

Ed 1/19 Amend & Pass per 3005 1/19 (173)
DO PASS per amend H3180 2-21-89 (p-579)

Reprinted

FILED JAN 18 1989

SENATE FILE 59
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 5.1)

Passed Senate, Date 1/24/89 (p.174) Passed House, Date ~~2-28-89 (p.597)~~

Vote: Ayes 33 Nays 16 Vote: Ayes 53 Nays 41

Approved 3-10-89 (p.157)

Motion to reconsider (p.178) & (p.185)
w/25 1/26 (p.207)

A BILL FOR

1 An Act to provide a procedure for parents or guardians to enroll
2 their children in the public schools of school districts other
3 than the district of residence without cost to the parents or
4 guardians and to provide an effective date.

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

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SF 59

3014 amends all

1 Section 1. Section 282.18, Code 1989, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 282.18 OPEN ENROLLMENT.

3015, 30055

3022

5 For the school year commencing July 1, 1989, and each
6 succeeding school year, a parent or guardian residing in a
7 school district may enroll the parent's or guardian's child in
8 a public school in another school district in the manner
9 provided in this section, unless a number of pupils, which
10 equals ten percent of the school district's actual enrollment,
11 have already enrolled in other school districts under this
12 section.

*3015
3011, 3005
3017*

13 Not later than November 1 of the preceding school year, the
14 parent or guardian shall send notification to the district of
15 residence and to the department of education on forms
16 prescribed by the department of education that the parent or
17 guardian intends to enroll the parent's or guardian's child in
18 a public school in another school district. The parent or

3013

19 guardian shall describe the reason that exists for enrollment
20 in the receiving district that is not present in the district
21 of residence. The board of the district of residence shall
22 transmit a copy of the form to the receiving school district
23 within five days after its receipt. The board of the
24 receiving school district shall enroll the pupil in a school
25 in the receiving district for the following school year unless
26 the receiving district does not have classroom space for the
27 pupil or unless enrolling the pupil in the receiving district
28 will adversely affect the minority enrollment in a school
29 district in which there is voluntary or court ordered
30 desegregation.

*3017, 3008
3010*

31 A request under this section is for a period of not less
32 than four years unless the pupil will graduate or the parent
33 or guardian petitions the receiving district for permission to
34 enroll the child in a different district within the four-year
35 period. If the parent or guardian requests permission of the

1 receiving district to enroll the child in a different district
2 within the four-year period, the receiving district school
3 board may transmit a copy of the request to the other school
4 district within five days of the receipt of the request. The
5 new receiving district shall enroll the pupil in a school in
6 the district unless there is insufficient classroom space in
7 the district or unless enrollment of the pupil would adversely
8 affect court ordered or voluntary desegregation orders

30059 affecting the district. A denial of a request to change
10 district enrollment within the four-year period shall be
11 subject to appeal under section 290.1.

3013, 3006 12 The board of directors of the district of residence shall
13 pay to the receiving district the lower district cost per
14 pupil of the two districts, plus any moneys received for the
15 pupil as a result of special education or non-English speaking
16 weighting under section 442.4, subsection 6, for that school
17 year. Quarterly payments shall be made to the receiving
18 district. Notwithstanding section 285.1 relating to
19 transportation of nonresident pupils, the parent or guardian
20 is responsible for transporting the pupil without
21 reimbursement to and from a point on a regular school bus
22 route of the receiving district.

23 Neither the notification of the parent to the district of
24 residence nor the decision of the receiving district is
25 subject to appeal.

3017, 3007 26 A student who attends school in a school district other
27 than the district of residence is not eligible to participate
28 in interscholastic athletic contests and athletic competitions
29 or any organized practice sessions during the first year of
30 enrollment under this section except for an interscholastic
31 sport in which the district of residence and the other school
32 district jointly participate.

3017, 3015, 3018 33 Sec. 2. Section 280.16, Code 1989, is repealed.

3019 34 Sec. 3. Section 290.1, Code 1989, is amended to read as
35 follows:

1 290.1 APPEAL TO STATE BOARD.

36652 A person aggrieved by a decision or order of the board of
3 directors of a school corporation in a matter of law or fact,
4 ~~or a decision or order of a board of directors under section~~
5 280-16 may, within thirty days after the rendition of the
6 decision or the making of the order, appeal the decision or
7 order to the state board of education; the basis of the
8 proceedings shall be an affidavit filed with the state board
9 by the party aggrieved within the time for taking the appeal,
10 which affidavit shall set forth any error complained of in a
11 plain and concise manner.

12 For purposes of section 282.11, a "person aggrieved" or
13 "party aggrieved" means the "parent or guardian of an affected
14 pupil".

