

HSB 525

EDUCATION

Jymison, Chr
Eddie
Stevens

HOUSE FILE _____ **(H)** 2183
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON GRUNDBERG)

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

A BILL FOR

1 An Act relating to the authority of the board of directors of a
2 school district to change the number of directors or the
3 method of election of directors following a federal decennial
4 census.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 275.23A, subsection 2, Code 2001, is
2 amended to read as follows:

3 2. Following each federal decennial census the school
4 board shall determine whether the existing director district
5 boundaries meet the standards in subsection 1 according to the
6 most recent federal decennial census. In addition to the
7 authority granted to voters to change the number of directors
8 or method of election as provided in sections 275.35, 275.36,
9 and 278.1, the board of directors of a school district may,
10 following a federal decennial census, by resolution and in
11 accordance with this section, authorize a change in the method
12 of election as set forth in section 275.12, subsection 2, or a
13 change to either five or seven directors after the board
14 conducts a hearing on the resolution. If the board proposes
15 to change the number of directors from seven to five
16 directors, the resolution shall include a plan for reducing
17 the number of directors. If the board proposes to increase
18 the number of directors to seven directors, two directors
19 shall be added according to the procedure described in section
20 277.23, subsection 2. If necessary, the board of directors
21 shall redraw the director district boundaries. The director
22 district boundaries shall be described in a the resolution
23 adopted by the school board. The resolution shall be adopted
24 no earlier than November 15 of the year immediately following
25 the year in which the federal decennial census is taken nor
26 later than April 30 of the second year immediately following
27 the year in which the federal decennial census is taken. A
28 copy of the plan shall be filed with the area education agency
29 administrator of the area education agency in which the
30 school's electors reside.

31 Sec. 2. Section 277.23, Code 2001, is amended to read as
32 follows:

33 277.23 DIRECTORS -- NUMBER -- CHANGE.

34 1. In any district including all or part of a city of
35 fifteen thousand or more population and in any district in

1 which the voters, or the board as provided in section 275.23A,
2 subsection 2, have authorized seven directors, the board shall
3 consist of seven members; in all other districts the board
4 shall consist of five members.

5 2. A change from five to seven directors shall be effected
6 in a district at the first regular election after
7 authorization by the voters or the board, or when a district
8 becomes wholly or in part within a city of fifteen thousand
9 population or more in the following manner: If the term of
10 one director of the five-member board expires at the time of
11 said regular election, three directors shall be elected to
12 serve until the third regular election thereafter; if the
13 terms of two directors expire at the time of ~~said~~ the regular
14 election, three directors shall be elected to serve until the
15 third regular election thereafter and one director shall be
16 elected to serve a term the expiration of which coincides with
17 the expiration of the term of the director heretofore singly
18 elected.

19 EXPLANATION

20 This bill authorizes the board of directors of a school
21 district, following a federal decennial census, to change the
22 number of directors to either five or seven directors or to
23 change the method of election both by resolution after the
24 board conducts a public hearing on the resolution. If the
25 board proposes to change the number of directors from seven to
26 five, the resolution must include a plan for reducing the
27 number of directors. If the board proposes to change the
28 number of directors from five to seven, two directors shall be
29 added at the first regular election following adoption of the
30 resolution.

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S. - Dept Education
S-2/14/02 Do Pass

JAN 31 2002
Place On Calendar

HOUSE FILE 2183
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 525)

Passed House, ^(p.264) Date 2-6-02 Passed Senate, ^(p.615) Date 3-13-02
Vote: Ayes 93 Nays 0 Vote: Ayes 44 Nays 0
Approved March 21, 2002

A BILL FOR

1 An Act relating to the authority of the board of directors of a
2 school district to change the number of directors or the
3 method of election of directors following a federal decennial
4 census, and providing an effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2183

