

APR 23 1975

HOUSE FILE 795

BY COMMITTEE ON EDUCATION

Place On Calendar
Sen. Ed. 9/5 Pass 6/12
Retail " 1/12/76, Pass per 5724 5/10

Passed House, Date 6-2-75 (2067) Passed Senate, Date 5-14-76 (P. 1987)

Vote: Ayes 80 Nays 0 Vote: Ayes 42 Nays 0

Approved 6-23-76

*Repassed House per Senate amendment
5-19-76 (P. 2883)
89-0*

A BILL FOR

1 An Act relating to tuition paid by school districts.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section two hundred eighty-two point seven
2 (282.7), unnumbered paragraph one (1), Code 1975, is amended
3 to read as follows:

4 The board of directors in any school district may by record
5 action discontinue any or all of its school facilities. When
6 such action has been taken, the board shall designate an
7 appropriate approved public school or schools for attendance.
8 Tuition shall be paid by the resident district as required
9 in ~~section-279-48-and~~ section 282.20 for all pupils attending
10 designated school, except that high school pupils may attend
11 school of choice and be entitled to tuition, but must attend
12 school designated for attendance to qualify for transportation.
13 Designations shall be made as provided in chapter 285.

14 Sec. 2. Section two hundred eighty-two point twenty
15 (282.20), unnumbered paragraphs one (1), two (2), and three
16 (3), Code 1975, is amended by striking the unnumbered
17 paragraphs and inserting in lieu thereof the following:

18 The school corporation in which the student resides shall
19 pay from the general fund to the secretary of the corporation
20 in which he is permitted to enroll, the maximum tuition fee
21 as computed by the state superintendent of public instruction
22 and as prescribed in section two hundred eighty-two point
23 twenty-four (282.24) of the Code, or an amount computed in
24 like manner for the district on its actual expenditures,
25 whichever is the lesser amount.

26 Sec. 3. Section two hundred eighty-two point twenty-four
27 (282.24), unnumbered paragraph one (1), Code 1975, is amended
28 by striking the unnumbered paragraph and inserting in lieu
29 thereof the following:

30 The maximum tuition rate for all school districts shall
31 be determined by the department of public instruction in the
32 following manner:

- 33 1. Total the expenditures for administration, instructional
- 34 salaries, instructional supplies, attendance and health
- 35 services, transportation, fixed charges, operation and

1 maintenance, other school services, community services, capital
2 outlay and debt service, for all of the school districts of
3 the state, as officially reported in the secretary's annual
4 reports filed with the department of public instruction for
5 each school district.

6 2. Divide the total by the total of the enrollment reported
7 by all school districts of the state, as officially reported
8 in the secretary's annual reports filed with the department
9 of public instruction for each school district.

10 3. The quotient resulting from the division, rounded to
11 the nearest dollar, shall be the maximum tuition rate to be
12 charged for pupils enrolled in kindergarten through grade
13 twelve in all school districts of the state.

14 4. The secretary's annual report for purposes of the
15 computations made under this section shall be the one for
16 the school year next preceding the school year for which the
17 tuition is to be collected.

18 Sec. 4. Section two hundred eighty-five point one (285.1),
19 subsection twelve (12), Code 1975, is amended to read as
20 follows:

21 12. The pro rata cost of transportation shall be based
22 upon the actual cost for all the children transported in all
23 school buses. It shall include one-seventh of the original
24 net cost of the bus and such other items as shall be determined
25 and approved by the superintendent of public instruction but
26 no part of the capital outlay cost for school buses and
27 transportation equipment for which the school district is
28 reimbursed from state funds or that portion of the cost of
29 the operation of any school bus used in transporting pupils
30 to and from extra-curricular activities shall be included
31 in determining said pro rata cost. In any district where
32 because of unusual conditions, the cost of transportation
33 is in excess of the actual operating cost of the bus route
34 used to furnish transportation to nonresident pupils, the
35 board of the local district may charge a cost equal to the

1 cost of other schools supplying such service to that area,
2 upon receiving approval of the state director of school
3 transportation. ~~Capital-outlay-for-school-buses-and~~
4 ~~transportation-equipment-shall-be-excluded-from-the-capital~~
5 ~~outlay-in-determining-tuition-costs-as-provided-in-section~~
6 ~~279.18,-and-section-282.20-~~

7 Sec. 5. Section two hundred seventy-nine point eighteen
8 (279.18), Code 1975, is repealed.

9 EXPLANATION

10 This bill simplifies the computation of the maximum tuition
11 rate. Section 282.24 requires an annual computation of such
12 a rate by the state superintendent each year, which means
13 requesting data as set forth in 282.20 from each of the several
14 school districts of the state. This procedure requires
15 districts to fill out two forms with financial data to be
16 filed with the state department for computation of the state
17 maximum tuition rates.

