

68 and place of the hearing shall be given by registered or certified mail
 69 addressed to the superintendent of the area community college or
 70 area vocational school. At least ten days before the hearing, notice
 71 of the time and place of the hearing and the reasons for removal shall
 72 also be published by the state department in a newspaper of general
 73 circulation in the merged area where the area community college or
 74 area vocational school is located.

75 NEW UNNUMBERED PARAGRAPH. At the hearing the area com-
 76 munity college or area vocational school may be represented by coun-
 77 sel and may present evidence. The state board may provide for the
 78 hearing to be recorded or reported. If requested by the area com-
 79 munity college or area vocational school at least ten days before the
 80 hearing, the state board shall provide for the hearing to be recorded
 81 or reported at the expense of the area community college or area
 82 vocational school, using any reasonable method specified by the area
 83 community college or area vocational school. Within ten days after
 84 the hearing, the state board shall render its written decision, signed
 85 by a majority of its members, and shall affirm, modify, or vacate the
 86 action or proposed action to remove the area community college or
 87 area vocational school from the approved list.

1 SEC. 19. Section four hundred forty-two point thirteen (442.13),
 2 Code 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. The committee may recommend that two or
 4 more school districts jointly employ and share the services of any
 5 school personnel, or acquire and share the use of classrooms, labora-
 6 tories, equipment, and facilities as specified in section sixteen (16)
 7 of this Act.

1 SEC. 20. Sections two hundred fifty-seven point twenty-seven
 2 (257.27) and two hundred seventy-nine point thirty-nine (279.39),
 3 Code 1973, are repealed.

Approved April 10, 1974

CHAPTER 1169

PUBLIC SCHOOL AUXILIARY SERVICES

H. F. 1476

AN ACT to provide auxiliary services, including transportation, for nonpublic school children and to provide appropriations.

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, as amended by
 3 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
 4 hundred ninety-two (192), section one (1), is amended to read as
 5 follows:

6 The provisions of this section shall not deprive the respective boards
 7 of public school districts of any of their legal powers, statutory or

8 otherwise, and in accepting such specially enrolled students, each of
 9 said boards shall prescribe the terms of such special enrollment,
 10 including but not limited to scheduling of such courses and the length
 11 of class periods. In addition, the board of the affected public school
 12 district shall be given notice by the state board of its decision to
 13 permit such special enrollment not later than six months prior to the
 14 opening of the affected public school district's school year, except that
 15 the board of the public school district may, in its discretion, waive
 16 such notice requirement. *School districts and county school systems*
 17 *or joint county systems, or their successor agencies, may, when avail-*
 18 *able, make public school auxiliary services, which may include health*
 19 *services, special education services, services and materials for remedial*
 20 *education programs and library and resource centers, audio-visual ser-*
 21 *vices and materials, guidance services, scientific instruments, school*
 22 *testing services, and other services and materials, available to children*
 23 *attending nonpublic schools in the same manner and to the same extent*
 24 *that they are provided to public school students.*

1 SEC. 2. Section two hundred eighty-five point one (285.1), subsection
 2 tion one (1), unnumbered paragraphs two (2) and three (3), Code
 3 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
 4 Session, chapter one hundred ninety-seven (197), section one (1), is
 5 amended to read as follows:

6 For the purposes of this subsection, high school means a school
 7 which commences with either grade nine or grade ten, as determined
 8 by the board of directors of the school district *or by the governing*
 9 *authority of the nonpublic school in the case of nonpublic schools.*

10 Boards in their discretion may provide transportation for some or
 11 all resident pupils attending public school *or pupils who attend non-*
 12 *public schools* who are not entitled to transportation. Boards in their
 13 discretion may collect from the parent or guardian of the pupil not
 14 more than the pro rata cost for such optional transportation, deter-
 15 mined as provided in subsection twelve (12) of this section.

1 SEC. 3. Section two hundred eighty-five point one (285.1), Code
 2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
 3 Session, chapter one hundred ninety-seven (197), section one (1), is
 4 amended by adding the following new subsection:*

5 NEW SUBSECTION.

6 1. Resident pupils attending a nonpublic school located either within
 7 or without the school district of the pupil's residence shall be entitled
 8 to transportation on the same basis as provided for resident public
 9 school pupils under this section. The public school district providing
 10 transportation to a nonpublic school pupil shall determine the days on
 11 which bus service is provided, which shall be based upon the days for
 12 which bus service is provided to public school pupils, and the public
 13 school district shall determine bus schedules and routes. In the case of
 14 nonpublic school pupils the term "school designated for attendance"
 15 means the nonpublic school which is designated for attendance by the
 16 parents of the nonpublic school pupil.

