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February 26, 1947.
Passed on File.

By KIRKETEG, BERG, FINDLAY, KEIR,
LONG, LYNES, MAYTAG, MILLER, AI,
MILLER, J. F., JACOBSON, and
SHARP.

A BILL FOR

An Act to provide for the reorganization of school districts, for the creation of a state reorganization commission, a state advisory committee and county reorganization committees in the various counties of the state, an optional county unit, the duties of various officials in connection with such reorganization and an appropriation for one hundred fifteen thousand (115,000) dollars therefor for each year of the biennium, and to repeal chapter two hundred seventy-five (275), Code 1946.

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

1 Section 1. Within four (4) months after the effective
2 date of this act there shall be established in every county in
3 the state a committee known as the County School Reorganization
4 Committee. The manner of selection, qualifications, term of
5 office, duties and compensation of such committee shall be as
6 hereinafter provided.

1 Sec. 2. The committee shall consist of seven (7) members
2 who are electors of the county and each a resident of a school
3 district which operated a school during 1947. At least four
4 members of the committee shall not be connected in any official
5 capacity with any school.

1 Sec. 3. Within one (1) month after the effective date of
2 this act the county superintendent shall set a time and place
3 and call a convention of one representative from each school
4 corporation in the county. He shall notify each school district
5 through its secretary of such meeting. He shall preside at such
6 meeting and after explaining the purpose of the meeting shall
7 proceed to the business of selecting the county reorganization
8 committee. Nominations shall be had from the floor and election
9 shall be by ballot. Sixty (60) per cent of the official
10 representation of all the school corporations shall constitute
11 a quorum.

1 Sec. 4. Within ten (10) days after their election, the
2 county superintendent shall convene the committee and shall
3 preside and proceed to the organization of the committee. A
4 chairman and vice chairman shall be chosen from the membership
5 and thereafter the county superintendent shall act as secretary
6 of the committee but shall have no vote. The committee shall
7 provide for regular meetings and special meetings at the call
8 of the chairman.

1 Sec. 5. Duties. The county reorganization committee shall
2 have the following duties:

3 1. Study the school districts of the county for the
4 purpose of recommending reorganization that will afford better
5 educational opportunities for the children of the county and
6 more efficient and economical operation and administration of
7 the schools.

8 2. Hold public hearings and meetings with school boards
9 and interested groups relative to reorganization of school
10 districts.

11 3. Prepare maps, detailed plans, and all other necessary
12 data to substantiate or facilitate their recommendations for
13 reorganization.

14 4. Have authority to conduct studies, surveys, and employ
15 clerical and professional help and certify claims to the county
16 board for expenses incurred in carrying out the provisions of
17 this act.

18 5. To confer with the state reorganization commission or
19 the state advisory committee or staff members of the department
20 of public instruction and not later than eighteen (18) months
21 after its organization submit a detailed report, giving a
22 comprehensive plan for reorganizing the school districts within
23 the county so as to promote economy and efficiency, accompanied
24 by such appropriate maps and supporting data as are deemed
25 necessary or are requested by the state commission.

26 6. Upon final approval of any plan by the county
27 reorganization committee, the committee shall submit the plan
28 to the state reorganization commission. The state reorganization
29 commission shall review the plan and shall modify, reject or
30 approve the same and shall within sixty (60) days send notice
31 to the county committee of its decision together with any
32 recommendations for change. Upon receipt of such notification,
33 the county committee shall incorporate any such recommendations

34 in its plan and shall, through the county superintendent as
35 executive officer of the county board, submit the same within
36 three (3) months at the next school election or if no regular
37 election occurs within that time, at a special election called
38 for that purpose, to the qualified electors of the affected
39 districts in the manner provided in section two hundred ninety-six
40 point four (296.4) and section two hundred ninety-six point five
41 (296.5), Code 1946. At least thirty (30) days in advance of such
42 election, the county superintendent shall publish in two
43 newspapers of general circulation in the county a detailed
44 report of the proposed reorganization, listing the districts
45 involved, the proposed new districts, and such other data as
46 are necessary to fully inform the electors of the districts of
47 the proposed changes in the school districts of the county.
48 If a majority of all the votes cast in all of the affected
49 districts taken together as a whole are in favor of the plan, the
50 same shall become effective and the reorganized district or
51 districts shall become a school corporation on the first day of
52 July following the election.

