

11 state or local advisors of vocational educational organizations. No
 12 vocational organization shall receive more than one-fifth of the moneys
 13 appropriated to the vocational youth organization fund in any year.

Approved April 19, 1974

CHAPTER 1171

VOCATIONAL REHABILITATION

S. F. 1107

AN ACT relating to vocational rehabilitation.

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

1 SECTION 1. Section two hundred fifty-nine point one (259.1), Code
 2 1973, is amended by adding the following unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. In the same manner, the Act of
 4 Congress known as "The Rehabilitation Act of 1973 (P.L. 93-112)" is
 5 accepted.

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in The
 3 Record, a newspaper published in Cedar Falls, Iowa, and in the
 4 Hampton Times, a newspaper published in Hampton, Iowa.

Approved April 25, 1974

I hereby certify that the foregoing Act, Senate File 1107, was published in The Record, Cedar Falls, Iowa, May 1, 1974, and in the Hampton Times, Hampton, Iowa, April 30, 1974.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 1172

AREA EDUCATION AGENCIES

S. F. 1163

AN ACT relating to area education agencies, including provisions to replace the county school systems and joint county systems with area education agencies, to require the area education agencies to provide for certain programs and services for the school districts, to transfer certain functions of the county school systems and joint county systems to the department of public instruction and to the area education agencies, to provide a method for identification of children requiring special education, to provide a method for financing programs and services and to provide coordinating amendments.

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

1 SECTION 1. **System abolished.** The county school systems and
 2 joint county systems established pursuant to chapter two hundred
 3 seventy-three (273) of the Code are abolished on July 1, 1975.

4 Membership on county and joint county boards of education and em-
5 ployment in county and joint county systems shall terminate on
6 July 1, 1975. Terms of office of members of the boards of directors
7 of county school systems and joint county systems expiring on Octo-
8 ber 7, 1974 are extended until July 1, 1975 and members shall not be
9 elected to county boards of education and joint county boards at the
10 regular school election in 1974, except to fill a vacancy.

1 SEC. 2. NEW SECTION. **Intent.** It is the intent of the general
2 assembly to provide an effective, efficient, and economical means of
3 identifying and serving children from under five years of age
4 through grade twelve who require special education and any other
5 children requiring special education as defined in section two hun-
6 dred eighty-one point two (281.2) of the Code; to provide for media
7 services and other programs and services for pupils in grades kinder-
8 garten through twelve and children requiring special education as
9 defined in section two hundred eighty-one point two (281.2) of the
10 Code; to provide a method of financing the programs and services;
11 and to avoid a duplication of programs and services provided by any
12 other school corporation in the state.

1 SEC. 3. NEW SECTION. **Area education agency established.** There
2 is established in each of the several merged areas of the state an
3 area education agency, governed by an area education agency board
4 of directors. The area education agency shall have boundaries which
5 are conterminous with the boundaries of the merged areas as provided
6 in chapter two hundred eighty A (280A) of the Code.

7 The area education agency board shall furnish educational ser-
8 vices and programs to the local school districts as provided in sections
9 one (1) through twelve (12) of this Act and chapter two hundred
10 eighty-one (281) of the Code. The programs and services provided
11 shall be at least commensurate with programs and services existing
12 on the effective date of this Act.

13 The area education agency board shall provide for special educa-
14 tion services and media services for the local school districts in the
15 area.

16 The area education agency board may provide for the following
17 programs and services to local school districts within the limits of
18 funds available:

19 1. In-service training programs for employees of school districts
20 and area education agencies, provided at the time programs and ser-
21 vices are established they do not duplicate programs and services
22 available in that area from the universities under the state board of
23 regents and from other universities and four-year institutions of
24 higher education in Iowa.

25 2. Educational data processing pursuant to section two hundred
26 fifty-seven point ten (257.10), subsection fourteen (14), of the Code.

27 3. Research, demonstration projects and models, and educational
28 planning for children under five years of age through grade twelve
29 and children requiring special education as defined in section two
30 hundred eighty-one point two (281.2) of the Code as approved by
31 the department of public instruction.

32 4. Auxiliary services for children under five years of age through
33 grade twelve and children requiring special education as defined in

34 section two hundred eighty-one point two (281.2) of the Code as
35 provided by law.

36 5. Other programs and services for children under five years
37 through grade twelve and children requiring special education as de-
38 fined in section two hundred eighty-one point two (281.2) of the
39 Code and for employees of school districts and area education agen-
40 cies as approved by the department of public instruction.

41 The board of directors of an area education agency shall not estab-
42 lish programs and services which duplicate programs and services
43 provided by the area schools under the provisions of chapter two
44 hundred eighty A (280A) of the Code. An area education agency
45 shall contract, whenever practicable, with other school corporations
46 for the use of personnel, buildings, facilities, supplies, equipment,
47 programs, and services.

1 SEC. 4. NEW SECTION. Duties of area education agency board.
2 The board in carrying out the provisions of section three (3) of this
3 Act shall:

4 1. Determine the policies of the area education agency for provid-
5 ing programs and services.

6 2. Be authorized to receive and expend money for providing pro-
7 grams and services as provided in sections one (1) through twelve
8 (12) of this Act and chapter two hundred eighty-one (281) of the
9 Code. All costs incurred in providing the programs and services, in-
10 cluding administrative costs, shall be paid from funds received pur-
11 suant to sections one (1) through twelve (12) of this Act and chap-
12 ters two hundred eighty-one (281) and four hundred forty-two
13 (442) of the Code.

14 3. Provide data and prepare reports as directed by the superin-
15 tendent of public instruction.

16 4. Provide for advisory committees as deemed necessary.

17 5. Be authorized, subject to rules and regulations of the depart-
18 ment of public instruction, to provide directly or by contractual ar-
19 rangement with public or private agencies for special education pro-
20 grams and services, media services, and other programs and ser-
21 vices requested by the local boards of education as provided in this
22 Act, including but not limited to contracts for the area education
23 agency to provide programs or services to the local school districts
24 and contracts for local school districts, other educational agencies,
25 and public and private agencies to provide programs and services
26 to the local school districts in the area education agency in lieu of
27 the area education agency providing such services.

28 6. Area education agencies may cooperate and contract between
29 themselves to provide special education programs and services to
30 children residing within their respective areas.

31 7. Be authorized, subject to the approval of the department of
32 public instruction, to lease, receive by gift, and operate and maintain
33 such facilities and buildings as deemed necessary to provide author-
34 ized programs and services.

35 8. Be authorized, subject to the approval of the department of
36 public instruction, to enter into agreements for the joint use of per-
37 sonnel, buildings, facilities, supplies, and equipment with school cor-
38 porations as deemed necessary to provide authorized programs and
39 services.

40 9. Be authorized to make application for, accept, and expend state
41 and federal funds that are available for programs of educational
42 benefit approved by the department of public instruction, and coop-
43 erate with the department in the manner provided in federal-state
44 plans or department rules and regulations in the effectuation and
45 administration of programs approved by the department, or approved
46 by other educational agencies, which agencies have been approved as
47 a state educational authority.

48 10. In any county operating a juvenile home, upon request of the
49 county board of supervisors in cooperation with and at the expense
50 of the school districts of residence of the children residing in the
51 home, provide suitable curriculum, teaching staff, books, supplies,
52 and other necessary materials for the instruction of children of
53 school age who are maintained in the juvenile home of the county,
54 as provided in section two hundred thirty-two point twenty-one
55 (232.21) of the Code.

56 11. Be authorized to perform all other acts necessary to carry
57 out the provisions and intent of this Act.

58 12. Employ such personnel as may be required, if any, to carry
59 out the functions of the area education agency which may include
60 the employment of an administrator who shall possess a superin-
61 tendent's certificate issued under the provisions of section two hun-
62 dred sixty point nine (260.9) of the Code. The administrator shall be
63 employed pursuant to the provisions of section two hundred seventy-
64 nine point fourteen (279.14) of the Code. The salary range for an
65 area education agency administrator shall be from seventeen thou-
66 sand dollars to twenty-seven thousand five hundred dollars per annum,
67 including additional benefits, over and above the additional benefits
68 given all full-time employees. The provisions of section two hundred
69 seventy-nine point thirteen (279.13) of the Code shall apply to the
70 area education agency board and to all certificated school employees
71 of the area education agency.

72 13. Prepare an annual budget estimating income and expenditures
73 for programs and services as provided in sections one (1) through
74 twelve (12) of this Act and chapter two hundred eighty-one (281)
75 of the Code. The proposed budget shall be submitted to the depart-
76 ment of public instruction, on forms provided by the department, no
77 later than December first preceding the next fiscal year for approval.
78 The department shall review the proposed budget and shall prior to
79 January first either grant approval or return the budget without
80 approval with comments of the department included. Any unap-
81 proved budget shall be resubmitted to the department for final ap-
82 proval.

83 14. Be authorized to pay, out of funds available to the board rea-
84 sonable annual dues to an Iowa association of school boards. Mem-
85 bership shall be limited to those duly elected members of the area
86 education agency board.

87 15. At the request of an employee through contractual agreement
88 the board may arrange for the purchase of an individual annuity
89 contract for any of its respective employees from any company the
90 employee may choose that is authorized to do business in this state,
91 and through an Iowa-licensed insurance agent that the employee
92 may select, for retirement or other purposes and may make payroll

93 deductions in accordance with such arrangements for the purpose of
94 paying the entire premium due, and to become due, under the con-
95 tract. The deductions shall be made in the manner which will
96 qualify the annuity premiums for the benefits afforded under section
97 four hundred three b (403b) of the Internal Revenue Code of 1954
98 and amendments thereto. The employee's rights under such annuity
99 contract shall be nonforfeitable except for the failure to pay pre-
100 miums.

101 16. Be authorized to establish and pay all or any part of the cost
102 of group health insurance plans, nonprofit group medical service
103 plans and group life insurance plans adopted by the board for the
104 benefit of employees of the area education agency, from funds avail-
105 able to the board.

106 17. Meet quarterly with the members of the board of directors of
107 the merged area in which the area education agency is located to
108 discuss coordination of programs and services and other matters of
109 mutual interest to the two boards.

1 SEC. 5. NEW SECTION. **Area education agency administrator.**
2 Under direction of the board of directors of the area education
3 agency, the administrator of the area education agency shall, in addi-
4 tion to his other duties:

5 1. Cooperate with boards of directors of local school districts of
6 the area education agency in considering and developing plans for
7 the improvement of the educational programs and services in the
8 area education agency.

9 2. When requested, provide such other assistance as possible to
10 school districts of the area education agency for the general improve-
11 ment of their educational programs and operations.

1 SEC. 6. NEW SECTION. **Special education.** There shall be estab-
2 lished a division of special education of the area education agency
3 which shall provide for special education programs and services to
4 the local school districts. The division of special education shall be
5 headed by a director of special education who meets certification
6 standards of the department of public instruction. The director of
7 special education shall have the responsibility for implementation of
8 state regulations and guidelines relating to special education pro-
9 grams and services. The director of special education shall have the
10 following powers and duties:

11 1. Properly identify children requiring special education.

12 2. Insure that each child requiring special education in the area
13 receives an appropriate special education program or service.

14 3. Assign appropriate weights for each child requiring special
15 education programs or services as provided in section two hundred
16 eighty-one point nine (281.9) of the Code.

17 4. Supervise special education support personnel.

18 5. Provide each school district within the area served and the
19 department of public instruction with a special education weighted
20 enrollment count for the second Friday in January and the second
21 Friday in September of each year.

22 6. Submit to the department of public instruction special education
23 instructional and support program plans and applications including
24 those for new or expanded programs and services, subject to criteria

25 listed in chapter two hundred eighty-one (281) of the Code, for
 26 approval by November first of each year for the school year com-
 27 mencing the following July first.

28 7. Coordinate the special education program within the area
 29 served.

1 SEC. 7. NEW SECTION. **Media centers.**

2 1. The media centers required under section three (3) of this Act
 3 shall contain:

4 a. A materials lending library, consisting of print and nonprint
 5 materials.

6 b. A professional library.

7 c. A curriculum laboratory, including textbooks and correlated
 8 print and audiovisual materials.

9 d. Capability for production of media-oriented instructional mate-
 10 rials.

11 e. Qualified media personnel.

12 f. Appropriate physical facilities.

13 g. Other materials and equipment deemed necessary by the de-
 14 partment.

15 2. Program plans submitted by the area education agency to the
 16 department of public instruction for approval of media centers under
 17 this subsection shall include all of the following:

18 a. Evidence that the services proposed are based upon an analysis
 19 of the needs of the local school districts in the area.

20 b. Description of the manner in which the services of the area
 21 education agency media center will be coordinated with other agen-
 22 cies and programs providing educational media.

23 c. Description of the means for delivery of circulation materials.

24 d. Evidence that the media center fulfills the requirements of sub-
 25 section one (1) of this section.

1 SEC. 8. NEW SECTION. **Additional services.** If sixty percent of
 2 the number of local school boards located in an area education agency,
 3 or if local school boards representing sixty percent of the enrollment
 4 in the school districts located in the agency, request in writing to
 5 the area education agency board that an additional service be pro-
 6 vided them, for pupils in grades kindergarten through twelve or chil-
 7 dren requiring special education as defined in section two hundred
 8 eighty-one point two (281.2) of the Code or for employees or board
 9 members of school districts or area education agencies the area edu-
 10 cation agency board shall arrange for the service to be provided to all
 11 school districts in the area within the financial capabilities of the area
 12 education agency.

1 SEC. 9. **County systems.** County and joint county boards of edu-
 2 cation and county and joint county school systems shall continue
 3 to function through June 30, 1975. During the interval between
 4 the* October 7, 1974 and June 30, 1975, the area education agency
 5 board shall meet with the county or joint county boards located in
 6 whole or in part within the merged area and arrange for an orderly
 7 transfer of records, assets and liabilities from the respective county

*According to enrolled Act

8 or joint county systems to the area education agency as of June
9 30, 1975. In cases where the boundaries of the area education
10 agency include only a part of a county or joint county system the
11 respective boards shall arrange for a division of assets and liabili-
12 ties based on the proportionate value of the taxable property of the
13 county or joint county system within and without the boundaries of
14 the area education agency. During the interim between October 7,
15 1974 and July 1, 1975, the county and joint county boards and their
16 personnel shall furnish full cooperation to the area education agency
17 board in assisting it with the preparation of a budget, the recruit-
18 ment of personnel and other necessary preliminary matters. Office
19 space and other space furnished by the counties to the several county
20 and joint county boards shall remain available for use by the area
21 education agency board for such period of time as the area educa-
22 tion agency board deems continued use of the space to be necessary
23 and convenient. The area education agency board may arrange for
24 the appointment of officers and the hiring of other personnel for
25 terms of office or employment to commence on July 1, 1975, and may
26 employ the administrator of the area education agency, the area
27 director of special education and the necessary support personnel,
28 including clerical assistance before July 1, 1975 to perform func-
29 tions necessary for the implementation of sections one (1) through
30 twelve (12) of this Act and chapter two hundred eighty-one (281)
31 of the Code on July 1, 1975.

32 Any tax revenues collected by a county treasurer or county audi-
33 tor for a county or joint county system, or funds to be paid by the
34 state of Iowa to a county or joint county system, after July 1, 1975,
35 shall be paid directly to the proper area education agency on behalf
36 of the county or joint county system.

1 **SEC. 10. NEW SECTION. Area education agency board of directors.**

2 1. Board of Directors. The board of directors of an area educa-
3 tion agency shall consist of the same number of directors as are
4 authorized to serve on the board of the merged area under the pro-
5 visions of chapter two hundred eighty A (280A) of the Code, within
6 the area being served by the area education agency. The members
7 of the area education agency board shall be elected from director
8 districts in the manner provided in this section. Each director shall
9 serve a three-year term which expires on the first Monday in Octo-
10 ber, except that directors elected at the initial election to take office
11 on October 7, 1974 shall determine their respective terms by lot so
12 that the terms of one-third of the members, as nearly as may be,
13 shall expire on the first Monday of October of each succeeding year.

14 2. Election of Directors. Area education agency directors shall
15 be elected from director districts which are conterminous with the
16 director districts for the election of members of the merged area
17 board under chapter two hundred eighty A (280A) of the Code.

18 The board of directors of the area education agency shall be elected
19 at director district conventions attended by members of the boards
20 of directors of the local school districts located within the director
21 district.

22 A convention shall be held not later than September 20, 1974 and
23 the date shall be determined by the county superintendent of the
24 county school system or joint county system which has the largest

25 public school enrollment in the director district. The location of
26 each director district convention shall be determined by the county
27 superintendent who determines the date of the director district con-
28 vention, and the location shall be at a school facility located within
29 the director district. The presiding officer of the director district
30 convention shall be the president of the board of directors of the
31 school district in which the convention is held. A single member
32 shall be elected from each director district. The member of the
33 area education agency board to be elected at the director district
34 convention may be a member of a local school district board of direc-
35 tors and shall be an elector and a resident of the director district,
36 other than school district employees.

37 After July 1, 1975, the director district conventions shall be called
38 and the locations of the conventions shall be determined by the area
39 education agency superintendent. Annually the director district con-
40 ventions shall be held within two weeks following the regular school
41 election. Notice of the time, date and place of the director district
42 conventions shall be published by the area education agency super-
43 intendent at least forty-five days prior to the day of the district con-
44 ventions in at least one newspaper of general circulation in the
45 merged area. The cost of publication shall be paid by the area edu-
46 cation agency.

47 The board of each separate school district which is located entirely
48 or partially inside an area education agency director district shall
49 cast a vote for director of the area education agency board based
50 upon the ratio that the population of the school district, or portion of
51 the school district, in the director district bears to the total popula-
52 tion in the director district. The population of each school district
53 or portion shall be determined by the department of public instruc-
54 tion.

55 Vacancies, as defined in section two hundred seventy-seven point
56 twenty-nine (277.29) of the Code, in the membership of the area
57 education agency board shall be filled for the unexpired portion of
58 the term by the board of the school district in which the member
59 resided.

60 A candidate for election to the area education agency board may
61 file a statement of candidacy with the area education agency secre-
62 tary at least ten days prior to the date of the director district con-
63 vention, on forms prescribed by the department of public instruction.
64 The statement of candidacy shall include the candidate's name,
65 address and school district. The list of candidates shall be sent by
66 the secretary of the area education agency by ordinary mail to the
67 presidents of the boards of directors of all school districts within
68 the director district immediately following the last day for filing the
69 statement of candidacy. The filing of a statement of candidacy shall
70 not be a prerequisite or eligibility requirement for election as an area
71 education agency director. For the initial director district convention
72 the statement of candidacy shall be filed with the county superin-
73 tendent who determines the date and location of the district conven-
74 tion and he shall send the list of candidates to the presidents of the
75 school boards.

