

JAN 25 1999

EDUCATION

HOUSE FILE

129

BY NELSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing a method for determination of a newly formed  
2 community school district's area education agency affiliation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 129

1 Section 1. Section 275.12, subsection 1, Code 1999, is  
2 amended to read as follows:

3 1. A petition describing the boundaries, or accurately  
4 describing the area included therein by legal descriptions, of  
5 the proposed district, which boundaries or area described  
6 shall conform to plans developed or the petition shall request  
7 change of the plan, shall be filed with the area education  
8 agency administrator of the area education agency ~~in-which-the~~  
9 ~~greatest-number-of-registered-voters-reside~~ which has the  
10 least number of students served from among the area education  
11 agencies within which the reorganized school district is  
12 encompassed. However, the area education agency administrator  
13 shall not accept a petition if any of the school districts  
14 affected have approved the issuance of general obligation  
15 bonds at an election pursuant to section 296.6 during the  
16 preceding six-month period. The petition shall be signed by  
17 registered voters in each existing school district or portion  
18 affected equal in number to at least twenty percent of the  
19 number of registered voters or four hundred registered voters,  
20 whichever is the smaller number.

21 Sec. 2. Section 275.27, Code 1999, is amended to read as  
22 follows:

23 275.27 COMMUNITY SCHOOL DISTRICTS -- PART OF AREA  
24 EDUCATION AGENCY.

25 School districts created or enlarged under this chapter are  
26 community school districts and are part of the area education  
27 agency ~~in-which-the-greatest-number-of-registered-voters-of~~  
28 ~~the-district-reside~~ which has the least number of students  
29 served from among the area education agencies within which the  
30 reorganized school district is encompassed at the time of the  
31 special election called for in section 275.18, and sections of  
32 the Code applicable to the common schools generally are  
33 applicable to these districts in addition to the powers and  
34 privileges conferred by this chapter. If a school district,  
35 created or enlarged under this chapter and assigned to an area

1 education agency under this section, can demonstrate that  
2 students in the district were utilizing a service or program  
3 prior to the formation of the new or enlarged district that is  
4 unavailable from the area education agency to which the new or  
5 enlarged district is assigned, the district may be reassigned  
6 to the area education agency which formerly provided the  
7 service or program, upon an affirmative majority vote of the  
8 boards of the affected area education agencies to permit the  
9 change.

10 EXPLANATION

11 This bill provides a revised method of determining which  
12 area education agency a community school district will be  
13 affiliated with after the reorganization creating the  
14 community school district occurs.

15 Previously, school districts created or enlarged pursuant  
16 to the provisions of Code chapter 275 were assigned to the  
17 area education agency, from among all the area education  
18 agencies within which the reorganized school district is  
19 encompassed, in which the greatest number of registered voters  
20 of the reorganized district reside at the time the special  
21 election on the question of reorganization is called for in  
22 Code section 275.18. This bill provides that school districts  
23 will now be assigned to the area education agency which has  
24 the least number of students from among all the area education  
25 agencies within which the reorganized school district is  
26 encompassed.

27 The bill additionally provides for a similar conforming  
28 change regarding where an election petition describing the  
29 boundaries of a prospective reorganized school district will  
30 be filed. Previously, the petition was filed with the  
31 administrator representing the area education agency where the  
32 greatest number of registered voters resided, from among all  
33 the area education agencies within which the reorganized  
34 school district is encompassed. In order to be consistent  
35 with the change in determination method regarding assignment

1 of a reorganized school district to an area education agency,  
2 the petition would now be filed with the administrator  
3 representing the area education agency which has the least  
4 number of students from among all the area education agencies  
5 within which the reorganized school district is encompassed.

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