17 2. If the nonpublic school designated for attendance is located
 18 within the public school district in which the pupil is a resident, the

*According to enrolled Act

19 pupil shall be transported to the nonpublic school designated for
20 attendance as provided in this section.

21 3. If the nonpublic school designated for attendance of a pupil is
22 located outside the boundary line of the school district of the pupil's
23 residence, the pupil may be transported by the district of residence to
24 a public school or other location within the district of the pupil's resi-
25 dence. A public school district in which a nonpublic school is located
26 may establish school bus collection locations within its district from
27 which nonresident nonpublic school pupils may be transported to and
28 from a nonpublic school located in the district. If a pupil receives such
29 transportation, the district of the pupil's residence shall be relieved of
30 any requirement to provide transportation.

31 4. The public school district may meet the requirements of subsections
32 one (1), two (2) and three (3) of this section by any of the following:
33

34 a. Transportation in a school bus operated by a public school district.
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36 b. Contracting with private parties as provided in section two hundred
37 eighty-five point five (285.5) of the Code. However, contracts
38 shall not provide payment in excess of the average per pupil transportation
39 costs of the school district for that year.

40 c. Utilizing the transportation reimbursement provision of section
41 two hundred eighty-five point one (285.1), subsection three (3) of the
42 Code. However no reimbursement shall exceed forty dollars per non-
43 public school pupil per year.

1 SEC. 4. Section two hundred eighty-five point one (285.1), subsection
2 three (3), Code 1973, is amended to read as follows:

3 3. In any district where transportation by school bus is impracticable or where school bus service is not available, the board may
4 require the parents or guardian to transport their children to the
5 school designated for attendance. The parent or guardian shall be
6 reimbursed for such transportation service for elementary pupils by
7 the board of resident district for the distance one way from the pupil's
8 residence to the school designated for attendance at the rate of twenty-
9 eight cents per mile per day irrespective of number of children transported. For high school pupils, the parent or guardian shall be reimbursed
10 forty dollars per pupil per year for such service, provided
11 however no family shall receive more than eighty dollars per year for
12 transporting the members of the family who attend high school. *The provisions of this section shall apply to eligible nonpublic school pupils as well as to eligible public school pupils. However, reimbursement for*
13 *nonpublic school pupils shall not exceed forty dollars per pupil per*
14 *year.*
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1 SEC. 5. Section two hundred eighty-five point five (285.5), subsection
2 one (1), unnumbered paragraph one (1), Code 1973, is amended
3 to read as follows:

4 Contracts for school bus service with private parties shall be in writing and be for the transportation of children who attend public school
5 and children who attend nonpublic school. Such contracts shall define
6 the route, the length of time, service contracted for, the compensation,
7 the vehicle to be used. The contract shall prescribe the duties of the
8 contractor and driver of the vehicles and shall provide that every per-
9

10 son in charge of a vehicle conveying children to and from school shall
 11 be at all times subject to any rules said board shall adopt for the pro-
 12 tection of the children, or to govern the conduct of the persons in
 13 charge of said conveyance. Contracts may be made for a period not
 14 to exceed three years.

1 SEC. 6. Section two hundred eighty-five point ten (285.10), sub-
 2 section one (1), Code 1973, is amended to read as follows:

3 1. Provide transportation for each *resident* pupil who attends public
 4 school, *and each resident pupil who attends a nonpublic school*, and
 5 who is entitled to transportation under the laws of this state.

1 SEC. 7. Chapter two hundred eighty-five (285), Code 1973, is
 2 amended by adding the following new section:

3 **NEW SECTION. Payment of claims for nonpublic school pupil trans-**
 4 **portation.** Boards of directors of school districts shall be required to
 5 provide transportation services to nonpublic school pupils as provided
 6 in section two hundred eighty-five point one (285.1) of the Code only
 7 during school years when the general assembly has appropriated funds
 8 to the department of public instruction for the payment of claims for
 9 transportation costs submitted by the school district.