76 3. Organization. The board of directors of each area education
77 agency shall meet on the first Monday in October at a suitable place
78 designated by the president. Directors whose terms commence at

79 the organization meeting shall qualify by taking the oath of office
80 required by section two hundred seventy-nine point twenty-eight
81 (279.28) of the Code at or before the organization meeting. For the
82 initial board the location of the organization meeting shall be deter-
83 mined by the county superintendent who determined the date and
84 location of the director district convention.

85 The provisions of section two hundred eighty A point thirteen
86 (280A.13) of the Code relating to organization, officers, appointment
87 of secretary and treasurer, and meetings of the merged area board
88 shall apply to the area education agency board.

89 4. Quorum. A majority of the members of the board of directors
90 of the area education agency shall constitute a quorum.

1 **SEC. 11. Employment of county school system and joint county**
2 **system personnel.** In employing personnel, the area education agency
3 board shall give preference to qualified personnel who seek employ-
4 ment with the area education agency because their employment by
5 county school systems and joint county systems will be terminated on
6 July 1, 1975. Sick leave and vacations accrued by the employee shall
7 be carried over to his employment by the area education agency board.
8 Any employee of an area education agency who was a member of a
9 public retirement system of a school district or county system, other
10 than the Iowa public employees' retirement system established in
11 chapter ninety-seven B (97B) of the Code, shall, if the employee
12 elects in writing to the area education agency board, continue to be a
13 member of that retirement system. Employer contributions required
14 by the retirement system shall be made by the area education agency
15 board.

1 **SEC. 12. NEW SECTION. Payment for programs and services.**

2 1. As used in this section, unless the context requires otherwise:
3 a. "Allowable growth" means the allowable growth for a school
4 district as computed under section four hundred forty-two point
5 seven (442.7) of the Code.

6 b. "Enrollment" means the enrollment as determined under section
7 four hundred forty-two point four (442.4) of the Code, and "per
8 pupil" means per pupil in enrollment for years prior to the school
9 year beginning July 1, 1975, and per pupil in weighted enrollment
10 for the school year beginning July 1, 1975, and each succeeding
11 school year.

12 c. "Weighted enrollment" means the weighted enrollment as deter-
13 mined under section two hundred eighty-one point nine (281.9) of
14 the Code.

15 2. For the school year beginning July 1, 1975, and each succeeding
16 school year, school districts shall pay for the programs and services
17 provided through the area education agency and shall include expend-
18 itures for the programs and services in their budgets, in accordance
19 with the provisions of this section.

20 3. School districts shall pay the costs of special education instruc-
21 tional programs with the moneys available to the districts because
22 of weighted enrollment. Special education instructional programs
23 shall be provided at the local level if practicable, or otherwise by
24 contractual* arrangements with the area education agency board as

*According to enrolled Act

25 provided in section four (4), subsection five (5) of this Act, but in
26 each case the money available through chapter four hundred forty-
27 two (442) of the Code because of weighted enrollment for each child
28 requiring special education instruction shall be made available to
29 the district or agency which provides the special education instruc-
30 tional program to the child, subject to adjustments for transportation
31 or other costs which may be paid by the school district in which the
32 child is enrolled. Each district shall cooperate with its area educa-
33 tion agency to provide an appropriate special education instructional
34 program for each child who requires special education instruction,
35 as identified and counted within the certification by the area director
36 of special education or as identified by the area director of special
37 education subsequent to the certification, and shall not provide a
38 special education instructional program to a child who has not been
39 so identified and counted within the certification or identified subse-
40 quent to the certification.

41 4. To provide moneys to pay the costs of special education support
42 services, each school district shall add to its allowable growth for the
43 school year beginning July 1, 1975, an amount equal to the cost per
44 pupil in its area education agency, for special education support ser-
45 vices needed by the agency for that year, determined in accordance
46 with the program plans submitted by the area director of special
47 education and approved by the department of public instruction. For
48 each succeeding school year, each school district shall add to its allow-
49 able growth an amount equal to the cost per pupil in its area educa-
50 tion agency, for additional special education support services needed
51 by the agency for that year, to serve newly identified children who
52 require the services, determined in accordance with the program plans
53 submitted by the area director of special education and approved by
54 the department of public instruction. The department shall make
55 decisions regarding approval of program plans according to the cri-
56 teria provided in chapter two hundred eighty-one (281) of the Code,
57 and the rules promulgated by the department pursuant to that chap-
58 ter and chapter seventeen A (17A) of the Code.

59 5. To provide moneys to pay the costs of media services, each
60 school district shall add to its allowable growth for the school year
61 beginning July 1, 1975 only, an amount equal to the cost per pupil
62 in its area education agency for media services needed by the agency
63 for that year, determined in accordance with the media program
64 plans submitted by the area education agency administrator and
65 approved by the department of public instruction. However, the
66 amount added for each area education agency shall not exceed five
67 dollars per pupil in that area education agency unless a larger amount
68 per pupil was budgeted for media services for pupils in that area
69 education agency for the school year beginning July 1, 1974, and in
70 that case shall not exceed one hundred eight percent of the amount
71 so budgeted. The amount budgeted for media services for pupils in
72 an area education agency shall be determined by averaging a pro-
73 portionate part of the expenditures by county school systems and
74 joint county systems formerly serving pupils in the area education
75 agency, based upon the enrollment in the systems compared to the
76 enrollment in the area education agency. If the total amount added

77 to allowable growth for all area education agencies in the state, as
 78 otherwise determined under this subsection, exceeds five dollars per
 79 pupil in the state, the state comptroller shall reduce the amount for
 80 each area ratably so that the total amount does not exceed five dollars
 81 per pupil in the state. The department shall make decisions regarding
 82 approval of program plans according to the criteria provided in
 83 section seven (7) of this Act, and the rules promulgated by the
 84 department pursuant to that section and chapter seventeen A (17A)
 85 of the Code.

86 6. To provide moneys to pay the costs of all other services which
 87 may be provided through the area education agency, each school
 88 district shall add to its allowable growth for the school year beginning
 89 July 1, 1975 only, the amount of ten dollars per pupil.

90 7. The department of public instruction, in cooperation with the
 91 appropriate personnel of the area education agency, shall determine
 92 the per pupil amounts for each area education agency, as required
 93 under subsections four (4) and five (5) of this section. The state
 94 comptroller shall calculate the amounts needed by each area education
 95 agency by multiplying the per pupil amounts needed by each agency
 96 under subsections four (4), five (5) and six (6) of this section by
 97 the weighted enrollment in the area education agency, and shall
 98 calculate the amounts due from each school district to its area educa-
 99 tion agency by multiplying the per pupil amounts needed by the
 100 agency by the weighted enrollment in the school district. The state
 101 comptroller shall deduct the amounts so calculated for each school
 102 district from the state aid due to the district pursuant to chapter
 103 four hundred forty-two (442) of the Code and shall pay the amounts
 104 to the area education agencies on a quarterly basis during each
 105 school year. The state comptroller shall notify each school district
 106 the amount of state aid deducted for this purpose and the balance
 107 which will be paid to the district. If a district does not qualify for
 108 state aid under chapter four hundred forty-two (442) of the Code
 109 in an amount sufficient to cover its amount due to the area education
 110 agency as calculated by the state comptroller, the school district shall
 111 pay the deficiency to the area education agency from other moneys
 112 received by the district, on a quarterly basis during each school year.

1 SEC. 13. Section eleven point eighteen (11.18), unnumbered par-
 2 agraphs one (1) and two (2), Code 1973, are amended to read as
 3 follows:

4 The financial condition and transactions of all cities and city
 5 offices, merged areas, *area education agencies*, and all school offices
 6 in school districts, shall be examined at least once each year. The
 7 financial condition and transactions of all towns having a population
 8 of seven hundred or more shall be examined at least once every four
 9 years. Such examination shall cover the fiscal year next preceding
 10 the year in which the audit is conducted. The examination of school
 11 offices shall include an audit of activity funds. Examinations may
 12 be made by the auditor of state, or in lieu of the examination by
 13 state accountants the local governing body whose accounts are to be
 14 examined, in case it elects so to do, may contract with, or employ,
 15 certified or registered public accountants, certified and registered in
 16 the state of Iowa, and pay the same from the proper public funds. If
 17 the city, merged area, *area education agency* or school district elect

18 to have the audit made by certified or registered public accountants,
 19 they must so notify the auditor of state within sixty days after the
 20 close of the fiscal year to be examined and towns electing to have
 21 their audit made by a certified public accountant must so notify the
 22 state auditor by resolution of the council designating the name of the
 23 person or firm to be employed at least ninety days prior to the end
 24 of a fiscal year. Such notification and designation shall remain in
 25 effect until rescinded or modified by a subsequent resolution of the
 26 town council filed with the state auditor. For town audits to be
 27 conducted by certified public accountants, the state auditor shall
 28 notify the designated person or firm of the year to be examined at
 29 least sixty days prior to the end of the year to be examined. If any
 30 city, town, merged area, *area education agency* or school district
 31 does not file such notification with the auditor of state within the
 32 required period, the auditor of state is authorized to make the exami-
 33 nation and cover any period which has not been previously exam-
 34 ined.

35 Any township or municipal corporation not embraced within the
 36 foregoing provisions of this chapter ~~and any school corporation in~~
 37 ~~which an annual examination is not required~~ may, on application to
 38 the auditor of state, secure an examination of its financial transac-
 39 tions and condition of its funds, or a like examination shall be had on
 40 application of one hundred or more taxpayers, or if there are fewer
 41 than five hundred taxpayers, then by five percent thereof. ~~The exami-~~
 42 ~~nation in any such school district may be had upon the written request~~
 43 ~~of the county superintendent of schools.~~ In lieu of such examination
 44 by state accountants, the local governing body may contract with, or
 45 employ, certified or registered public accountants and pay the same
 46 from the proper public funds.

1 SEC. 14. Section sixteen point eighteen (16.18), Code 1973, is
 2 amended to read as follows:

3 **16.18 County superintendents.** The official register shall be dis-
 4 tributed, in addition to the foregoing provisions, to the school librari-
 5 es, ~~through the county superintendent of schools to whom they shall~~
 6 ~~be sent in bulk, and who shall direct their distribution each in his own~~
 7 ~~county.~~

1 SEC. 15. Section sixteen point twenty-four (16.24), subsection
 2 sixteen (16), Code 1973, as amended by Acts of the Sixty-fifth Gen-
 3 eral Assembly, 1973 Session, chapter one hundred twenty-seven
 4 (127), section one (1), is amended to read as follows:

5 16. To the clerk of the district court, the county attorney, the
 6 county auditor, the county recorder, county and city assessor, the
 7 county treasurer, the sheriff, and the ~~county superintendent of each~~
 8 ~~county administrator of each area education agency~~ in the state and
 9 also for use in each courtroom of the district court 1 copy

1 SEC. 16. Section sixty-four point eight (64.8), Code 1973, is
 2 amended to read as follows:

3 **64.8 County officers.** The bonds of the following county officers,
 4 viz.: Clerks of the district courts, county attorneys, recorders, audi-
 5 tors, ~~superintendents of schools,~~ sheriffs and assessors shall each be
 6 in a penal sum of not less than ten thousand dollars each per annum.

1 SEC. 17. Section eighty-five point two (85.2), Code 1973, is
2 amended to read as follows:

3 **85.2 Compulsory when.** Where the state, county, municipal cor-
4 poration, school corporation, ~~county board of education,~~ *area educa-*
5 *tion agency,* or city under any form of government is the employer,
6 the provisions of this chapter for the payment of compensation and
7 amount thereof for an injury sustained by an employee of such
8 employer shall be exclusive, compulsory, and obligatory upon both
9 employer and employee, except as otherwise provided in section 85.1.
10 For the purposes of this chapter elected and appointed officials shall
11 be employees.

1 SEC. 18. Section eighty-five point sixty-one (85.61), subsections
2 one (1) and two (2), Code 1973, are amended to read as follows:

3 1. "Employer" includes and applies to any person, firm, associa-
4 tion, or corporation, state, county, municipal corporation, school cor-
5 poration, ~~county board of education,~~ *area education agency,* and the
6 legal representatives of a deceased employer.

7 2. "Workman" or "employee" means a person who has entered into
8 the employment of, or works under contract of service, express or
9 implied, or apprenticeship, for an employer, every executive officer
10 elected or appointed and empowered under and in accordance with
11 the charter and bylaws of a corporation, including a person holding
12 an official position, or standing in a representative capacity of the
13 employer, and including officials elected or appointed by the state,
14 counties, school districts, ~~county boards of education~~ *area education*
15 *agencies,* municipal corporations, or cities under any form of govern-
16 ment, and including members of the Iowa highway safety patrol and
17 conservation officers, except as hereinafter specified.

1 SEC. 19. Section one hundred forty-three point one (143.1), Code
2 1973, is amended to read as follows:

3 **143.1 Authority to employ.** Any local board of health, ~~the county~~
4 ~~board of education of any county,~~ *area education agency board* or the
5 school board of any school district may employ public health nurses
6 at such periods each year and in such numbers as may be deemed
7 advisable. The board of supervisors of any county, the council of any
8 city or town, or the school board of any school district, or any of them
9 acting in co-operation, may contract with any nonprofit nurses' asso-
10 ciation for public health nursing service. The compensation and ex-
11 penses thereof shall be paid out of the general fund of the political
12 subdivision employing said nurses.

1 SEC. 20. Section two hundred fifty-seven point eighteen (257.18),
2 subsections eleven (11), twelve (12), and twenty-one (21), Code
3 1973, are amended to read as follows:

4 11. Prepare for the approval of the state board, such forms and
5 procedures as are deemed necessary to be used by ~~county boards~~ *area*
6 *education agency boards,* district boards, school officials, principals,
7 teachers, and other employees, and to insure uniformity, accuracy,
8 and efficiency in keeping records in both pupil and cost accounting,
9 the execution of contracts, and the submission of reports; furnish,
10 when deemed advisable by him and approved by the state board, those
11 forms which can more economically and efficiently be provided in that

12 manner; and notify the ~~county board~~ *area education agency board*, or
 13 district board, or school authorities, in any case when any report has
 14 not been filed in the manner or on the dates prescribed by law or by
 15 regulation of the state board that the school be not approved until the
 16 report has been properly filed.

17 12. Ascertain by inspection, supervision, or otherwise, the condi-
 18 tion, needs, and progress of the schools under the supervision of his
 19 department and make recommendations to the proper authorities for
 20 the correction of deficiencies and the educational and physical im-
 21 provement of such schools, and recommend to the state board the
 22 need for a state audit of the accounts of any school district, ~~county~~
 23 ~~school system~~ *area education agency*, school official, or any school
 24 employee handling school funds when it is apparent that such audit
 25 should be made. If deemed advisable the state board may call upon
 26 the state auditor to make such an audit and he shall proceed to do so
 27 as soon as practicable.

28 21. Cause to be printed in book form, during the months of June
 29 and July in the year 1955 and every four years thereafter, if deemed
 30 necessary, all school laws then in force with such forms, rulings, and
 31 decisions, and such notes and suggestions as may aid school officers
 32 in the proper discharge of their duties. A sufficient number shall be
 33 furnished to the ~~county superintendent of each county to supply~~
 34 ~~therein~~ school officers, directors, superintendents, *area administrators*
 35 and others in such numbers as may be reasonably requested.

1 SEC. 21. Section two hundred fifty-seven point twenty-five
 2 (257.25),* subsection twelve (12), Code 1973, is amended to read as
 3 follows:

4 12. The state board of public instruction shall remove for cause,
 5 after due investigation and notice, any such school, college, or school
 6 district failing to comply with such approval standards, rules, and
 7 regulations from the approved list; which removal shall, during the
 8 period of noncompliance, permit parents of children eligible for
 9 school attendance to request the ~~county board of education~~ *area edu-*
 10 *cation agency board* to designate their children to an approved school
 11 with the district of residence responsible for the tuition and trans-
 12 portation costs. The ~~county board of education~~ *area education agency*
 13 *board* is ~~hereby~~ authorized to make such designation. Procedure,
 14 insofar as applicable, shall be that provided in chapter 285. In the
 15 event a parent of such child so designated is dissatisfied with said des-
 16 ignation, appeal may be made to the state superintendent of public
 17 instruction as provided in section 285.12. A school, college, or school
 18 district which is removed from the approved list in accordance with
 19 this section shall be ineligible to receive state financial aid during the
 20 period of noncompliance. The state board shall allow a reasonable
 21 period of time, which shall be at least one year, for compliance with
 22 such approval standards, rules, and regulations, if such school, col-
 23 lege, or school district is making a good faith effort and substantial
 24 progress toward full compliance and if the failure to comply is due
 25 to factors beyond the control of the board of directors or governing
 26 body of such school, college, or school district. In allowing such time
 27 for compliance, the board shall follow consistent policies, taking into
 28 account the circumstances of each case. The reasonable period of time

*Repealed by 65 GA, ch 1168, §1

29 for compliance may be, but need not be, given prior to the one-year
30 notice requirement that is required under subsection 13 of this sec-
31 tion.

1 SEC. 22. Section two hundred sixty point nine (260.9), subsec-
2 tion one (1), Code 1973, is amended to read as follows:

3 1. Superintendent's certificate. The superintendent's certificate
4 shall be issued to an applicant who has met the requirements for an
5 advanced elementary certificate or an advanced or a standard sec-
6 ondary certificate and who has in addition such other qualifications
7 with reference to special training and experience as the board of
8 educational examiners shall from time to time prescribe. It shall
9 be valid for service as ~~county superintendent~~, or as superintendent,
10 principal, or teacher in any elementary or secondary school.