18 This bill eliminates filing such reports, and allows the
19 state superintendent to establish a maximum tuition rate from
20 financial data that all of the districts are required to file
21 in their secretary's annual report.

22 This bill establishes only one maximum rate for elementary,
23 junior high, and high school. Out of over 630,000 students,
24 there are less than six hundred pupils for which tuition is
25 paid. This bill thus eliminates a great deal of work for
26 the school districts and for the department. The computation
27 for the actual per pupil expenditure now being done annually
28 for each of the school districts is consistent with the
29 provisions outlined in section 282.20 except for depreciation
30 on buildings, and is also consistent with the budget categories
31 used in the foundation aid program.

32
33
34
35

H-6730

1 Amend House File 795 as follows:

2 1. Page 1, by inserting before line 1 the fol-
3 lowing new section:

4 "Section 1. Section two hundred eighty-two point
5 one (282.1), Code 1975, is amended to read as follows:
6 282.1 SCHOOL AGE--NONRESIDENTS. Persons between
7 five and twenty-one years of age shall be of school
8 age. A board may establish and maintain evening
9 schools for all residents of the corporation regard-
10 less of age and for which no tuition need be charged.
11 Nonresident children and shall be charged the maximum
12 tuition rate as determined in section three (3) of
13 this Act, with the exception that those sojourning
14 temporarily in any school corporation may attend
15 school therein upon such terms as the board may
16 determine."

17 2. Page 1, by striking line 21.

18 3. Page 1, line 22, by striking the word "and".

19 4. Page 1, line 23, by striking the words "Code,
20 or an amount computed in like manner for the district
21 on its actual expenditures, whichever is the lesser
22 amount." and inserting in lieu thereof the word "Code."

23 5. Page 1, by striking lines 26 through 35 and
24 inserting in lieu thereof the following:

25 "Sec. 4. Section two hundred eighty-two point
26 twenty-four (282.24), unnumbered paragraph one (1),
27 Code 1975, as amended by Acts of the Sixty-sixth
28 General Assembly, 1975 Session, chapter one hundred
29 fifty-three (153), section nine (9), is amended by
30 striking the paragraph and inserting in lieu thereof
31 the following:

32 282.24 TUITION FEES ESTABLISHED. There is
33 established a maximum tuition fee to be charged for
34 students, elementary or high school, residing within
35 another school district or corporation. That fee
36 shall be the state cost per pupil as computed in
37 section four hundred forty-two point eight (442.8)
38 of the Code or the district cost per pupil of the
39 receiving district as computed in section four hundred
40 forty-two point nine (442.9), subsection one (1),
41 paragraph a, of the Code, whichever is the lesser
42 amount.

43 Any school corporation which owns facilities used
44 as attendance centers for students shall maintain
45 an itemized statement of the appraised value of all
46 buildings owned by the school corporation. Beginning
47 July 1, 1976, the appraisal shall be updated at least
48 one time every five years."

49 6. Page 2, by striking lines 1 through 17.

50 7. Amend the title, line 1, by striking the word

Page 2

1 "by" and inserting in lieu thereof the word "to".

2 8. By renumbering the sections as necessary.

H-6730 FILED
RECEIVED FROM SENATE
MAY 18, 1976

House concurred 5/19/76

S-5724

1 Amend House File 795 as follows:

2 1. Page 1, by inserting before line 1 the fol-
3 lowing new section:

4 "Section 1. Section two hundred eighty-two point
5 one (282.1), Code 1975, is amended to read as follows:

6 282.1 SCHOOL AGE--NONRESIDENTS. Persons between
7 five and twenty-one years of age shall be of school
8 age. A board may establish and maintain evening
9 schools for all residents of the corporation regard-
10 less of age and for which no tuition need be charged.
11 Nonresident children and shall be charged the maximum
12 tuition rate as determined in section three (3) of
13 this Act, with the exception that those sojourning
14 temporarily in any school corporation may attend
15 school therein upon such terms as the board may
16 determine."

17 2. Page 1, by striking line 21.

18 3. Page 1, line 22, by striking the word "and".

19 4. Page 1, line 23, by striking the words "Code,
20 or an amount computed in like manner for the district
21 on its actual expenditures, whichever is the lesser
22 amount." and inserting in lieu thereof the word "Code."

