

State of Iowa
1963

EDUCATION BEYOND HIGH-SCHOOL AGE
THE COMMUNITY COLLEGE

A BILL FOR

An Act to establish area education districts empowered to provide educational leadership and services intermediate between the state and local school districts, and, when authorized by vote of the qualified electors of such districts, to establish public area community colleges; to provide for an area education district board of education and an area superintendent and his assistants in each such school district, to prescribe their duties and powers; and to repeal chapter two hundred seventy-three (273) and to amend certain sections of the Code 1962, as herein indicated.

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EXPLANATION OF PROPOSED BILL

This bill providing for the establishment of area education districts has been prepared by the Department of Public Instruction to implement the recommendations of the Department's report to the Sixtieth General Assembly of Iowa entitled Education Beyond High-School Age: The Community College. The development of both the report and this enabling legislation comply with the directives of House Resolution 6 of the Fifty-ninth General Assembly to the Department of Public Instruction.

The concept of creating area education districts to replace the present county offices as more efficient and economical units for the intermediate level of school administration and to allow these same area districts to provide the legal framework for the development of a statewide system of community colleges, is new to the public education structure of this state. New structuring within our total system is, however, seriously needed. The laws governing our existing community or junior colleges and our county (intermediate) school system are severely limiting in terms of their adaptability for meeting present and future educational needs. This bill proposes the area education district concept as an effective way of providing the restructuring necessary for the continued growth of a sound total system of public education in Iowa.

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A BILL FOR

An Act to establish area education districts empowered to provide educational leadership and services intermediate between the state and local school districts, and, when authorized by vote of the qualified electors of such districts, to establish public area community colleges; to provide for an area education district board of education and an area superintendent and his assistants in each such school district, to prescribe their duties and powers; and to repeal chapter two hundred seventy-three (273) and to amend certain sections of the Code 1962, as herein indicated.

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

Section 1. System created. There is hereby created a statewide area education district system comprised of area education districts to replace the county school system and the county boards of education heretofore existing under the laws of the state.

Each area education district shall be authorized to provide professional leadership and educational functions and services intermediate between the state and the local school districts and, when authorized by vote of the people in said area education district, to establish and operate a public area community college and said college shall be authorized to provide educational opportunities and services as hereinafter specified. (See Section 22.)

Sec. 2. Area education district--county school systems and school districts included. The area education district shall be a corporate entity which shall include all public school districts embraced by the boundaries established by combining contiguous county school systems, either in total or by individual districts of such systems as they existed on July 1, 1962.

The area education district system shall consist of sixteen (16) districts which shall embrace the entire area of the state. Such districts shall be established July 4, 1963, and be constituted in the following manner:

DISTRICT NUMBER I

Composed of the area embraced by the boundaries of the following complete county school systems:

Allamakee County
Chickasaw County

Howard County
Winneshiek County

Also composed of the following individual school districts embraced by the boundaries of the following county school systems:

Clayton County

Central Community School District
Garnavillo Community School District
Guttenberg Community School District
Monona - Farmersburg - Luana Community School District
Luana Independent School District
Marquette - McGregor Independent School District
Oakland Independent School District
Buena Vista Township School District
Giard Township School District
Mendon Township School District

Fayette County

Fayette Community School District
North Fayette Community School District
Turkey Valley Community School District
Valley Community School District
Dover Number 6 Rural Independent School District
Smithfield Number 1 Rural Independent School District

DISTRICT NUMBER II

Composed of the area embraced by the boundaries of the following complete county school systems:

Cerro Gordo County
Floyd County
Franklin County
Hancock County

Mitchell County
Winnebago County
Worth County

Also composed of the following individual school districts embraced by the boundaries of the following county school systems:

Butler County

Dumont Community School District
Greene Community School District

Wright County

Belmond Community School District

DISTRICT NUMBER III

Composed of the area embraced by the boundaries of the following complete county school systems:

Clay County	Kossuth County
Dickinson County	Palo Alto County
Emmet County	

DISTRICT NUMBER IV

Composed of the area embraced by the boundaries of the following complete county school systems:

Buena Vista County	Osceola County
Cherokee County	Plymouth County
Ida County	Sac County
Lyon County	Sioux County
Monona County	Woodbury County
O'Brien County	

DISTRICT NUMBER V

Composed of the area embraced by the boundaries of the following complete county school systems:

Calhoun County	Pocahontas County
Hamilton County	Webster County
Humboldt County	

Also composed of the following individual school districts embraced by the boundaries of the following county school systems:

Wright County

Clarion Community School District
Dows Community School District
Eagle Grove Community School District
Goldfield Community School District
Galt Independent School District
Blaine Township School District
Dayton Township School District
Grant Township School District
Lake Township School District
Norway Township School District
Wall Lake Township School District
Woolstock Township School District
Lincoln Number 1 Rural Independent School District
Lincoln Number 2 Rural Independent School District
Lincoln Number 4 Rural Independent School District
Lincoln Number 5 Rural Independent School District

Lincoln Number 6 Rural Independent School District
Lincoln Number 7 Rural Independent School District
Lincoln Number 8 Rural Independent School District
Lincoln Number 9 Rural Independent School District
Vernon Number 3 Rural Independent School District
Vernon Number 4 Rural Independent School District
Vernon Number 9 Rural Independent School District

DISTRICT NUMBER VI

Composed of the area embraced by the boundaries of the following complete county school systems:

Hardin County
Marshall County

Poweshiek County

Also composed of the following individual school districts embraced by the boundaries of the following county school systems:

Grundy County

Beaman - Conrad Community School District
Wellsburg Community School District

Jasper County

Lynnville - Sully Community School District
New Monroe Community School District
Mariposa Township School District

Story County

Collins Community School District
Colo - Fernald Community School District
NESCO Community School District

Tama County

Garwin Community School District
Gladbrook Community School District
South Tama County Community School District
Elberon Independent School District
Columbia Number 5 Rural Independent School District
Otter Creek Number 4 Rural Independent School District
Richland Number 4 Rural Independent School District
Richland Number 5 Rural Independent School District
Salt Creek Number 2 Rural Independent School District

DISTRICT NUMBER VII

Composed of the area embraced by the boundaries of the following complete county school systems:

Black Hawk County
Bremer County

Buchanan County

Also composed of the following individual school districts embraced by the boundaries of the following county systems:

Butler County

Allison - Bristow Community School District
Aplington Community School District
Clarksville Community School District
Parkersburg Community School District
Finchford Consolidated School District
New Hartford Consolidated School District
Jackson Township School District
Austinville Independent School District
Kesley Independent School District
Fremont Number 4 Rural Independent School District
Fremont Number 8 Rural Independent School District
Shell Rock Number 1 Rural Independent School District
Shell Rock Number 6 Rural Independent School District
West Point Number 5 Rural Independent School District
West Point Number 6 Rural Independent School District
West Point Number 8 Rural Independent School District

Clayton County

Starmont Community School District

Fayette County

Oelwein Community School District
West Central Community School District

Grundy County

Dike Community School District
Grundy Center Community School District
Reinbeck Community School District
Holland Independent School District

Tama County

Dysart Community School District
Traer - Clutier Community School District
Dinsdale Consolidated School District
Geneseo Consolidated School District

DISTRICT NUMBER VIII

Composed of the area embraced by the boundaries of the following complete county school systems:

Delaware County
Dubuque County

Jackson County

DISTRICT NUMBER IX

Composed of the area embraced by the boundaries of the following complete county school systems:

Clinton County
Muscatine County

Scott County

Also composed of the following individual school districts embraced by the boundaries of the following county systems:

Cedar County

Bennett Community School District
Durant Community School District
Lowden Consolidated School District
Rochester Number 6 Rural Independent School District
Sunbury Rural Independent School District

Johnson County

Lone Tree Community School District
Fremont Township School District

Louisa County

Columbus Community School District
Louisa - Muscatine Community School District
Union Township School District

DISTRICT NUMBER X

Composed of the area embraced by the boundaries of the following complete county school systems:

Benton County
Iowa County

Jones County
Linn County

Also composed of the following individual school districts embraced by the boundaries of the following county systems:

Cedar County

Clarence Community School District
Lincoln Community School District
Tipton Community School District
West Branch Community School District
Linn Township School District
Pioneer Township School District
Evergreen Rural Independent School District

Johnson County

Clear Creek Community School District
Iowa City Community School District

Solon Community School District
 Coralville Independent School District
 Liberty Township School District
 Monroe Township School District
 Newport Township School District
 Penn Township School District
 Pleasant Valley Township School District
 Scott Township School District
 Washington Township School District
 Sharon Number 1 Rural Independent School District
 Sharon Number 2 Rural Independent School District
 Sharon Number 3 Rural Independent School District
 Sharon Number 4 Rural Independent School District
 Sharon Number 5 Rural Independent School District
 Sharon Number 6 Rural Independent School District
 Sharon Number 7 Rural Independent School District
 Sharon Number 8 Rural Independent School District
 Sharon Number 9 Rural Independent School District

DISTRICT NUMBER XI

Composed of the area embraced by the boundaries of the following complete county school systems:

Boone County	Marion County
Dallas County	Polk County
Madison County	Warren County

Also composed of the following individual school districts embraced by the boundaries of the following county systems:

Jasper County

Baxter Community School District
 Golfax Community School District
 Mingo Community School District
 Newton Community School District
 Prairie City Community School District
 Mound Prairie Township School District
 Warren Grove Rural Independent School District

Story County

Ames Community School District
 Ballard Community School District
 Gilbert Community School District
 Maxwell Community School District
 Nevada Community School District
 Roland Community School District
 Story City Community School District

DISTRICT NUMBER XII

Composed of the area embraced by the boundaries of the following complete county school systems:

Audubon County	Greene County
Carroll County	Guthrie County
Crawford County	Shelby County

DISTRICT NUMBER XIII

Composed of the area embraced by the boundaries of the following complete county school systems:

Cass County	Montgomery County
Fremont County	Page County
Harrison County	Pottawattamie County
Mills County	

DISTRICT NUMBER XIV

Composed of the area embraced by the boundaries of the following complete county school systems:

Adair County	Ringgold County
Adams County	Taylor County
Clarke County	Union County
Decatur County	Wayne County
Lucas County	

DISTRICT NUMBER XV

Composed of the area embraced by the boundaries of the following complete county school systems:

Appanoose County	Monroe County
Davis County	Van Buren County
Jefferson County	Wapello County
Keokuk County	Washington County
Mahaska County	

DISTRICT NUMBER XVI

Composed of the area embraced by the boundaries of the following complete county school systems:

Des Moines County	Henry County
Lee County	

Also composed of the following individual school districts embraced by the boundaries of the following county systems:

Louisa County

Morning Sun Community School District
Wapello Community School District
Eliot Township Community School District

Any public school district not encompassed by the boundaries of these sixteen (16) area education districts shall be incorporated into the area education district system by the state board of public instruction July 1, 1963.