11 *The board of educational examiners shall establish a certificate for*
12 *area education agency administrators. The area education agency*
13 *administrator's certificate shall be issued to an applicant who has met*
14 *either of the requirements in two of the four following paragraphs:*

15 *a. Five years experience in higher education administration at a*
16 *two- or four-year college or university which is accredited by the*
17 *North Central Association of Colleges and Secondary Schools ac-*
18 *crediting agency or which has been certified by the North Central*
19 *Association of Colleges and Secondary Schools accrediting agency as*
20 *a candidate for accreditation by such agency or as a school giving*
21 *satisfactory assurance that it has the potential for accreditation and*
22 *is making progress which, if continued, will result in its achieving*
23 *accreditation by such agency within a reasonable time; or an earned*
24 *doctorate in higher education administration.*

25 *b. Five years experience in special education administration; or an*
26 *earned doctorate in special education or any subspecialty thereof.*

27 *c. Five years experience in primary or secondary school education;*
28 *or an earned doctorate in educational administration for the primary*
29 *or secondary level; and five years teaching experience at any educa-*
30 *tional level.*

31 *d. Five years experience in business or other nonacademic career*
32 *pursuit; or an earned doctorate in public administration or business*
33 *administration.*

34 *No person shall be issued a temporary or emergency certificate for*
35 *more than one year; and no education agency shall employ uncerti-*
36 *ficated administrators, or employ temporary or emergency certifi-*
37 *cated administrators for more than two consecutive years.*

38 *The provisions of this subsection relating to the certification of an*
39 *area education agency administrator shall not apply to persons hold-*
40 *ing a superintendent's certificate prior to the effective date of this*
41 *Act.*

1 SEC. 23. Section two hundred sixty point twenty (260.20), Code
2 1973, is amended to read as follows:

3 **260.20 Registration of certificates and diplomas.** All diplomas
4 and certificates shall be valid in any ~~county~~ area education agency
5 when registered therein, and no person shall teach in any public
6 school whose certificate has not been registered with the ~~county~~
7 ~~superintendent~~ administrator of the ~~county~~ area education agency in
8 which the school is located, provided that whenever there is a suffi-

9 cient number of holders of advanced and standard elementary cer-
 10 tificates available to supply the elementary schools in any ~~county~~
 11 ~~area education agency~~ it shall not be incumbent upon the ~~county area~~
 12 ~~education agency superintendent administrator~~ to register limited
 13 elementary certificates.

1 SEC. 24. Section two hundred sixty point twenty-three (260.23),
 2 Code 1973, is amended to read as follows:

3 **260.23 Revocation by board.** Any ~~diplo~~ma or certificate issued by
 4 the board may be suspended or revoked by it for any cause which
 5 would have authorized or required a refusal to grant the same, and
 6 the holder shall have ten days' notice by registered mail and be
 7 allowed to be present and make defense.

1 SEC. 25. Section two hundred sixty-two point thirty-two (262.32),
 2 Code 1973, is amended to read as follows:

3 **262.32 Contract—time limit.** Such contracts shall be in writing
 4 and shall extend over a period of not to exceed two years, and a copy
 5 thereof shall be filed in the office of the ~~superintendent administrator~~
 6 ~~of schools~~ of the ~~county area education agency~~.

1 SEC. 26. Section two hundred seventy-two point one (272.1),
 2 Code 1973, is amended to read as follows:

3 **272.1 Improvement of instruction.** The ~~county area education~~
 4 ~~agency superintendent administrator~~ shall arrange for such profes-
 5 sional teachers meetings, demonstration teaching or other field work
 6 for the improvement of instruction as may best fit the needs of the
 7 public schools in his ~~county area education agency~~ and as directed by
 8 the superintendent of public instruction.

1 SEC. 27. Section two hundred seventy-two point four (272.4),
 2 Code 1973, is amended to read as follows:

3 **272.4 Certificate of attendance.** The ~~county area education agen-~~
 4 ~~cy superintendent administrator~~ shall notify the ~~secretary~~ ~~secretaries~~
 5 of the school boards as to the co-operation and attendance of its
 6 teachers in said meetings and any teacher failing to attend when
 7 requested by the ~~county area education agency superintendent ad-~~
 8 ~~ministrator~~ to do so, shall forfeit his average daily salary for that
 9 day of nonattendance, except when excused by the ~~county area edu-~~
 10 ~~cation agency superintendent administrator~~ for physical disability to
 11 perform his duties in the schoolroom.

1 SEC. 28. Section two hundred seventy-two point seven (272.7),
 2 Code 1973, is amended to read as follows:

3 **272.7 Disbursement requirements.** All disbursements from the
 4 fund provided by this chapter shall be by warrants drawn by the
 5 county auditor of each county in the area education agency upon the
 6 written order of the ~~county area education agency superintendent~~
 7 ~~administrator~~, and said written order must be accompanied by an
 8 itemized bill for services rendered or expenses incurred in connection
 9 therewith, which bill must be signed and sworn to by the party in
 10 whose favor the order is made and must be verified by the ~~county area~~
 11 ~~education agency superintendent administrator~~. All said orders and
 12 bills shall be kept on file in the auditor's office until the final settlement
 13 of the ~~county area education agency superintendent administrator~~
 14 with ~~the each~~ board of supervisors in the area education agency at

15 the close of his term of office. No warrant shall be drawn by the
16 auditor in excess of the amount then in the county treasury.

1 SEC. 29. Section two hundred seventy-two point eight (272.8),
2 Code 1973, is amended to read as follows:

3 **272.8 Itemized account of funds.** The ~~county area education agen-~~
4 ~~cy superintendent administrator~~ shall furnish to the county board of
5 supervisors of each county in the area education agency a certified
6 itemized account of all receipts and disbursements for the improve-
7 ment of instruction. They shall examine and audit the account and
8 publish a summary thereof with the proceedings of the regular June
9 meeting of the board. The ~~county area education agency superin-~~
10 ~~tendent administrator~~ shall also make such reports to the superin-
11 tendent of public instruction as required by him.

1 SEC. 30. Section two hundred seventy-four point four (274.4),
2 Code 1973, is amended to read as follows:

3 **274.4 Record of reorganization filed.** When an election on the
4 proposition of organizing, reorganizing, enlarging, or changing the
5 boundaries of any school corporation carries by the required statu-
6 tory margin ~~or any area of less than four sections is attached to any~~
7 ~~school corporation by order of a county board of education~~, or the
8 boundary lines of contiguous school corporations are changed by the
9 concurrent action of the respective boards of directors, ~~the county~~
10 ~~superintendent~~, or the secretary of said school corporation, shall file
11 a written description of the new boundaries of the school corporation
12 in the office of the county auditor of each county in which any portion
13 of the school corporation lies.

1 SEC. 31. Section two hundred seventy-four point thirteen
2 (274.13), Code 1973, is amended to read as follows:

3 **274.13 Attaching territory to adjoining corporation.** In any case
4 where, by reason of natural obstacles, any portion of the inhabitants
5 of any school corporation in the opinion of the ~~county area education~~
6 ~~agency superintendent administrator~~ cannot with reasonable facility
7 attend school in their own corporation, he shall, by a written order,
8 in duplicate, attach the part thus affected to an adjoining school cor-
9 poration, the board of the same consenting thereto, one copy of which
10 order shall be at once transmitted to the secretary of each corporation
11 affected thereby, who shall record the same and make the proper
12 designation on the plat of the corporation. Township or county lines
13 shall not be a bar to the operation of this section.

1 SEC. 32. Section two hundred seventy-four point fourteen
2 (274.14), Code 1973, is amended to read as follows:

3 **274.14 Restoration.** When the natural obstacles by reason of
4 which territory has been set off by the ~~county area education agency~~
5 ~~superintendent administrator~~ from one school district and attached
6 to another in the same or an adjoining county, as provided in section
7 274.13, have been removed, such territory may, upon the concurrence
8 of the respective boards, be restored to the school district from which
9 set off and shall be so restored by said boards upon the written appli-
10 cation of two-thirds of the electors residing upon the territory so set
11 off together with the concurrence of the ~~county area education agency~~
12 ~~superintendent administrator~~ and the board of the school district

13 from which such territory was originally set off by the ~~county area~~
14 ~~education agency superintendent administrator.~~

1 SEC. 33. Section two hundred seventy-four point thirty-seven
2 (274.37), unnumbered paragraph one (1), Code 1973, is amended
3 to read as follows:

4 The boundary lines of contiguous school corporations may be
5 changed by the concurrent action of the respective boards of direc-
6 tors at their regular meetings in July, or at special meetings called for
7 that purpose. Such concurrent action shall be subject to the approval
8 of the ~~county area education agency board or boards of education in-~~
9 ~~involved~~ but such concurrent action shall stand approved if the ~~county~~
10 ~~area education agency board or boards of education~~ ~~do~~ does not dis-
11 approve such concurrent action within thirty days following receipt
12 of notice thereof. The corporation from which territory is detached
13 shall, after the change, contain not less than four government sec-
14 tions of land.

1 SEC. 34. Section two hundred seventy-four point forty (274.40),
2 Code 1973, is amended to read as follows:

3 **274.40 Vesting of powers to convey.** Whenever a majority of the
4 directors of any school district affected as in section 274.39 have
5 moved from such district and have ceased to be residents thereof
6 thereby creating vacancies on the school board and reducing it to less
7 than a quorum, the powers vested by said section in the board of direc-
8 tors shall vest in the ~~county area education agency board of education~~
9 and the instrument of conveyance shall be executed on behalf of such
10 school district by the chairman of the ~~county area education agency~~
11 ~~board of education~~ until an election is called pursuant to chapter two
12 hundred seventy-seven (277) of the Code.

1 SEC. 35. Section two hundred seventy-four point forty-two
2 (274.42), Code 1973, is amended to read as follows:

3 **274.42 Adjusting of district boundaries.** Whenever the federal
4 government, or any agency or department thereof shall have hereto-
5 fore located or shall hereafter locate in any ~~county an ordinance*~~ ~~plant~~
6 ~~or other~~ project which may be deemed desirable for the development
7 of the national defense or for the purpose of flood control, and for the
8 purpose of so locating such ~~plant or~~ project shall have heretofore
9 determined or shall hereafter determine, that certain real property
10 making up a portion of a school district is required, the ~~county board~~
11 ~~of education of the county wherein such district lies,~~ *superintendent*
12 *of public instruction with the approval of the state board* shall have
13 the power by resolution to adjust the boundaries of school districts
14 wherein the federally owned property is located and the boundaries of
15 adjoining school districts so as to effectively provide for the schooling
16 of children residing within all of said districts. A copy of such reso-
17 lution shall be promptly filed with the board of directors of such
18 adjoining school district or districts and with the board of directors
19 of such school district wherein the federally owned property is
20 located unless such board has been reduced below a quorum in the
21 manner contemplated in section 274.40, in which event such resolu-
22 tion shall be posted in two public places within the altered district.

23 In any case where any school district affected by any project relat-
24 ing to national defense or flood control includes territory in more than

*According to enrolled Act

25 one county, or where it is deemed advisable to incorporate in another
 26 county, the county boards of education of all counties involved shall
 27 meet jointly for the purpose of taking action as provided in this
 28 section.

1 SEC. 36. Section two hundred seventy-four point forty-three
 2 (274.43), Code 1973, is amended to read as follows:

3 274.43 **Relinquishing funds.** The officers of the altered district
 4 shall relinquish to the proper officers of such adjoining district or
 5 districts all funds, claims for taxes, credits, and such other personal
 6 property in such a manner as the county board of education super-
 7 *intendent of public instruction* shall direct, which said funds, credits,
 8 and personal property shall become the property of such adjoining
 9 district or districts as enlarged, to be used as the boards of directors
 10 of such districts may direct.

1 SEC. 37. Section two hundred seventy-four point forty-four
 2 (274.44), Code 1973, is amended to read as follows:

3 274.44 **Determination final.** The determination of the county
 4 board of education of such county wherein such school districts are
 5 located, *superintendent of public instruction* in such matters herein
 6 committed to it, shall be final.

1 SEC. 38. Section two hundred seventy-four point forty-five
 2 (274.45), Code 1973, is amended to read as follows:

3 274.45 **Expense audited and paid.** The expense of the county
 4 board of education *superintendent of public instruction* in respect to
 5 the carrying out of the provisions of sections 274.42 to 274.44, inclu-
 6 sive, shall be audited and allowed by the county board of supervisors
 7 and paid from the general fund of the county funds appropriated to
 8 the department of public instruction.

1 SEC. 39. Section two hundred seventy-four point forty-six
 2 (274.46),* Code 1973, is amended to read as follows:

3 274.46 **Reimbursement for loss of taxes.** When any school dis-
 4 trict is enlarged or modified under the provisions of sections 274.42
 5 to 274.44, inclusive, such district shall be entitled to receive reim-
 6 bursement for loss of taxes as provided by chapter 284. The county
 7 board of education *superintendent of public instruction* shall, when
 8 enlarging, modifying or reorganizing any school district as provided
 9 under the provisions of sections 274.42 to 274.44, inclusive, designate
 10 which lands each district, as enlarged, modified or reorganized, shall
 11 be entitled to make application for reimbursement for loss of taxes
 12 as provided by chapter 284.

1 SEC. 40. Section two hundred seventy-five point one (275.1),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 275.1 **Declaration of policy—surveys.** It is declared to be the
 5 policy of the state to encourage the reorganization of school districts
 6 into such units as are necessary, economical and efficient and which
 7 will insure an equal educational opportunity to all children of the
 8 state. All area of the state shall be in school districts maintaining
 9 twelve grades. If any school district ceases to maintain twelve
 10 grades, it shall merge with a contiguous school district within six

*Repealed by 65 GA, ch 1087, §27

11 months or the state board shall attach the school district not main-
12 taining twelve grades to a contiguous district.

13 If a district is attached, division of assets and liabilities shall be
14 made as provided in sections two hundred seventy-five point twenty-
15 nine (275.29), two hundred seventy-five point thirty (275.30), and
16 two hundred seventy-five point thirty-one (275.31) of the Code. The
17 area education agency boards may initiate detailed studies and sur-
18 veys of the school districts within the area education agency and
19 adjacent territory for the purpose of promoting reorganization of
20 school districts in order to effect more economical operation and the
21 attainment of higher standards of education in the schools.

1 SEC. 41. Section two hundred seventy-five point four (275.4),
2 Code 1973, is amended to read as follows:

3 **275.4 Hearings.** In making ~~the any~~ studies and surveys ~~required~~
4 ~~by sections 275.1 and 275.2~~ the *area education agency* board in ~~each~~
5 ~~county~~ shall consult with the officials of affected districts and other
6 citizens, and shall from time to time hold public hearings, and may
7 employ such research and other assistance as it may determine
8 reasonably necessary in order to properly carry on its survey and
9 prepare definite plans of reorganization.

10 Upon the written request of the ~~county~~ *area education agency*
11 boards of ~~education~~ in adopting reorganization plans which conform
12 to the state-wide plan of education and to state laws, the state super-
13 intendent of public instruction, subject to the approval of the state
14 board of public instruction, shall cause reorganization plans and sug-
15 gestions to be prepared and forwarded to the ~~county~~ *area education*
16 *agency* superintendents of ~~schools~~ together with such recommenda-
17 tions as may promote the purposes set forth in section 275.1.

1 SEC. 42. Section two hundred seventy-five point five (275.5),
2 Code 1973, is amended to read as follows:

3 **275.5 Tentative plans.** Pending completion of the final plans pro-
4 vided for in sections 275.1 to 275.4 hereof, the ~~county~~ board of educa-
5 tion shall prepare and approve tentative plans for reorganization of
6 school districts within the county after consultation with the boards
7 of the various districts in the county and the state department of
8 public instruction. Within ten days after the county board has ap-
9 proved their tentative plan they shall file such plan with the state
10 department of public instruction. Any proposal for merger, consoli-
11 dation or boundary change of *local school districts* shall first be sub-
12 mitted to the ~~county~~ *area education agency* board of ~~education~~
13 approval before being submitted at an election. The ~~county~~ *area*
14 *education agency* board of ~~education~~ shall adopt and file a tentative
15 ~~county~~ plan with the state department of public instruction no later
16 than sixty days after a proposal for merger or consolidation has been
17 presented to them for their approval under this section. Such pro-
18 posals may provide for reducing an existing school district to less
19 than four government sections and where such proposal is put into
20 effect by election by the method hereinafter provided the ~~county~~ *area*
21 *education agency* board shall by resolution attach or subdivide and
22 attach the remaining portion or portions of said district to another
23 school district or districts.

1 SEC. 43. Section two hundred seventy-five point six (275.6), Code
2 1973, is amended to read as follows:

3 **275.6 Progressive program.** It is the intent of this chapter that
4 the ~~county~~ *area education agency* board shall carry on the program of
5 reorganization progressively and shall, insofar as is possible, author-
6 ize submission of proposals to the electors as they are developed and
7 approved.

1 SEC. 44. Section two hundred seventy-five point seven (275.7),
2 Code 1973, is amended to read as follows:

3 **275.7 Budget.** The ~~county~~ *area education agency* board of edu-
4 ~~cation~~ shall include in the budget submitted each year such sums as
5 it deems necessary to carry on its reorganization work under this
6 chapter.

1 SEC. 45. Section two hundred seventy-five point eight (275.8),
2 Code 1973, is amended to read as follows:

3 **275.8 Co-operation of state department—planning joint districts.**
4 The state department of public instruction shall co-operate with the
5 several ~~county~~ *area education agency* boards of ~~education~~ in making
6 the studies and surveys required hereunder. In the case of contro-
7 versy over the planning of joint districts, the matter shall be sub-
8 mitted to the state board of public instruction and its decision may
9 be appealed* to ~~a~~ *the district* court of record in one of the ~~counties~~
10 ~~involved~~, by an aggrieved party to the controversy, within thirty days
11 after the decision of the state board of public instruction. Joint dis-
12 tricts shall mean districts that lie in two or more adjacent ~~counties~~
13 *area education agencies*. *An aggrieved party is hereby defined as the
14 board of directors of a school district whose directors are elected at
15 large, or, if said board is elected from director districts, then that
16 membership of the board of directors whose districts are included in
17 the proposed reorganized area, or a ~~county~~ *an area education agency*
18 board of ~~education~~.

19 For purposes of this chapter the planning of joint districts is de-
20 fined to include all of the following acts:

21 1. Preparation of a written joint plan in which contiguous terri-
22 tory in two or more ~~counties~~ *area education agencies* is considered
23 as a part of a potential school district in the ~~county~~ *area education*
24 *agency* on behalf of which such ~~county~~ plan is filed with the state
25 department of public instruction by the ~~county~~ *area education agency*
26 board of ~~education~~ in and for such county.

27 2. Adoption of such plan at a joint session of the several ~~county~~
28 *area education agency* boards of ~~education~~ in whose ~~counties~~ *areas*
29 such territory is situated.

