

10 and care as provided in this chapter, without securing the order of
 11 court required in other cases. Said state department of social services,
 12 *and board in control* of the Iowa braille and sight-saving school and*
 13 *the Iowa school for the deaf* shall respectively pay the traveling ex-
 14 penses of any patient thus committed, and when necessary the travel-
 15 ing expenses of an attendant for such patient, out of funds appropri-
 16 ated for the use of the institution from which he is sent.

Approved April 18, 1973.

*Board of regents, §262.7 of the Code.

CHAPTER 192

SERVICES AND MATERIALS TO NONPUBLIC SCHOOLS

H. F. 594

AN ACT to provide reimbursement to local school districts, for auxiliary services and materials to nonpublic school students.

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

1 SECTION 1. Section two hundred fifty-seven point twenty-six
 2 (257.26), unnumbered paragraph two (2), Code 1973, is amended to
 3 read as follows:

4 The provisions of this section shall not deprive the respective
 5 boards of public school districts of any of their legal powers, statu-
 6 tory or otherwise, and in accepting such specially enrolled students,
 7 each of said boards shall prescribe the terms of such special enroll-
 8 ment, including but not limited to scheduling of such courses and the
 9 length of class periods. In addition, the board of the affected public
 10 school district shall be given notice by the state board of its decision
 11 to permit such special enrollment not later than six months prior to
 12 the opening of the affected public school district's school year, except
 13 that the board of the public school district may, in its discretion,
 14 waive such notice requirement. ~~School districts and county school~~
 15 ~~systems may when available make special education services and~~
 16 ~~materials enumerated in this chapter available to pupils attending~~
 17 ~~nonpublic schools in the same manner and to the same extent that~~
 18 ~~they are provided to public school students in the school district or~~
 19 ~~county.~~

1 SEC. 2. Section two hundred fifty-seven point twenty-six
 2 (257.26), Code 1973, is amended by adding the following new un-
 3 numbered paragraphs:

4 NEW UNNUMBERED PARAGRAPHS. Boards of local school districts
 5 shall provide auxiliary services and materials to nonpublic school
 6 students enrolled in nonpublic schools in the district through the
 7 same administrative procedure by which they are provided to the
 8 public school students in that district and to the extent that funds
 9 appropriated by the general assembly to the department of public
 10 instruction for reimbursement for claims of school districts filed
 11 pursuant to this section are sufficient to pay for the services and
 12 materials. The department of public instruction shall allocate funds
 13 to the board of each local school district on the basis of plans ap-
 14 proved by the department for delivery of auxiliary services and

15 materials and claims for reimbursement filed by the school district.
16 Funds allocated by the department for approved plans and claims
17 for reimbursement to each local school district shall not be paid for
18 delivery of auxiliary services and materials to students who attend
19 nonpublic schools that have policies which discriminate among stu-
20 dents on the basis of race, color, creed, sex, or place of national
21 origin, except that it shall not be considered discrimination for a
22 nonpublic school to limit enrollment to students of one sex or one
23 creed.

24 Nonpublic school students enrolled in public school shared-time
25 programs shall for the purposes of school district reimbursement
26 under this section be counted only in the proportion that the time
27 for which they are enrolled or receive instruction in the nonpublic
28 school bears to the total time for which they receive instruction.

29 Applications for receipt of auxiliary services and materials for
30 nonpublic school students shall be made by the principal or chief
31 administrator of the nonpublic school to the board of the local school
32 district. The board of the local school district to which application
33 is made may contract with and may make payment to the board of
34 any other local school district, county school system, joint county
35 system, merged area, or equivalent intermediate unit, providing the
36 services or materials to public school students, in order to make
37 available any of the services and materials to nonpublic school
38 students.

39 Division I auxiliary services and materials shall include health
40 services; programs of special education as defined in section two
41 hundred eighty point twenty-two (280.22) and chapter two hundred
42 eighty-one (281) of the Code and rules and regulations of the
43 department of public instruction; and services and materials for
44 remedial education programs, library and resource centers, and
45 audio-visual services and equipment.

46 Division II auxiliary services and materials shall include guidance
47 services, scientific instruments, testing services, and data processing
48 services.

49 The application submitted to the board of directors of the public
50 school district shall designate the services requested and shall also
51 include the official enrollment count of the nonpublic school taken
52 on the second Friday in January stated in terms of full-time equiva-
53 lent Iowa resident students.

54 The application shall be filed with the secretary of the public school
55 district no later than January fifteenth for services and materials
56 for the school fiscal year commencing the following July first.

57 The board of each public school district receiving a request from
58 a nonpublic school for delivery of auxiliary services and materials
59 shall file a plan for delivery of these services and materials with the
60 department of public instruction not later than March first on forms
61 prescribed by the department.

