

February 22, 1951.
Passed on File.

Senate File 416
By HART and BEKMAN.

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

A BILL FOR

An Act providing for state equalization building aid to further assist districts which have qualified for state general building aid, but which are financially unable to carry out approved programs of school building construction and/or rehabilitation; providing for the administration of such aid by the state department of public instruction; and making the appropriation for such aid.

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

1 Section 1. For the purpose of assisting school districts
2 which are financially unable to carry out approved school build-
3 ing construction or rehabilitation, any school district which is
4 unable to raise the necessary funds shall be entitled to receive
5 state equalization building aid as hereinafter provided.

1 Sec. 2. Equalization building aid will be paid under the
2 following conditions and requirements:

3 1. If a district is unable by passing a bond issue of not
4 less than 90 percentum of its legal bond limit and with any accum-
5 ulation of money from the school house fund together with the
6 amounts to be received from other Federal or state building aid
7 grants to which it may be entitled, to raise the necessary funds
8 to carry out a building program it may apply for state equalization

9 building aid.

10 2. Prior to letting the contract for the construction of
11 new buildings and/or the rehabilitation of existing buildings,
12 the district must submit a request for state equalization building
13 aid upon a form to be provided by the state department of public
14 instruction together with the plans for the contemplated con-
15 struction and/or rehabilitation to the county board of education
16 together with all evidence of the need for the said construction
17 and/or rehabilitation.

18 3. Within ten (10) days of the receipt of the request by a
19 district for equalization building aid the chairman of the county
20 board of education shall appoint a committee of two board members.
21 The committee shall investigate the claim of the district making
22 the request and report its findings and recommendations to the
23 county board. Within thirty (30) days of the time of the appoint-
24 ment of the said committee, a meeting of the county board shall
25 be held at which time the request for aid shall be considered.

26 4. If, in the discretion of the county board of education,
27 the planned construction and/or rehabilitation is genuinely
28 needed by the district making application in order that the
29 district be enabled to carry out a satisfactory program of edu-
30 cation, and if the afore mentioned construction and/or rehabili-
31 tation will, in the discretion of the board become an efficient
32 part of a plan for school district organization, the county board
33 may approve the plans.

34 5. Following the meeting of the county board of education

35 at which a request for state equalization building aid was consid-
36 ered the county superintendent shall notify the district of the action
37 taken on the request by the county board.

38 6. When the request of a school district for state equalization
39 building aid has been approved by the county board of education
40 the request, together with the plans for the contemplated con-
41 construction and/or rehabilitation and all evidences of the need
42 for such construction and/or rehabilitation by the district shall
43 be forwarded within thirty (30) days to the department of public
44 instruction by the county board of education. In addition to the
45 foregoing request for aid the county board of education shall file
46 with the department of public instruction a duly approved plan
47 for the reorganization of the school districts of the county as
48 provided for in Chapter 275, Code of Iowa, 1950.

49 7. If, in the discretion of the department of public in-
50 struction, the plans for the construction and/or rehabilitation
51 of school buildings the district requesting state equalization
52 building aid meet with the needs of the district and will become
53 effective units in a plan of school district organization which is
54 in keeping with the best interest of the education program of the
55 state as a whole, the superintendent of public instruction shall
56 authorize the payment of state equalization building aid to the said
57 districts. Within sixty (60) days of the time of receipt by the
58 department of a request for state equalization building aid by a
59 district, the superintendent of public instruction shall notify
60 the said district of the decision of the department.

61 8. To receive aid under the provisions of this act in any
62 given fiscal year the district must submit its request not later
63 than February 15 of the fiscal year in which the aid is to be
64 received. Requests submitted later than February 15 to the county
65 board of education shall, if approved, be paid from the state
66 equalization building aid appropriation for the next succeeding
67 fiscal year.

68 9. In the event that a district's request for state equalization
69 building aid is denied by the county board of education, the said
70 district may appeal its request to the department of public in-
71 struction providing that such appeal is filed with the department
72 of public instruction within ten (10) days of the date of the denial
73 by the county board.

74 10. In the event of any district's appealing a request for
75 state equalization building aid to the department of public in-
76 struction, the superintendent of public instruction shall, within
77 thirty (30) days of the receipt of the appeal, conduct a hearing
78 on the said appeal. The decision of the superintendent of public
79 instruction with respect to the appeal will be final.

1 Sec. 3. The amount of equalization building aid to be re-
2 ceived by any district shall be determined in the following
3 manner:

4 1. Take the amount which can be raised in the district by
5 an issue of bonds equal to at least ninety (90) percent of the
6 legal debt limit.

7 2. To this amount add the total of all moneys in the school

8 house fund.

9 3. Add to the foregoing amounts the amount of state and/or
10 federal building aid to be received by the district.

11 4. Subtract the sum of the foregoing amounts from the contract
12 cost of the new construction or rehabilitation. The result will
13 represent the amount of equalization building aid to which the
14 district is entitled.

1 Sec. 4. For the purpose of carrying out the provisions of
2 this chapter there shall be appropriated from the general fund
3 a sum not to exceed three million dollars (\$3,000,000) for each
4 of the two years 1951-52, 1952-53. If in the year 1951-52 the
5 payments of equalization building aid do not require the use of
6 the entire amount to be appropriated, the remainder shall be carried
7 over and added to the appropriation for 1952-53. If in any year
8 of the biennium 1951-52, 1952-53 the amount appropriated for the
9 purpose of equalization building aid is insufficient to pay in
10 full the claims made against it then the amount of each payment
11 will be reduced by the state comptroller in the ratio that the
12 total funds appropriated and available bears to the total amount
13 of the approved claims.