30 3. Filing said plan with the state department of public instruction.

31 For purposes of subsection 1 hereof, joint planning shall be evi-
32 denced by filing the following items with the state department of
33 public instruction:

34 a. A plat of the entire area of such potential district.

35 b. A statement of the number of pupils residing within the area
36 of said potential district enrolled in public schools in the preceding
37 school year.

38 c. A statement of the assessed valuation of taxable property
39 located within such potential district.

*See 65 GA, ch 1090, §125

40 d. An affidavit signed on behalf of each of said ~~county boards of~~
 41 ~~education boards of directors of area education agencies~~ by a mem-
 42 ber of such board stating the boundaries as shown on such plat have
 43 been agreed upon by the respective boards as a part of the over-all
 44 ~~county~~ plan of school district reorganization of each such school.

1 SEC. 46. Section two hundred seventy-five point nine (275.9),
 2 unnumbered paragraph two (2), Code 1973, is amended to read as
 3 follows:

4 The provisions of sections 275.1 to 275.5, inclusive relating to
 5 studies, surveys, hearings, and adoption of ~~county~~ plans shall con-
 6 stitute a mandatory prerequisite to the effectuation of any proposal
 7 for district boundary change. It shall be the mandatory duty of the
 8 ~~county area education agency board or joint county boards~~ to dismiss
 9 the petition if the above provisions are not complied with fully.

1 SEC. 47. Section two hundred seventy-five point eleven (275.11),
 2 Code 1973, is amended to read as follows:

3 **275.11 Proposals involving two or more districts.** Subject to the
 4 approval of the ~~county area education agency board of education~~
 5 contiguous territory located in two or more school districts may be
 6 united into a single district in the manner provided in sections 275.12
 7 to 275.23 hereof.

1 SEC. 48. Section two hundred seventy-five point twelve (275.12),
 2 subsections one (1) and four (4), Code 1973, are amended to read
 3 as follows:

4 1. A petition describing the boundaries, or accurately describing
 5 the area included therein by legal descriptions, of the proposed dis-
 6 trict, which boundaries or area described shall conform to ~~county plan~~
 7 ~~plans developed~~ or the petition shall request change of the ~~county~~
 8 plan, shall be filed with the ~~area education agency superintendent~~
 9 ~~administrator of schools~~ of the ~~county area education agency~~ in which
 10 the greatest number of electors reside. Such petition shall be signed
 11 by voters in each existing school district affected or portion thereof
 12 equal in number to at least twenty percent of the number of eligible
 13 voters or four hundred voters, whichever is the smaller number.
 14 School districts affected or portion thereof shall be defined to mean
 15 that area to be included in the plan of the proposed new school
 16 district.

17 4. The ~~county area education agency board or boards of education~~
 18 in reviewing such petition as provided in sections 275.15 and 275.16
 19 shall review the proposed method of election of school directors and
 20 shall have the duty and authority to change or amend such plan in
 21 any manner, including the changing of boundaries of director dis-
 22 tricts if proposed, or to specify a different method of electing school
 23 directors on the basis of area, school population, or assessed valua-
 24 tion as may be required by law, justice, equity, and the interest of
 25 the people. In such action the ~~county area education agency board~~
 26 ~~or boards~~ shall follow the same procedure as is required by sections
 27 275.15 and 275.16 for other action on the petition by the ~~county area~~
 28 ~~education agency board or boards~~.

1 SEC. 49. Section two hundred seventy-five point thirteen
 2 (275.13), Code 1973, is amended to read as follows:

3 **275.13 Affidavit — presumption.** Such petition shall be accom-
 4 panied by an affidavit showing the number of qualified electors living
 5 in each affected district or portion thereof described in the petition
 6 and signed by a qualified elector residing in the territory, and if parts
 7 of the territory described in the petition are situated in different
 8 ~~counties~~ *area education agencies*, the affidavit shall show separately
 9 as to each ~~county~~ *area education agency*, the number of qualified
 10 electors in the part of the ~~county~~ *area education agency* included in
 11 the territory described. The affidavit shall be taken as true unless
 12 objections to it are filed on or before the time fixed for filing objec-
 13 tions as provided in section 275.14 hereof.

1 **SEC. 50.** Section two hundred seventy-five point fourteen
 2 (275.14), Code 1973, is amended to read as follows:

3 **275.14 Objection—time of filing—notice.** Within ten days after
 4 the petition is filed, the ~~county~~ *area education agency superintendent*
 5 ~~administrator~~ shall fix a final date for filing objections to the petition
 6 in the office of the ~~county~~ *area education agency superintendent*
 7 ~~administrator~~, and give notice for at least ten days, by one publica-
 8 tion in a newspaper published within the territory described in the
 9 petition, or if none is published therein, in a newspaper published in
 10 the county where the petition is filed, and of general circulation in the
 11 territory described. *The cost of publication shall be assessed to each*
 12 *district whose territory is involved in the ratio that the number of*
 13 *pupils in enrollment, as defined in section four hundred forty-two*
 14 *point four (442.4) of the Code in each district bears to the total num-*
 15 *ber of pupils in enrollment in the total area involved.* Objections
 16 shall be in writing in the form of an affidavit and may be made by
 17 any person residing or owning land within the territory described in
 18 the petition, or who would be injuriously affected by the change peti-
 19 tioned for and shall be on file not later than twelve o'clock noon of the
 20 final day fixed for filing objections.

1 **SEC. 51.** Section two hundred seventy-five point fifteen (275.15),
 2 Code 1973, is amended to read as follows:

3 **275.15 Hearing—decision—publication of order.** On the final day
 4 fixed for filing objections, interested parties may present evidence and
 5 arguments, and the ~~county~~ *area education agency board of education*
 6 shall review the matter on its merits and within five days after the
 7 conclusion of any hearing, shall rule on the objections and shall enter
 8 an order fixing such boundaries for the proposed school corporation
 9 as will in its judgment be for the best interests of all parties con-
 10 cerned, having due regard for the welfare of adjoining districts or
 11 dismiss the petition. The ~~county~~ *area education agency superin-*
 12 ~~tendent~~ *administrator* shall at once publish this order in the same
 13 newspaper in which the original notice was published ~~and file any~~
 14 ~~amendments to the county plan in the same manner as hereinabove~~
 15 ~~provided for the original or tentative county plan.~~ Within twenty
 16 days after the publication thereof the decision rendered by the ~~county~~
 17 ~~area education agency board of education~~ may be appealed to a ~~court~~
 18 ~~of record~~ *the district court* in the county involved by any school dis-
 19 trict affected.

1 **SEC. 52.** Section two hundred seventy-five point sixteen (275.16),
 2 Code 1973, is amended to read as follows:

3 **275.16 Hearing when territory in different counties.** If the terri-
4 tory described in the petition for the proposed corporation lies in
5 more than one ~~county area education agency~~, the ~~county area educa-~~
6 ~~tion agency superintendent administrator~~ with whom the petition is
7 filed shall fix the time and place and call a joint meeting of the mem-
8 bers of all the ~~county area education agency boards of education of~~
9 ~~the counties~~ in which any territory of the proposed school corporation
10 lies, to act as a single board for the hearing of the said objections,
11 and a majority of all members of the ~~county area education agencies~~
12 ~~boards of education of the different counties area education agencies~~
13 in which any part of the proposed corporation lies, shall constitute a
14 quorum. The joint boards acting as a single board shall determine
15 whether the petition conforms to ~~county~~ plans or, if the petition
16 requests a change in ~~county~~ plans, whether such change should be
17 made, and shall have the authority to change the plans of any or all
18 the ~~county area education agency~~ boards affected by the petition, and
19 it shall determine and fix boundaries for the proposed corporation as
20 provided in section 275.15 or dismiss the petition. However, if such
21 joint boards cast a tie vote and are unable to agree to an order fixing
22 the boundaries for the proposed school district or to an order to dis-
23 miss the petition, the time during which such actions must be taken
24 under the provisions of section 275.15 shall be extended from five
25 days to fifteen days after the conclusion of the hearing under the
26 provisions of section 275.15, and such joint board shall reconvene not
27 less than ten and not more than fifteen days after the conclusion of
28 such hearing. At such hearing the joint board shall reconsider their
29 action and if a tie vote shall again be cast it shall be deemed an order
30 granting the petition and changing the plans of any and all of the
31 ~~county area education agency~~ boards affected by the petition and fix-
32 ing the boundaries for the proposed school corporation. The ~~county~~
33 ~~area education agency superintendent administrator~~ shall at once
34 publish the decision in the same newspaper in which the original
35 notice was published.

36 In case a controversy arises from such meeting, the ~~county area~~
37 ~~education agency~~ board or boards or any school district aggrieved
38 may bring the controversy to the state department of public instruc-
39 tion, as provided in section 275.8, within twenty days from the publi-
40 cation of this order, and if said controversy is taken to the state
41 department of public instruction, a ten-day notice in writing shall
42 be given to all ~~county area education agency~~ boards and school dis-
43 tricts affected or portions thereof. The state department shall have
44 the authority to affirm the action of the joint boards, to vacate, to
45 dismiss all proceedings or to make such modification of the action of
46 the joint boards as in their judgment would serve the best interest
47 of all the ~~counties area education agency~~.* This decision may be
48 appealed to a ~~court of record~~ the *district court* in one of the counties
49 by any aggrieved party to the controversy as defined in section 275.8,
50 within thirty days after the decision of the state department of public
51 instruction.

52 The court on appeal shall have the same authority as is granted in
53 this section to the state department of public instruction.

54 ~~The provisions of this section shall apply to all tie votes under any~~
55 ~~provision of this chapter where a joint meeting of the members of~~

*According to enrolled Act

56 ~~two or more county boards of education are required and to all peti-~~
57 ~~tions pending on June 9, 1965.~~

1 SEC. 53. Section two hundred seventy-five point eighteen
2 (275.18), Code 1973, as amended by Acts of the Sixty-fifth General
3 Assembly, 1973 Session, chapter one hundred thirty-six (136), sec-
4 tion two hundred sixty-one (261), is amended to read as follows:

5 **275.18 Special election called—time.** When the boundaries of the
6 territory to be included in a proposed school corporation and the
7 number and method of the election of the school directors of such
8 proposed school corporation have been determined as herein pro-
9 vided, the ~~county area education agency superintendent administrator~~
10 with whom such petition is filed shall call a special election in such
11 proposed school corporation within thirty days from the date of the
12 final determination of such boundaries and serve notice on the county
13 commissioner of elections of the county in the proposed school cor-
14 poration which has the greatest taxable base in the proposed school
15 corporation. The county commissioner of elections shall give notice
16 of the election by one publication in the same newspaper in which
17 previous notices have been published regarding the proposed school
18 reorganization, and in addition thereto, if more than one county is
19 involved, by one publication in a legal newspaper in each county
20 other than that of the first publication, which publication shall be not
21 less than ten nor more than fifteen days prior to the election. In the
22 case of ~~joint~~ districts *located in more than one county*, no notice for
23 an election shall be published until the time for appeal, which shall
24 be the same as that provided in section 285.12, has expired; and in
25 the event of an appeal, not until the same has been disposed of.

1 SEC. 54. Section two hundred seventy-five point twenty-three
2 (275.23), Code 1973, as amended by Acts of the Sixty-fifth General
3 Assembly, 1973 Session, chapter one hundred thirty-six (136), sec-
4 tion two hundred sixty-two (262), is amended to read as follows:

5 **275.23 Canvass and return.** The judges of election shall count
6 the ballots, make return to and deposit the ballots with the county
7 commissioner of elections, who shall enter the return of record in
8 his office. The county commissioner of elections shall certify the
9 results of the election to the ~~county area education agency superin-~~
10 ~~tendent.*~~ If the majority of the votes cast by the qualified electors are
11 in favor of the proposition, as provided in section 275.20, a new
12 school corporation shall be organized. The ~~county area education~~
13 ~~agency superintendent administrator~~ shall file a written description
14 of the boundaries as provided in section 274.4.

1 SEC. 55. Section two hundred seventy-five point twenty-five
2 (275.25), unnumbered paragraph one (1), Code 1973, as amended
3 by Acts of the Sixty-fifth General Assembly, 1973 Session, chapter
4 one hundred thirty-six (136), section two hundred sixty-three (263),
5 is amended to read as follows:

6 If the proposition to establish a new corporation carries under the
7 method hereinabove provided a special election shall be called by the
8 ~~county area education agency superintendent administrator.~~ The
9 ~~county area education agency superintendent administrator~~ shall
10 notify the county commissioner of elections who shall publish notice
11 by one publication in the same newspaper in which the former notices

*According to enrolled Act

12 were published. At such election, two directors shall be elected to
 13 serve until the next regular election, two until the second, and one
 14 until the third regular election thereafter, except in districts which
 15 include all or part of a city of fifteen thousand or more population
 16 and in districts in which the proposition to establish a new corpora-
 17 tion provides for seven directors, three directors shall be elected to
 18 serve until the third regular election thereafter, all of whom to
 19 serve until such time as their successors are elected and qualified. Pro-
 20 vided, however, that in all community school districts which include a
 21 city of fifteen thousand or more population and which became effec-
 22 tive prior to July 4, 1955, and in all community school districts con-
 23 taining a city which has attained a population of fifteen thousand
 24 or more as shown by the most recent decennial federal census, the
 25 board of directors shall consist of seven members. Where it becomes
 26 necessary to increase the membership of any such board under the
 27 provisions hereof, two directors shall be added according to the pro-
 28 cedure described in section 277.23. The county board of supervisors
 29 shall canvass the votes and the county commissioner of elections
 30 report the results to the ~~county area education agency superintendent~~
 31 ~~administrator~~ who shall notify the persons who are elected directors.
 32 The new board shall organize within fifteen days following their elec-
 33 tion upon call of the ~~county area education agency superintendent~~
 34 ~~administrator~~. The new board of directors shall have complete con-
 35 trol of the employment of all personnel for the newly formed com-
 36 munity school district for the ensuing school year. Following the
 37 organization of the new board they shall have authority to establish
 38 policy, organize curriculum, enter into contracts and complete such
 39 other planning and take such action as is essential for the efficient
 40 management of the newly formed community school district.

1 SEC. 56. Section two hundred seventy-five point twenty-six
 2 (275.26), Code 1973, as amended by Acts of the Sixty-fifth General
 3 Assembly, 1973 Session, chapter one hundred thirty-six (136), sec-
 4 tion two hundred sixty-four (264), is amended to read as follows:

5 **275.26 Payment of expenses.** If a district is established or
 6 changes its boundaries it shall pay all expenses incurred by the ~~area~~
 7 ~~education agency superintendent administrator~~ and the ~~area educa-~~
 8 ~~tion agency board of education~~ in connection with the proceedings.
 9 The county commissioner of elections shall assess the costs of the
 10 election against the district as provided in section forty-seven point
 11 three (47.3) of the Code. If the proposition is dismissed or defeated
 12 at the election all expenses shall be apportioned among the several
 13 districts in proportion to the assessed valuation of property therein.

14 If the proposed district or boundary change embraces territory in
 15 more than one ~~county area education agency~~ such expenses shall be
 16 certified to and, if necessary, apportioned among the several districts
 17 by the joint ~~area education agency board of education~~. If in only one
 18 ~~county area education agency~~ the certification shall be made by the
 19 ~~county area education agency superintendent administrator~~.

20 The respective boards to which such expenses are certified shall
 21 audit and order the same paid from the general fund. In the event
 22 of failure of any board to so audit and pay the expenses certified to
 23 it, the ~~county area education agency superintendent administrator~~
 24 shall certify the expenses to the county auditor in the same manner

25 as is provided for tuition claims in section 282.21 and the funds shall
 26 be transferred by the county treasurer from the debtor district to the
 27 ~~county area education agency board of education~~ for payment of said
 28 expenses.

1 SEC. 57. Section two hundred seventy-five point twenty-seven
 2 (275.27), Code 1973, is amended to read as follows:

3 275.27 **Names.** School districts created or enlarged under the
 4 provisions of this chapter shall be known as community school dis-
 5 tricts and shall be part of the ~~county school system of the county~~
 6 *area education agency* in which the greatest number of electors of
 7 said district reside at the time of the special election called for in
 8 section 275.18, and this provision pertaining to greatest number of
 9 electors shall be in full force and effect any statute to the contrary
 10 notwithstanding, and all provisions of the law applicable to the com-
 11 mon schools generally shall be applicable to such districts in addition
 12 to the powers and privileges conferred by this chapter.

1 SEC. 58. Section two hundred seventy-five point thirty (275.30),
 2 Code 1973, is amended to read as follows:

3 275.30 **Arbitration.** If the boards cannot agree on such division
 4 and distribution, the matters on which they differ shall be decided by
 5 disinterested arbitrators, one selected by each board having an inter-
 6 est therein, and if the number thus selected is even, then one shall be
 7 added by the ~~county area education agency superintendent adminis-~~
 8 *trator*. The decision of the arbitrators shall be made in writing and
 9 filed with the secretary of the new corporation, and any party to the
 10 proceedings may appeal therefrom to the district court by serving
 11 notice thereof on such secretary within twenty days after the decision
 12 is filed. Such appeal shall be tried in equity and a decree entered
 13 determining the entire matter, including the levy, collection, and dis-
 14 tribution of any necessary taxes.

1 SEC. 59. Section two hundred seventy-five point thirty-nine
 2 (275.39), Code 1973, is amended to read as follows:

3 275.39 **Excluded territory included in new petition.** Territory de-
 4 scribed in the petition of a proposed reorganization which has been
 5 set out of the proposed reorganization by the ~~county area education~~
 6 *agency board* or the joint boards, as the case may be, and in the event
 7 of an appeal, after the decision of the state department of public
 8 instruction or the courts as by law provided, may be included in any
 9 new petition for reorganization.

