

A Guideline



Steps in a School Bond Election

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DEPARTMENT OF PUBLIC INSTRUCTION

STATE BOARD OF PUBLIC INSTRUCTION

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A Guidebook

STEPS IN A SCHOOL BOND ELECTION

FOREWORD

This publication is intended to serve as a guideline for the schools of Iowa to follow in school bond elections.

Reference has been made to the Code of Iowa [and appear in () where cited] in cases where the provisions of the law require certain specified procedures. It is well to remember that laws do change and opinions of the Attorney General's Office may change the interpretation of the law. It is therefore recommended that all laws and opinions relative to a school bond election be thoroughly investigated prior to and during the election procedures.

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A GUIDELINE STEPS IN A SCHOOL BOND ELECTION

Step I

Determination of Need

Why?

- A. Overcrowdedness
- B. Buildings unsafe
- C. Buildings outdated
- D. Buildings cannot be modernized because of design or cost
- E. A better educational program is needed
- F. Special facilities are needed
- G. Buildings destroyed
- H. Other

By Whom?

- A. The school board
- B. The administrative staff
- C. The teaching staff
- D. The nonprofessional staff
- E. The PTA or PTO
- F. Concerned citizens' clubs
- G. The student body
- H. The business club
- I. Any one person in the district

J. The Farm Bureau

K. Other

Step II

Assess the Needs

The school board assumes its responsibility (legally by a motion in its minutes) to investigate the reported need. A chairperson is appointed to head a steering committee composed of the chairpersons of various subcommittees to investigate the indicated need and to report to the board. A separate subcommittee should be appointed to investigate each area that is thought to be important, such as:

- A. Present and future enrollments
- B. The present curriculum, methodology, and how well the facilities serve the needs of the present educational program
- C. The physical condition of buildings
- D. The financial status and the bonding capacity of the district

The bonding capacity of a school district is based on the actual valuation of the district. Districts may become indebted to a figure equal to five (5) per-

cent of the actual valuation, less the present indebtedness. The actual valuation figure is available at the office of the county auditor. (296.1)*

*NOTE: All numbers enclosed in parentheses refer to Chapters and Sections of the Code of Iowa.

No district may levy more than \$2.75 per thousand dollars of actual valuation to retire the principle and interest on all bonded indebtedness without the consent of the electorate (60% majority) to increase the levy up to 4.05 per thousand dollars of actual valuation. (298.18)

Also, interest on invested monies made available by the bond issue may be expended to construct or equip the building made possible by the bond issue. It may also be used to retire the indebtedness. (453.14)

- E. New approaches to educational methodology and the kind of space required
- F. Other special areas--a new site, additional course offerings, expanded extracurricular activities, possibilities of remodeling, etc.

Then--

The committee chairperson reports the conclusions and recommendations of the steering committee to the board.

If it is recommended that new or different spaces are needed, the board accepts the recommendations by its minutes.

III

Step III

Educational Specifications

Educational specifications must be written to determine the kinds of spaces needed to house the educational program that will move into the new spaces (new or remodeled).

They should be written by educators, and they should specifically describe the spaces needed to house the adopted educational program.

Then--

An architectural firm should be employed to aid in the development of a building that will accommodate the educational specifications, and to provide preliminary sketches in keeping with their demands.

See Appendix A -- Suggested format for the selection of an architect.

Be sure--

The petition is stated in broad general terms so as to not limit the action of the local board in the determination of site or kind of building.

IV

Be sure--

The proposition to be voted upon conforms to the petition submitted by the electorate.

Be sure--

The petition is signed by a number of legally qualified voters of the district equal to not less than 25% of the number voting in the last election of school officials.

Be sure--

The petitioners sign their given names. Example -- "Red" Jones but Raymond Jay Jones, and not Mrs. Elmer John but Arlene Selma John. The address of the petitioner must be included!

It is better--

To circulate the petitions in all parts of the district. Not only will there be more than enough signers, but good, honest information can be imparted to all residents of the district. The well-known political "block" system insures excellent coverage.

When--

The petitions have been signed, they are filed with the president of the local school board by a legal voter of the school district who attests to the validity of the signatures.