23 5. Page 1, by striking lines 26 through 35 and
24 inserting in lieu thereof the following:

25 "Sec. 4. Section two hundred eighty-two point
26 twenty-four (282.24), unnumbered paragraph one (1),
27 Code 1975, as amended by Acts of the Sixty-sixth
28 General Assembly, 1975 Session, chapter one hundred
29 fifty-three (153), section nine (9), is amended by
30 striking the paragraph and inserting in lieu thereof
31 the following:

32 282.24 TUITION FEES ESTABLISHED. There is
33 established a maximum tuition fee to be charged for
34 students, elementary or high school, residing within
35 another school district or corporation. That fee
36 shall be the state cost per pupil as computed in
37 section four hundred forty-two point eight (442.8)
38 of the Code or the district cost per pupil of the
39 receiving district as computed in section four hundred
40 forty-two point nine (442.9), subsection one (1),
41 paragraph a, of the Code, whichever is the lesser
42 amount.

43 Any school corporation which owns facilities used
44 as attendance centers for students shall maintain
45 an itemized statement of the appraised value of all
46 buildings owned by the school corporation. Beginning
47 July 1, 1976, the appraisal shall be updated at least
48 one time every five years."

49 6. Page 2, by striking lines 1 through 17.

50 7. Amend the title, line 1, by striking the word

PAGE 2

1 "by" and inserting in lieu thereof the word "to".

2 8. By renumbering the sections as necessary.

AN ACT

RELATING TO TUITION PAID TO SCHOOL DISTRICTS.

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

Section 1. Section two hundred eighty-two point one (282.1), Code 1975, is amended to read as follows:

282.1 SCHOOL AGE--NONRESIDENTS. Persons between five and twenty-one years of age shall be of school age. A board may establish and maintain evening schools for all residents of the corporation regardless of age and for which no tuition need be charged. Nonresident children and shall be charged the maximum tuition rate as determined in section four (4) of this Act, with the exception that those sojourning temporarily in any school corporation may attend school therein upon such terms as the board may determine.

Sec. 2. Section two hundred eighty-two point seven (282.7), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The board of directors in any school district may by record action discontinue any or all of its school facilities. When such action has been taken, the board shall designate an appropriate approved public school or schools for attendance. Tuition shall be paid by the resident district as required in ~~section-279-78-and~~ section 282.20 for all pupils attending designated school, except that high school pupils may attend school of choice and be entitled to tuition, but must attend school designated for attendance to qualify for transportation. Designations shall be made as provided in chapter 285.

Sec. 3. Section two hundred eighty-two point twenty (282.20), unnumbered paragraphs one (1), two (2), and three (3), Code 1975, is amended by striking the unnumbered paragraphs and inserting in lieu thereof the following:

The school corporation in which the student resides shall pay from the general fund to the secretary of the corporation in which he is permitted to enroll, the maximum tuition fee as prescribed in section two hundred eighty-two point twenty-four (282.24) of the Code.

Sec. 4. Section two hundred eighty-two point twenty-four (282.24), unnumbered paragraph one (1), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred fifty-three (153), section nine (9), is amended by striking the paragraph and inserting in lieu thereof the following:

282.24 TUITION FEES ESTABLISHED. There is established a maximum tuition fee to be charged for students, elementary or high school, residing within another school district or corporation. That fee shall be the state cost per pupil as computed in section four hundred forty-two point eight (442.8) of the Code or the district cost per pupil of the receiving district as computed in section four hundred forty-two point nine (442.9), subsection one (1), paragraph a, of the Code, whichever is the lesser amount.

Any school corporation which owns facilities used as attendance centers for students shall maintain an itemized statement of the appraised value of all buildings owned by the school corporation. Beginning July 1, 1976, the appraisal shall be updated at least one time every five years.

Sec. 5. Section two hundred eighty-five point one (285.1), subsection twelve (12), Code 1975, is amended to read as follows:

12. The pro rata cost of transportation shall be based upon the actual cost for all the children transported in all school buses. It shall include one-seventh of the original net cost of the bus and such other items as shall be determined and approved by the superintendent of public instruction but no part of the capital outlay cost for school buses and transportation equipment for which the school district is

reimbursed from state funds or that portion of the cost of the operation of any school bus used in transporting pupils to and from extra-curricular activities shall be included in determining said pro rata cost. In any district where because of unusual conditions, the cost of transportation is in excess of the actual operating cost of the bus route used to furnish transportation to nonresident pupils, the board of the local district may charge a cost equal to the cost of other schools supplying such service to that area, upon receiving approval of the state director of school transportation. ~~Capital-outlay-for-school-buses-and transportation-equipment-shall-be-excluded-from-the-capital outlay-in-determining-tuition-costs-as-provided-in-section 279.18, and section-282.20.~~

Sec. 6. Section two hundred seventy-nine point eighteen (279.18), Code 1975, is repealed.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 795, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 4/23, 1976

ROBERT D. RAY
Governor