

CHAPTER 1016

SCHOOL DISTRICTS AND SCHOOL CORPORATIONS

S. F. 517

AN ACT to revise, update, and correct certain sections of the Code of Iowa relating to school districts and school corporations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eleven point eighteen (11.18), unnumbered
2 paragraph one (1), Code 1971, is amended as follows:

3 The financial condition and transactions of all cities and city offices,
4 merged areas, and all school offices in ~~independent and community~~
5 school districts ~~maintaining high schools~~, shall be examined at least
6 once each year. The financial condition and transactions of all
7 towns having a population of seven hundred or more shall be exam-
8 ined at least once every four years. Such examination shall cover
9 the fiscal year next preceding the year in which the audit is conducted.
10 The examination of school offices shall include an audit of activity
11 funds. Examinations may be made by the auditor of state, or in lieu
12 of the examination by state accountants the local governing body
13 whose accounts are to be examined, in case it elects so to do, may con-
14 tract with, or employ, certified or registered public accountants, cer-
15 tified and registered in the state of Iowa, and pay the same from the
16 proper public funds. If the city, merged area or school district elect
17 to have the audit made by certified or registered public accountants,
18 they must so notify the auditor of state within sixty days after the
19 close of the fiscal year to be examined and towns electing to have their
20 audit made by a certified public accountant must so notify the state
21 auditor by resolution of the council designating the name of the person
22 or firm to be employed at least ninety days prior to the end of a fiscal
23 year. Such notification and designation shall remain in effect until
24 rescinded or modified by a subsequent resolution of the town council
25 filed with the state auditor. For town audits to be conducted by
26 certified public accountants, the state auditor shall notify the desig-
27 nated person or firm of the year to be examined at least sixty days
28 prior to the end of the year to be examined. If any city, town, merged
29 area or school district does not file such notification with the auditor of
30 state within the required period, the auditor of state is authorized
31 to make the examination and cover any period which has not been
32 previously examined.

1 SEC. 2. Section twenty point five (20.5), subsection three (3),
2 Code 1971, is amended as follows:

3 3. Enter into contract with or sell to any township, county, city,
4 towns, and ~~independent and consolidated school districts~~ *district* or
5 any local governmental unit or the state, its departments, commis-
6 sions, boards or agencies, any equipment, property, and supplies that
7 the board has purchased from the federal government, provided, how-
8 ever, that the township, county, city, towns, and ~~independent or con-~~
9 ~~solidated school districts~~ *district* or any local governmental unit, the
10 state, its departments, commissions, boards or agencies, reimburses
11 the board for the purchase price and expense connected with acquiring
12 said equipment, property, and supplies.

1 SEC. 3. Section seventy point one (70.1), Code 1971, is amended
2 as follows:

3 **70.1 Appointments and promotions.** In every public department
4 and upon all public works in the state, and of the counties, cities,
5 towns, and school ~~districts~~ *corporations* thereof, honorably discharged
6 men and women from the military or naval forces of the United States
7 in any war in which the United States was or is now engaged, includ-
8 ing the Philippine insurrection, China relief expedition, and the Ko-
9 rean conflict at any time between June 27, 1950 and July 27, 1953,
10 both dates inclusive, and the Vietnam conflict beginning August 5,
11 1964, and ending on the date the armed forces of the United States
12 are directed by formal order of the government of the United States
13 to cease hostilities, both dates inclusive, who are citizens and residents
14 of this state shall be entitled to preference in appointment, employ-
15 ment, and promotion over other applicants of no greater qualifications.
16 For the purposes of this section World War II shall mean service in
17 the armed forces of the United States between December 7, 1941,
18 and September 2, 1945, both dates inclusive.

1 SEC. 4. Section seventy-two point four (72.4), Code 1971, is
2 amended as follows:

3 **72.4 Penalty.** A violation of the provisions of section 72.3 shall,
4 in addition to criminal liability, render the violator liable, personally
5 and on his bond, if any, to liquidated damages in the sum of one
6 thousand dollars for each violation, to inure to and be collected by
7 the state, county, city, town, school ~~district~~ *corporation*, or other
8 municipal corporation of which the violator is an officer or deputy.