Step IV

The Bond Issue

When the preliminary plans are developed to a point and when they contain the estimated number of square feet needed, an approximation can be made of the total cost of the project. This is necessary in determining the dollar figure that must be included in the petition to call the election.

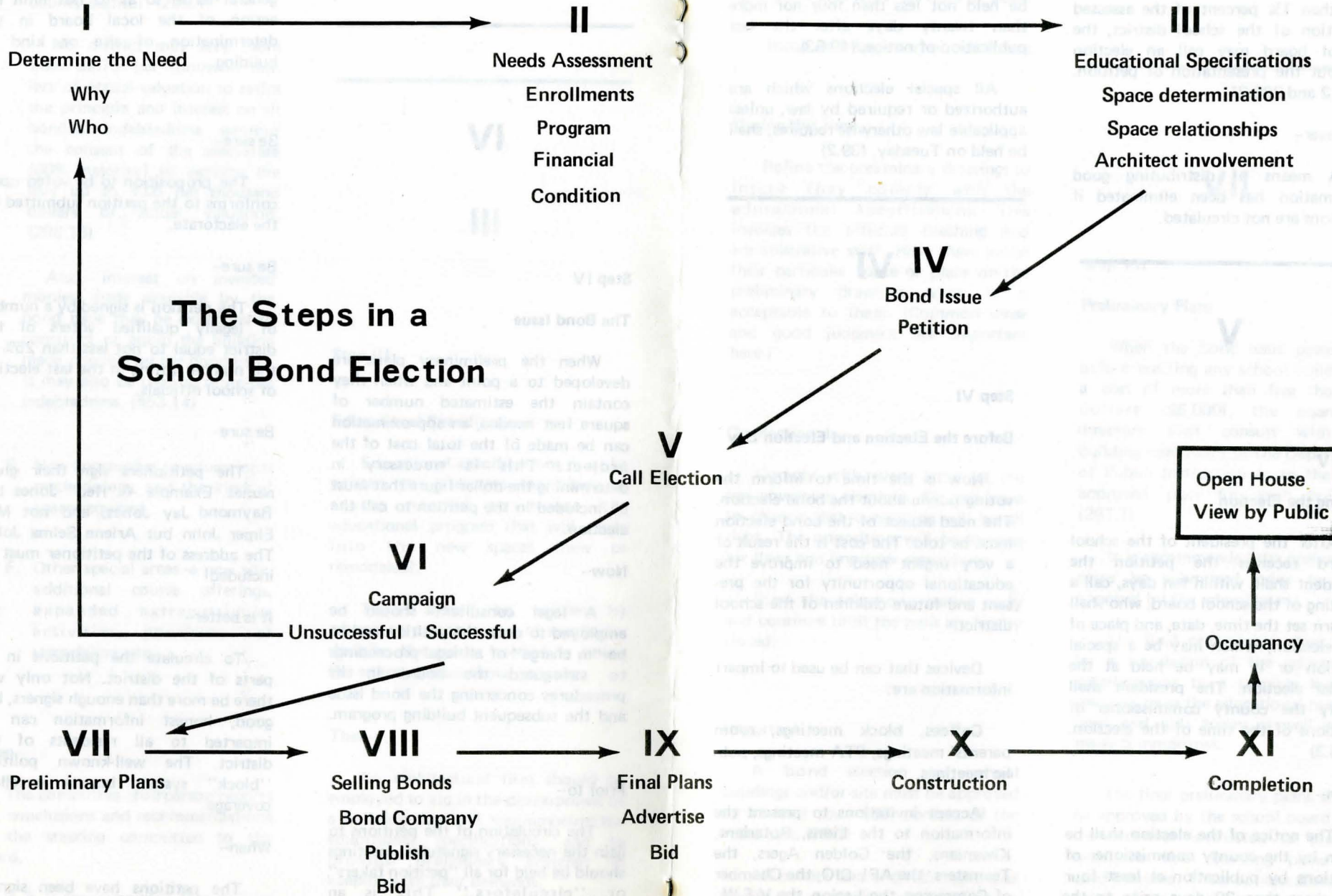
Now--

A legal consultant should be employed to draw the petition and to be "in charge" of all legal proceedings to safeguard the board in its procedures concerning the bond issue and the subsequent building program.