300515 Sec. 4. Notwithstanding the notification date specified in
16 section 1 of this Act, for the school year beginning July 1,
17 1989, the parent or guardian shall notify the district of
18 residence and the department of education not later than
19 thirty days following the effective date of this Act.

20 Sec. 5. This Act, being deemed of immediate importance,
21 takes effect upon enactment.

22 EXPLANATION

23 This bill allows a parent or guardian to send the parent's
24 or guardian's child to school in another school district for a
25 period of not less than four years if a reason exists for
26 enrollment in the other school district rather than in the
27 district of residence. The four-year requirement does not
28 apply if the student will graduate within four years. A
29 provision allowing enrollment in a third school district is
30 included. The tuition cost is paid by the district of
31 residence, but the parent or guardian must provide transpor-
32 tation to a bus route located in the receiving district. A
33 receiving school district must accept the child unless
34 classroom space is not available or acceptance would adversely
35 affect desegregation orders. A student who attends school in

1 a receiving school district cannot participate in
2 interscholastic athletic contests and competitions during
3 their first year of enrollment except for an interscholastic
4 sport in which the district of residence and the receiving
5 school district jointly participate.

6 The bill takes effect upon its enactment so that children
7 can enroll in another school district for the school year
8 beginning July 1, 1989. For the first year, the parent or
9 guardian must notify the school district of residence and the
10 department of education within thirty days after the effective
11 date of the bill; thereafter, the notification must be
12 completed by November 1 of the preceding school year.

13 There is no appeal of notification of the parent to the
14 district of residence or the decision of the receiving
15 district.

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SENATE FILE 59

H-3076

1 Amend Senate File 59 as follows:

2 1. Page 1, lines 5 and 6, by striking the words
3 "each succeeding school year" and inserting the
4 following: "ending June 30, 1990, if both the
5 district of residence and the receiving district agree
6 to participate in open enrollment".

7 2. Page 1, by inserting after line 12, the
8 following:

9 "For the school year commencing July 1, 1990, and
10 ending June 30, 1991, school districts with certified
11 enrollments of less than one thousand pupils are not
12 required to send and receive pupils under this
13 section. For the school year commencing July 1, 1991,
14 and for succeeding years, all school districts shall
15 be required to send and receive pupils under this
16 section."

17 3. Page 2, by inserting after line 32, the
18 following:

19 "Any district which agrees to participate in open
20 enrollment under this section shall not deny a
21 parent's or guardian's request to transfer a pupil to
22 or from the district if the district has either sent
23 or received pupils under this section, except where
24 there is insufficient class space or an adverse effect
25 on a desegregation order or plan."

By BEVERLY HANNON

-3076 FILED JANUARY 30, 1989

SENATE FILE 59

S-3006

- 1 Amend Senate File 59 as follows:
- 2 1. Page 2, by striking lines 13 through 16 and
- 3 inserting the following: "pay to the receiving
- 4 district the state foundation aid paid to the district
- 5 of residence under chapter 442 for the pupil for that
- 6 school".

By JOHN W. JENSEN

S-3006 FILED JANUARY 23, 1989

w/10 1/24/89 (p 174)

SENATE FILE 59

S-3007

- 1 Amend Senate File 59 as follows:
- 2 1. Page 2, by striking lines 26 through 32 and
- 3 inserting the following:
- 4 "A student's participation in interscholastic
- 5 athletic contests, athletic competitions or any
- 6 organized practice sessions shall be governed by rules
- 7 adopted under section 280.13 by the state board of
- 8 education which relate to participation in
- 9 interscholastic contests and competitions."

By JIM LIND

S-3007 FILED JANUARY 23, 1989

Same 1/24 (p 174)

SENATE FILE 59

S-3008

- 1 Amend Senate File 59 as follows:
- 2 1. Page 1, line 32, by striking the word "four"
- 3 and inserting the following: "two".
- 4 2. Page 1, line 34, by striking the word "four-
- 5 year" and inserting the following: "two-year".
- 6 3. Page 2, line 2, by striking the word "four-
- 7 year" and inserting the following: "two-year".
- 8 4. Page 2, line 10, by striking the word "four-
- 9 year" and inserting the following: "two-year".

By WALLY HORN

S-3008 FILED JANUARY 23, 1989

Same 1/24 (p 173)

SENATE FILE 59

S-3009

- 1 Amend amendment, S-3005, to Senate File 59 as
- 2 follows:
- 3 1. Page 1, line 7, by striking the word "ten" and
- 4 inserting the following: "five".
- 5 2. Page 1, line 17, by striking the word "ten"
- 6 and inserting the following: "five".

