

H. B. 127 (p. 255)

Senate File 39

Education: Shoultz, Chair; Beaman and Harper.

FILED JAN 20 1987

SENATE FILE 39
BY COMMITTEE ON EDUCATION

(formerly SSB 7)
repealed 1/20 (p. 120)

Passed Senate, Date 1-21-87 (p. 165) Passed House, Date 2-12-87 (p. 360)

Vote: Ayes 44 Nays 0 Vote: Ayes 88 Nays 4

Approved February 26, 1987 (p. 508)

A BILL FOR

1 An Act relating to the date on which the certified enrollment
2 count is taken for pupils enrolled in public schools in this
3 state.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 39

1 Section 1. Section 282.8, Code 1987, is amended to read as
2 follows:

3 282.8 ATTENDING SCHOOL OUTSIDE STATE.

4 The boards of directors of school districts located near
5 the state boundaries may designate schools of equivalent
6 standing across the state line for attendance of both
7 elementary and high school pupils when the public school in
8 the adjoining state is nearer than any appropriate public
9 school in a pupil's district of residence or in Iowa.

10 Distance shall be measured by the nearest traveled public
11 road. Arrangements shall be subject to reciprocal agreements
12 made between the chief state school officers of the respective
13 states. Notwithstanding section 282.1, arrangements between
14 districts pursuant to the reciprocal agreements made under
15 this section shall establish tuition and transportation fees
16 in an amount acceptable to the affected boards, but the
17 tuition and transportation fees shall not be less than the
18 lower average cost per pupil for the previous school year of
19 the two affected school districts. For the purpose of this
20 section average cost per pupil for the previous school year is
21 determined by dividing the district's operating expenditures
22 for the previous school year by the number of children
23 enrolled in the district on the ~~second~~ third Friday of
24 September of the previous school year. A person attending
25 school in another state shall continue to be treated as a
26 pupil of the district of residence in the apportionment of the
27 current school fund and the payment of state aid.

28 Sec. 2. Section 442.4, subsection 1, Code 1987, is amended
29 to read as follows:

30 1. Basic enrollment for the budget year beginning July 1,
31 ~~1979~~ 1987 and each subsequent budget year is determined by
32 adding the resident pupils who were enrolled on the ~~second~~
33 third Friday of September in the base year in public
34 elementary and secondary schools of the district and in public
35 elementary and secondary schools in another district or state

1 for which tuition is paid by the district. For the school
2 year beginning July 1, 1975, and each succeeding school year,
3 pupils enrolled in prekindergarten programs other than special
4 education programs are not included in basic enrollment.

5 Resident pupils of high school age for which the district
6 pays tuition to attend an Iowa area school are included in
7 basic enrollment on a full-time equivalent basis as of the
8 second third Friday of September in the base year ~~for the~~
9 ~~budget-year-beginning-July-1, 1979-and-each-subsequent-budget~~
10 ~~year.~~

11 Shared-time and part-time pupils of school age,
12 irrespective of the districts in which the pupils reside, are
13 included in basic enrollment as of the second third Friday of
14 September in the base year for the budget year beginning July
15 1, ~~1979~~ 1987 and each subsequent budget year, in the
16 proportion that the time for which they are enrolled or
17 receive instruction for the school year is to the time that
18 full-time pupils carrying a normal course schedule, at the
19 same grade level, in the same school district, for the same
20 school year, are enrolled and receive instruction. Tuition
21 charges to the parent or guardian of a shared-time or part-
22 time out-of-district pupil shall be reduced by the amount of
23 any increased state aid occasioned by the counting of the
24 pupil.

25 Pupils attending a university laboratory school are not
26 counted in any district's basic enrollment, but the laboratory
27 school shall report them directly to the department of
28 education.