Sec. 3. Adjustment of boundary lines. The state board of public instruction shall make any boundary line revision, from the sixteen (16) area education districts outlined herein, as is required by school district reorganization becoming effective July 1, 1963. After this date, such adjustment shall be handled by the boards of the area education districts involved. When local school district reorganization affects the area in two or more area education districts, the local district shall become a part of the area education district possessing the majority of the local district electors. All such changes shall become effective July 1 following the fiscal year in which they occur.

Boundary adjustments between two or more area education districts may also be made after mutual study and agreement of the concerned area education district boards. Where mutual agreement cannot be obtained, an appeal for boundary adjustment may be made to the state board by either the area education district board or the affected local school district board.

Any alteration of boundary lines by the state board shall be done only after due public notice has been given by publishing notice in one official newspaper in each county or partial county in each affected area education district. Objections to same shall be in the form of an affidavit filed with the executive officer of the state board on or before the date set for filing of same as given in aforesaid notice. The area superintendents shall publish such notices at the direction of the state board and said publication to be at the expense of each affected area education district.

After considering objections, if any, at the next scheduled meeting of the state board, the board shall make its decision. The state board shall require the area education districts to publish in the same newspapers as notice was published for proposed boundary change, its decision and if said decision alters the boundary lines of an area education district, it shall also include the effective date of such change.

Sec. 4. Distribution of records and property. County school systems and county boards of education as provided for in chapter two hundred seventy-three (273), Code of Iowa, shall be dissolved and cease to exist on June 30, 1964. The records and property, including funds and tax monies due said county boards of education, shall be transferred and be

under the custody, control, and supervision of the board of education of the area education district, provided, however, that where all the territory of a given county school system is not included in a single area education district an equitable division of such funds, tax monies due and property shall be made in accordance with the provisions of this chapter. (See Section 40.)

Sec. 5. Election areas. The territory of each area education district as established in this chapter shall be divided into five (5) election areas, as nearly as possible of equal population and contiguous territory, to be designated as the first, the second, the third, the fourth and the fifth election areas. The election areas of each area education district shall be reviewed every four (4) years starting with the year 1967 to insure the equalization of the population of each election area. A record of this review with any resulting changes shall be filed with the state board. In the event of changes in the boundaries of area education districts, the area education district board of education shall make any such adjustments as may be necessary to equalize the population of the election areas, provided that no such change shall be made less than sixty (60) days prior to the date of the annual school election.

Within sixty (60) days after the general assembly establishes the boundaries of the area education districts, each county board of education having territory of their county in said area education district shall serve on a body to determine the aforesaid election areas. Said county board members shall meet on the call of the county superintendent so designated by the state board to act as secretary to the election area body. Said secretary shall file a record of the initial election areas with the state board not later than sixty (60) days after his appointment. In the event such record is not filed, the state board shall proceed immediately to establish said election areas.

Sec. 6. Area education district board election. The area education district board of education shall consist of seven (7) members, electors of the area education district, one (1) member to be elected from each of the five (5) election areas by the electors of the respective areas, and two (2) members to be elected at large from the area education district by the electors thereof. Their term of office shall commence on the first Monday in October following their election.

All members of the area education district board shall first be elected at a special school election held the first Monday in November of 1963. The term of office of each of the seven (7) members shall be determined by lot, two (2) members to serve for two (2) years, two (2) members to serve for four (4) years, and three (3) members to serve for six (6) years, and the results of such determination showing the name of each member, the area from which elected, and the term so determined shall be entered in the minutes of the board and shall be conclusive as to the term of the members.

After the first election, succeeding elections to the area education district board shall be held at the annual school elections in odd-numbered

years for members whose terms expire on the first Monday in October following said elections and their term of office shall be for six (6) years.

Vacancies on the area education district board shall be filled at the next regular meeting of the board by appointment by the remaining members of the board. If said vacancies are not filled as provided above, the area superintendent shall so certify to the state board which will then fill the vacancies. A person so appointed to fill a vacancy shall hold office until the organization of the board following the next regular school election and until his successor is elected and qualified.

Sec. 7. Nomination papers. Nomination petitions in behalf of a candidate for a member of the area education district board of education shall be filed with the county superintendent of the county board designated by the state board to carry on the first election of the area education district board members and for all subsequent elections with the area superintendent of the area education district not more than forty-five (45) days nor less than twenty (20) days prior to the election at which a member is to be elected. Each candidate shall be nominated by a petition signed by not less than one hundred (100) qualified electors of the area from which the member is to be elected or, in case of a candidate at large, signed by not less than one hundred fifty (150) qualified electors of the area education district. The nomination petition shall state the name or number of the election area, or that the candidate seeks to be elected member-at-large, the name of the candidate, the office to which he seeks to be elected and that he is a resident and elector in the named area.

Signers of a petition shall, in addition to signing their names, show their residence, including street and number, if any, the school district in which they reside and the date of signing, and each nomination paper shall have appended to it an affidavit of an elector other than the candidate in substantially the form provided in section forty-three point seventeen (43.17), Code 1962, except as to party affiliation.

Sec. 8. Ballots. The county board of education designated by the state board of public instruction to carry on the first election of the area education district board members shall cause to be printed the ballots for the election of members to the area education district board of education and for subsequent elections thereafter this duty shall be performed by the area education district board.

Ballots shall be printed and shall contain the names of all nominees arranged in alphabetical order by surname. Separate ballots shall be provided for members elected at large. The county board or area education district board shall likewise provide a sufficient number of forms on which the judges and clerks of election shall make returns to the county board of education designated for this purpose or the area education district board, as the case may be, and shall see that the ballots and proper forms are distributed to the several voting precincts.