1 SEC. 5. Section seventy-three point ten (73.10), Code 1971, is
2 amended as follows:

3 **73.10 Exceptions.** The provisions of sections 73.6 to 73.9, inclu-
4 sive, shall not apply to municipally owned and operated public utilities
5 ~~nor to school townships and rural independent districts.~~

1 SEC. 6. Section two hundred fifty-seven point twelve (257.12),
2 Code 1971, is amended as follows:

3 **257.12 Qualifications of superintendent.** The superintendent shall
4 hold a master's degree in education or some related field; he shall have
5 had at least five years' experience in educational administration. He
6 shall hold or be eligible to hold a regular Iowa superintendent's cer-
7 tificate based upon training. ~~Assistant superintendents~~ *The deputy*
8 *superintendent* shall have the same qualifications.

1 SEC. 7. Section two hundred fifty-seven point thirteen (257.13),
2 Code 1971, is amended as follows:

3 **257.13 Oath.** The superintendent and ~~assistant superintendents~~
4 *deputy superintendent* shall take the oath of office prescribed by sec-
5 tion 63.10.

1 SEC. 8. Section two hundred seventy-three point twenty-two
2 (273.22), Code 1971, is amended by striking subsection fourteen (14).

1 SEC. 9. Section two hundred seventy-seven point twenty-seven
2 (277.27), Code 1971, is amended as follows:

3 **277.27 Qualification.** A school officer or member of the board
4 shall, at the time of election or appointment, be a qualified voter of

5 the corporation or subdistrict. *Notwithstanding any contrary pro-*
 6 *vision of the Code, no member of the board of directors of any school*
 7 *district, or his or her spouse, shall receive compensation directly from*
 8 *the school board. No director or spouse affected by this provision on*
 9 *the effective date of this Act, whose term of office for which elected*
 10 *has not expired, or whose contract of employment has a fixed date of*
 11 *expiration and has not expired, shall be affected by this provision until*
 12 *the expiration of the term of office to which elected, or the expiration*
 13 *date of the contract for which employed.*

1 SEC. 10. Section two hundred seventy-eight point one (278.1),*
 2 Code 1971, is amended by striking subsection eleven (11).

1 SEC. 11. Section two hundred seventy-eight point two (278.2),
 2 Code 1971, is amended as follows:

3 278.2 **Submission of proposition.** The board may, and upon the
 4 written request of twenty-five voters of any ~~city or town community~~
 5 ~~or independent~~ district having a population of five thousand or less,
 6 or of fifty voters of any other ~~city community or independent~~ district
 7 or of any district in which registration of any of the voters is required,
 8 shall provide in the notice for the regular election for submitting
 9 any proposition authorized by law to the voters. All propositions
 10 shall be voted upon by ballot, or by voting machine where required,
 11 in substantially the form indicated in sections 49.45 and 49.47; and
 12 the voter shall indicate his vote in the manner designated in section
 13 49.46, or indicate it on the voting machine, as the case may be.

1 SEC. 12. Section two hundred seventy-nine point fourteen (279.14),
 2 Code 1971, is amended as follows:

3 279.14 **Superintendent—term.** The board of directors of any ~~com-~~
 4 ~~munity or independent~~ school district or ~~school township~~ where there
 5 is a ~~township high school~~ shall have power to employ a superintendent
 6 of schools for one year. After serving at least seven months, he may
 7 be employed for a term of not to exceed three years. He shall be the
 8 executive officer of the board and have such powers and duties as may
 9 be prescribed by rules adopted by the board or by law. Boards of
 10 directors may jointly exercise the powers conferred by this section.

1 SEC. 13. Section two hundred seventy-nine point thirty-two
 2 (279.32), Code 1971, is amended as follows:

3 279.32 **Financial statement—publication.** In each ~~consolidated dis-~~
 4 ~~trict and in each community or independent~~ city or town school dis-
 5 trict, the board shall, during the second week of July of each year,
 6 publish by one insertion in at least one newspaper, if there is a news-
 7 paper published in said district, a summarized statement verified by
 8 affidavit of the secretary of the board showing the receipts and dis-
 9 bursements of all funds for the preceding school year. In all such
 10 districts of more than one hundred twenty-five thousand population,
 11 the statement of disbursements is to show the names of the persons,
 12 firms, or corporations, and the total amount paid to each during the
 13 school year.

1 SEC. 14. Section two hundred seventy-nine point thirty-three
 2 (279.33), Code 1971, is amended as follows:

*See also ch. 1019, §2.