Prior to--

The circulation of the petitions to gain the necessary signatures, meetings should be held for all "petition takers" or "circulators." This is an information meeting to emphasize the necessary legal information, facts and figures about the needed building program.

The Steps in a School Bond Election



Note--

IF the amount of the bond issue is less than 1¼ percent of the assessed valuation of the school district, the school board may call an election without the presentation of petition. (296.2 and 298.21)

However--

A means of distributing good information has been eliminated if petitions are not circulated.

V

Step V

Calling the Election

After the president of the school board receives the petition the president shall, within ten days, call a meeting of the school board, who shall in turn set the time, date, and place of the election, which may be a special election or it may be held at the regular election. The president shall notify the county commissioner of elections of the time of the election. (296.3)

Then--

The notice of the election shall be given by the county commissioner of elections by publication at least four nor more than 20 days prior to the election in some newspaper published in the district, or if there is none, in some newspaper published in the county and of general circulation (49.53)

Also--

The date of the bond election shall be held not less than four nor more than twenty days after the last publication of notice. (49.53)

All special elections which are authorized or required by law, unless applicable law otherwise requires, shall be held on Tuesday. (39.2)

VI

Step VI

Before the Election and Election Day

Now is the time to inform the voting public about the bond election. The need aspect of the bond election must be told. The cost is the result of a very urgent need to improve the educational opportunity for the present and future children of the school district.

Devices that can be used to impart information are:

Coffees, block meetings, room parents' meetings, PTA meetings, public meetings.

Accept invitations to present the information to the Lions, Rotarians, Kiwanians, the Golden Agers, the Teamsters, the AFL-CIO, the Chamber of Commerce, the Legion, the V.F.W., the Farm Bureau, Auxiliaries, Toastmasters, and other community groups. Print leaflets, brochures, pamphlets, and insert newspaper ads.

Also--

Conclude all speeches, signs, ads, and brochures with "Be Sure to Vote!"

Insist on a large turnout of voters.

During this time--

Refine the preliminary drawings to insure they comply with the educational specifications. This involves the affected teaching and administrative staff. Have them initial their particular space or place on the preliminary drawings when it is acceptable to them. (Common sense and good judgment are important here.)

On election day--

Comply with every letter of the law governing elections. Do not leave to chance that everything will be all right. The opposition will be looking for flaws and improper procedures.

Start the telephone calling early and continue until the polls are legally closed.

Important--

A bond election for school buildings and/or site must be approved by at least sixty (60) percent of the votes cast. (75.1)

All ballots cast and not counted as a vote for or against the proposition shall not be used in computing the total votes cast for an against said proposition. (75.1)

If the bond issue fails, it shall not be submitted to the electors for a period of six (6) months. (75.1)

VII

Step VII

Preliminary Plans

When the bond issue passes and before erecting any school building at a cost of more than five thousand dollars (\$5,000), the board of directors shall consult with the building consultant in the Department of Public Instruction as to the most approved plan for such building. (297.7)

It is recommended the preliminary plans be submitted prior to their approval by the school board.

The final preliminary plans must be a translation of the educational specifications to a tangible building that will serve the educational needs of boys and girls today as well as the many tomorrows.

The final preliminary plans should be approved by the school board, and the architect instructed to proceed with the final building plans and specifications. These actions should be a part of the board minutes.

Final plans submitted to State Fire Marshal for approval.

VIII

Step VIII

Selling Bonds

Between the time of approval of the preliminary plans and the approval of the final plans, the board should prepare to sell the voted bonds.

By--

Employing a competent bonding lawyer or firm to "handle" the transaction; preparing a brochure describing the financial condition of the district for the interested bond buyers.