The county board of education shall determine the voting precincts to be used in the first election of area education district board members

and thereafter the voting precincts shall be determined by the area education district board of education.

The county board of education designated by the state board to carry on the first election of the area education district board members shall assume all expenses involved in the first election, and thereafter these expenses shall be assumed by the area education district board of education.

Sec. 9. Canvass. The ballots cast in any election for membership on the area education district board of education shall be counted by the judges of election and return thereof shall be made by the judges, on forms provided therefore, to the area superintendent within forty (40) hours after the closing of the polls. Within five (5) days following the election the area superintendent shall make return of the votes cast to the area education district board of education on forms provided therefore, which board shall meet at ten o'clock (10:00) a.m. on the last Monday of September and canvass the returns made by the area superintendent and issue certificates of election.

In the case of the first election of area education district board members, the above duties shall be performed by the county superintendent of schools and the county board of education designated by the state board of public instruction, respectively. This board shall meet at ten o'clock (10:00) a.m. on the third Monday in November and canvass the returns made by the designated county superintendent and issue certificates of election.

Sec. 10. Oath--expenses. The members of the board shall qualify by taking the oath of office required of other school board members as provided in section two hundred seventy-seven point twenty-eight (277.28), Code 1962, but shall not be required to give bond. They shall serve without compensation, but shall be paid their actual and necessary expenses, including travel, in performing their duties. All such claims shall be audited by the board and paid from the area education district board of education fund.

Sec. 11. Organization. The area education district board of education shall meet and organize on the first Monday in October in each odd-numbered year, at eight o'clock (8:00) p.m. by electing a president for a term of two (2) years.

In the case of the first elected board, they shall meet and organize on the last Monday in November at eight o'clock (8:00) p.m. by electing a president. The time of office for the first elected president shall expire the first Monday in October, 1965.

The first board elected at the special school election in November, 1963, as specified herein, shall have complete control of the employment of all personnel for the newly formed area education district. Following the organization of the board, it shall have authority to employ an area superintendent for a partial term at such date prior to July 1, 1964, as deemed necessary, establish policy, enter into con-

contracts, and complete such other planning and take such action as is essential for the efficient management of the affairs of the newly formed area education district.

Salary and expenses authorized herein incurred prior to July 1, 1964, by the first elected board of each area education district shall be apportioned among the respective county boards of education in said district in proportion to the assessed valuation of the property of each county and in proportion to the amount of each county's property in said district.

Sec. 12. Meetings. The area education district board shall meet monthly each year according to a schedule adopted at the organization meeting and shall meet in special session upon the call of the president or upon call of the executive officer when a request is filed with the executive officer signed by three (3) members of the board.

Sec. 13. Office space. The area education district board shall have the power to provide office space and pay for same from funds available to the area education school district. The board shall also have the power to establish office space in any educational facility under its jurisdiction.

Sec. 14. Powers and duties--general. The area education district board, after considering the recommendations of the area superintendent, shall exercise the following general powers and duties related to providing educational leadership, intermediate educational and service functions between the state agency and the local districts, and when authorized, public area community colleges for each area education district:

1. Determine and adopt such policies as are deemed necessary for the efficient operation and general improvement of the area education district.
2. Adopt necessary rules and regulations for the proper enforcement and execution of the provisions of the school laws.
3. Adopt such minimum standards as are considered desirable for improving the area education district.
4. Perform such duties and exercise such responsibilities as are assigned to it by law in order to improve the services of the area education district and to carry out the purposes and objectives of the school laws of Iowa.

Sec. 15. Specific duties. It shall be the responsibility and the authority of the area education district board to exercise the following specific powers and perform the following duties:

1. Appoint a superintendent of the area education district and fix his salary, which salary shall be subject to annual review and adjustment. The board shall also make allowance for the payment of

expenses of the superintendent and staff. Where a public area community college is operated by an area education district, the board shall appoint upon the recommendation of the area superintendent a community college dean and, upon his recommendation and the approval of the area superintendent, the board may appoint and fix the salaries and duties of the professional community college staff and such clerical assistants and other personnel deemed necessary to operate the community college. Upon recommendation of the area superintendent, the board may appoint an assistant area superintendent and such consultants, supervisors, and other professional personnel necessary to provide educational programs and services established by the board, and such clerical personnel and other personnel as are deemed necessary and fix their salaries and duties.

2. Purchase and provide such office, general school and community college supplies, equipment and other materials as are necessary.

3. Be authorized upon prior approval of the state department of public instruction and subsequent vote of the people of the area education district to establish and operate a public area community college for students of post-high-school age.

4. Be authorized, either solely or in conjunction with other boards of education including other area education district boards to provide at the secondary level or below and, when not operating a public area community college at the adult level, programs of education and educational services as needed or requested. The cost of such programs may be borne by the area education district or cooperatively in accordance with agreements with cooperating boards.

5. With the assistance of the area superintendent and with the cooperation of the local superintendents and school boards within the area education district, plan and provide, at the secondary level and below and, when not operating a public area community college at the adult level, for those services, including schools, classes or instruction, to be furnished by said area education district and the specialized professional personnel needed to carry out such services.

6. Approve the curriculum, as recommended by the area superintendent for the schools or classes and community colleges being operated by the area education district board. Such approval to be in conformity with the course of study prescribed by the state department of public instruction.

7. Enforce all laws, and rules and regulations of the department of public instruction for the transportation of pupils to and from public school in all school districts of the area education district.

8. Act as an appeal board in and for all school districts of the area education district, in all matters properly brought before it as provided by law.

9. Cooperate with federal, state, county, and municipal agencies and with all local school officers in all matters when deemed expedient for the improvement of the educational program.