3 **279.33 Other districts—filing statement.** In every other school
4 district, and in every school district wherein no newspaper is pub-
5 lished, the president and secretary of the board of directors thereof
6 shall file the above statement with the county superintendent of schools
7 during the second week of July of each year and shall post copies
8 thereof in three conspicuous places in the district.

1 SEC. 15. Section two hundred seventy-nine point thirty-four
2 (279.34), Code 1971, is amended as follows:

3 **279.34 Summary of warrants published.** In each consolidated dis-
4 trict and in each independent or community city or town school dis-
5 trict, except districts of over one hundred twenty-five thousand popu-
6 lation, the board shall quarterly publish by one insertion in at least
7 one newspaper published in the district, if there is a newspaper pub-
8 lished in the district, a statement verified by affidavit of the secretary
9 of the board showing a summary of the proceedings of the board
10 pertaining to financial matters or expenses to the district for the
11 previous quarter, including the list of all warrants issued by the
12 board, the names of the persons, firms or corporations receiving same,
13 the amount thereof and the reason therefor; except that warrants
14 issued to persons regularly employed by the school district for services
15 regularly performed by them need be listed not oftener than annually.
16 The fee for publication of the statement provided for herein shall not
17 exceed three-fifths of the legal publication fee provided by statute
18 for the publication of legal notices.

1 SEC. 16. Section two hundred seventy-nine point thirty-six
2 (279.36), Code 1971, is amended as follows:

3 **279.36 Industrial exposition.** The board of any school corporation,
4 or the director of any subdistrict deeming it expedient, may, under
5 the direction of the county superintendent, hold and maintain an in-
6 dustrial exposition in connection with the schools of such district,
7 such exposition to consist in the exhibit of useful articles invented,
8 made, or raised by the pupils, by sample or otherwise, in any of the
9 departments of mechanics, manufacture, art, science, agriculture, and
10 the kitchen, such exposition to be held in the schoolroom, on a school
11 day, as often as once during a term, and not oftener than once a
12 month, at which the pupils participating therein shall be required to
13 explain, demonstrate, or present the kind and plan of the article
14 exhibited, or give its method of culture; and work in these several
15 departments shall be encouraged, and patrons of the school invited to
16 be present at each exhibition.

1 SEC. 17. Section two hundred eighty point eleven (280.11), Code
2 1971, is amended as follows:

3 **280.11 Dental clinics.** Boards of school directors in all school dis-
4 tricts containing one thousand or more inhabitants are hereby author-
5 ized to establish and maintain in connection with the schools of such
6 districts, a dental clinic for children attending such schools, and to
7 offer courses of instruction on mouth hygiene. Said boards are hereby
8 empowered to employ such legally qualified dentists and dental hy-
9 gienists as may be necessary to accomplish the purpose of this section,
10 and pay the expense of the same out of the general fund.

1 SEC. 18. Section two hundred eighty point seventeen (280.17),
2 Code 1971, is amended as follows:

3 280.17 **Higher and graded schools.** The board may establish graded
4 and high schools and determine what branches shall be taught there-
5 in, but the course of study shall be subject to the approval of the
6 state board of public instruction. ~~Whenever the board in a school~~
7 ~~township establishes a high school, such high school can be discon-~~
8 ~~tinued only by an affirmative vote of a majority of the votes cast for~~
9 ~~and against such proposition at an election which may be called by~~
10 ~~the county superintendent of schools upon a petition for such election~~
11 ~~being presented signed by twenty-five percent of the electors in such~~
12 ~~township.~~

1 SEC. 19. Section two hundred eighty-two point eighteen (282.18),
2 Code 1971, is amended as follows:

3 282.18 **Children from charitable institution or state institution.**
4 Children who are residents of a charitable institution organized under
5 the laws of this state or residents of any institution under the juris-
6 diction of a director of a division of the department of social services
7 and who have completed a course of study for the eighth grade as
8 ~~required by section 282.19~~ shall be permitted to enter any approved
9 public high school in Iowa that will receive them and the tuition and
10 transportation when required by law shall be paid by the treasurer of
11 state from any money in his hands not otherwise appropriated and
12 upon warrants drawn and signed by the state comptroller on requi-
13 sition issued by the superintendent of public instruction. The super-
14 intendent of public instruction is hereby empowered to require
15 such reports, from such institution and from the high school such
16 pupils attend, as are necessary properly to carry out the provisions of
17 this section.