29 A school district shall certify its basic enrollment to the
30 department of education by ~~September-25~~ October 1 of each
31 year, and the department shall promptly forward the
32 information to the department of management. For purposes of
33 determining whether a district is entitled to an advance for
34 increasing enrollment a determination of actual enrollment
35 shall be made on the second third Friday of September in the

1 budget year by counting the pupils in the same manner and to
2 the same extent that they are counted in determining basic
3 enrollment, but substituting the count in the budget year for
4 the count in the base year. In addition, a school district
5 shall determine its additional enrollment because of special
6 education defined in section 442.38, on December 1 of each
7 year and if the district is entitled to an advance for special
8 education, it shall certify its additional enrollment because
9 of special education to the department of education by
10 December 15 of each year, and the department shall promptly
11 forward the information to the department of management.

12 Sec. 3. Section 442.27, subsection 12, Code 1987, is
13 amended to read as follows:

14 12. "Enrollment served" means the basic enrollment plus
15 the number of nonpublic school pupils served with media
16 services or educational services, as applicable, except that
17 if a nonpublic school pupil receives services through an area
18 other than the area of the pupil's residence, the pupil shall
19 be deemed to be served by the area of the pupil's residence,
20 which shall by contractual arrangement reimburse the area
21 through which the pupil actually receives services. ~~For the~~
22 ~~budget-year-beginning-July-1,-1975,-the-total-number-of~~
23 ~~nonpublic-pupils-served-by-each-area-education-agency-and-the~~
24 ~~number-of-nonpublic-school-pupils-residing-within-each-school~~
25 ~~district-in-the-area-to-be-served-by-the-area-education-agency~~
26 ~~for-media-and-educational-services-shall-be-submitted-by-the~~
27 ~~department-of-public-instruction-as-approved-by-the-state~~
28 ~~board-to-the-state-comptroller-within-one-week-after-June-10,~~
29 ~~1975.~~ For school years subsequent to the school year
30 beginning July 1, 1979 1986, each school district shall
31 include in the ~~second~~ third Friday in September enrollment
32 report the number of nonpublic school pupils within each
33 school district for media and educational services served by
34 the area.

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EXPLANATION

1 This bill changes that date on which school districts take
2 their certified enrollment count from the second Friday in
3 September to the third Friday in September. It also changes
4 the deadline date on which school districts must report their
5 enrollments from September 25 to October 1.

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SS B # 7
Education

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SF 24

SENATE/HOUSE FILE _____
BY (PREFILED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the date on which the certified enrollment
2 count is taken for pupils enrolled in public schools in this
3 state.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SUB COMMITTEE ASSIGNMENTS

George Willis
COMMITTEE: *Education*
1-14-87

1 Section 1. Section 282.8, Code 1987, is amended to read as
2 follows:

3 282.8 ATTENDING SCHOOL OUTSIDE STATE.

4 The boards of directors of school districts located near
5 the state boundaries may designate schools of equivalent
6 standing across the state line for attendance of both
7 elementary and high school pupils when the public school in
8 the adjoining state is nearer than any appropriate public
9 school in a pupil's district of residence or in Iowa.
10 Distance shall be measured by the nearest traveled public
11 road. Arrangements shall be subject to reciprocal agreements
12 made between the chief state school officers of the respective
13 states. Notwithstanding section 282.1, arrangements between
14 districts pursuant to the reciprocal agreements made under
15 this section shall establish tuition and transportation fees
16 in an amount acceptable to the affected boards, but the
17 tuition and transportation fees shall not be less than the
18 lower average cost per pupil for the previous school year of
19 the two affected school districts. For the purpose of this
20 section average cost per pupil for the previous school year is
21 determined by dividing the district's operating expenditures
22 for the previous school year by the number of children
23 enrolled in the district on the second third Friday of
24 September of the previous school year. A person attending
25 school in another state shall continue to be treated as a
26 pupil of the district of residence in the apportionment of the
27 current school fund and the payment of state aid.