1 Section 1. Section 275.23A, subsection 2, Code 2001, is
2 amended to read as follows:

3 2. Following each federal decennial census the school
4 board shall determine whether the existing director district
5 boundaries meet the standards in subsection 1 according to the
6 most recent federal decennial census. In addition to the
7 authority granted to voters to change the number of directors
8 or method of election as provided in sections 275.35, 275.36,
9 and 278.1, the board of directors of a school district may,
10 following a federal decennial census, by resolution and in
11 accordance with this section, authorize a change in the method
12 of election as set forth in section 275.12, subsection 2, or a
13 change to either five or seven directors after the board
14 conducts a hearing on the resolution. If the board proposes
15 to change the number of directors from seven to five
16 directors, the resolution shall include a plan for reducing
17 the number of directors. If the board proposes to increase
18 the number of directors to seven directors, two directors
19 shall be added according to the procedure described in section
20 277.23, subsection 2. If necessary, the board of directors
21 shall redraw the director district boundaries. The director
22 district boundaries shall be described in a the resolution
23 adopted by the school board. The resolution shall be adopted
24 no earlier than November 15 of the year immediately following
25 the year in which the federal decennial census is taken nor
26 later than April 30 of the second year immediately following
27 the year in which the federal decennial census is taken. A
28 copy of the plan shall be filed with the area education agency
29 administrator of the area education agency in which the
30 school's electors reside. If the board does not provide for
31 an election as provided in sections 275.35, 275.36, and 278.1
32 and adopts a resolution to change the number of directors or
33 method of election in accordance with this subsection, the
34 district shall change the number of directors or method of
35 election as provided unless within twenty-eight days following

1 the action of the board, the secretary of the board receives a
2 petition containing the required number of signatures, asking
3 that an election be called to approve or disapprove the action
4 of the board in adopting the resolution. The petition must be
5 signed by eligible electors equal in number to not less than
6 one hundred or thirty percent of the number of voters at the
7 last preceding regular school election, whichever is greater.
8 The board shall either rescind its action or direct the county
9 commissioner of elections to submit the question to the
10 registered voters of the school district at the next following
11 regular school election or a special election. If a majority
12 of those voting on the question at the election favors
13 disapproval of the action of the board, the district shall not
14 change the number of directors or method of election. If a
15 majority of those voting on the question does not favor
16 disapproval of the action, the board shall certify the results
17 of the election to the department of management and the
18 district shall change the number of directors or method of
19 election as provided in this subsection. At the expiration of
20 the twenty-eight-day period, if no petition is filed, the
21 board shall certify its action to the department of management
22 and the district shall change the number of directors or
23 method of election as provided in this subsection.

24 Sec. 2. Section 277.23, Code 2001, is amended to read as
25 follows:

26 277.23 DIRECTORS -- NUMBER -- CHANGE.

27 1. In any district including all or part of a city of
28 fifteen thousand or more population and in any district in
29 which the voters, or the board as provided in section 275.23A,
30 subsection 2, have authorized seven directors, the board shall
31 consist of seven members; in all other districts the board
32 shall consist of five members.

33 2. A change from five to seven directors shall be effected
34 in a district at the first regular election after
35 authorization by the voters or the board, or when a district

1 becomes wholly or in part within a city of fifteen thousand
2 population or more in the following manner: If the term of
3 one director of the five-member board expires at the time of
4 said regular election, three directors shall be elected to
5 serve until the third regular election thereafter; if the
6 terms of two directors expire at the time of said the regular
7 election, three directors shall be elected to serve until the
8 third regular election thereafter and one director shall be
9 elected to serve a term the expiration of which coincides with
10 the expiration of the term of the director heretofore singly
11 elected.

12 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
13 immediate importance, takes effect upon enactment.

14 EXPLANATION

15 This bill authorizes the board of directors of a school
16 district, following a federal decennial census, to change the
17 number of directors to either five or seven directors or to
18 change the method of election both by resolution after the
19 board conducts a public hearing on the resolution. If the
20 board proposes to change the number of directors from seven to
21 five, the resolution must include a plan for reducing the
22 number of directors. If the board proposes to change the
23 number of directors from five to seven, two directors shall be
24 added at the first regular election following adoption of the
25 resolution.