53 7. If the plan of reorganization is voted down, the
54 county reorganization committee shall within thirty (30) days
55 after such election date modify its plans and proceed anew and
56 after approval of such modified plan by the state reorganization
57 commission, resubmit the same to the voters in a special
58 election called for that purpose within ninety (90) days after
59 receiving such approved plans from the state reorganization

60 commission.

61 If the plan of reorganization again fails to carry, the
62 county reorganization committee may proceed as before; however,
63 if after a lapse of ninety (90) days from the date of the second
64 election such reorganization has not been effected, the state
65 reorganization commission shall proceed to make a careful study
66 of all the plans which have been submitted for such reorganization
67 and submit a compromise plan to the county committee. The
68 county committee after publishing the same as provided heretofore
69 shall call a special election to vote on the plan within sixty
70 (60) days of its receipt from the state reorganization commission
71 in the manner described before.

72 8. If the plan of reorganization carries, the county
73 board of education through its executive officer shall call a
74 special election in and for the new school corporation or
75 corporations for the election of directors and treasurer, said
76 election to be held on or before the tenth day of June, and
77 notice of the same to be given by one publication in the same
78 newspapers in which the former notices were published. The
79 county superintendent shall appoint judges who shall serve
80 without pay. At such election there shall also be elected a
81 treasurer for two years and directors as provided in section
82 two hundred seventy-seven point twenty-five (277.25), and
83 except as may be provided otherwise in this chapter, the
84 election shall be conducted as provided in chapter two hundred
85 seventy-seven (277); provided, however, that in the event any

86 county chooses to reorganize under the optional county unit
87 plan, no election for directors shall be held, but the regularly
88 elected county board of education shall become the board for
89 the newly organized county unit which shall be known as the
90 Independent District of.....County (filling in the name
91 of the particular county).

92 9. If the plan of reorganization so submitted to the
93 voters of the affected districts carries, the newly created
94 district shall pay the expenses of the election and the
95 proceedings to initiate the election, and if the plan involved
96 the creation of more than one new district, such costs shall be
97 divided between the new districts in proportion to the assessed
98 valuation of property therein. The costs of the special
99 election for election of the first board of directors and
100 treasurer shall be paid by each newly formed district. If the
101 plan of reorganization does not carry, the said election expenses
102 shall be apportioned by the county board among the several
103 affected districts in proportion to the assessed valuation of
104 property therein, and as thus apportioned be paid by the
105 respective districts.

1 Sec. 6. State Reorganization Commission. There is hereby
2 established a state reorganization commission consisting of
3 eight (8) electors of the state, one to be chosen from each
4 congressional district at a congressional district convention
5 in the manner hereinafter provided, and the state superintendent
6 of public instruction who shall be a member and chairman of the

7 commission, ex officio.

8 The members of the commission shall receive a per diem of
9 ten (10) dollars per day and actual and necessary expenses
10 including travel; provided, however, that any who may be in
11 the employ of the state may not be paid the per diem.

1 Sec. 7. At the convention called in each county by the
2 county superintendent for the purpose of choosing the county
3 reorganization committee there shall also be chosen three (3)
4 delegates to the congressional district convention, together
5 with an alternate. The delegates shall be nominated from the
6 floor and shall be elected by ballot, and their names certified
7 to the superintendent of public instruction within three (3)
8 days after the convention. Within two (2) months after the
9 effective date of this act the superintendent of public
10 instruction shall call a convention of election in each of the
11 eight congressional districts designating the date and time and
12 place of meeting and designating the county superintendent of
13 the county in which each convention is held to act as chairman
14 of the meeting. On the designated date the county superintendent
15 so appointed shall call the meeting to order, explain the purpose
16 of the meeting and proceed to the election of the congressional
17 district member of the state reorganization commission. The
18 nomination shall be from the floor and the election shall be by
19 ballot. The county superintendent in charge shall certify the
20 name of the elected congressional district member to the
21 superintendent of public instruction within three (3) days

22 after the convention. Within one (1) month after the election
23 of members of the state reorganization commission, the
24 superintendent of public instruction shall call the commission
25 together for a meeting.

1 Sec. 8. Duties of the state reorganization commission.

2 The state reorganization commission shall:

3 1. Receive from the state advisory committee the manual
4 of standards and regulations and procedures for the reorganization
5 of school districts. They shall review and adopt the same,
6 making such changes as they deem necessary.

7 2. Review and approve the reports of the various county
8 committees.

9 3. From time to time meet with the state advisory
10 committee or any county committee upon request, and shall have
11 the authority to call upon any other branches of the state
12 government or its political subdivisions for information, data,
13 or advice.