28 Sec. 2. Section 442.4, subsection 1, Code 1987, is amended
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30 1. Basic enrollment for the budget year beginning July 1,
31 ~~1979~~ 1987 and each subsequent budget year is determined by
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33 third Friday of September in the base year in public
34 elementary and secondary schools of the district and in public
35 elementary and secondary schools in another district or state

1 for which tuition is paid by the district. For the school
2 year beginning July 1, 1975, and each succeeding school year,
3 pupils enrolled in prekindergarten programs other than special
4 education programs are not included in basic enrollment.

5 Resident pupils of high school age for which the district
6 pays tuition to attend an Iowa area school are included in
7 basic enrollment on a full-time equivalent basis as of the
8 second third Friday of September in the base year for the
9 ~~budget-year-beginning-July-1, 1979-and-each-subsequent-budget~~
10 year.

11 Shared-time and part-time pupils of school age,
12 irrespective of the districts in which the pupils reside, are
13 included in basic enrollment as of the second third Friday of
14 September in the base year for the budget year beginning July
15 1, ~~1979~~ 1987 and each subsequent budget year, in the
16 proportion that the time for which they are enrolled or
17 receive instruction for the school year is to the time that
18 full-time pupils carrying a normal course schedule, at the
19 same grade level, in the same school district, for the same
20 school year, are enrolled and receive instruction. Tuition
21 charges to the parent or guardian of a shared-time or part-
22 time out-of-district pupil shall be reduced by the amount of
23 any increased state aid occasioned by the counting of the
24 pupil.

25 Pupils attending a university laboratory school are not
26 counted in any district's basic enrollment, but the laboratory
27 school shall report them directly to the department of
28 education.

29 A school district shall certify its basic enrollment to the
30 department of education by ~~September-25~~ October 1 of each
31 year, and the department shall promptly forward the
32 information to the department of management. For purposes of
33 determining whether a district is entitled to an advance for
34 increasing enrollment a determination of actual enrollment
35 shall be made on the second third Friday of September in the

1 budget year by counting the pupils in the same manner and to
2 the same extent that they are counted in determining basic
3 enrollment, but substituting the count in the budget year for
4 the count in the base year. In addition, a school district
5 shall determine its additional enrollment because of special
6 education defined in section 442.38, on December 1 of each
7 year and if the district is entitled to an advance for special
8 education, it shall certify its additional enrollment because
9 of special education to the department of education by
10 December 15 of each year, and the department shall promptly
11 forward the information to the department of management.

12 Sec. 3. Section 442.27, subsection 12, Code 1987, is
13 amended to read as follows:

14 12. "Enrollment served" means the basic enrollment plus
15 the number of nonpublic school pupils served with media
16 services or educational services, as applicable, except that
17 if a nonpublic school pupil receives services through an area
18 other than the area of the pupil's residence, the pupil shall
19 be deemed to be served by the area of the pupil's residence,
20 which shall by contractual arrangement reimburse the area
21 through which the pupil actually receives services. ~~For the~~
22 ~~budget year beginning July 1, 1975, the total number of~~
23 ~~nonpublic pupils served by each area education agency and the~~
24 ~~number of nonpublic school pupils residing within each school~~
25 ~~district in the area to be served by the area education agency~~
26 ~~for media and educational services shall be submitted by the~~
27 ~~department of public instruction as approved by the state~~
28 ~~board to the state comptroller within one week after June 10,~~
29 ~~1975.~~ For school years subsequent to the school year
30 beginning July 1, 1979 1986, each school district shall
31 include in the second ~~third~~ Friday in September enrollment
32 report the number of nonpublic school pupils within each
33 school district for media and educational services served by
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SENATE FILE 39

AN ACT

RELATING TO THE DATE ON WHICH THE CERTIFIED ENROLLMENT COUNT IS
TAKEN FOR PUPILS ENROLLED IN PUBLIC SCHOOLS IN THIS STATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 282.8, Code 1987, is amended to read as follows:

282.8 ATTENDING SCHOOL OUTSIDE STATE.

The boards of directors of school districts located near the state boundaries may designate schools of equivalent standing across the state line for attendance of both elementary and high school pupils when the public school in the adjoining state is nearer than any appropriate public school in a pupil's district of residence or in Iowa. Distance shall be measured by the nearest traveled public road. Arrangements shall be subject to reciprocal agreements made between the chief state school officers of the respective states. Notwithstanding section 282.1, arrangements between districts pursuant to the reciprocal agreements made under this section shall establish tuition and transportation fees in an amount acceptable to the affected boards, but the tuition and transportation fees shall not be less than the lower average cost per pupil for the previous school year of the two affected school districts. For the purpose of this section average cost per pupil for the previous school year is determined by dividing the district's operating expenditures for the previous school year by the number of children enrolled in the district on the second third Friday of September of the previous school year. A person attending school in another state shall continue to be treated as a pupil of the district of residence in the apportionment of the current school fund and the payment of state aid.

Sec. 2. Section 442.4, subsection 1, Code 1987, is amended to read as follows:

1. Basic enrollment for the budget year beginning July 1, 1979 1987 and each subsequent budget year is determined by adding the resident pupils who were enrolled on the second third Friday of September in the base year in public elementary and secondary schools of the district and in public elementary and secondary schools in another district or state for which tuition is paid by the district. For the school year beginning July 1, 1975, and each succeeding school year, pupils enrolled in prekindergarten programs other than special education programs are not included in basic enrollment.

Resident pupils of high school age for which the district pays tuition to attend an Iowa area school are included in basic enrollment on a full-time equivalent basis as of the second third Friday of September in the base year for the budget year beginning July 1, 1979 1987 and each subsequent budget year.

Shared-time and part-time pupils of school age, irrespective of the districts in which the pupils reside, are included in basic enrollment as of the second third Friday of September in the base year for the budget year beginning July 1, 1979 1987 and each subsequent budget year, in the proportion that the time for which they are enrolled or receive instruction for the school year is to the time that full-time pupils carrying a normal course schedule, at the same grade level, in the same school district, for the same school year, are enrolled and receive instruction. Tuition charges to the parent or guardian of a shared-time or part-time out-of-district pupil shall be reduced by the amount of any increased state aid occasioned by the counting of the pupil.

Pupils attending a university laboratory school are not counted in any district's basic enrollment, but the laboratory school shall report them directly to the department of education.

A school district shall certify its basic enrollment to the department of education by ~~September-25~~ October 1 of each year, and the department shall promptly forward the information to the department of management. For purposes of determining whether a district is entitled to an advance for increasing enrollment a determination of actual enrollment shall be made on the second third Friday of September in the budget year by counting the pupils in the same manner and to the same extent that they are counted in determining basic enrollment, but substituting the count in the budget year for the count in the base year. In addition, a school district shall determine its additional enrollment because of special education defined in section 442.38, on December 1 of each year and if the district is entitled to an advance for special education, it shall certify its additional enrollment because of special education to the department of education by December 15 of each year, and the department shall promptly forward the information to the department of management.

Sec. 3. Section 442.27, subsection 12, Code 1987, is amended to read as follows:

12. "Enrollment served" means the basic enrollment plus the number of nonpublic school pupils served with media services or educational services, as applicable, except that if a nonpublic school pupil receives services through an area other than the area of the pupil's residence, the pupil shall be deemed to be served by the area of the pupil's residence, which shall by contractual arrangement reimburse the area through which the pupil actually receives services. For the budget-year-beginning-July-1, 1975, the total number of nonpublic pupils served by each area education agency and the number of nonpublic school pupils residing within each school district in the area to be served by the area education agency for media and educational services shall be submitted by the department of public instruction as approved by the state board to the state comptroller within one week after June 15,

1975. For school years subsequent to the school year beginning July 1, 1979 1986, each school district shall include in the second third Friday in September enrollment report the number of nonpublic school pupils within each school district for media and educational services served by the area.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 39, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved Feb 26, 1987

TERRY E. BRANSTAD
Governor