26 If the board receives a petition within 28 days asking that
27 an election be called to approve or disapprove the action of
28 the board, the bill requires the board to either rescind its
29 action or submit the question to the voters at the next
30 regular election.

31 The bill takes effect upon enactment.

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HOUSE FILE 2183

AN ACT

RELATING TO THE AUTHORITY OF THE BOARD OF DIRECTORS OF A SCHOOL DISTRICT TO CHANGE THE NUMBER OF DIRECTORS OR THE METHOD OF ELECTION OF DIRECTORS FOLLOWING A FEDERAL DECENNIAL CENSUS, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 275.23A, subsection 2, Code 2001, is amended to read as follows:

2. Following each federal decennial census the school board shall determine whether the existing director district boundaries meet the standards in subsection 1 according to the most recent federal decennial census. In addition to the authority granted to voters to change the number of directors or method of election as provided in sections 275.35, 275.36, and 278.1, the board of directors of a school district may, following a federal decennial census, by resolution and in accordance with this section, authorize a change in the method

of election as set forth in section 275.12, subsection 2, or a change to either five or seven directors after the board conducts a hearing on the resolution. If the board proposes to change the number of directors from seven to five directors, the resolution shall include a plan for reducing the number of directors. If the board proposes to increase the number of directors to seven directors, two directors shall be added according to the procedure described in section 277.23, subsection 2. If necessary, the board of directors shall redraw the director district boundaries. The director district boundaries shall be described in a the resolution adopted by the school board. The resolution shall be adopted no earlier than November 15 of the year immediately following the year in which the federal decennial census is taken nor later than April 30 of the second year immediately following the year in which the federal decennial census is taken. A copy of the plan shall be filed with the area education agency administrator of the area education agency in which the school's electors reside. If the board does not provide for an election as provided in sections 275.35, 275.36, and 278.1 and adopts a resolution to change the number of directors or method of election in accordance with this subsection, the district shall change the number of directors or method of election as provided unless within twenty-eight days following the action of the board, the secretary of the board receives a petition containing the required number of signatures, asking that an election be called to approve or disapprove the action of the board in adopting the resolution. The petition must be signed by eligible electors equal in number to not less than one hundred or thirty percent of the number of voters at the last preceding regular school election, whichever is greater. The board shall either rescind its action or direct the county commissioner of elections to submit the question to the registered voters of the school district at the next following regular school election or a special election. If a majority

of those voting on the question at the election favors disapproval of the action of the board, the district shall not change the number of directors or method of election. If a majority of those voting on the question does not favor disapproval of the action, the board shall certify the results of the election to the department of management and the district shall change the number of directors or method of election as provided in this subsection. At the expiration of the twenty-eight-day period, if no petition is filed, the board shall certify its action to the department of management and the district shall change the number of directors or method of election as provided in this subsection.

Sec. 2. Section 277.23, Code 2001, is amended to read as follows:

277.23 DIRECTORS -- NUMBER -- CHANGE.

1. In any district including all or part of a city of fifteen thousand or more population and in any district in which the voters, or the board as provided in section 275.23A, subsection 2, have authorized seven directors, the board shall consist of seven members; in all other districts the board shall consist of five members.

2. A change from five to seven directors shall be effected in a district at the first regular election after authorization by the voters or the board, or when a district becomes wholly or in part within a city of fifteen thousand population or more in the following manner: If the term of one director of the five-member board expires at the time of said regular election, three directors shall be elected to serve until the third regular election thereafter; if the terms of two directors expire at the time of said the regular election, three directors shall be elected to serve until the third regular election thereafter and one director shall be elected to serve a term the expiration of which coincides with the expiration of the term of the director heretofore singly elected.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2183, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved March 21, 2002

THOMAS J. VILSACK
Governor