14 4. In the event any county committee fails to complete
15 its work within eighteen (18) months after its reorganization,
16 the state commission shall proceed to submit an especially
17 proposed compromise plan to the county committee.

1 Sec. 9. State Advisory Committee. Within one (1) month
2 after the effective date of this act, the superintendent of
3 public instruction shall organize a state advisory committee
4 consisting of the following persons:

5 The Dean of the College of Education, State University of

6 Iowa

7 The Director of the Department of Rural Education, Iowa

8 State College

9 The Director of the Division of Extension, Iowa State

10 Teachers College

11 One representative from each of the following:

12 The State Department of Public Instruction

13 The Iowa State School Boards Association

14 The Iowa Association of School Superintendents

15 The Iowa Association of County Superintendents

16 The Iowa State Education Association

17 The Iowa Farm Bureau Federation

18 The superintendent shall call upon the last five named
19 organizations to suggest their representative and upon receipt
20 of their names shall name the committee and call it together
21 for a conference explaining its duties and organize the
22 committee by having it choose a chairman, vice chairman, and
23 secretary from among its members.

24 The members of the advisory committee shall be allowed
25 their necessary and actual expenses including travel and a per
26 diem of ten (10) dollars per day; provided, however, that no
27 one in the employ of the state may be paid the per diem.

1 Sec. 10. Duties of the advisory committee. The duties of
2 the state advisory committee shall consist in:

3 1. Preparing a manual of school reorganization, setting
4 out the aims, goals, principles and procedures, and broad

5 minimum standards as to size, enrollment, assessed valuation,
6 and the like, for school districts in order to secure maximum
7 efficiency in education and equalization of both opportunity
8 and cost.

9 2. Draw up detailed and complete instructions for county
10 committees on how to carry out the provisions of the act,
11 including such items as preparation of maps, collection and
12 tabulation of necessary data.

13 3. Submit manual of instructions to state reorganization
14 commission for its adoption, modification or rejection within
15 three (3) months after its organization.

16 4. Serve in an advisory capacity to the state reorganization
17 commission, the state superintendent and to county reorganization
18 committees when called upon to do so by the state commission.

19 5. Draw up an alternate plan for such counties as elect
20 to organize on an optional county unit basis and include it in
21 the manual.

1 Sec. 11. Optional County Unit. If, within four (4) months
2 after the election of the county reorganization committee,
3 thirty-five (35) per cent of the voters in any county petition
4 the county reorganization committee to form a county unit, the
5 committee shall, after satisfying itself that the petition is
6 valid, within five (5) days notify the county board of
7 education of such petition and the county board of education
8 shall call a special election within the county school system,
9 and if a majority of the voters in the county school system

10 vote in favor of the formation of a county unit, the county
11 reorganization committee shall proceed to form such unit.
12 Districts that are not included in the county school system
13 may elect to join such county unit by holding a special
14 election as provided in chapter two hundred seventy-seven (277),
15 Code 1946. If a majority of the voters favor such a merger, it
16 shall become effective on July 1, next following, and the
17 district shall be treated in the same manner as though it were
18 a part of the county school system as hereinafter provided.

19 When any county school system is organized as a county
20 unit, all of the territory included in such system shall be
21 merged into one school district. The county board of education
22 shall constitute the board for the whole district and the
23 assets and liabilities of all the districts in the county
24 system shall be merged into a common district and taxes for the
25 support of all the schools in the area shall be levied at a
26 uniform rate over the total area. The county board and county
27 superintendent in such cases shall have all the powers and
28 duties of any school board and all property and records of all
29 the constituent school districts shall be turned over to their
30 custody and control. The county unit so organized under this
31 procedure shall come into being on July 1, next following such
32 organization.

1 Sec. 12. Duties of the state superintendent of public
2 instruction. In addition to any other duties incidental to the
3 carrying out of the provisions of this act, it shall be the

4 duty of the superintendent of public instruction to:

5 1. Notify the county superintendents of their duties in
6 connection with the convention to elect the county reorganization
7 committee and the delegates to the congressional district
8 convention.

9 2. Select a time, place, and designate a county
10 superintendent as chairman for the district convention to select
11 a member from the congressional district for the state
12 reorganization commission and certify the names of the accredited
13 delegates to the county superintendent acting as chairman of
14 such convention.