Publishing a notice of sale for two (2) or more successive weeks in at least one newspaper located in the county; the time, place of sale, the amount to be offered for sale, and any further pertinent information must be included. (75.2)

The bond sale

Sealed bids may be received at any time prior to the calling for open bids. (75.3)

Officials may call for open bids only after all sealed bids are filed. The best open bid is noted in the minutes of the board, then the sealed bids are opened and the best sealed bid is noted in the minutes. (75.3)

The lowest bid may be accepted, but any or all of the bids may be rejected and a new sale advertised. (75.4)

No bonds may be sold at less than par, plus accrued interest. (75.5)

No commission may be paid in connection with the sale of school bonds. The only allowable expenses are those incurred in advertising. (75.6)

The rate of interest on bonds shall not exceed seven (7) percent per annum, payable semi-annually. (298.22)

All of said bonds, when issued, shall be delivered to the secretary of the board of directors, who shall register them in a book to be kept for that purpose, and shall deliver them when they have been properly countersigned. (298.22)

Public bonds of every kind and character issued by school districts shall be issued in amounts of \$100 or multiples thereof not to exceed \$10,000. (75.10)

Bonds must be signed by the president of the board and countersigned by the secretary. (298.22)

The expenses of printing and engraving bonds may be paid from the General Fund. (298.22)

IX

Step IX

Approval of Final Plans and Specifications

The next important step is the

approval of the final plans and specifications. This approval should be recorded in the minutes, and the date should be set on which bids will be received.

The board must--

- A. Advertise for bids by two publications in the county newspaper where the work is to be done. (23.18)
- B. Make the first publication not less than fifteen days prior to the date set for receiving bids. (23.18)
- C. Adopt plans and specifications and a proposed form of contract for any public improvement costing five thousand dollars or more. A hearing must be held on such plans and specifications. Notice must be given in at least one newspaper of general circulation at least ten days before the hearing. (23.2)

The method of caring for objections and appeals is discussed in Sections 23.3 to 23.16.

- D. Let the work to the lowest responsible bidder submitting a sealed proposal. All bids may be rejected if not satisfactory and new bids requested. (23.18)
- E. Require that all bids include (in a separate envelope) a certified check or money order as per the amount advertised--not less than five (5) percent nor more than ten (10) percent of the estimated cost of work. (23.18)

X

Step X

Inspections

On large projects the board should employ a "clerk of the works" to work with the contractors and architects to see that the plans and specifications are being followed.

Also--

The board should insist on regular and frequent inspections by the architect.

No changes in the plans or specifications should be made without a "written change order" signed by the architect.

Lastly--

The board should instruct its secretary to pay for work completed and for materials on the site, as approved by the architect.

XI

Step XI

Completion

After the building is completed, and Open House should be held to give the public a chance to view and inspect the new educational facility.

APPENDIX A*

Selection of an Architect

A. Design Competition

Several architects are compensated to design and plan a building prior to employment. This method is time consuming, expensive, and rarely used.

B. Direct Appointment

The selection of an architect is based on the client's knowledge of their reputation, experience, and ability. The client knows the architect and has been generally satisfied with their past performance.

C. Comparative Selections

1. A number of architectural firms are contacted by the client to inform them of the general nature of the project, and to inquire whether an architect is interested in becoming a participant in the selection process.

2. All interested architects are asked to submit detailed information about their firms to the selection committee for review.

The information submitted should include:

- a. Name, address, and type of organization
- b. A brief history of the firm, record of growth, types of work, and any specialties
- c. A list of the principal and

key staff members, with the professional background of each principal member

- d. A list of projects completed in recent years-giving type, size, cost, location, and date

- e. A list of references including clients, contractors, and financial institutions

- f. A statement of policy in the handling or procedure of the project, participation of principals, assignment of personnel, engineering services, and other special services

- g. A copy of the firm's brochure, plus plans and pictures of completed buildings.

3. After reviewing the submitted information, the client should select three or four architects for a personal interview. A schedule of interviews, denoting the same amount of time for each architectural firm, should be made available to all concerned parties prior to the scheduled date.

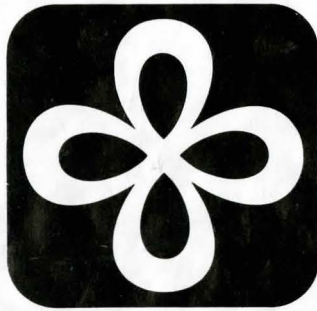
4. After the interviews, the home office and the completed projects of each architect should be visited by the client before the final selection is made.

*Condensed from "Guide for Planning Educational Facilities," Council of Educational Facility Planners, 29 West Woodruff Avenue, Columbus, Ohio 43210. September 1969. pp. 39-42.

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