

January 23, 1951.  
Passed on File.

**Senate File 177**

By LYNES, WATSON of Pottawattamie,  
ZASTROW, DOUD, O'MALLEY

Passed Senate, Date .....

Vote: Ayes..... Nays.....

Passed House, Date .....

Vote: Ayes..... Nays.....

Approved .....

**A BILL FOR**

An Act relating to appeals from orders made by local school boards and county boards of education respecting school transportation and bus routes and by repealing sections two hundred eighty-five point twelve (285.12) and two hundred eighty-five point thirteen (285.13), Code 1950, and enacting substitutes therefor.

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

1 Section 1. Section two hundred eighty-five point

2 twelve (285.12), Code 1950, is hereby repealed and the

3 following enacted in lieu thereof:

4 "In the event of a disagreement between a school patron

5 and the board of the school district, the patron if dissatisfied

6 with the decision of the school district board, may appeal the same

7 to the county board of education, notifying the secretary of

8 the district in writing within ten days of the decision of the

9 board and by filing an affidavit of appeal with the county

10 board of education within the ten-day period. The affidavit

11 of appeal shall include the reasons for the appeal and points

12 at issue. The secretary of the local board on receiving

13 notice of appeal shall certify all papers to the county board

14 of education which shall hear the appeal within ten days of  
15 the receipt of the papers and decide it within three days of  
16 the conclusion of the hearing and shall immediately notify  
17 all parties of its decision. Either party may appeal the  
18 decision of the county board to the district court of the  
19 same county by serving written notice of appeal upon the  
20 opposite party and the county superintendent of schools  
21 within five days of the decision of the county board of  
22 education, which said notice with the return of service  
23 thereon shall be filed in the office of the clerk of the  
24 district court of that county. The county superintendent  
25 shall within ten days of such notice of appeal file with the  
26 clerk of the district court of the said county all records,  
27 pleadings, transcripts of evidence and papers pertaining to  
28 the case, including the order of the county board of education.  
29 The appeal shall forthwith be docketed and be for hearing  
30 within fifteen days of the filing of the foregoing records,  
31 etc. in the office of the clerk. The appeal shall be heard  
32 by the court upon the foregoing records, pleadings, transcripts  
33 of evidence and papers and such other evidence pertinent to  
34 the issue that may be offered by either party. Any order of  
35 the district court shall be appealable to the supreme court  
36 in accord with the statutes respecting appeals to that court.”

1     Sec. 2. Section two hundred eighty-five point thirteen  
2     (285.13), Code 1950, is hereby repealed and the following  
3     enacted in lieu thereof:

4        “In the event of a disagreement between the board of  
5 a school district and the county board of education, the board  
6 of the school district may appeal to the district court of  
7 that county, and the procedure and times provided for in  
8 section 285.12 shall prevail in any such case.”