10. Employ, at its discretion, legal counsel and pay for same from funds on hand in the area education board of education fund in all cases and proceedings, judicial or administrative, where action may be instituted by or against the area education district board, or its employees in connection with their official duties, or where the responsibilities of the area education district dictate the need.

11. At the regular or a special meeting held between July 1 and July 15, consider the budget as submitted by the area superintendent and certify to the county auditors of the counties having territory in the area education district, the estimate of the amounts needed. Such estimates shall follow the budget procedure under chapter twenty-four (24). The board of supervisors of the respective counties having territory in the area education district shall then levy a tax, on all the taxable property in the county which is a part of the area education district for the amount certified, and the money so raised shall go into a fund hereinafter called the area education district board of education fund.

12. Appoint a treasurer for a term of four (4) years and fix his salary. The treasurer shall be bonded at the expense of the area education district.

13. Draw the area education district board of education funds from the respective counties and deposit said funds in a depository bank determined and declared by resolution of the board.

14. At each meeting of the board, audit all bills and claims which upon approval shall be paid by warrants of the treasurer, upon the written order of the executive officer, countersigned by the president, from the area education district board fund provided, however, that regular monthly bills such as for salaries, rent and maintaining the office may be paid and then approved at the following meeting.

15. Be eligible to receive state and federal funds appropriated for the support of the area education district and, when operated, the districts public area community college and make application for same.

16. With the assistance of the area superintendent and the cooperation of the boards of the districts within the area education district, plan and supervise the orderly reorganization of local districts into more efficient attendance and administrative units.

17. Be authorized to contract with boards of local school districts in providing or receiving services and coordinate, supervise, and approve contracts for services between boards of local school districts that are a part of the area education district. The area education district board and local boards are authorized to pay or receive funds for the services under contract.

18. Appoint such advisory committees upon the recommendation of the superintendent as may be deemed advisable.

19. Cause to be published annually in one official newspaper of each county, located in the area education district, a list of the bills and claims allowed with the name of each individual receiving such payments, the amount thereof, and the reasons therefore.

Statutes of the Code, other than chapter two hundred seventy-three (273), referring to county boards of education shall be interpreted to mean area education district board of education after the effective date of the area education district and said area education board shall have the duties and responsibilities imposed on county boards of education by such statutes.

Sec. 16. Superintendent. In each area education district of the state, the area education district board shall appoint an area superintendent whose regular term of office shall be three (3) years. The first regular term under the provisions of this chapter shall begin the first secular day in July in 1964. The president of the board shall certify the appointment to the state superintendent of public instruction.

Vacancies in the office of the area education district superintendent shall be filled for the unexpired term by the area education district board of education. If a vacancy is not filled by the area education district board of education within ninety (90) days, the state superintendent, subject to the approval of the state board of public instruction, shall appoint an area education district superintendent to fill such vacancy.

The area education board of education may, upon recommendation of the area superintendent, appoint an assistant area superintendent whose duties shall be directed by the area superintendent. The assistant area superintendent, in the absence or disability of the area superintendent, shall perform the duties of that office. His term of office shall be three (3) years.

Sec. 17. Qualifications of superintendent. The superintendent of the area education district who shall be called the area superintendent, shall be a graduate of an accredited university or college with a minimum of thirty (30) semester hours of education beyond the master's degree. He shall be the holder of an Iowa superintendent's certificate and shall have had at least five (5) years of administrative experience. When employed, the assistant area superintendent shall have the same qualifications as required for the area superintendent.

Sec. 18. Oath. The area superintendent and, when employed, the assistant area superintendent shall take the oath of office prescribed by section sixty-three point ten (63.10), Code 1962.

Sec. 19. Bond. The area superintendent and any members of his staff designated by the area education board shall give bond as provided in section sixty-four point six (64.6), Code 1962, and the costs

of said bonds to be paid from funds of the area education district.

Sec. 20. Executive officer. The area superintendent shall be the executive officer of the area education district board of education. His duties shall also include being executive officer of the public area community college if one is operated by the district but shall delegate to the community college dean all necessary administrative and supervisory responsibilities to insure an efficient and effective community college operation.

Sec. 21. Powers and duties of the area superintendent. The area superintendent shall, under the direction of the board, exercise the following powers and duties:

1. Attend all regular and special meetings of the area education district board and advise the board on all questions under consideration.

2. Provide for keeping the minutes of all meetings of the board, recording all proceedings and official actions and keeping such other records as may be necessary for complete information regarding the responsibilities and duties of the area education district board.

3. Act for the area education district board as custodian of records, documents, correspondence and all school property that may be placed in his charge by the board.

4. In cooperation with local districts conduct teachers meetings, institutes, demonstrations and other professional meetings for the in-service training of teachers as provided by law and in accordance with the regulations of the state department of public instruction.

5. Endeavor to promote through meetings and conferences with school officers, teachers, parents and the public generally, and by the distribution of pamphlets and bulletins, an active interest in all desirable types of public school education.

6. Prepare and submit a detailed itemized budget for approval of the area education district board of education prior to the first day of July of each year.

7. Recommend to the state board of public instruction the revocation of any teacher's certificate for any good cause in the manner provided by law.

8. Assist the area education district board of education in handling, in the manner prescribed by law, all appeal cases that may come to it.

9. Serve, under the direction of the superintendent of public instruction, as a means of communication between the department of public instruction and the various school officers and teachers in the area education district, and transmit or deliver to them all books, papers,

circulars, and communications designed for them, when so requested by the superintendent of public instruction...