1 SEC. 60. Section two hundred seventy-seven point twenty
 2 (277.20), Code 1973, as amended by Acts of the Sixty-fifth General
 3 Assembly, 1973 Session, chapter one hundred thirty-six (136), sec-
 4 tion two hundred seventy (270), is amended by striking the section
 5 and inserting in lieu thereof the following:

6 277.20 **Canvassing returns.** On the next Friday after the school
 7 election, the county board of supervisors shall canvass the returns
 8 made to the county commissioner of elections from the several pre-
 9 cinct polling places and the absentee ballot counting board, ascertain
 10 the result of the voting with regard to every matter voted upon and
 11 cause a record to be made thereof as required by section fifty point
 12 twenty-four (50.24) of the Code. The board shall declare the results

13 of the voting for members of boards of directors of school corpora-
 14 tions nominated pursuant to section two hundred seventy-seven point
 15 four (277.4) of the Code, and the commissioner shall at once issue
 16 a certificate of election to each person declared elected. The board
 17 shall also declare the results of the voting on any public question sub-
 18 mitted to the voters of a single school district, and the commissioner
 19 shall certify the result as required by section fifty point twenty-seven
 20 (50.27) of the Code.

21 The abstracts of the votes cast for members of the board of direc-
 22 tors of any merged area, and of the votes cast on any public question
 23 submitted to the voters of any merged area, shall be promptly certi-
 24 fied by the commissioner to the county commissioner of elections who
 25 is responsible under section forty-seven point two (47.2) of the Code
 26 for conducting the elections held for that merged area.

1 SEC. 61. Section two hundred seventy-seven point twenty-eight
 2 (277.28), unnumbered paragraph one (1), Code 1973, is amended to
 3 read as follows:

4 Each director elected at a regular district or director district elec-
 5 tion, as the case may be, shall qualify by taking the oath of office on
 6 or before the time set for the organization meeting of the board the
 7 third Monday in September, and his election and qualification entered
 8 of record by the secretary. The oath may be administered by any
 9 qualified member of the board, or the secretary of the board, or the
 10 county superintendent of schools, and may be taken in substantially
 11 the following form:

1 SEC. 62. Section two hundred seventy-nine point seven (279.7),
 2 unnumbered paragraph one (1), Code 1973, as amended by Acts of
 3 the Sixty-fifth General Assembly, 1973 Session, chapter one hundred
 4 thirty-six (136), section two hundred seventy-three (273), is amended
 5 to read as follows:

6 In any case where a vacancy or vacancies occur among the elec-
 7 tive officers or members of a school board and the remaining mem-
 8 bers of such board have not filled such vacancy within ten days
 9 after the occurrence thereof, or when the board is reduced below a
 10 quorum for any cause, the secretary of the board, or if there be no
 11 secretary, the ~~county area education agency superintendent adminis-~~
 12 ~~trator of schools~~ shall call a special election in the district, subdis-
 13 trict, or subdistricts, as the case may be, to fill such vacancy or
 14 vacancies. The county commissioner of elections shall publish the
 15 notices required by law for such special elections, which election shall
 16 be held not sooner than thirty days nor later than forty days there-
 17 after. In any case where the secretary fails for more than three days
 18 to call such election, the ~~county superintendent administrator of the~~
 19 ~~area education agency~~ shall call it.

1 SEC. 63. Section two hundred seventy-nine point eighteen
 2 (279.18), Code 1973, is amended to read as follows:

3 **279.18 Tuition.** The tuition cost to be mutually agreed upon by
 4 the respective boards shall be paid by the home district and shall be
 5 equal to the average cost per elementary child (including both resi-
 6 dent and tuition students) in ~~average daily attendance enrollment~~ in
 7 the tuition-receiving district for the preceding year. Such tuition
 8 rates shall include expenditures from the general fund for general

9 control, instruction, auxiliary agencies except transportation costs,
 10 co-ordinate activities, operation of plant, maintenance of plant, fixed
 11 charges including insurance on buildings and contents, capital, interest
 12 paid for debt service from the general fund, interest paid for debt
 13 service and retirement of bonds from the schoolhouse fund. A pro
 14 rata charge for depreciation on buildings shall be made at the rate of
 15 two percent per annum on the appraised value, less bonded indebted-
 16 ness thereon, of all buildings owned by the school corporation and
 17 used for elementary school purposes, but not exceeding the maximum
 18 tuition rate as determined by the state superintendent of public
 19 instruction as prescribed in section 282.24. No depreciation charge
 20 shall be made for the portion of the initial cost of buildings and
 21 equipment purchased with federal grants. ~~On or before July 15, 1953,~~
 22 ~~the board in each school corporation accepting tuition pupils shall~~
 23 ~~cause its buildings to be appraised and an itemized statement of the~~
 24 ~~results of the appraisal filed with the county superintendent. Such~~
 25 ~~statement shall constitute the basis for the hereinabove provided~~
 26 ~~depreciation charge. Such appraisal shall be made by a board com-~~
 27 ~~prised of the county or city assessor and one member appointed by~~
 28 ~~the local school corporation and one member appointed by the county~~
 29 ~~board of education. An appraisal of the value of the buildings in each~~
 30 ~~school corporation shall be completed at least one time each five years.~~

31 The tuition rates and the computation thereof shall be filed with
 32 the ~~county board of education~~ *area education agency board* not later
 33 than July 30 for its review and approval. Receiving districts cannot
 34 receive tuition until approval is granted by the ~~county board of~~
 35 ~~education~~ *area education agency board*. The right of appeal shall be
 36 as provided in section 285.13.

1 SEC. 64. Section two hundred seventy-nine point thirty-three
 2 (279.33), Code 1973, is amended to read as follows:

3 **279.33 Other districts—filing statement.** In every school district
 4 wherein no newspaper is published, the president and secretary of
 5 the board of directors thereof shall file the above statement with the
 6 ~~county area education agency superintendent administrator 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. 65. Section two hundred eighty A point twelve (280A.12),
 2 Code 1973, is amended to read as follows:

3 **280A.12 Governing board.** The governing board of a merged area
 4 shall be a board of directors composed of one member elected from
 5 each director district in the area by the electors of the respective
 6 district. Members of the board shall be residents of the district
 7 from which elected. Successors shall be chosen at the annual school
 8 elections for members whose terms expire on the first Monday in
 9 October following such elections. Terms of members of the board
 10 of directors shall be three years except that members of the initial
 11 board of directors elected at the special election shall determine their
 12 respective terms by lot so that the terms of one-third of the members,
 13 as nearly as may be, shall expire on the first Monday in October of
 14 each succeeding year. Vacancies on the board which occur more
 15 than ninety days prior to the next annual school election shall be
 16 filled at the next regular meeting of the board by appointment by the
 17 remaining members of the board. The member so chosen shall be a

18 resident of the district in which the vacancy occurred and shall serve
19 until the next annual school election, at which election a member
20 shall be elected to fill the vacancy for the balance of the unexpired
21 term. A vacancy shall be defined as in section 277.29. No member
22 shall serve on the board of directors who is a member of a board of
23 directors of a local school district or a member of a ~~county board of~~
24 ~~education~~ *an area education agency board.*

1 SEC. 66. Section two hundred eighty A point fifteen (280A.15),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter one hundred thirty-six (136), section two hun-
4 dred seventy-seven (277), is amended by striking the section and in-
5 serting in lieu thereof the following:

6 **280A.15 Conduct of elections.**

7 1. Regular elections held annually by the merged area for the elec-
8 tion of members of the board of directors as required by section two
9 hundred eighty A point twelve (280A.12) of the Code, for the renewal
10 of the three-fourths mill levy authorized in section two hundred
11 eighty A point twenty-two (280A.22) of the Code, or for any other
12 matter authorized by law and designated for election by the board of
13 directors of the merged area, shall be held on the date of the school
14 election as fixed by section two hundred seventy-seven point one
15 (277.1) of the Code. The election notice shall be published as pro-
16 vided in section forty-nine point fifty-three (49.53) of the Code
17 and the election shall be conducted by the county commissioner of
18 elections pursuant to chapters thirty-nine (39) through fifty-three
19 (53) and section two hundred seventy-seven point twenty (277.20)
20 of the Code.

21 2. Each candidate for member of the board of directors of a
22 merged area shall be nominated by a petition signed by not less than
23 fifty eligible electors of the director district from which the member
24 is to be elected. The petition shall state the number of the director
25 district from which the candidate seeks election, and the candidate's
26 name and status as an eligible elector of the director district. Sign-
27 ers of the petition, in addition to signing their names, shall show
28 their residence, including street and number if any, the school dis-
29 trict in which they reside, and the date they signed the petition.
30 Each nomination paper shall have appended to it an affidavit of an
31 eligible elector other than the candidate in substantially the form
32 provided in section forty-three point seventeen (43.17) of the Code,
33 except as to party affiliation. The petition shall include the affidavit
34 of the candidate being nominated, stating the candidate's name and
35 residence, and that he or she is a candidate, is eligible for the office
36 sought, and if elected will qualify for the office.

37 3. Nomination papers in behalf of candidates for member of the
38 board of directors of a merged area shall be filed with the secretary
39 of the board not earlier than sixty-five days nor later than five o'clock
40 p.m. on the fortieth day prior to the election at which members of the
41 board are to be elected. The secretary shall deliver all nomination
42 petitions to the county commissioner of elections who is responsible
43 under section forty-seven point two (47.2) of the Code for conduct-
44 ing elections held for the merged area, not later than five o'clock
45 p.m. on the day following the last day on which nomination petitions
46 can be filed.

47 4. The votes cast in the election shall be canvassed and abstracts
 48 of the votes cast shall be certified as required by section two hundred
 49 seventy-seven point twenty (277.20) of the Code. In each county
 50 whose commissioner of elections is responsible under section forty-
 51 seven point two (47.2) of the Code for conducting elections held for a
 52 merged area, the county board of supervisors shall convene at ten
 53 o'clock a.m. on the last Monday in September, canvass the abstracts
 54 of votes cast and declare the results of the voting. The commis-
 55 sioner shall at once issue certificates of election to each person de-
 56 clared elected, and shall certify to the merged area board in sub-
 57 stantially the manner prescribed by section fifty point twenty-seven
 58 (50.27) of the Code the result of the voting on any public question
 59 submitted to the voters of the merged area. Members elected to
 60 the board of directors of a merged area shall qualify by taking the
 61 oath of office prescribed in section two hundred seventy-seven point
 62 twenty-eight (277.28) of the Code.

1 SEC. 67. Section two hundred eighty A point seventeen
 2 (280A.17), unnumbered paragraph one (1),* Code 1973, is amended
 3 to read as follows:

4 The board of directors of each merged area shall prepare an an-
 5 nual budget designating the proposed expenditures for operation of
 6 the area vocational school or area community college. The board
 7 shall further designate the amounts which are to be raised by local
 8 taxation and the amounts which are to be raised by other sources of
 9 revenue for such operation. The budget of each merged area shall
 10 be submitted to the state board no later than ~~June 1~~ *December first*
 11 preceding the next fiscal year for approval. The state board shall
 12 review the proposed budget and shall, prior to ~~July 1~~ *January first*,
 13 either grant its approval or return the budget without approval with
 14 the comments of the state board attached thereto. Any unapproved
 15 budget shall be resubmitted to the state board for final approval.
 16 Upon approval of the budget by the state board, the board of directors
 17 shall prorate the amount to be raised by local taxation among the
 18 respective ~~county school systems, or parts thereof, districts~~ in the
 19 proportion that the value of taxable property in each ~~system, or part~~
 20 ~~thereof, school district~~ bears to the total value of taxable property in
 21 the area. The board of directors shall certify the amount so deter-
 22 mined to the respective county auditors and the boards of supervisors
 23 shall levy a tax sufficient to raise the amount. No tax in excess of
 24 three-fourths mill shall be levied on taxable property in a merged
 25 area for the operation of an area vocational school or area community
 26 college. Taxes collected pursuant to such levy shall be paid by the
 27 respective county treasurers to the treasurer of the merged area in
 28 the same manner that other school taxes are paid to local school dis-
 29 tricts.

1 SEC. 68. Section two hundred eighty-one point two (281.2), Code
 2 1973, is amended by striking the section and inserting in lieu thereof
 3 the following:

4 **281.2 Definitions.**

5 1. "Children requiring special education" means persons under
 6 twenty-one years of age, including children under five years of age,
 7 who are handicapped in obtaining an education because of physical,

*See 65 GA, ch 1096, §36

8 mental, emotional, communication or learning disabilities or who
9 are chronically disruptive, as defined by the rules of the department
10 of public instruction.

11 2. "Special education" means classroom, home, hospital, institu-
12 tional, or other instruction designed to meet the needs of children
13 requiring special education as defined in subsection one (1) of this
14 section; transportation and corrective and supporting services re-
15 quired to assist children requiring special education, as defined in
16 subsection one (1) of this section, in taking advantage of, or re-
17 sponding to, educational programs and opportunities, as defined by
18 rules of the department of public instruction.

19 It is the policy of this state to provide and to require school dis-
20 tricts to make provision, as an integral part of public education, for
21 special education opportunities sufficient to meet the needs and maxi-
22 mize the capabilities of children requiring special education. This
23 chapter is not to be construed as encouraging separate facilities or
24 segregated programs designed to meet the needs of children requir-
25 ing special education when such children can benefit from all or part
26 of the education program as offered by the local school district. To
27 the maximum extent possible, children requiring special education
28 shall attend regular classes and shall be educated with children who
29 do not require special education. Whenever possible, hinderances
30 to learning and to the normal functioning of children requiring spe-
31 cial education within the regular school environment shall be over-
32 come by the provision of special aids and services rather than by
33 separate programs for those in need of special education. Special
34 classes, separate schooling or other removal of children requiring
35 special education from the regular educational environment, shall
36 occur only when, and to the extent that the nature or severity of the
37 educational handicap is such that education in regular classes, even
38 with the use of supplementary aids and services, cannot be accom-
39 plished satisfactorily. For those children who cannot adapt to the
40 regular educational or home living conditions, and who are attend-
41 ing facilities under chapters two hundred sixty-three (263), two
42 hundred sixty-nine (269) and two hundred seventy (270) of the
43 Code, upon the request of the board of directors of an area educa-
44 tion agency, the department of social services shall provide residen-
45 tial or detention facilities and the area education agency shall pro-
46 vide special education programs and services. The area education
47 agencies shall cooperate with the board of regents to provide the
48 services required by this Act.

49 Special aids and services shall be provided to children requiring
50 special education who are less than five years of age if the aids and
51 services will reasonably permit the child to enter the educational
52 process or school environment when the child attains school age.

53 Every child requiring special education shall, if reasonably pos-
54 sible, receive a level of education commensurate with the level pro-
55 vided each child who does not require special education. The cost
56 of providing such an education shall be paid as provided in section
57 twelve (12) of this Act and chapters two hundred eighty-one (281)
58 and four hundred forty-two (442) of the Code. It shall be the pri-
59 mary responsibility of each school district to provide special educa-
60 tion to children who reside in that district if the children requiring

61 special education are properly identified, the educational program or
 62 service has been approved, the teacher or instructor has been certi-
 63 fied, the number of children requiring special education needing that
 64 educational program or service is sufficient to make offering the
 65 program or service feasible, and the program or service cannot more
 66 economically and equably be obtained from the area education agency,
 67 another school district, another group of school districts, a qualified
 68 private agency, or in cooperation with one or more other districts.

69 Any funds received by the school district of the child's residence
 70 for the child's education, derived from funds received through chap-
 71 ters four hundred forty-two (442) and two hundred eighty-one
 72 (281) of the Code and section twelve (12) of this Act shall be paid
 73 by the school district of the child's residence to the appropriate edu-
 74 cation agency, private agency, or other school district providing
 75 special education for the child pursuant to contractual arrangements
 76 as provided in section four (4), subsections five (5) and seven (7) of
 77 this Act.

1 SEC. 69. Section two hundred eighty-one point three (281.3),
 2 subsections seven (7), eight (8), and nine (9), Code 1973, are
 3 amended to read as follows:

4 7. To provide for certification by ~~competent medical and psychologi-~~
 5 ~~cal authorities~~ *the director of special education* of the eligibility of
 6 children requiring special education for admission to, or discharge
 7 from, special schools, classes or instruction.

8 8. To initiate the establishment of classes for children requiring
 9 special education *or home study services* in hospitals ~~and, nursing,~~
 10 *convalescent, juvenile, and private homes*, in co-operation with the
 11 management thereof and local school districts or ~~county boards of~~
 12 ~~education~~ *area education agency boards*.

13 9. To co-operate with school districts or ~~county boards of education~~
 14 *area education agency boards* in arranging for any child requiring
 15 special education to attend school in a district other than the one in
 16 which he resides when there is no available special school, class, or
 17 instruction in the districts in which he resides.

1 SEC. 70. Section two hundred eighty-one point three (281.3),
 2 subsections three (3) and twelve (12), Code 1973, are amended by
 3 striking the subsections and inserting in lieu thereof the following:

4 3. To adopt rules consistent with the provisions of this chapter
 5 for the approval of plans for special education programs and ser-
 6 vices submitted by the director of special education of the area edu-
 7 cation agency.

8 12. To provide for the employment and establish standards for the
 9 performance of special education support personnel required to as-
 10 sist in the identification of and educational programs for children
 11 requiring special education.

1 SEC. 71. Section two hundred eighty-one point three (281.3),
 2 Code 1973, is amended by adding the following new subsections:

3 NEW SUBSECTION. To provide for the establishment of special
 4 education research and demonstration projects and models for spe-
 5 cial education program development.

6 NEW SUBSECTION. To establish a special education resource, ma-
 7 terials and training system for the purposes of developing specialized

8 instructional materials and provide in-service training to personnel
9 employed to provide educational services to children requiring spe-
10 cial education.

11 NEW SUBSECTION. To approve the acquisition and use of special
12 facilities designed for the purpose of providing educational services
13 to children requiring special education.

14 NEW SUBSECTION. To make rules and regulations to carry out the
15 powers and duties provided for in this section.

1 SEC. 72. Section two hundred eighty-one point four (281.4),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 **281.4 Powers of the board of directors.** The board of directors
5 of any school district or area education agency, with the approval of
6 the state department of public instruction, may provide special edu-
7 cation programs and services as defined in this chapter. If services
8 are provided by the area education agency, with the approval of the
9 department of public instruction, the board of directors of the area
10 education agency with the cooperation of the local school districts
11 within its jurisdiction may:

12 1. Establish and operate special education programs and classes
13 for the education of children requiring special education.

14 2. Acquire, maintain, and construct facilities in which to provide
15 education, corrective services, and supportive services for children
16 requiring special education.

17 3. Make arrangements with participating school districts for the
18 provision of special education, corrective, and supportive services to
19 the children requiring special education residing in the school dis-
20 tricts.

21 4. Employ special education teachers and personnel required to
22 furnish corrective or supportive services to children requiring spe-
23 cial education services.

