

FEB 25 2004
EDUCATION

HOUSE FILE 2368
BY GRANZOW

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

A BILL FOR

1 An Act relating to school reorganization by allowing certain
2 landowners contiguous to a school district to petition to join
3 the other school district.

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

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HF 2368

1 Section 1. NEW SECTION. 275.17A PETITION TO JOIN
2 CONTIGUOUS SCHOOL DISTRICT.

3 1. For the school year commencing July 1, 2005, and each
4 succeeding school year, a person owning land within the
5 territory described in a petition filed in accordance with
6 section 275.12 may, within twenty days after the publication
7 of a board decision under section 275.15 or 275.16 or, if a
8 controversy arises and a party brings the controversy to the
9 department of education under section 275.16, within twenty
10 days after the decision of the department of education under
11 section 275.16, petition to join a school district that is
12 contiguous to the person's land.

13 2. Any person owning land that is contiguous to the land
14 owned by a person who is eligible to file a petition to join a
15 contiguous school district in accordance with subsection 1 may
16 also file a petition to join the same school district within
17 the same time period specified in subsection 1.

18 3. The board of directors of a school district that
19 receives a petition to join the school district in accordance
20 with subsections 1 and 2 shall take action on the petition
21 within thirty days of the filing. If the petition is approved
22 by the board, the board shall notify the secretary of state of
23 its approval within ten days and the secretary of state shall
24 redraw the boundaries specified for the proposed reorganized
25 area to remove the land area specified in the petition to
26 join.

27 4. If the property tax valuation of the land excluded from
28 the proposed reorganized area in accordance with this section
29 comprises ten percent or more of the property tax valuation of
30 the proposed reorganized area, the area education agency shall
31 dismiss the petition and, if the administrator has submitted
32 notice to the county commissioner of elections pursuant to
33 section 275.18, shall cancel the special election on the
34 proposition.

35 5. If the proposed reorganized area as redrawn by the

1 secretary of state is determined by the area education agency
2 board to comply with the plans which were adopted by the board
3 in accordance with section 275.5, the area education
4 administrator shall proceed as provided under section 275.18.

5 EXPLANATION

6 This bill provides a process by which a landowner may
7 petition to join a contiguous school district when the
8 person's land is located within the boundaries of a school
9 district that is reorganizing.

10 Beginning July 1, 2005, a person owning land within the
11 territory described for a proposed reorganized area may file a
12 petition to join a school district that is contiguous to the
13 person's land and if the school district approves the request,
14 the land is excluded from the proposed reorganized area.

15 Further, the bill allows any other person whose land is
16 contiguous to that of the landowner whose land is contiguous
17 to the school district and who has filed a petition to join
18 the contiguous school district to file a petition to join the
19 same school district. A petition to join a contiguous school
20 district must be filed by the landowner within 20 days after
21 an area education agency board has held hearings and issued a
22 decision regarding any objections to the reorganization or, if
23 the decision of the board is aggrieved to the department of
24 education, within 20 days after the decision of the
25 department.

26 If the petition to join is approved by the school board,
27 the board shall notify the secretary of state of its approval
28 and the secretary of state shall redraw the boundaries
29 specified for the proposed reorganized area to remove the land
30 area specified in the petition to join and, if the redrawn
31 proposed reorganized area is determined by the area education
32 agency board to comply with the reorganization plans, the
33 administrator is directed to proceed with the reorganization
34 process.

35 However, if the property tax valuation of the land excluded

1 from the proposed reorganized area in accordance with the bill
2 comprises 10 percent or more of the property tax valuation of
3 the proposed reorganized area, the area education agency shall
4 dismiss the petition and halt the reorganization process.

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