62 Such plan shall include a copy of the request from the nonpublic
63 school administrative officer and the enrollment count of the non-
64 public school as well as the anticipated cost of providing the pro-
65 posed auxiliary services.

66 All plans submitted for delivery of auxiliary services and materials
67 designated in this section as division I services and materials shall

68 be reviewed by the department of public instruction, and such plans
69 may be approved, modified or denied by the department of public
70 instruction under the terms of this section and pursuant to rules of
71 the department.

72 Initial approval of plans for the delivery of division I auxiliary
73 services and materials shall not exceed thirty dollars for each full-
74 time equivalent Iowa resident student enrolled in the nonpublic
75 school to which delivery of auxiliary services and materials is ap-
76 proved. If the cost for delivery of division I auxiliary services and
77 materials approved by the department exceeds the amount appro-
78 priated in any year, the payments of funds appropriated shall be
79 prorated by the department. If prorating is implemented, the local
80 district may collect any nonreimbursed amount from the school dis-
81 trict in which the pupil resides.

82 If, after determination by the department of public instruction of
83 the cost of all initially approved plans for the delivery of division I
84 auxiliary services and materials, additional funds remain from funds
85 appropriated, plans for the delivery of additional division I auxiliary
86 services and materials and delivery of division II auxiliary services
87 and materials may be approved by the department of public instruc-
88 tion. After approval of plans, the department shall prorate remain-
89 ing funds on the basis of the cost of approved plans.

90 During 1973 only, the dates listed in this section for the filing of
91 the request for auxiliary services and materials by the nonpublic
92 school, and the official enrollment count of the nonpublic school, and
93 the date of the filing of the plan for delivery of auxiliary services
94 and materials by the public school shall not apply, and such dates
95 shall be determined by the department of public instruction. The
96 department shall set the dates to occur as soon as practical after
97 July 1, 1973.

98 No services, materials, or programs provided in this section shall
99 be provided for students in nonpublic schools unless they are avail-
100 able for students in the public schools of the district.

101 Auxiliary services and materials, as defined in this section, in
102 excess of those for which funds are appropriated to the department
103 of public instruction may be provided to nonpublic school students
104 by the board of a local school district, county school system, joint
105 county system, or equivalent intermediate unit.

106 Title to instructional equipment and materials, scientific instru-
107 ments and audio visual resources, including projectors, film and
108 other equipment, shall remain with the local school district, county
109 school system, joint county system, or equivalent intermediate unit
110 providing same. An inventory shall be kept of equipment and mate-
111 rials provided. Such inventory and inventoried items shall be avail-
112 able for inspection by the proper authorities.

113 Any nonpublic school student who is a resident of Iowa may
114 receive division I and division II auxiliary services from the school
115 district in which the nonpublic school in which he is enrolled is
116 located. Any parent or guardian of a nonpublic school student may
117 refuse to receive specific auxiliary services. The services and mate-
118 rials may be offered at sites other than at the public school, including
119 nonpublic school facilities located within the public school districts.

120 Claims for reimbursement shall be made by the local school dis-

121 trict during the school year to the department of public instruction
 122 on a form prescribed by the department, and the claim shall state
 123 the services and materials provided and the actual costs incurred.
 124 Claims shall be accompanied by an affidavit of an officer of the local
 125 school district affirming the accuracy of the claim. On October first,
 126 February first, and June first of each year, the department of public
 127 instruction shall certify to the state comptroller the amounts of
 128 approved claims to be paid and the state comptroller shall draw
 129 warrants payable to local school districts which have established
 130 claims. No claims in excess of the plans previously approved by the
 131 department of public instruction shall be certified to the state comp-
 132 troller.

133 Any reimbursements received by a local district shall not affect
 134 district cost limitations of chapter four hundred forty-two (442) of
 135 the Code. The reimbursed auxiliary services and materials shall be
 136 separate from the state foundation plan, and the reimbursements in
 137 this Act shall be considered miscellaneous income, as defined in sec-
 138 tion four hundred forty-two point five (442.5) of the Code for the
 139 purposes of determining state foundation aid.

Approved May 16, 1973.

CHAPTER 193

LABORATORY SCHOOLS PUPIL AID

H. F. 551

AN ACT relating to state per pupil aid for laboratory schools.

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

1 SECTION 1. Section two hundred sixty-five point six (265.6), Code
 2 1973, is amended by striking the section and inserting in lieu thereof
 3 the following:
 4 265.6 State aid to laboratory school. The state board of regents
 5 which has established a laboratory school shall receive state aid pur-
 6 suant to chapters two hundred eighty-one (281) and four hundred
 7 forty-two (442) of the Code for each pupil enrolled in the laboratory
 8 school in the same amount as the public school district in which the
 9 pupil resides would receive aid for that pupil and shall transmit the
 10 amount received to the institution of higher education at which the
 11 laboratory school has been established.

Approved May 8, 1973.