24 5. Provide transportation for children requiring special education
25 services that are in need of transportation in connection with any
26 programs, classes or services.

27 6. Receive, administer and expend funds appropriated for its use.

28 7. Receive, administer and expend the proceeds of any issue of
29 school bonds or other bonds intended wholly or partly for its benefit.

30 8. Apply for, accept, and utilize grants, gifts or other assistance.

31 9. Participate in, and make its employees eligible to participate in,
32 any retirement system, group insurance system, or other program
33 of employee benefits, on the same terms as govern school districts
34 and their employees.

35 10. Do such other things as are necessary and incidental to the
36 execution of any of its powers.

37 The board of directors of the local district or the area education
38 agency shall employ qualified teachers certified by the authority pro-
39 vided by law as teachers for children requiring such special educa-
40 tion. The maximum number of pupils per teacher shall be deter-
41 mined by the board of directors of the local district or the area edu-
42 cation agency board in accordance with the rules and regulations of
43 the state department of public instruction.

44 The board of directors of the local district or the area education
45 agency may establish and operate one or more special education cen-

46 ters to provide diagnostic, therapeutic, corrective, and other services,
 47 on a more comprehensive, expert, economic and efficient basis than
 48 can be reasonably provided by a single school district. Such serv-
 49 ices, if offered by the area education agency board, may be provided
 50 in the regular schools using personnel and equipment of the area
 51 education agency or, whenever it is impractical or inefficient to pro-
 52 vide them on the premises of a regular school, the area education
 53 agency may provide services in its own facilities. To the maximum
 54 extent feasible, such centers shall be established at and in conjunc-
 55 tion with, or in close proximity to one or more elementary and sec-
 56 ondary schools. Local districts or the area education agencies may
 57 accept diagnostic and evaluation studies conducted by other individ-
 58 uals, hospitals, or centers, if determined to be competent. Children
 59 requiring special education services may be identified in any way
 60 that the department of public instruction determines to be reliable.
 61 Centers established pursuant to this section may contain classrooms
 62 and other educational facilities and equipment to supplement in-
 63 struction and other services to handicapped children in the regular
 64 schools, and to provide separate instruction to children whose degree
 65 or type of educational handicap makes it impractical or inappropriate
 66 for them to participate in classes with normal children.

1 SEC. 73. Section two hundred eighty-one point five (281.5), Code
 2 1973, is amended by striking unnumbered paragraph one (1).

1 SEC. 74. Section two hundred eighty-one point six (281.6), Code
 2 1973, is amended to read as follows:

3 **281.6 Parent's or guardian's duties.** When the school district or
 4 ~~county board of education~~ *area education agency* has provided special
 5 education ~~facilities~~ *services and programs* as provided herein for any
 6 child requiring special education, either by admission to a special
 7 class or by ~~special instruction~~ *supportive services*, it shall be the duty
 8 of the parent or guardian to enroll said child for instruction in such
 9 special classes or ~~instruction~~ *supportive services* as may be estab-
 10 lished, except in the event a doctor's certificate is filed with the
 11 secretary of the school district showing that it is inadvisable *for*
 12 *medical reasons* for the child requiring special education to receive
 13 the special education provided; all the provisions and conditions of
 14 chapter 299 and amendments thereto shall be applicable to this sec-
 15 tion, and any violations shall be punishable as provided in said
 16 chapter.

17 *A child, or his parent or guardian, or the school district in which*
 18 *the child resides, may obtain a review of any action or omission of*
 19 *state or local authorities pursuant to the procedures established in*
 20 *chapter two hundred ninety (290) of the Code on the ground that the*
 21 *child has been or is about to be:*

22 1. *Denied entry or continuance in a program of special education*
 23 *appropriate to his condition and needs.*

24 2. *Placed in a special education program which is inappropriate to*
 25 *his condition and needs.*

26 3. *Denied educational services because no suitable program of edu-*
 27 *cation or related services is maintained.*

28 4. *Provided with special education which is insufficient in quantity*
 29 *to satisfy the requirements of law.*

30 5. *Assigned to a program of special education when he is not handi-*
31 *capped.*

1 SEC. 75. Section two hundred eighty-one point nine (281.9), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **281.9 Weighting plan.**

5 1. In order to provide funds for the excess costs of instruction of
6 children requiring special education, above the costs of instruction
7 of pupils in a regular curriculum, a special education weighting plan
8 for determining enrollment in each school district is adopted as fol-
9 lows:

10 a. Pupils in a regular curriculum are assigned a weighting of one.

11 b. Children requiring special education who require special adapta-
12 tions while assigned to a regular classroom for basic instructional
13 purposes and handicapped pupils placed in a special education class
14 who receive part of their instruction in regular classrooms are as-
15 signed a weighting of one and eight-tenths for the school year com-
16 mencing July 1, 1975.

17 c. Children requiring special education who require full-time, self-
18 contained special education placement with little integration into a
19 regular classroom are assigned a weighting of two and two-tenths
20 for the school year commencing July 1, 1975.

21 d. Children requiring special education who are severely handi-
22 capped or who have multiple handicaps, or who are chronically dis-
23 ruptive, are assigned to a weighting of four and four-tenths for the
24 school year commencing July 1, 1975.

25 e. Shared-time and part-time pupils of school age who require spe-
26 cial education shall be placed in the proper category and counted in
27 the proportion that the time for which they are enrolled or receive
28 instruction for the school year bears to the time that full-time pupils,
29 carrying a normal course schedule, in the same school district, for
30 the same school year are enrolled and receive instruction.

31 2. The weighting for each category of child multiplied by the
32 number of children in each category in the enrollment of a school
33 district, as identified and certified by the director of special educa-
34 tion for the area, determines the weighted enrollment to be used in
35 that district for purposes of computations required under the state
36 school foundation plan in chapter four hundred forty-two (442) of
37 the Code.

38 3. The weight that a child is assigned under this section shall be
39 dependent upon the required educational modifications necessary to
40 meet the special education needs of the child. Enrollment for the pur-
41 pose of this section, and all payments to be made pursuant thereto,
42 includes all children for whom a special education program or course
43 is to be provided pursuant to sections one (1) through twelve (12) of
44 this Act and chapter two hundred eighty-one (281) of the Code,
45 whether or not the children are actually enrolled upon the records
46 of a school district.

47 4. On December 1, 1975, and no later than December first every
48 two years thereafter, for the school year commencing the following
49 July first, the superintendent of public instruction shall report to
50 the school budget review committee the average costs of providing
51 instruction for children requiring special education in the categories

52 of the weighting plan established under this section, and shall make
53 recommendations to the school budget review committee for needed
54 alterations to make the weighting plan suitable for subsequent school
55 years. The school budget review committee shall establish the
56 weighting plan for each school year after the school year commencing
57 July 1, 1975, and shall report the plan to the superintendent of
58 public instruction. The school budget review committee shall not
59 alter the weighting assigned to pupils in a regular curriculum, but
60 it may increase or decrease the weighting assigned to each category
61 of children requiring special education by not more than two-tenths
62 of the weighting assigned to pupils in a regular curriculum. The
63 department of public instruction shall promulgate rules under chapter
64 seventeen A (17A) of the Code, to implement the weighting
65 plan for each year and to assist in identification and proper indexing
66 of each child in the state who requires special education.

67 5. The division of special education shall audit the reports required
68 in section six (6) of this Act to determine that all children
69 in the area who have been identified as requiring special education
70 have received the appropriate special education instructional and
71 support services, and to verify the proper identification of pupils in
72 the area who will require special education instructional services
73 during the school year in which the report is filed. The division
74 shall certify to the state comptroller the correct total enrollment of
75 each school district in the state, determined by applying the appropriate
76 pupil weighting index to each child requiring special education,
77 as certified by the directors of special education in each area.

78 6. The division may conduct an evaluation of the special education
79 instructional program or special education support services being
80 provided by an area education agency, school district, or private
81 agency, pursuant to sections one (1) through twelve (12) of this
82 Act and chapter two hundred eighty-one (281) of the Code, to determine
83 if the program or service is adequate and proper to meet the
84 needs of the child; if the child is benefiting from the program or
85 service; if the costs are in proportion to the educational benefits
86 being received; and if there are any improvements that can be made
87 in the program or service. A written report of the evaluation shall
88 be sent to the area education agency, school district, or private
89 agency evaluated and to the president of the senate and speaker of
90 the house of representatives of the general assembly.

1 SEC. 76. Section two hundred eighty-one point eleven (281.11),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 **281.11 Program plans.** Program plans submitted to the department
5 of public instruction pursuant to section five (5) of this Act
6 for approval shall establish all of the following:

7 1. That there are sufficient children requiring special education
8 within the area.

9 2. That the service or program will be provided by the most appropriate
10 educational agency.

11 3. That the educational agency providing the service or program
12 has employed qualified special educational personnel.

13 4. That the instruction is a natural and normal progression of a
14 planned course of instruction.

15 5. That all revenue raised for support of special education instruc-
16 tion and services is expended for actual delivery of special education
17 instruction or services.

18 6. Other factors as the department may require.

1 SEC. 77. Section two hundred eighty-two point three (282.3), un-
2 numbered paragraph one (1), Code 1973, is amended to read as fol-
3 lows:

4 No child under the age of six years on the fifteenth of September
5 of the current school year shall be admitted to any public school
6 unless the board of directors of the school (~~or the county board of~~
7 ~~education~~) shall have adopted and put into effect courses of study for
8 the school year immediately preceding the first grade, approved by
9 the department of public instruction and shall have employed a
10 teacher or teachers for this work with standards of training approved
11 by the department of public instruction.

1 SEC. 78. Section two hundred eighty-two point twenty (282.20),
2 unnumbered paragraphs one (1) and three (3), Code 1973, are
3 amended to read as follows:

4 The school corporation in which such student resides shall pay
5 from the general fund to the secretary of the corporation in which
6 he shall be permitted to enter a tuition fee sufficient to cover the
7 average cost per high school child (including both resident and tui-
8 tion students) in average daily attendance in the tuition-receiving
9 district in the preceding year. Such tuition rates shall include ex-
10 penditures from the general fund for general control, instruction,
11 auxiliary agencies except transportation costs, co-ordinate activi-
12 ties, operation of plant, maintenance of plant, fixed charges includ-
13 ing insurance on buildings and contents, capital, interest paid for
14 debt service from the general fund, interest paid for debt service and
15 retirement of bonds from the schoolhouse fund. A pro rata charge
16 for depreciation on buildings shall be made at the rate of two per-
17 cent per annum on the appraised value, less bonded indebtedness
18 thereon, of all buildings owned by the school corporation and used
19 for high school purposes, but not exceeding the maximum tuition rate
20 as determined by the state superintendent of public instruction as
21 prescribed in section 282.24. No depreciation charge shall be made
22 for the portion of the initial cost of buildings and equipment pur-
23 chased with federal grants. ~~On or before July 15, 1953, the board in~~
24 ~~each school corporation accepting tuition pupils shall cause its build-~~
25 ~~ings to be appraised and an itemized statement of the results of the~~
26 ~~appraisal filed with the county superintendent. Such~~ *The appraisal*
27 *and itemized statement of the appraisal filed in 1953 shall be updated*
28 *commencing July 1, 1975 at least one time every five years and shall*
29 *constitute the basis for the hereinabove provided depreciation charge.*
30 Such appraisal shall be made by a board comprised of the county or
31 city assessor and one member appointed by the local school corpora-
32 tion and one member appointed by the ~~county board of education~~ *area*
33 *education agency board.*

34 The tuition rates and the computation thereof shall be filed with
35 the ~~county board of education~~ *superintendent of public instruction*
36 *not later than July 30 for its his review and approval. Receiving*
37 *districts cannot receive tuition until approval is granted by the county*

38 ~~board of education superintendent of public instruction. The right of~~
39 ~~appeal shall be as provided in section 285-13.~~

1 SEC. 79. Section two hundred eighty-five point one (285.1), sub-
2 sections six (6), seven (7), nine (9), and thirteen (13), Code 1973,
3 are amended to read as follows:

4 6. When the school designated for attendance of pupils is engaged
5 in the transportation of pupils, the sending or designating school
6 shall use these facilities and pay the pro rata cost of transportation
7 except that a district sending pupils to another school may make
8 other arrangements when it can be shown that such arrangements
9 will be more efficient and economical than to use facilities of the
10 receiving school, providing such arrangements are approved by the
11 ~~county board of education~~ *board of the area education agency.*

12 7. If a *local* board closes either elementary or high school facilities
13 and is approved by the ~~county~~ *area education* board of education
14 *agency* to operate its own transportation equipment, the full cost of
15 transportation shall be paid by the board for all pupils living beyond
16 the statutory walking distance from the school designated for at-
17 tendance.

18 9. Distance to school or to a bus route shall in all cases be mea-
19 sured on the public highway only and over the most passable and
20 safest route as determined by the ~~county~~ *area education* board
21 *of education*, starting in the roadway opposite the private entrance
22 to the residence of the pupil and ending in the roadway opposite the
23 entrance to the school grounds or designated point on bus route.

24 13. When a local board fails to pay transportation costs due to
25 another school for transportation service rendered, the board of the
26 creditor corporation shall file a sworn statement with the ~~county~~ *area*
27 *education* board of education specifying the amount due. The
28 ~~county~~ *area education* board of education shall check such
29 claim and if the claim is valid shall certify to the county auditor. The
30 auditor shall transmit to the county treasurer an order directing him
31 to transfer the amount of such claim from the funds of the debtor
32 corporation to the creditor corporation and the treasurer shall pay
33 the same accordingly.

1 SEC. 80. Section two hundred eighty-five point four (285.4), Code
2 1973, is amended to read as follows:

3 **285.4 Pupils sent to another district.** ~~On or before July 8, 1949,~~
4 ~~the~~ *The* board in districts not maintaining high school facilities shall
5 by record action designate the school or schools for attendance of all
6 high school pupils from their respective districts. In making desig-
7 nations, the local board shall give consideration to the wishes of the
8 majority of the patrons, the adequacy of the facilities and curricular
9 offerings and available bus service to avoid duplication of transporta-
10 tion facilities to different receiving schools.

11 When a board closes its elementary school facilities for lack of
12 pupils or by action of the board, it shall, if there is a school bus ser-
13 vice available in the area, designate for attendance the school oper-
14 ating the buses, provided the board of such school is willing to receive
15 them and the facilities and curricular offerings are adequate. The
16 board of the district where the pupils reside may with the approval
17 of the ~~county~~ *area education* board of education, subject to

18 legal limitations and established uniform standards, designate an-
 19 other rural school and provide their own transportation if the trans-
 20 portation costs will be less than to use the established bus service.

21 All designations must be submitted to the ~~county~~ *area education*
 22 *agency* board of ~~education~~ on or before July 15, for review and ap-
 23 proval. The ~~county~~ *area education agency* board of ~~education~~ shall
 24 after due investigation alter or change designations to make them
 25 conform to legal requirements and established uniform standards for
 26 making designations and for locating and establishing bus routes.
 27 After designations are made, they will remain the same from year to
 28 year except that on or before July 15, of each year, the rural board
 29 or parents may petition the ~~county~~ *area education agency* board for a
 30 change of designation to another school. Appeals from the decision
 31 of the ~~county~~ *area education agency* board on designations may be
 32 made by either the parents or board to the state superintendent of
 33 public instruction as provided in section 285.12 and section 285.13.

1 SEC. 81. Section two hundred eighty-five point nine (285.9), Code
 2 1973, is amended to read as follows:

3 **285.9 Powers and duties of ~~county~~ *area* boards.** The powers and
 4 duties of the respective ~~county~~ *area education agency* boards of
 5 ~~education~~ shall be to:

6 1. Enforce all laws and all rules and regulations of the state de-
 7 partment of public instruction relating to transportation.

8 2. Review and approve all transportation arrangements between
 9 districts in the ~~county~~ *area education agency* and in all districts in the
 10 ~~county~~ *area education agency* not operating high schools. If such
 11 transportation arrangements, designations, and contracts are not in
 12 conformity to law or established uniform standards for the locating
 13 and operating of bus routes, the ~~county~~ *area education agency* board
 14 shall, after receiving all facts, make such alterations or changes as
 15 necessary to make the arrangements, designations, and contracts
 16 conform to the legal and established requirements and shall notify
 17 local board of such action.

18 3. Approve all bus routes outside the boundary of the district of
 19 the school operating buses.

20 4. When a local board fails to make designations and other neces-
 21 sary arrangements for transportation as required by law, the ~~county~~
 22 *area education agency* board shall, after due notice to the local board,
 23 make necessary arrangements in conformity with law and established
 24 requirements. Notice shall be given to the local board of the arrange-
 25 ments as made. The arrangements shall be binding on the local board
 26 which shall pay the costs for service as arranged.

1 SEC. 82. Section two hundred eighty-five point twelve (285.12),
 2 Code 1973, is amended to read as follows:

3 **285.12 Disputes—hearings and appeals.** In the event of a dis-
 4 agreement between a school patron and the board of the school dis-
 5 trict, the patron if dissatisfied with the decision of the district board,
 6 may appeal the same to the ~~county~~ *area education agency* board of
 7 ~~education~~, notifying the secretary of the district in writing within
 8 ten days of the decision of the board and by filing an affidavit of
 9 appeal with the ~~county~~ *area education agency* board of ~~education~~
 10 within the ten-day period. The affidavit of appeal shall include the

11 reasons for the appeal and points at issue. The secretary of the local
 12 board on receiving notice of appeal shall certify all papers to the
 13 ~~county area education agency board of education~~ which shall hear
 14 the appeal within ten days of the receipt of the papers and decide it
 15 within three days of the conclusion of the hearing and shall immedi-
 16 ately notify all parties of its decision. Either party may appeal the
 17 decision of the ~~county area education agency board to the state super-~~
 18 ~~intendent of public instruction by notifying the opposite party and~~
 19 ~~the county area education agency superintendent administrator of~~
 20 ~~schools in writing within five days after receipt of notice of the~~
 21 ~~decision of the county area education agency board of education and~~
 22 shall file with the state superintendent of public instruction an affi-
 23 davit of appeal, reasons for appeal, and the facts involved in the dis-
 24 agreement. The ~~county area education agency superintendent admin-~~
 25 ~~istrator of schools shall, within ten days of said notice, file with the~~
 26 ~~state superintendent of public instruction all records and papers~~
 27 ~~pertaining to the case, including action of the county area education~~
 28 ~~agency board of education. The state superintendent of public in-~~
 29 ~~struction shall hear the appeal within fifteen days of the filing of the~~
 30 ~~records in his office, notifying all parties and the county area educa-~~
 31 ~~tion agency superintendent administrator of schools of the time of~~
 32 ~~hearing. The state superintendent of public instruction shall forth-~~
 33 ~~with decide the same and notify all parties of his decision and return~~
 34 ~~all papers with a copy of the decision to the county area education~~
 35 ~~agency superintendent administrator of schools. The decision of the~~
 36 ~~state superintendent of public instruction shall be subject to appeal~~
 37 ~~to the district court. Any order of the district court shall be subject~~
 38 ~~to appeal to the supreme court in accord with the statutes respecting~~
 39 ~~appeals to that court. Pending final order made by the state super-~~
 40 ~~intendent of public instruction, or the district court, or the supreme~~
 41 ~~court, as the case may be, upon any appeal prosecuted to such super-~~
 42 ~~intendent or to such courts, the order of the county area education~~
 43 ~~agency board of education from which the appeal is taken shall be~~
 44 operative and be in full force and effect.