10 If the funds appropriated by the general assembly are not sufficient
 11 to pay the claims submitted by the school districts, the amount paid to
 12 each school district by the department shall be prorated on the basis
 13 of funds so appropriated. The difference between the amount of the
 14 claim of a school district and the amount of payment received from the
 15 department of public instruction shall be paid by the parent or guard-
 16 ian of the nonpublic school pupil transported.

17 The costs of providing transportation to nonpublic school pupils as
 18 provided in section two hundred eighty-five point one (285.1) of the
 19 Code shall not be included in the computation of district cost under
 20 chapter four hundred forty-two (442) of the Code, but shall be shown
 21 in the budget as an expense from miscellaneous income. Any trans-
 22 portation reimbursements received by a local school district for trans-
 23 porting nonpublic school pupils shall not affect district cost limitations
 24 of chapter four hundred forty-two (442) of the Code. The reimburse-
 25 ments provided in this section are miscellaneous income as defined in
 26 section four hundred forty-two point five (442.5) of the Code.

1 SEC. 8. If any provision of this Act or the application thereof to
 2 any person shall be invalid, such invalidity shall not affect the provi-
 3 sions or application of this Act which can be given effect without the
 4 invalid provisions or application, and to this end the provisions of the
 5 Act are severable.

1 SEC. 9. Section four hundred forty-two point thirteen (442.13),
 2 subsection six (6), Code 1973, as amended by Acts of the Sixty-fifth
 3 General Assembly, 1973 Session, chapter two hundred fifty-eight
 4 (258), section eleven (11), is amended by adding the following new
 5 paragraphs:

6 **NEW PARAGRAPH.** Transportation equipment needs which become
 7 necessary because of the furnishing of transportation to nonpublic
 8 school pupils under chapter two hundred eighty-five (285) of the Code.

9 **NEW PARAGRAPH.** Enrollment decrease caused by the availability
 10 of transportation to nonpublic school pupils in a district.

1 SEC. 10. There is appropriated from the general fund of the state
 2 to the department of public instruction for the fiscal year commencing
 3 July 1, 1974 and ending June 30, 1975, the sum of two million two
 4 hundred thousand (2,200,000) dollars, or so much thereof as may be
 5 necessary, for reimbursing public school districts for expenditures
 6 incurred in providing transportation services and transportation re-
 7 imbursement for nonpublic school pupils as provided under chapter
 8 two hundred eighty-five (285) of the Code.

9 Claims for reimbursement shall be made to the department of public
 10 instruction by the public school district providing transportation or
 11 transportation reimbursement during the school year commencing
 12 July 1, 1974 and ending June 30, 1975, on a form prescribed by the
 13 department, and the claim shall state the services provided and the
 14 actual costs incurred. A claim shall not exceed the average transpor-
 15 tation costs of the district per pupil transported. Claims shall be
 16 accompanied by an affidavit of an officer of the public school district
 17 affirming the accuracy of the claim. On February first and June first
 18 of each year, the department of public instruction shall certify to the
 19 state comptroller the amounts of approved claims to be paid, and the
 20 state comptroller shall draw warrants payable to school districts which
 21 have established claims.

1 SEC. 11. There is appropriated from the general fund of the state
 2 to the school budget review committee for the fiscal year commencing
 3 July 1, 1974 and ending June 30, 1975, the sum of two million two
 4 hundred thousand (2,200,000) dollars, or so much thereof as may be
 5 necessary, to be used for the payments to school districts under the
 6 provisions of section nine (9) of this Act.

1 SEC. 12. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter eighty (80) and chapter one hundred ninety-two (192), sec-
 3 tion two (2), are repealed.

Approved May 6, 1974

CHAPTER 1170

VOCATIONAL YOUTH ORGANIZATION

H. F. 1222

AN ACT relating to the vocational youth organizational fund.

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

1 SECTION 1. Section two hundred fifty-eight point fourteen
 2 (258.14), subsection two (2), Code 1973, as amended by Acts of the
 3 Sixty-fifth General Assembly, 1973 Session, chapter ten (10), is
 4 amended to read as follows:

5 2. The board for vocational education is authorized to award grants
 6 from the vocational youth organization fund to the following organ-
 7 izations: distributive education clubs of America, future farmers of
 8 America, future homemakers of America, office education clubs of
 9 America, *future business leaders of America*, and vocational industrial
 10 clubs of America. No moneys shall be used for salaries and travel of