10. Visit the public schools and at the request of the state superintendent of public instruction report on such schools as may be designated.

11. See that all provisions of the school law, so far as they relate to the schools or school officers within the area education district, are observed and enforced, and to this end he may require the assistance of the appropriate county attorney having jurisdiction in any of the counties having territory in the area education district, who shall at his request bring any action necessary to enforce the law or recover penalties incurred.

12. Order to be closed, any public school or school room raught by any teacher not certified as required by law and state board regulation. If his order is not immediately obeyed, he shall enforce the same against the teacher and the school board by an action for a mandatory injunction in a court of competent jurisdiction.

13. Report annually to the superintendent of public instruction, at times designated by the latter, giving a full abstract of the several reports made to him by the secretaries and treasurers of the school boards, stating the manner and extent to which the requirements of the law regarding instruction in physiology and hygiene are observed, and such other matters as he may be directed by the state superintendent to include therein, or he may think important in showing the actual condition of the schools in his area education district. He shall file a duplicate file of such report with the area education district board of education.

14. Keep accurate school census records for each of the counties of the area education district under his jurisdiction, and file annually, on or before the last secular day in July, with the county auditor of each respective county, a statement of the number of persons of school age in each district in the county and make such other reports thereon as may be required by law.

15. Have the power to administer the oath of office to any school officer elected or appointed to office within the territorial limits of the area education district.

16. Attend the meetings of the advisory committee representing the local school districts of the area education district.

17. Transmit recommendations to the area education district board of education for such services, including consultative services, schools, class or instructional programs, as approved by the aforementioned advisory committee.

18. Exercise any or all of the foregoing powers and duties and provide such services, at the secondary level and below and when not operating a public area community college at the adult level, including

schools, classes or instructional programs, as approved by the area education district board of education for any or all of the public schools in the area education district at the expense of the area education district or the expense may be borne cooperatively in accordance with agreements with cooperating boards the provisions of any other statutes to the contrary notwithstanding.

Statutes of the Code other than chapter two hundred seventy-three (273) referring to county superintendent shall be interpreted to mean area superintendent from and after the effective date of the area education district and said area superintendent shall have the duties and responsibilities imposed on county superintendents by such statutes.

Sec. 22. Public area community colleges--how established. Amend section two hundred eighty point eighteen (280.18), Code 1962, by striking the entire section and substituting in lieu thereof the following:

The board of an area education district, upon the recommendation of the state superintendent of public instruction and the approval of the state board of public instruction, and when duly authorized by the voters shall have the power to establish and maintain in said district a public area community college which, when authorized by the state board upon recommendation of the state superintendent, may offer in one or more attendance centers the following instructional opportunities and services to youth and adults:

1. The first two years of regular college work including preprofessional education
2. Vocational and technical education
3. Programs for in-service training and retraining of workers
4. Programs for high-school completion for students of post-high-school age
5. Student personnel services
6. Community services

The regular college work including preprofessional education offered by a public area community college, or by a community or junior college operated by a single school district, shall be limited to two academic years, but the operation of vocational and technical education programs approved as authorized herein requiring more than two years of study for the development of competence suitable for initial employment is hereby authorized. High-school-level vocational education for youth and adults shall be made available, at the discretion of the board of the area education district, in public area community colleges.

The state superintendent, subject to the approval of the state board, shall prepare and publish from time to time standards for public area community colleges, and community or junior colleges established prior to July 1, 1963, including also standards for programs of instruction and services offered by such institutions; provide adequate consultation for said colleges, and recommend for approval by the state board such programs of study and services offered by these institutions as may meet the standards determined.

When a proposition to authorize the establishment of a public area community college is submitted to the electors, such proposition shall not be deemed carried or adopted, anything in the statutes to the contrary notwithstanding, unless the vote in favor of such authorization is equal to at least fifty-one (51) per cent of the total vote cast for and against said proposition at said election.

In applying to the state board for the approval of an election for the establishment of a public area community college the area education district board shall have made studies of the cultural, social, and economic community characteristics existing in the district; and of the feasibility of providing for one or more attendance centers located so as to be within one-hour's driving time of the majority of students to be served. No public area community college shall be established in any area education district having an assessed taxable valuation of less than one hundred fifty million (150,000,000) dollars and a minimum enrollment in the district of less than five thousand (5,000) public, private, and parochial pupils in grades nine through twelve.

Any public area community college established by an area education district, or any community or junior college existing prior to July 1, 1963, must secure the prior approval of the state superintendent subject to the approval of the state board in order to initiate programs and services additional to those currently approved. The application for approval of such new programs and services shall be accompanied by the results of up-to-date local surveys of the educational and service needs of the area education district, or, in the case of a community or junior college, the single school district maintaining it, with consideration also given to the needs of the state and the nation.

Any school district that operated an approved community or junior college during the 1962-1963 school year is hereby authorized to continue to maintain said college; provided that, if a public area community college is established in the area education district of which the school district operating said college is a part, the board of this school district may, at its discretion, discontinue operating its college. If said school district does not need such facilities as it may have allocated to separate community college purposes and offers them to the area education district, it shall be reimbursed by the area education district for the current value of its capital investment in such facilities; provided further that such facilities shall become the property of the area education district.

Sec. 23. Public area community college bonds. The board of any area education district, when authorized by at least sixty (60) per cent of the total vote cast at the regular election or at a special election called for that purpose, may issue the negotiable, interest-bearing community college bonds of said corporation for borrowing money for any or all of the following purposes:

1. To acquire sites for public area community college purposes
2. To erect, complete, or improve buildings for public area community college purposes
3. To acquire equipment for public area community college sites and buildings.