1 SEC. 20. Section two hundred eighty-five point one (285.1), sub-
2 section one (1), paragraph "c", Code 1971, is amended as follows:

3 c. Elementary pupils residing in a ~~rural independent district, a~~
4 ~~rural township district, or a consolidated district not operating a~~
5 ~~central school, when the school in the district or subdistrict is in opera-~~
6 ~~tion, must live more than two miles from the school in their own~~
7 ~~district or subdistrict to be entitled to transportation.~~

8 Boards at their discretion may provide transportation for resident
9 elementary children attending public school who live less than the
10 distance at which transporation is required.

1 SEC. 21. Section two hundred eighty-five point ten (285.10), Code
2 1971, is amended by striking subsection eight (8) and inserting in lieu
3 thereof the following:

4 8. Boards in school districts which have sufficient resident pupils
5 they are required to transport to warrant the purchase of transporta-
6 tion equipment may purchase buses needed to provide the transporta-
7 tion.

1 SEC. 22. Section two hundred eighty-eight point one (288.1), Code
2 1971, is amended as follows:

3 288.1 **Evening schools authorized.** The board of any school ~~corpe-~~
4 ~~ration district~~ may establish and maintain public evening schools as

5 a branch of the public schools when deemed advisable for the public
6 convenience and welfare.

1 SEC. 23. Section two hundred eighty-eight point two (288.2),
2 Code 1971, is amended as follows:

3 **288.2 When establishment mandatory.** When ten or more persons
4 over sixteen years of age residing in any school ~~corporation~~ *district*
5 shall, in writing, express a desire for instruction in the common
6 branches at an evening school, the school board shall establish and
7 maintain an evening school for such instruction for not less than two
8 hours each evening for at least two evenings each week during the
9 period of not less than three months of each school year.

1 SEC. 24. Section two hundred eighty-eight point three (288.3),
2 Code 1971, is amended as follows:

3 **288.3 Supervision—who admitted.** ~~If such evening school is a~~
4 ~~branch of a city or town school, the same shall be under the super-~~
5 ~~vision of the superintendent of such city or town school; if not, the~~
6 ~~same shall be under the supervision of the county superintendent.~~
7 Such evening school shall be available to all persons over sixteen
8 years of age who for any cause are unable to attend the public day
9 schools of such school ~~corporation~~ *district*.

1 SEC. 25. Section two hundred ninety-two point two (292.2), un-
2 numbered paragraph one (1), Code 1971, is amended as follows:

3 **292.2 Purchase of books—distribution.** Between the first Monday
4 of July and the first day of October in each year, the county board of
5 education shall expend all money withheld by the auditor, as provided
6 in section 292.1, in the purchase of books for the use of the school
7 district. The county board of education may distribute the books thus
8 purchased to the librarians of the several school districts in the pro-
9 portion that the number of persons of school age living in the school
10 district bears to the number of such persons living in the county, or
11 may entrust the custody of such books to the county superintendent
12 of schools to be loaned by him to schools of the county in the manner
13 of a circulating library; provided that if the circulating library method
14 is adopted, in whole or in part, any ~~independent district, community~~
15 ~~district, or any consolidated~~ district maintaining a high school shall,
16 upon request of its board of directors, be excluded therefrom and be
17 allowed its distributive share of such books on the basis first above
18 mentioned in this section.

1 SEC. 26. Section two hundred ninety-six point one (296.1), Code
2 1971, is amended as follows:

3 **296.1 Indebtedness authorized.** Subject to the approval of the
4 voters thereof, school ~~corporations~~ *districts* are hereby authorized to
5 contract indebtedness and to issue general obligation bonds to provide
6 funds to defray the cost of purchasing, building, furnishing, recon-
7 structing, repairing, improving or remodeling a schoolhouse or school-
8 houses and additions thereto, gymnasium, stadium, field house, school
9 bus garage, teachers' or superintendent's home or homes, and pro-
10 curing a site or sites therefor, or purchasing land to add to a site
11 already owned, or procuring and improving a site for an athletic field,
12 or improving a site already owned for an athletic field, and for any
13 one or more of such purposes. Taxes for the payment of said bonds

14 shall be levied in accordance with chapter 76, and said bonds shall
 15 mature within a period not exceeding twenty years from date of
 16 issue, shall bear interest at a rate or rates not exceeding seven percent
 17 per annum and shall be of such form as the board of directors of
 18 such school ~~corporation~~ *district* shall by resolution provide, but the
 19 aggregate indebtedness of any school ~~corporation~~ *district* shall not
 20 exceed five percent of the actual value of the taxable property within
 21 said school ~~corporation~~ *district*, as ascertained by the last preceding
 22 state and county tax lists.