15 3. Convene the state reorganization commission and as
16 chairman ex officio, preside and explain its duties and
17 proceed to the consideration of the manual of reorganization
18 as prepared by the state advisory committee.

19 4. Notify, appoint, and organize the state advisory
20 committee. Convene such committee and explain its duties.

21 5. Certify the expense accounts and per diem claims of
22 both the advisory committee and the state reorganization
23 commission to the state comptroller for payment of the same from
24 funds appropriated for that purpose.

25 6. Have the manual of reorganization, when approved,
26 printed at public expense and supplied to the county committees
27 and other interested parties.

28 7. Call meetings of either the state reorganization
29 commission or the state advisory committee, or jointly if deemed

30 advisable, and also arrange for meetings between the state
31 commission and county committees when it appears necessary.

32 .8. Make available members of the staff of the department
33 of public instruction to either the county committees, the
34 state advisory committee, or the state reorganization commission
35 in so far as they can be spared from their regular duties.
36 When serving in such capacity, their actual and necessary
37 expenses including travel, shall be paid from the funds
38 appropriated by this act.

1 Sec. 13. Duties of county superintendent of schools.

2 The respective county superintendents shall:

3 1. Call the convention to choose the county reorganization
4 committee and the delegates to the congressional district
5 convention.

6 2. Certify names of electors chosen at such convention
7 together with alternates within three (3) days after the meeting.

8 3. Act as secretary to the county reorganization committee.

9 4. Certify the claims of the county reorganization
10 committee for travel and necessary expense to the county auditor
11 who shall pay the same from funds provided by the appropriation
12 in this act.

13 5. Report to the state superintendent the program of
14 reorganization and submit a final report for the committee within
15 ten (10) months after the effective date of this act.

1 Sec. 14. Eligibility for state aid. No school district
2 shall be eligible to participate in either supplemental or

3 general aid after July 1, 1950, unless such district shall have
4 been approved by the superintendent of public instruction as
5 meeting the minimum standards and regulations established by
6 the state reorganization commission in the manual for school
7 reorganization; provided, however, that upon recommendation
8 of the county board of education and investigation by the
9 department of public instruction, the state superintendent may
10 waive any such standards and regulations for any such school
11 districts when he finds that due to unusual conditions, such as
12 remote location, natural barriers, or other circumstances
13 beyond the control of the local school board, it would work an
14 unnecessary hardship upon the pupils of such district, to
15 deprive it of such state aid; then the superintendent of public
16 instruction may permit such district to share in the
17 distribution of such state funds until such time as the unusual
18 conditions may be remedied.

1 Sec. 15. From the effective date of this act until
2 June 30, 1950, no new school districts may be formed, no
3 consolidation may be effected, nor may any school district or
4 any part of any school district be joined, merged, or attached
5 to any other school district either by action of the county
6 board or otherwise, except under the provisions of this act.

1 Sec. 16. Vacancies. Vacancies occurring in the county
2 reorganization committee shall be filled by the remaining
3 members of the committee; provided, however, that if at any
4 time more than three vacancies occur simultaneously, the county

5 superintendent shall call a convention and proceed to elect
6 new members to fill the vacancies in the same manner as provided
7 in section three (3) of this act. Vacancies occurring in the
8 state reorganization commission shall be filled by the remaining
9 members of the commission and the new members appointed shall
10 be so chosen that there shall be one member from each
11 congressional district at all times. Vacancies on the state
12 advisory committee shall be filled by the superintendent of
13 public instruction, preserving the same representation that was
14 provided in the original appointments.

1 Sec. 17. Appropriations. There is hereby appropriated
2 from the general fund of the state of Iowa for each year of
3 the biennium beginning July 1, 1947, and ending June 30, 1949,
4 the sum of one hundred fifteen thousand (115,000) dollars for
5 the purposes set forth in this act, the same to be allocated
6 to the funds of the department of public instruction and
7 disbursed as follows:

8 1. To each of the ninety-nine (99) county reorganization
9 committees for expenses of carrying out the provisions of this
10 act, one thousand (1,000) dollars for each year of the biennium.

11 2. To the department of public instruction for such extra
12 help as may be necessary and for the expense of the state
13 reorganization commission and the state advisory committee,
14 sixteen thousand (16,000) dollars for each year of the biennium.

15 Any unused portion of the appropriation shall be carried over
16 into the next biennium if the work of the reorganization has

17 not been completed.

1 Sec. 18. Chapter two hundred seventy-five (275), Code

2 1946, is hereby repealed.