1 SEC. 83. Section two hundred eighty-five point thirteen (285.13),
 2 Code 1973, is amended to read as follows:

3 **285.13 Disagreements between boards.** In the event of a dis-
 4 agreement between the board of a school district and the ~~county~~ board
 5 of ~~education an area education agency~~, the board of the school district
 6 may appeal to the state superintendent of public instruction and the
 7 procedure and times provided for in section 285.12 shall prevail in
 8 any such case. The decision of the state superintendent of public
 9 instruction shall be subject to appeal to the courts as provided for in
 10 section 285.12.

1 SEC. 84. Section two hundred eighty-five point fifteen (285.15),
 2 Code 1973, is amended to read as follows:

3 **285.15 Forfeiture of reimbursement rights.** The failure of any
 4 local district to comply with the provisions of this chapter or any
 5 other laws relating to the transportation of pupils, or any rules or
 6 regulations made by the state department of public instruction under
 7 this chapter or the final decisions of the ~~county area education agency~~
 8 ~~board of education~~, or the final decisions of the state department of

9 public instruction shall ~~cause such district to forfeit any rights to~~
 10 ~~reimbursement for any transportation costs incurred during the~~
 11 ~~period such failure to comply existed and forfeit the rights to collect~~
 12 ~~transportation costs from school or parents while operating in such~~
 13 ~~illegal manner. Any superintendent, board, or board member who~~
 14 ~~knowingly operates or permits to be operated any school bus trans-~~
 15 ~~porting public school pupils in violation of any school transportation~~
 16 ~~law shall be deemed guilty of a misdemeanor.~~

1 SEC. 85. Section two hundred eighty-nine point seven (289.7),
 2 Code 1973, is amended to read as follows:

3 **289.7 Enforcement.** The enforcement of this chapter shall rest
 4 with the school board in the district in which such part-time school,
 5 department, or class shall have been established, and the state de-
 6 partment of public instruction through its inspectors and the state
 7 board for vocational education through its supervisors of vocational
 8 education, in conjunction with the ~~county area education agency~~
 9 ~~superintendent administrator of schools~~, are empowered to require
 10 enforcement of the same on the part of school boards.

1 SEC. 86. Section two hundred ninety point one (290.1), Code
 2 1973, is amended to read as follows:

3 **290.1 Appeal to ~~county superintendent~~ state board.** Any person
 4 aggrieved by any decision or order of the board of directors of any
 5 school corporation in a matter of law or fact may, within thirty days
 6 after the rendition of such decision or the making of such order,
 7 appeal therefrom to the ~~county superintendent of the proper county~~
 8 ~~state board of public instruction~~; the basis of the proceedings shall be
 9 an affidavit filed with the ~~county superintendent state board~~ by the
 10 party aggrieved within the time for taking the appeal, which affidavit
 11 shall set forth any error complained of in a plain and concise manner.

1 SEC. 87. Section two hundred ninety point two (290.2), Code
 2 1973, is amended to read as follows:

3 **290.2 Notice—transcript—hearing.** The ~~county superintendent~~
 4 ~~state board of public instruction~~ shall, within five days after the filing
 5 of such affidavit ~~in his office~~, notify the secretary of the proper school
 6 corporation in writing of the taking of such appeal, who shall, within
 7 ten days after being thus notified, file ~~in the office of the county super-~~
 8 ~~intendent with the state board~~ a complete certified transcript of the
 9 record and proceedings relating to the decision appealed from. There-
 10 upon, the ~~county superintendent state board~~ shall notify in writing all
 11 persons adversely interested of the time when and place where the
 12 matter of appeal will be heard ~~by him~~.

1 SEC. 88. Section two hundred ninety point three (290.3), Code
 2 1973, is amended to read as follows:

3 **290.3 Hearing—shorthand reporter—decision.** At the time fixed
 4 for the hearing, ~~he it~~ shall hear testimony for either party, and may
 5 cause the same to be taken down and transcribed by a shorthand
 6 reporter, whose fees shall be fixed by the ~~county superintendent state~~
 7 ~~board~~ and be ~~taxes taxed~~ as a part of the costs in the case, and ~~he it~~
 8 shall make such decision as may be just and equitable, which shall be
 9 final unless appealed from as hereinafter provided.

1 SEC. 89. Section two hundred ninety point four (290.4), Code
2 1973, is amended to read as follows:

3 **290.4 Witnesses — fees — collection.** The ~~county superintendent~~
4 *state board of public instruction* in all matters triable before ~~him~~ *it*
5 shall have power to issue subpoenas for witnesses, which may be
6 served by any peace officer, compel the attendance of those thus
7 served, and the giving of evidence by them, in the same manner and
8 to the same extent as the district court may do, and such witnesses
9 and officers may be allowed the same compensation as is paid for like
10 attendance or service in such court, which shall be paid out of the
11 general fund of the proper school corporation, upon the certificate
12 of the superintendent to and warrant of the secretary upon the trea-
13 surer; but if the ~~superintendent~~ *state board* is of the opinion that the
14 proceedings were instituted without reasonable cause therefor, or if,
15 in case of an appeal, it shall not be sustained, ~~he~~ *it* shall enter such
16 findings in the record, and tax all costs to the party responsible there-
17 for. A transcript thereof shall be filed in the office of the clerk of the
18 district court and a judgment entered thereon by him, which shall be
19 collected as other judgments.

1 SEC. 90. Section two hundred ninety point five (290.5), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **290.5 Decision of state board.** The decision of the state board
5 shall be final. The state board may adopt rules of procedure for hear-
6 ing appeals which shall include the power to delegate the actual hear-
7 ing of the appeal to the superintendent of public instruction and
8 members of his staff designated by him. The record of appeal so
9 heard shall be reviewed by the state board and the decision recom-
10 mended by the superintendent of public instruction shall be approved
11 by the state board in the manner provided in section two hundred
12 fifty-seven point ten (257.10), subsection four (4), of the Code.

1 SEC. 91. Section two hundred ninety point six (290.6), Code
2 1973, is amended to read as follows:

3 **290.6 Money judgment.** Nothing in this chapter shall be so con-
4 strued as to authorize ~~either the county superintendent or~~ *state board*
5 of public instruction to render judgment for money; neither shall
6 they be allowed any other compensation than is now allowed by law.
7 All necessary postage must first be paid by the party aggrieved.

1 SEC. 92. Section two hundred ninety-one point six (291.6), sub-
2 section one (1), Code 1973, is amended to read as follows:

3 1. Preservation of records. File and preserve copies of all reports
4 made ~~to the county superintendent,~~ and all papers transmitted ~~to him~~
5 pertaining to the business of the corporation.

1 SEC. 93. Section two hundred ninety-one point ten (291.10), un-
2 numbered paragraph one (1), Code 1973, is amended to read as fol-
3 lows:

4 He shall notify the ~~county~~ *superintendent of public instruction*
5 when each school is to begin and its length of term, and, ten days
6 after the regular July meeting in each year, file with the ~~county~~
7 *superintendent of public instruction* a report on blanks prepared for
8 that purpose by the superintendent of public instruction, showing:

1 SEC. 94. Section two hundred ninety-one point eleven (291.11),
2 Code 1973, is amended to read as follows:

3 **291.11 Officers reported.** He shall report to the ~~county~~ superin-
4 *tendent of public instruction, the county auditor, and county trea-*
5 *surer the name and post-office address of the president, treasurer,*
6 *and secretary of the board as soon as practicable after the qualifica-*
7 *tion of each.*

1 SEC. 95. Section two hundred ninety-one point fifteen (291.15),
2 Code 1973, is amended to read as follows:

3 **291.15 Annual report.** He shall make an annual report to the
4 board at its regular July meeting, which shall show the amount of
5 the general fund and the schoolhouse fund held over, received, paid
6 out, and on hand, the several funds to be separately stated, and he
7 shall immediately file a copy of this report with the ~~county~~ superin-
8 *tendent of public instruction and a copy with the county treasurer.*

1 SEC. 96. Section two hundred ninety-two point two (292.2), Code
2 1973, is amended to read as follows:

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

20 Directors of the school districts having permanent libraries shall,
21 ~~upon approval by the county superintendent of schools,~~ be permitted
22 to make temporary and permanent exchanges of books between school
23 districts or to turn books over to the ~~county~~ *area education agency*
24 ~~superintendent administrator of schools~~ to become a part of the
25 ~~circulating library area media center. The county area education~~
26 ~~agency superintendent administrator shall keep a record of all books~~
27 ~~in his custody.~~

1 SEC. 97. Section two hundred ninety-four point one (294.1), Code
2 1973, is amended to read as follows:

3 **294.1 Qualifications—compensation prohibited.** No person shall
4 be employed as a teacher in a common school ~~which is to receive its~~
5 ~~distributive share of the school fund without having a certificate of~~
6 ~~qualification given by the county superintendent of the county in~~
7 ~~which the school is situated, or a certificate or diploma issued by some~~
8 ~~other officer duly authorized by law.~~

9 No compensation shall be recovered by a teacher for services ren-
10 ~~dered while without such certificate or diploma.~~

1 SEC. 98. Section two hundred ninety-four point five (294.5), Code
2 1973, is amended to read as follows:

3 **294.5 Reports.** The teacher shall file with the ~~county superin-~~
4 ~~tendent school superintendent and the superintendent of public in-~~
5 ~~struction~~ such reports and in such manner as ~~he~~ may be ~~require~~
6 ~~required.~~

1 SEC. 99. Section two hundred ninety-seven point eight (297.8),
2 Code 1973, is amended to read as follows:

3 **297.8 Emergency repairs.** When emergency repairs costing more
4 than ~~twenty five hundred~~ *five thousand* dollars are necessary in order
5 to prevent the closing of any school, the provisions of the law with
6 reference to advertising for bids shall not apply, and in that event the
7 board may contract for such emergency repairs without advertising
8 for bids; provided, however, that before such emergency repairs can
9 be made to any schoolhouse, it shall be necessary to procure a certifi-
10 cate from the ~~county area education agency superintendent admin-~~
11 ~~istrator~~ that such emergency repairs are necessary to prevent the
12 closing of such school.

1 SEC. 100. Section two hundred ninety-seven point sixteen
2 (297.16), Code 1973, is amended to read as follows:

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

1 SEC. 101. Section two hundred ninety-seven point seventeen
2 (297.17), Code 1973, is amended to read as follows:

3 **297.17 Notice.** The county ~~superintendent~~ *sheriff* shall give
4 notice to both parties of the time and place of making such appraise-
5 ment, which notice shall be served in the same manner and for the
6 same time as for the commencement of action in the district court.

1 SEC. 102. Section two hundred ninety-seven point eighteen
2 (297.18), Code 1973, is amended to read as follows:

3 **297.18 Appraisalment.** Such appraisers shall inspect the premises
4 and, at the time and place designated in the notice, appraise said site
5 in writing, which appraisalment, after being duly verified, shall be
6 filed with the county ~~superintendent~~ *sheriff*.

1 SEC. 103. Section two hundred ninety-seven point nineteen
2 (297.19), Code 1973, is amended to read 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 appraisalment to such
5 school district within twenty days after the filing of same with the
6 county ~~superintendent~~ *sheriff*, the school district may sell said site to
7 any other person at the appraised value, or may sell the same at
8 public sale to the highest bidder.

1 SEC. 104. Section two hundred ninety-seven point twenty-two
2 (297.22), unnumbered paragraph four (4), Code 1973, is amended to
3 read as follows:

4 Before the board of directors may sell, lease or dispose of any prop-
5 erty belonging to the school district it shall comply with the require-
6 ments set forth in sections 297.15 to 297.20, inclusive, and sections
7 297.23 and 297.24. Any real estate proposed to be sold shall be
8 appraised by three disinterested freeholders residing in the school
9 district and appointed by the ~~county superintendent of schools~~ *chief*
10 *judge of the judicial district* of the county in which said real estate is
11 located ~~from the list of compensation commissioners~~.

1 SEC. 105. Section two hundred ninety-seven point twenty-eight
2 (297.28), Code 1973, is amended to read as follows:

3 **297.28 Appraisers.** In case the executive council and said owner
4 of the tract from which such school site was taken, do not agree as
5 to the value of such site or building, the ~~county superintendent~~ *chief*
6 *judge of the judicial district* of the county in which the greater part of
7 such school site is situated, shall, on the written application of either
8 party, appoint three disinterested voters of the county ~~from the list~~
9 ~~of compensation commissioners~~ to appraise such site. The county
10 ~~superintendent~~ *sheriff* shall give notice to both parties of the time and
11 place of making such appraisalment, which notice shall be served in
12 the same manner and for the same time as for the commencement of
13 an action in the district court.

1 SEC. 106. Section two hundred ninety-seven point twenty-nine
2 (297.29), Code 1973, is amended to read as follows:

3 **297.29 Report filed.** Such appraisers shall inspect the premises
4 and at the time and place designated in the notice, appraise such site
5 or building in writing, which appraisalment, after being duly verified,
6 shall be filed with the ~~county superintendent~~ *sheriff*.

1 SEC. 107. Section two hundred ninety-seven point thirty
2 (297.30), Code 1973, is amended to read as follows:

3 **297.30 Public sale.** If the owner of the tract from which said site
4 was taken fails to pay the amount of such appraisalment to such exec-
5 utive council within thirty days after the filing of the same with the
6 ~~county superintendent~~ *sheriff*, the executive council may sell said site
7 or building to any other person at the appraised value, or may sell the
8 same at public sale to the highest bidder and the proceeds of such sale
9 are to be added to the permanent school fund of the state.

1 SEC. 108. Section two hundred ninety-eight point eleven (298.11),
2 unnumbered paragraph one (1), Code 1973, is amended to read as
3 follows:

4 The county auditor shall, on the first Monday in April and the first
5 Monday in October of each year, apportion the school tax, together
6 with the interest of the permanent school fund and rents on unsold
7 school lands to which the county is entitled as shown in notice from
8 the state comptroller, and all other money in the hands of the county
9 treasurer belonging in common to the schools of the county and not
10 included in any previous apportionment, among the several corpora-
11 tions therein, in proportion to the number of persons of school age,
12 as shown by the ~~report of the county superintendent filed with him~~

13 *reports filed with the state department of public instruction for the*
 14 *year immediately preceding.*

1 SEC. 109. Section two hundred ninety-nine point three (299.3),
 2 Code 1973, is amended to read as follows:

3 **299.3 Reports from private schools.** Within ten days from re-
 4 ceipt of notice from the secretary of the school district within which
 5 any private school is conducted, the principal of such school shall,
 6 once during each school year, and at any time when requested in indi-
 7 vidual cases, furnish to such secretary a certificate and report in
 8 duplicate of the names, ages, and number of days attendance of each
 9 pupil of such school over seven and under sixteen years of age, the
 10 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~~ *with the secretary of the area*
 15 *education agency.*

1 SEC. 110. Section two hundred ninety-nine point twelve (299.12),
 2 Code 1973, is amended to read as follows:

3 **299.12 Neglect by truancy officer.** Any truancy officer or any di-
 4 rector neglecting his duty to enforce the truancy law after written
 5 notice so to do served upon him by any citizen of the county or by
 6 the ~~county area education agency superintendent~~ *administrator* shall
 7 be liable to a fine not exceeding twenty-five dollars and be removed
 8 from such office. The county attorney shall prosecute such persons
 9 upon request of the ~~county area education agency superintendent~~
 10 *administrator.*

1 SEC. 111. Section three hundred one point five (301.5), Code
 2 1973, is amended to read as follows:

3 **301.5 Purchase—exchange.** In the purchasing of textbooks it
 4 shall be the duty of the board of directors ~~of the county board of~~
 5 ~~education~~ to take into consideration the books then in use in the
 6 respective districts, and they may buy such additional number of said
 7 books as may from time to time become necessary to supply their
 8 schools, and they may arrange on equitable terms for exchange of
 9 books in use for new books adopted.

1 SEC. 112. Section three hundred one point six (301.6), Code 1973,
 2 is amended to read as follows:

3 **301.6 Suit on bond.** If at any time the publishers of such books
 4 as shall have been adopted by any board of directors ~~of county board~~
 5 ~~of education~~ shall neglect or refuse to furnish such books when
 6 ordered by said board in accordance with the provisions of this chap-
 7 ter, at the very lowest price, either contract or wholesale, that such
 8 books are furnished any other district or state board, then said board
 9 of directors ~~of county board of education~~ may and it is hereby made
 10 their duty to bring suit upon the bond given them by the contracting
 11 publisher.

1 SEC. 113. Section three hundred one point seven (301.7), Code
 2 1973, is amended to read as follows:

3 **301.7 Bids—advertisement.** Before purchasing textbooks from a
4 source other than the publisher and before purchasing supplies under
5 the provisions of this chapter, it shall be the duty of the board of
6 directors, ~~or county board of education,~~ to advertise, by publishing a
7 notice once each week for two consecutive weeks in one or more news-
8 papers published in the county; said notice shall state the time up to
9 which all bids will be received, the classes and grades for which text-
10 books and other necessary supplies are to be bought, and the approxi-
11 mate quantity needed.