Sec. 24. Community college dean. In each area education district of the state, authorized to operate a public area community college, the area education district board shall, upon recommendation of the area superintendent, appoint a community college dean and at its discretion, may contract with said person for a term not to exceed three (3) years.

Sec. 25. Qualifications of the dean. The public area community college dean shall be a graduate of an accredited university or college with a minimum of two (2) years of approved graduate work specializing in college curriculum and administration, be the holder of an Iowa certificate with an endorsement for service as community college dean, and shall have had at least five (5) years of educational experience with two of these being in higher education; providing that any person serving in the capacity of community college dean in an approved Iowa public community or junior college on the effective date of the passage of this act shall be deemed qualified to fill a position as dean of a public area community college until July 1, 1969, without meeting the foregoing qualifications.

Sec. 26. Powers and duties of the dean. The community college dean shall, under the direction of the board and the administrative supervision of the area superintendent, exercise the following powers and duties:

1. Be responsible for the organization and administration of the public area community college.
2. Develop the community college program to include college credit courses, vocational and technical offerings, and adult and community services as assigned by the area education district board.
3. Recruit and recommend for appointment and release all community college staff.
4. Develop in cooperation with his faculty a community college budget.
5. Be responsible for the completion of all community college reports required by local or state agencies.
6. Coordinate and articulate the instructional program of the college with the secondary schools of the area education district and the state, other public area community colleges, or junior or community colleges, and other aspects of higher education in the state.
7. Approve all scheduling of community college facilities and of staff, also recommend for approval the college calendar.
8. Appoint and work with advisory committees on such matters deemed to be in the best interests of the area community college or be responsible to see that this is done.
9. Assume basic responsibility for maintaining all approval standards and other standards of the state department of public instruction relating to area community colleges.

10. Maintain accurate records of all staff and advisory committee meetings.

11. Develop recommendations for policies affecting the personnel, finance, curriculum, and such matters deemed to be in the best interests of the community college.

12. Be responsible for developing an effective in-service training program for personnel.

13. Develop long-range plans to provide for continued growth and improvement of the area community college.

14. Direct the educational planning of the campus and plant facilities.

15. Be responsible for interpreting the community college program to the area education district.

16. Approve all official community college publications.

Sec. 27. Area education district advisory committee. The area education district board of education shall cause to be established an advisory committee comprised of a representative group of local school district superintendents. The area superintendent shall act as chairman of said advisory committee and shall call it into session not less than six (6) times a year.

The advisory committee shall study the educational needs of the area education district and make such proposals and recommendations for the improvement of the same, including such services, schools, classes or instructional programs, at the secondary level and below and when not operating a public area community college at the adult level, that should be carried on by the area education district board. Recommendation shall also be made to the area education district board concerning policy statements relating to the relationship of the area education district office and staff with the local districts of the area education district and their personnel.

Sec. 28. Community college education advisory committees. The state superintendent of public instruction is hereby authorized to appoint an advisory committee on community college relations comprised of representatives of public and private two-year and four-year colleges and universities, such a committee to be concerned with problems of integrating community college education with other aspects of higher education. The state superintendent is further authorized, subject to the approval of the state board of public instruction, to appoint such other advisory committees as he may deem necessary for the purpose of assisting him in studying other aspects of community education.

Sec. 29. Right of area education districts to general aid. The several area education districts in the state of Iowa shall be entitled to receive financial aid from the state in the manner and amount provided in this chapter.

Sec. 30. Determination--general aid for community or junior colleges. Section two hundred eighty-six A point four (286A.4), Code 1962, is amended by striking lines twenty (20) through thirty-five (35) and substituting in lieu thereof the following:

Determine the average daily enrollment equivalent of students carrying less than twelve (12) semester hours of work who are enrolled in a community or junior college operated by a single school district and who are residents of that district by dividing by twelve (12) the total semester hours carried by all such students. Add this quotient to the average daily enrollment of students carrying twelve (12) or more semester hours of work who are enrolled in a community or junior college operated by a single school district and who are residents of that district. Multiply this sum by one (1) dollar. Multiply this product by the actual number of days school was officially in session.

Determine the average daily enrollment equivalent of students carrying less than twelve (12) semester hours of work who are enrolled in a community or junior college operated by a single school district and who are not residents of that district by dividing by twelve (12) the total semester hours carried by all such students. Add this quotient to the average daily enrollment of students carrying twelve (12) or more semester hours of work who are enrolled in a community or junior college operated by a single school district and who are not residents of that district. Multiply this sum by one (1) dollar and fifty (50) cents. Multiply this product by the actual number of days school was officially in session. For the purpose of this section "work" means subjects or courses for which credit is granted and which are approved by the state department of public instruction for state aid.

Sec. 31. Basis of aid--public area community colleges or community or junior colleges. Section two hundred eighty-six A point three (286A.3), Code 1962, is amended by striking the second paragraph thereof and substituting in lieu thereof the following:

Approval standards for public area community colleges, or community or junior colleges shall be established by the state superintendent of public instruction, subject to the approval of the state board of public instruction, with said standards to be issued and enforced by the state department of public instruction, subject to the approval of the state board. Eligibility for receipt of state aid for said colleges shall be determined by the state board upon recommendation of the state superintendent. Aid will not be paid to an area education district operating a public area community college, or to a local school district operating a community or junior college unless such standards are met. In the development of said standards the state superintendent shall secure advisory services from the advisory committee on community college relations and also other special community college education committees authorized herein. (See Section 28.)

