by law from doing
33 so. The resolution provides that a school district shall not
34 have the power to levy or impose any tax unless expressly
35 authorized by the general assembly. The resolution, if

1 adopted, would be referred to the next general assembly for
2 adoption before being submitted to the electorate for
3 ratification.

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