1 SEC. 114. Section three hundred one point ten (301.10), Code
2 1973, is amended to read as follows:

3 **301.10 Samples and lists.** Any person or firm desiring to furnish
4 books or supplies under this chapter in any county shall, at or before
5 the time of filing his bid hereunder, ~~deposit in the office of the county~~
6 ~~superintendent~~ *make available* samples of all textbooks included in his
7 bid, accompanied with lists giving the lowest wholesale and contract
8 prices for the same. ~~Said samples and lists shall remain in the county~~
9 ~~superintendent's office, and shall be delivered by him to his successor~~
10 ~~in office and shall be kept by him in such safe and convenient manner~~
11 ~~as to be open at all times to the inspection of such school officers,~~
12 ~~school patrons, and school teachers as may desire to examine the same~~
13 ~~and compare them with others, for the purpose of use in the public~~
14 ~~schools.~~

1 SEC. 115. Section three hundred one point eleven (301.11), Code
2 1973, is amended to read as follows:

3 **301.11 Bond.** The board of directors and county board of educa-
4 ~~tion mentioned~~ shall require any person or persons with whom they
5 contract for furnishing any books or supplies to enter into a good and
6 sufficient bond, in such sum and with such conditions and sureties
7 as may be required by such board of directors ~~or county board of~~
8 ~~education,~~ for the faithful performance of any such contract. Bonds
9 of surety companies duly authorized under the laws of Iowa shall be
10 accepted.

1 SEC. 116. Section three hundred one point twenty-eight (301.28),
2 Code 1973, is amended to read as follows:

3 **301.28 Officers and teachers as agents for books and supplies.** It
4 shall be unlawful for any school director, *officer, area education direc-*
5 *tor, or teacher,* ~~or member of the county board of education~~ to act as
6 agent for any school textbooks or school supplies during such term of
7 office or employment, and any school director, officer, *area education*
8 *agency director, or teacher,* ~~or member of the county board of educa-~~
9 ~~tion~~ who shall act as agent or dealer in school textbooks or school
10 supplies, during the term of such office or employment, shall be
11 deemed guilty of a misdemeanor, and shall, upon conviction thereof,
12 be fined not less than ten dollars nor more than one hundred dollars,
13 and pay the costs of prosecution.

1 SEC. 117. Section three hundred thirty-two point nine (332.9),
2 Code 1973, is amended to read as follows:

3 **332.9 Offices furnished.** The board of supervisors shall furnish
4 the clerk of the district court, sheriff, recorder, treasurer, auditor,
5 county attorney, ~~county superintendent,~~ county surveyor or engineer,

6 and county assessor, with offices at the county seat, but in no case
7 shall any such officer, except the county attorney, be permitted to
8 occupy an office also occupied by a practicing attorney.

1 SEC. 118. Section three hundred forty-nine point sixteen
2 (349.16), subsection one (1), Code 1973, is amended to read as fol-
3 lows:

4 1. The proceedings of the board of supervisors, excluding from
5 the publication of said proceedings, its canvass of the various elec-
6 tions, as provided by law; witness fees of witnesses before the grand
7 jury and in the district court in criminal cases; ~~the county superin-~~
8 ~~tendent's report.~~

1 SEC. 119. Section four hundred forty-one point two (441.2),
2 Code 1973, is amended to read as follows:

3 441.2 **Conference board.** In each county and each city having an
4 assessor there shall be established a conference board. In counties
5 the conference board shall consist of the mayors of all incorporated
6 cities and towns in the county whose property is assessed by the
7 county assessor, ~~members of the county boards of education as now or~~
8 ~~hereafter constituted one representative from the board of directors~~
9 ~~of each high school district of the county, who is a resident of the~~
10 ~~county, said board of directors appointing said representative for a~~
11 ~~one-year term and notifying the clerk of the conference board as to~~
12 ~~their representative, and members of the board of supervisors. In~~
13 ~~cities having an assessor the conference board shall consist of the~~
14 ~~members of the city council, school board and county board of super-~~
15 ~~visors. In the counties the chairman of the board of supervisors shall~~
16 ~~act as chairman of the conference board, in cities having an assessor~~
17 ~~the mayor of the city council shall act as chairman of the conference~~
18 ~~board. In any action taken by the conference board, the mayors of~~
19 ~~all incorporated cities and towns in the county whose property is~~
20 ~~assessed by the county assessor shall constitute one voting unit, the~~
21 ~~members of the county or city board of education or one representa-~~
22 ~~tive from the board of directors of each high school district of the~~
23 ~~county shall constitute one voting unit, the members of the city coun-~~
24 ~~cil shall constitute one voting unit, and the county board of super-~~
25 ~~visors shall constitute one voting unit, each unit having a single vote~~
26 ~~and no action shall be valid except by the vote of not less than two out~~
27 ~~of the three units. The majority vote of the members present of each~~
28 ~~unit shall determine the vote of the unit. The assessor shall be clerk~~
29 ~~of the conference board.~~

1 SEC. 120. Section four hundred forty-two point one (442.1), Code
2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
3 Session, chapter two hundred fifty-eight (258), section one (1), is
4 amended to read as follows:

5 442.1 **State school foundation program.** This chapter establishes
6 a state school foundation program. For each school year, each school
7 district in the state is entitled to receive state school foundation aid,
8 which shall be an amount per pupil equal to the difference between
9 the amount per pupil of foundation property tax in the district, and
10 the state foundation base or the district cost per pupil, whichever
11 is less. However, for the school years beginning July 1, 1973, and

12 July 1, 1974, only, if the amount so determined for any district is
13 less than two hundred dollars per pupil, the district is entitled to
14 receive not less than two hundred dollars per pupil except when a
15 district's total general fund millage rate is reduced to ninety percent
16 or less of the district's total general fund millage rate for the school
17 year beginning July 1, 1970. *However, if this computation is made*
18 *for the school years beginning July 1, 1975, and July 1, 1976, the*
19 *general fund levy for each district for the school year which began*
20 *July 1, 1970, shall be determined by including the levy certified by the*
21 *county school system or joint county system in which the district was*
22 *located, for the school year which began July 1, 1970. In this case the*
23 *district is entitled to receive only that portion of the two hundred*
24 *dollars per pupil necessary to retain that ten percent reduction. In*
25 *making computations and payments under this chapter, the state*
26 *comptroller shall round amounts to the nearest whole dollar.*

1 SEC. 121. Section four hundred forty-two point four (442.4),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter two hundred fifty-eight (258), section three
4 (3), is further amended by adding the following new unnumbered
5 paragraph:

6 NEW UNNUMBERED PARAGRAPH. As used in this chapter, "enroll-
7 ment" means enrollment determined pursuant to this section,
8 "weighted enrollment" means enrollment modified by the special
9 education weighting plan pursuant to section two hundred eighty-
10 one point nine (281.9) of the Code, and "per pupil" means per pupil
11 in enrollment for years prior to the school year beginning July 1,
12 1975, and "per pupil in weighted enrollment" for the school year be-
13 ginning July 1, 1975 and each succeeding school year.

1 SEC. 122. Section four hundred forty-two point seven (442.7),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter two hundred fifty-eight (258), section six (6),
4 is further amended by adding the following new unnumbered para-
5 graph:

6 NEW UNNUMBERED PARAGRAPH. For the school year beginning
7 July 1, 1975, the allowable growth for each district as otherwise de-
8 termined under this section shall be modified for districts in that
9 area education agency by the addition of the amount to compensate
10 for the costs of special education support services, media services,
11 and other services as provided in section twelve (12), subsections
12 four (4), five (5) and six (6), of this Act. For each succeeding
13 school year the allowable growth, as otherwise determined, is modi-
14 fied for additional special education support services needed by the
15 agency for that year to serve newly identified children who require
16 the services pursuant to section twelve (12), subsection four (4), of
17 this Act. The determination of whether special education support
18 services are for newly identified children or are new and expanded
19 services shall be made by the director of special education in each
20 area education agency, pursuant to rules and regulations adopted and
21 promulgated by the department of public instruction. The deter-
22 mination shall be subject to audit by the department of public in-
23 struction.

1 SEC. 123. Section four hundred forty-two point eight (442.8),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assem-
3 bly, 1973 Session, chapter two hundred fifty-eight (258), section
4 seven (7), is further amended by adding the following new unnum-
5 bered paragraph:

6 NEW UNNUMBERED PARAGRAPH. For the school year beginning
7 July 1, 1975, the allowable growth added to the state cost per pupil
8 shall be the allowable growth as otherwise computed under section
9 four hundred forty-two point seven (442.7) of the Code, increased by
10 an amount equal to the average of the amounts of allowable growth
11 added for each school district in the state for special education sup-
12 port services provided through the area education agencies under
13 section twelve (12), subsection four (4), of this Act. For each suc-
14 ceeding school year, the allowable growth added to the state cost per
15 pupil as otherwise computed under section four hundred forty-two
16 point seven (442.7) of the Code shall be increased by an amount
17 equal to the average of the amounts of allowable growth added for
18 each school district in the state for additional special education sup-
19 port services needed for that year to serve newly identified children
20 who require the services, under section twelve (12), subsection four
21 (4) of this Act. The state comptroller shall compute the applicable
22 amount of allowable growth to be added to the state cost per pupil
23 for each school year.

1 SEC. 124. Section four hundred forty-two point nine (442.9), sub-
2 section one (1), paragraphs a, b and c, Code 1973, as amended by
3 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter two
4 hundred fifty-eight (258), section eight (8), are amended to read
5 as follows:

6 a. The district cost per pupil for the budget year is equal to the
7 district cost per pupil for the base year plus the allowable growth.
8 However, in determining the district cost per pupil for the budget
9 year beginning July 1, 1973, district cost per pupil in the base year
10 means the general fund budget for the school year beginning July
11 1, 1971, as authorized and funded under Acts of the General Assem-
12 bly, 1971 Session, chapter seventy-two (72), including additional
13 approved funding authorized by the school budget review committee,
14 less the amount of adjusted miscellaneous income including adjust-
15 ments pursuant to section four hundred forty-two point twenty-five
16 (442.25) of the Code, divided by the fall enrollment certified in Sep-
17 tember of 1971, plus the allowable growth for the school year begin-
18 ning July 1, 1972, as computed on the basis of state cost per pupil
19 excluding miscellaneous income. *Also, in determining the district*
20 *cost per pupil for the budget year beginning July 1, 1975, the amount*
21 *received by a school district under sections two hundred eighty-one*
22 *point nine (281.9) through two hundred eighty-one point eleven*
23 *(281.11) of the Code, as state reimbursement for special education*
24 *costs for the school year beginning July 1, 1974, shall be deducted.*

25 b. The district cost for the budget year is equal to the district cost
26 per pupil for the budget year multiplied by the *weighted* enrollment.
27 A school district may not increase its district cost for the budget year
28 except to the extent that excess millage is authorized by the school
29 budget review committee as provided in section 442.13, subsection
30 eight (8).

31 c. The amount to be raised by the additional school district prop-
 32 erty tax levy is equal to the district cost for the budget year, less the
 33 product of the state or district foundation base and the *weighted*
 34 enrollment. However, said amount shall be adjusted in accordance
 35 with the maximum millage provided in section 442.10 and the maxi-
 36 mum millage reduction provided in section 442.21.

1 SEC. 125. Section four hundred forty-two point nine (442.9),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter two hundred fifty-eight (258), section eight
 4 (8), is amended by striking subsection three (3).

1 SEC. 126. Section four hundred forty-two point ten (442.10),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter two hundred fifty-eight (258), section nine
 4 (9), is amended to read as follows:

5 442.10 **Maximum millage levy.** For the purpose of determining
 6 the maximum millage levy for the general fund in a school district,
 7 the state comptroller shall determine the sum of the foundation prop-
 8 erty tax levy and the additional property tax levy, in mills. When
 9 this total millage levy exceeds the district general fund levy in mills
 10 for the school year which began July 1, 1970, he shall adjust the dis-
 11 trict general fund millage levy to a rate equal to the millage levy for
 12 the school year beginning July 1, 1970, except that excess millage
 13 authorized by the school budget review committee, as provided in sec-
 14 tion 442.13, subsection eight (8), may be added to that rate. *How-*
 15 *ever, in making this adjustment for the school years beginning July 1,*
 16 *1975, and July 1, 1976, the general fund levy for each district for the*
 17 *school year which began July 1, 1970, shall be determined by includ-*
 18 *ing the levy certified by the county school system or joint county*
 19 *system in which the district was located, for the school year which*
 20 *began July 1, 1970.*

1 SEC. 127. Section four hundred forty-two point thirteen (442.13),
 2 subsection three (3), Code 1973, as amended by Acts of the Sixty-
 3 fifth General Assembly, 1973 Session, chapter two hundred fifty-eight
 4 (258), section eleven (11), is amended to read as follows:

5 3. The committee shall ~~meet beginning not later than March first of~~
 6 ~~each year, shall~~ review the proposed budget and certified budget of
 7 each school district, and may make recommendations. The committee
 8 may make decisions affecting budgets to the extent provided in this
 9 chapter. The costs and computations referred to in this section relate
 10 to the budget year unless otherwise expressly stated.

1 SEC. 128. Section four hundred forty-two point thirteen (442.13),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter two hundred fifty-eight (258), section eleven
 4 (11), is amended by striking subsection thirteen (13).

1 SEC. 129. Section four hundred forty-two point thirteen (442.13),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter two hundred fifty-eight (258), section eleven
 4 (11), is amended by adding the following new subsection:

5 **NEW SUBSECTION.** The committee shall review the recommenda-
 6 tions of the superintendent of public instruction relating to the spe-

7 cial education weighting plan, and shall establish a weighting plan
8 for each school year after the school year commencing July 1, 1975,
9 and report the plan to the superintendent of public instruction.

1 SEC. 130. Section four hundred sixty-seven B point fourteen
2 (467B.14), Code 1973, is amended to read as follows:

3 ~~467B.14 Allocation to county board of education fund.~~ Sixty-five
4 percent of any such payments or payment received from the federal
5 government shall be credited to the county board of education fund
6 as created by section 273.13 and the county board of education shall
7 determine the districts of the county which are principally af-
8 fected in their activities by the federal flood control project involved
9 and shall allocate to the general fund of each said school district the
10 amount of such federal payments paid to the county board of educa-
11 tion fund distributed to the general fund of the school districts of the
12 county after the county auditor has determined the districts which
13 are principally affected by the federal flood control project involved
14 in an amount deemed to be the equitable share of each such district
15 and the amount allocated to each school district shall be paid over by
16 the county board of education to the treasurer of such school district.

17 The county board of education auditor shall certify to the executive
18 council of the state the amounts allocated to each school district in the
19 previous year, on January second of the following year. The execu-
20 tive council of the state shall deduct this amount from any tax free
21 land reimbursement claim filed that year under section 284.4; except
22 that in no case shall the deduction result in an amount less than the
23 total of the tax free land reimbursement plus any benefits payable to
24 the school district other than the amounts specified in this paragraph.
25 The remaining ten percent of any such payment received by the
26 county treasurer from the federal government, or so much thereof
27 as may be deemed necessary by the board of supervisors, shall be
28 allocated to the local fire departments of the unincorporated villages,
29 towns, townships and cities of the county which are principally
30 affected by the federal flood control project involved, to be paid and
31 prorated among them as determined by the board of supervisors. If
32 the funds prorated to local fire departments in any county are less
33 than ten percent of the total county share of such federal payments
34 for any year, the amount which exceeds such prorations shall revert
35 back to and be divided equally between the secondary road fund and
36 the county board of education local school district fund.

1 SEC. 131. Acts of the Sixty-fifth General Assembly, 1973 Ses-
2 sion, chapter one hundred thirty-six (136), section eleven (11), is
3 amended to read as follows:

4 Sec. 11. Chapter thirty-nine (39), Code 1973, is amended by add-
5 ing the following new section:

6 **NEW SECTION. School officers.** Members of county boards of edu-
7 cation, boards of directors of community and independent school dis-
8 tricts, and boards of directors of merged areas shall be elected at the
9 school election. Their respective terms of office shall be three years,
10 except as otherwise provided by section two hundred eighty A point
11 twelve (280A.12) of the Code.

1 SEC. 132. Initial operating funds required for payment of sal-
 2 aries and other expenses for planning purposes prior to July 1, 1975,
 3 implemented under the provisions of section nine (9) of this Act,
 4 shall be advanced to the board of directors of the area education
 5 agency by the state comptroller, subject to the approval of the de-
 6 partment of public instruction. Any funds advanced shall be de-
 7 ducted from payments by the state comptroller to the area education
 8 agency after July 1, 1975.

1 SEC. 133. Sections two hundred sixty point eighteen (260.18),
 2 two hundred sixty point twenty-two (260.22), two hundred sixty
 3 point twenty-four (260.24), two hundred sixty point twenty-five
 4 (260.25), two hundred sixty point twenty-six (260.26), two hun-
 5 dred seventy-five point forty (275.40), two hundred seventy-nine
 6 point thirty-six (279.36), two hundred eighty-one point ten (281.10),
 7 two hundred ninety-two point three (292.3), two hundred ninety-
 8 two point four (292.4), three hundred one point nineteen (301.19),
 9 and three hundred one point twenty (301.20), and chapter two hun-
 10 dred seventy-three (273), Code 1973, are repealed.

1 SEC. 134. Section two hundred fifty-seven point ten (257.10),
 2 subsection fourteen (14), Code 1973, is amended to read as follows:

3 14. Approve, co-ordinate, and supervise the use of electronic data
 4 processing by local school districts, ~~county or joint county school~~
 5 ~~systems~~ *area education agency* and merged areas. A committee, con-
 6 sisting of the state superintendent of public instruction, the director
 7 of the department of general services, the state comptroller, or their
 8 designees, and two persons knowledgeable in the area of administra-
 9 tive-instructional computer systems to be appointed by the governor,
 10 shall assist and advise the state board of public instruction in approv-
 11 ing, co-ordinating and supervising the use of electronic data process-
 12 ing computers by local school districts, ~~county or joint county school~~
 13 ~~systems~~ *area education agency* and merged areas. The committee
 14 shall further inventory current practice and prepare and recommend
 15 a statewide plan for the use of electronic data processing computers
 16 in order to prevent the unnecessary proliferation of computers. These
 17 recommendations shall be submitted to the general assembly by De-
 18 cember 1 of each year. For purposes of this subsection the term "elec-
 19 tronic data processing computers" shall refer to equipment having as
 20 a component thereof a memory core to store information.

1 SEC. 135. Sections one (1) through twelve (12), inclusive, of this
 2 Act shall become effective July 1, 1974; and the remaining sections of
 3 this Act shall become effective July 1, 1975.

Approved May 28, 1974