

IN THE COURT OF APPEALS OF IOWA

RAYMOND MANTSCH, )

Plaintiff-Appellee. )

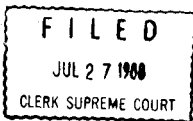
vs. )

CLINTON COMMUNITY SCHOOL )  
DISTRICT

Defendant-Appellee. )

8-259  
87-1705

169



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Appeal from the Iowa District Court for Clinton County  
(No. 11899) C. H. Pelton, Judge.

Plaintiff appeals from the trial court's order dismissing his appeal from an adjudicator's decision.  
**AFFIRMED.**

Patricia Zamora, Davenport, for the plaintiff-appellant.

Jerry D. Van Scoy, of Shaff & Farwell, Clinton, for the  
defendant-appellee.

Considered by Oxberger, C.J., and Sackett and Habhab,  
JJ.

SACKETT, J.

The issue is whether the trial court was correct in dismissing Plaintiff-Appellant Raymond Mantsch's appeal from an adjudicator's decision which affirmed Defendant-Appellee Clinton Community School District's termination of his teaching contract. We determine the trial court was correct in dismissing the appeal and affirm the decision.

Plaintiff appealed to an adjudicator a decision of the defendant school board terminating his teaching contract for the 1985-1986 school year. A hearing was held on April 28, 1987, and on August 21, 1987 the adjudicator's decision was mailed to the parties. The decision affirmed the board's action.

On September 17, 1987 plaintiff appealed the adjudicator's decision to the district court.

Iowa Code section 279.17 (1987) provides:

. . . The decision of the adjudicator shall become the final and binding decision of the board unless either party within ten days notifies the secretary of the board that the decision is rejected . . . .

Plaintiff admits he did not notify the secretary of the board of his rejection of the decision within the ten-day period. Therefore when the ten days expired and the board's decision became final and binding, it was not subject to a later appeal. Wollenzien v. Board of Education of Manson, 297 N.W.2d 215, 218 (Iowa 1980). See also Bishop v. Eastern Allamakee Community School District, 346 N.W.2d 500, 505

(Iowa 1984) (holds section 279.17 requires written notification and, that barring such notice, an adjudicator's decision is final and binding).

Plaintiff contends, however, he should be allowed to pursue his appeal because: (1) the adjudicator did not advise him of the requirement of section 279.17, and (2) the adjudicator's decision was not filed within the time limit set forth in section 279.17.

There is no statutory requirement the adjudicator notify the parties of the ten-day period for appeal. The enactment of legislation is notification to all concerned as to what the legislation contains. Woodruff & Son v. Rhoton, 101 N.W.2d 720, 722-23 (Iowa 1960). Especially where the provisions are clearly expressed. Id. at 723.

We determine the adjudicator had no duty to notify plaintiff of the provisions of section 279.17.

Plaintiff also contends he should prevail because the adjudicator did not file his decision within the statutory fifteen-day period. Iowa Code section 279.17 provides:

The adjudicator shall, within fifteen days after the hearing, make a decision . . . .

Plaintiff admits the decision date was extended by agreement between the parties to August 10. There is a disagreement between the parties as to whether it may have been extended further. We do not address the issue. The decree and matters inherent therein became final when no notifi-

cation of rejection was given within ten days of the filing of the decision as required by statute.

**AFFIRMED.**