1 SEC. 27. Section two hundred ninety-seven point one (297.1),
 2 Code 1971, is amended as follows:

3 **297.1 Location.** The board of each school ~~corporation~~ *district* may
 4 fix the site for each schoolhouse, which shall be upon some public
 5 highway already established or procured by such board and not in any
 6 public park, and except in cities, towns, and villages, not less than
 7 thirty rods from the residence of any landowner who objects thereto.
 8 In fixing such site, the board shall take into consideration the
 9 number of scholars residing in the various portions of the school
 10 ~~corporation~~ *district* and the geographical location and convenience
 11 of any proposed site.

1 SEC. 28. Section two hundred ninety-seven point two (297.2),
 2 Code 1971, is amended as follows:

3 **297.2 Ten-acre limitation.** Except as hereinafter provided, any
 4 school ~~corporation~~ *district* may take and hold so much real estate as
 5 may be required for such site, for the location or construction thereon
 6 of schoolhouses, and the convenient use thereof, but not to exceed ten
 7 acres exclusive of public highway.

1 SEC. 29. Section two hundred ninety-seven point three (297.3),
 2 Code 1971, is amended as follows:

3 **297.3 Thirty-acre limitation.** Any school ~~corporation~~ *district* in-
 4 cluding a city, town, or village, may take and hold an area equal to
 5 two blocks exclusive of the street or highway, for a schoolhouse site,
 6 and not exceeding thirty acres for school playground, stadium, or
 7 field house, or other purposes for each such site.

1 SEC. 30. Section two hundred ninety-seven point nine (297.9),
 2 Code 1971, is amended as follows:

3 **297.9 Use for other than school purposes.** The board of directors
 4 of any school ~~corporation~~ *district* may authorize the use of any school-
 5 house and its grounds within such ~~corporation~~ *district* for the purpose
 6 of meetings of granges, lodges, agricultural societies, and similar
 7 rural secret orders and societies, for parent-teacher associations, for
 8 community recreational activities, for public forums and similar
 9 community purposes; provided, however, that the board may not grant
 10 such permission to any organization known or believed to hold views
 11 that are in conflict with the republican form of government as set
 12 forth in the Constitution of the United States; and for election pur-
 13 poses, and for other meetings of public interest; provided that such
 14 use shall in no way interfere with school activities; such use to be
 15 for such compensation and upon such terms and conditions as may
 16 be fixed by said board for the proper protection of the schoolhouse
 17 and the property belonging therein, including that of pupils.

1 SEC. 31. Section two hundred ninety-seven point eleven (297.11),
2 Code 1971, is amended as follows:

3 297.11 **Use forbidden.** If at any time the voters of such ~~corpora-~~
4 ~~tion~~ *district* at a regular election forbid such use of any such school-
5 house or grounds, the board shall not thereafter permit such use until
6 the said action of such voters shall have been rescinded by the voters
7 at a regular election, or at a special election called for that purpose.

1 SEC. 32. Section two hundred ninety-seven point fifteen (297.15),
2 unnumbered paragraph one (1), Code 1971, is amended as follows:

3 Any real estate, owned by a school ~~corporation~~ *district*, containing
4 less than two acres, situated wholly outside of a city or town, and not
5 adjacent thereto, and heretofore used as a schoolhouse site shall revert
6 to the then owner of the tract from which the same was taken, pro-
7 vided that said owner of the tract last aforesaid shall, within the
8 time hereinafter prescribed, pay the value thereof to such school
9 ~~corporation~~ *district*.

1 SEC. 33. Section two hundred ninety-seven point sixteen (297.16),
2 Code 1971, is amended as follows:

3 297.16 **Appraisers.** In case the school ~~corporation~~ *district* and said
4 owner of the tract from which such school site was taken, do not
5 agree as to the value of such site, the county superintendent of the
6 county in which the greater part of such school ~~corporation~~ *district*
7 is situated, shall, on the written application of either party, appoint
8 three disinterested voters of the county to appraise said site.