Sec. 32. Determination--general aid for public area community colleges. The general public area community college and funds allocated to each area education district operating a public area community college shall be determined as follows::

Determine the average daily enrollment equivalent of students carrying less than twelve (12) semester hours of work who are enrolled in a public area community college operated by an area education district by dividing by twelve (12) the total semester hours of work carried by all such students. Add this quotient to the average daily enrollment of students carrying twelve (12) or more semester hours of work who are enrolled in said public area community college. Multiply this sum by two (2) dollars. Multiply this product by the actual number of days school was officially in session. For the purpose of this section "work" means subjects or courses for which credit is granted and which are approved by the state department of public instruction for state aid. This product shall be the amount to which the area education district is entitled for general financial aid from the state.

Sec. 33. Payment for students not residents of area education district where attending college. Iowa residents desiring to take work in an area community college who reside in an area education district which either does not operate a public area community college, or does not offer in its college a program meeting their specific occupational goals shall be entitled to attend an area community college in another area education district of the state. In such instances, the sending area education district shall be required to reimburse the receiving district for the actual per-student costs incurred by the receiving district in educating its resident students. This cost shall be calculated on the average daily enrollment per-student costs for current operating expenses and for the retirement of principal and interest on capital outlay less tuition, fees, and federal or state aid received. In no case shall the amount charged the sending district exceed the proportionate cost to the taxpayers of the receiving district.

Sec. 34. Federal cooperation. The area education school district shall have the same rights to participate in federal funds provided for public education as local districts in the state.

The area education district board of education or a local board wherein is located an Indian reservation shall have the power to enter into a contract with the United States government to operate and maintain a school or schools to be operated as a public school approved as provided for by the laws of this state for the purpose of educating Indian children. The expense of such operation and maintenance shall be paid by the United States government.

Sec. 35. Name of districts. The official name of each area education district formed under the provisions of this chapter shall be:

Area education district number (appropriate number)

The number coinciding with the name of each district shall be the same as the sequential numbering of the districts as they appear in Section 2 of this chapter.

Sec. 36. Office of the area superintendent. There is hereby established in each area education district an office to act as an adminis-

trative, supervisory, consultative and operational agency under the direction of the area superintendent and the area education district board of education. Said office shall be located in the office of the area superintendent, and shall assist the area superintendent in providing professional leadership and guidance in carrying out such policies, procedures, and services, including schools, classes or instructional programs at the secondary level and below and, when not operating a public area community college at the adult level, and also the duties authorized by law or by regulations of the area education district board or the state board.

Sec. 37. Organization of office. Subject to the approval of the area education district board, the office of the area education district shall be organized as may be found desirable and necessary by the area superintendent, to perform all the proper functions and render maximum services relating to the operation and improvement of the area education district and the state system of public education as herein provided.

Sec. 38. Appointment and release of employees. The area superintendent shall directly recommend, for all non-community college personnel and on subsequent recommendation of the dean all community college staff, the appointment of all employees, with due regard to their qualifications for the duties to be performed, designate their titles and prescribe their duties and the appointment, promotion, demotion or change in salary status or removal for cause of any employee shall be made by the area education district board. Professional employees shall be holders of proper certificates for the type of duties to be carried on in their positions.

In cases of procedure for dismissal, the employee shall have the same right to notice and hearing as teachers in the local school districts as provided in section two hundred seventy-nine point twenty-four (279.24), Code 1962, or as much thereof as may be applicable.

Provisions of the statutes concerning the state retirement system, workmen's compensation, continuing contract and sick leave shall be applicable to the certificated personnel of the area education school district as if they were employed by a local school district. Other personnel employed by the area education district board shall be covered by the aforesaid statutes, where applicable, to the same extent as are the non-certificated employees of local school district.

Sec. 39. Custody and control of funds. Funds under the custody and control of the area education district board and the duties of the board, executive officer and treasurer in relation thereto shall be governed by the laws pertaining to local boards, secretaries and treasurers in the handling of funds, insofar as applicable. The state department of public instruction shall prescribe the uniform financial accounting system and reports to be used.

Sec. 40. Distribution of county board of education funds. The county board of education funds held by county treasurers, shall be turned over to the president of the area education district board when the county boards of education of such counties go out of existence as provided in this chapter. In those counties having a part of their

territory in more than one area education district the county boards of education and the area education district boards of education shall meet jointly and equitably divide the property, funds on hand, tax monies due, and other funds due, along with current liabilities, if any, on the basis of the assessed valuation involved.

Sec. 41. Penalty for failure to make reports. Should the area education district superintendent fail to make any report required of him by law or by state board regulation to the state superintendent or the county auditors, he shall forfeit to the school fund of the county in which his office is located the sum of fifty (50) dollars, to be recovered in any action brought by the county for the use of the school fund, and in addition shall be liable for all damages occasioned thereby.

Sec. 42. Authority to adopt regulations and define terms. The state board of public instruction is hereby authorized to adopt such rules and regulations and definitions of terms as are necessary and proper for the administration of this chapter.

Sec. 43. Corrective amendment. Section two hundred fifty-seven point eighteen (257.18), Code 1962, is amended by inserting after the word "public" in lines three (3) and four (4) subsection thirteen (13) the words "area community colleges, or community or".

Sec. 44. Corrective amendment. Section two hundred fifty-seven point seventeen (257.17), Code 1962, is amended by inserting after the word "the" in line five (5) the words "public area community colleges, or community or".

Sec. 45. Repeal. Chapter two hundred seventy-three (273), Code 1962, is hereby repealed as of June 30, 1964.

Sec. 46. Validity of each section of act. If any sections or provisions of this act are declared unconstitutional, the remaining sections or provisions of the act shall not be affected thereby.