1 SEC. 34. Section two hundred ninety-seven point nineteen
2 (297.19), Code 1971, is amended as follows:

3 297.19 **Public sale.** If the owner of the tract from which said site
4 was taken fails to pay the amount of such appraisement to such
5 school ~~corporation~~ *district* within twenty days after the filing of same
6 with the county superintendent, the school ~~corporation~~ *district* may
7 sell said site to any other person at the appraised value, or may sell
8 the same at public sale to the highest bidder.

1 SEC. 35. Section two hundred ninety-seven point twenty-two
2 (297.22), unnumbered paragraph two (2), Code 1971, is amended
3 as follows:

4 The board of directors of other school ~~corporations~~ *districts* may
5 sell, lease, or dispose of, in whole or in part, any schoolhouse or site
6 or other property belonging to the ~~corporation~~ *district* of a value not
7 to exceed the following amounts:

1 SEC. 36. Section two hundred ninety-seven point twenty-two
2 (297.22), unnumbered paragraph four (4), Code 1971, is amended
3 as follows:

4 Before the board of directors may sell, lease or dispose of any
5 property belonging to the school ~~corporation~~ *district* it shall comply
6 with the requirements set forth in sections 297.15 to 297.20, inclusive
7 and sections 297.23 and 297.24. Any real estate proposed to be sold
8 shall be appraised by three disinterested freeholders residing in the
9 school district and appointed by the county superintendent of schools
10 of the county in which said real estate is located.

1 SEC. 37. Section two hundred ninety-seven point thirty-two
2 (297.32), Code 1971, is amended as follows:

3 **297.32 Equipment and supplies.** If there is any school equipment,
4 supplies, or other usable school materials, such as desks, blackboards,
5 playground equipment, or the like, in or on said buildings or grounds,
6 the superintendent of public instruction may remove the same and
7 divert their use to other public school ~~corporations~~ *districts*.

1 SEC. 38. Section two hundred ninety-eight point one (298.1),
2 unnumbered paragraph one (1), Code 1971, is amended as follows:

3 The board of each school ~~corporation~~ *district* shall estimate the
4 amount of the proposed expenditures and proposed receipts for the
5 general school purposes at a time and in a manner to effectuate the
6 provisions of chapter 442. Compliance with chapter 24 shall be
7 observed.

1 SEC. 39. Section two hundred ninety-nine point three (299.3),
2 Code 1971, is amended as follows:

3 **299.3 Reports from private schools.** Within ten days from receipt
4 of notice from the secretary of the school ~~corporation~~ *district* within
5 which any private school is conducted, the principal of such school
6 shall, once during each school year, and at any time when requested
7 in individual cases, furnish to such secretary a certificate and report
8 in duplicate of the names, ages, and number of days attendance of
9 each pupil of such school over seven and under sixteen years of age,
10 the course of study pursued by each such child, the texts used, and the
11 names of the teachers, during the preceding year and from the time
12 of the last preceding report to the time at which a report is required.
13 The secretary shall retain one of the reports and file the other in the
14 office of the county superintendent.

1 SEC. 40. Section two hundred ninety-nine point four (299.4), Code
2 1971, is amended as follows:

3 **299.4 Reports as to private instruction.** Any person having the
4 control of any child over seven and under sixteen years of age, who
5 shall place such child under private instruction, not in a regularly
6 conducted school, upon receiving notice from the secretary of the
7 school ~~corporation~~ *district*, shall furnish a certificate stating the name
8 and age of such child, the period of time during which such child has
9 been under said private instruction, the details of such instruction,
10 and the name of the instructor.

1 SEC. 41. Section two hundred ninety-nine point ten (299.10), un-
2 numbered paragraph one (1), Code 1971, is amended as follows:

3 The board of each school ~~corporation~~ *district* may, and in school
4 ~~corporations~~ *districts* having a population of twenty thousand shall,
5 appoint a truancy officer.

1 SEC. 42. Section two hundred ninety-nine point eleven (299.11),
2 unnumbered paragraph one (1), Code 1971, is amended as follows:

3 The truancy officer shall take into custody without warrant any
4 apparently truant child and place him in the charge of the teacher in
5 charge of the public school designated by the board of directors of
6 the school ~~corporation~~ *district* in which said child resides, or of any
7 private school designated by the person having legal control of the

8 child; but if it is other than a public school, the instruction and main-
9 tenance of the child therein shall be without expense to the school
10 ~~corporation~~ district.

1 SEC. 43. Section three hundred one point one (301.1), Code 1971,
2 is amended as follows:

3 **301.1 Adoption—purchase and sale.** The board of directors of each
4 and every school ~~corporation~~ district is hereby authorized and empow-
5 ered to adopt textbooks for the teaching of all branches that are now
6 or may hereafter be authorized to be taught in the public schools of
7 the state, and to contract for and buy said books and any and all other
8 necessary school supplies at said contract prices, and to sell the same
9 to the pupils of their respective districts at cost, loan such textbooks
10 to such pupils free, or rent them to such pupils at such reasonable fee
11 as the board shall fix, and said money so received shall be returned to
12 the general fund.

1 SEC. 44. Section three hundred one point three (301.3), Code
2 1971, is amended as follows:

3 **301.3 Annual settlement by board of directors.** At the close of
4 each school year the board of directors in each school ~~corporation~~ dis-
5 trict shall cause a complete settlement to be made with each deposi-
6 tory agent. A complete inventory of the textbooks on hand, with a
7 statement itemized to show the expenses authorized and paid by the
8 board, and the amount of money collected from each such depository
9 agent during the year from the sale or rental of textbooks, shall be
10 made in duplicate, signed by the secretary of the board and the deposi-
11 tory agent and one copy filed with the secretary and one with the
12 depository agent.

1 SEC. 45. Section three hundred one point nineteen (301.19), Code
2 1971, is amended as follows:

3 **301.19 Rental or free textbooks purchased through county board.**
4 The board of directors of each and every school ~~corporation~~ district
5 that is a part of the county school system shall have authority to pur-
6 chase through the county board of education at the regular contract
7 price textbooks adopted by the county board of education and pay for
8 the same from the general fund of the school district and loan them
9 free or rent such textbooks to the pupils of their respective schools
10 in the manner provided in sections 301.1, 301.2, and 301.3. The money
11 so received shall be returned to the general fund of such district at
12 the end of each calendar month.

1 SEC. 46. Section three hundred one point twenty-four (301.24),
2 Code 1971, is amended as follows:

3 **301.24 Petition—election.** Whenever a petition signed by ten per-
4 cent of the qualified voters, to be determined by the school board of
5 any school ~~corporation~~ district, shall be filed with the secretary thirty
6 days or more before the regular election, asking that the question of
7 providing free textbooks for the use of pupils in the public schools
8 thereof be submitted to the voters at the next regular election, he
9 shall cause notice of such proposition to be given in the notice of
10 such election.

1 SEC. 47. Section three hundred one point twenty-five (301.25),
2 Code 1971, is amended as follows:

3 301.25 **Loaning books.** If, at such election, a majority of the legal
4 voters present and voting by ballot thereon shall authorize the board
5 of directors of said school ~~corporation~~ *district* to loan textbooks to
6 the pupils free of charge, then the board shall procure such books as
7 shall be needed, in the manner provided by law for the purchase of
8 textbooks, and loan them to the pupils.

1 SEC. 48. Section three hundred two point three (302.3), unnum-
2 bered paragraph two (2), Code 1971, is amended as follows:

3 These several funds shall be payable to the county treasurer of the
4 several counties in which they arise, accounted for to the board of
5 supervisors, and apportioned by it among the several school town-
6 ships and independent districts of the county as provided by law.

Approved April 22, 1972.

CHAPTER 1017

ADMINISTRATIVE RULES DEFINED

H. F. 412

AN ACT relating to administrative rules of departments of the state.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section seventeen A point one (17A.1), subsection
2 three (3), Code 1971, is amended by striking the subsection and
3 inserting in lieu thereof the following:

4 3. "Rule" means any rule, regulation, order or standard of general
5 application that implements or interprets law or policy, or the amend-
6 ment, supplement, repeal, rescission, or revision of any rule, regula-
7 tion, order, or standard of general application.

8 "Rule" does not include any statement concerning only the internal
9 management of an agency and not affecting the rights or procedures
10 available to the public. "Rule" does not include rules adopted relating
11 to the management, discipline, or release of any person committed to
12 any state institution, nor rules of an agency which may be necessary
13 during emergencies such as floods, epidemics, invasion, or other dis-
14 asters.

1 SEC. 2. The rules review committee shall at the request of any
2 standing committee of the general assembly, or may on its own
3 motion, require a department to meet with the rules review committee
4 to discuss and review rules already promulgated and in force and
5 thereafter render to such department an advisory opinion requesting
6 that such rules be amended or revised.

Approved March 2, 1972.