By RICHARD DRAKE
LEONARD BOSWELL

S-3009 FILED JANUARY 23, 1989

Adopted 1/24 (p 167)

SENATE FILE 59

S-3005

1 Amend Senate File 59 as follows:

2 1. Page 1, by striking lines 9 through 12 and
3 inserting the following: "provided in this section."

4 2. Page 1, line 23, by inserting after the word

5 "receipt" the following: "unless the board of the

6 district of residence determines that transmission of

30077 the request will result in a loss of greater than ten

8 percent of the district's certified enrollment for

9 that year. If, however, a failure to transmit a

10 request will result in enrollment of students from the

11 same nuclear family in different school districts,

12 the request shall be transmitted to the receiving

13 district for enrollment. The board of each school

14 district shall adopt a policy relating to the order in

15 which requests for enrollment in other districts shall

16 be considered. Requests for enrollment in another

30077 17 district which are denied, because of the ten percent

18 limitation on enrollment loss, shall be given priority

19 over new requests in the next succeeding school

20 years".

21 3. Page 1, by striking lines 27 through 30 and

22 inserting the following: "pupil. In all districts

23 involved with volunteer or court-ordered

24 desegregation, minority and nonminority student ratios

25 shall be maintained according to the desegregation

26 plan or order. The superintendent of a district

27 subject to volunteer or court-ordered desegregation

28 may deny a request for transfer under this section if

29 the superintendent finds that enrollment or release of

30 a pupil will adversely affect the superintendent's

31 district's compliance with the desegregation order or

32 plan. A parent or guardian, whose request has been

33 denied because of a desegregation order or plan, may

34 appeal the decision of the superintendent to the board

35 of the district in which the request was denied. The

36 board may either uphold or overturn the

37 superintendent's decision. A decision of the board to

38 uphold the denial of the request is subject to appeal

39 under section 290.1."

40 3. Page 2, line 9, by striking the word "the" and

41 inserting the word "a".

42 4. Page 3, line 4, by striking the line, and

43 inserting the following: "or a decision or order of a

44 board of directors under section".

45 5. Page 3, line 5, by inserting after the numbers

46 "280-16" the numbers "282.18".

47 6. Page 3, by striking lines 15 through 19.

48 7. By renumbering as needed.

By COMMITTEE ON EDUCATION

Larry Murphy, Chairperson

S-3005 FILED JANUARY 19, 1989

Adopted as amended by 30077 (24/1/89)

SENATE FILE 59

3014

Amend Senate File 59 as follows:

1. By striking everything after the enacting clause and inserting the following:

"Section 1. Section 282.18, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

282.18 OPEN ENROLLMENT

For the school year beginning July 1, 1990, a parent or guardian residing in a school district may enroll the parent's or guardian's child in a public school in another school district. The state board of education shall adopt rules to administer this section. The rules shall include, but not be limited to the following: procedures and timelines for notification of school districts affected by a child's transfer, designation of responsibility for transporting the student to and from school, and any exceptions to a parent's or guardian's option to enroll a child in a school district under this section. Exceptions to a parent's or guardian's option under this section may relate to voluntary or court-ordered desegregation plans, limited space in school facilities, staffing limitations, or rules under section 280.13 which relate to participation in interscholastic contests and competitions."

2. Title, by striking lines 1 through 4 and inserting the following: "An Act to permit parents or guardians to enroll their children in the public schools of school districts other than the district of residence."

By JOY CORNING

S-3014 FILED JANUARY 23, 1989

LOST (p. 158)

SENATE FILE 59

S-3010

1 Amend Senate File 59 as follows:

2 1. Page 1, line 32, by striking the word "four"
3 and inserting the following: "one".4 2. Page 1, line 34, by striking the word "four-
5 year" and inserting the following: "one-year".6 3. Page 2, line 2, by striking the word "four-
7 year" and inserting the following: "one-year".8 4. Page 2, line 10, by striking the word "four-
9 year" and inserting the following: "one-year".

By RAY TAYLOR

S-3010 FILED JANUARY 23, 1989

Placed 1/24 (p. 173)

SENATE FILE 59

S-3011

1 Amend Senate File 59 as follows:

2 1. Page 1, line 13, by striking the word "Not"
3 and inserting the following: "By September 15 of the
4 preceding school year the parent or guardian shall
5 informally notify the district of residence, and not".

By JOHN KIBBIE

S-3011 FILED JANUARY 23, 1989

Adopted 1/24 (p. 171)

SENATE FILE 59

S-3012

1 Amend Senate File 59 as follows:

2 1. Page 1, line 19, by inserting after the word "the" the
3 following: "academic".

By CALVIN O. HULTMAN

S-3012 FILED JANUARY 23, 1989

Adopted 1/24 (p. 172)

SENATE FILE 59

S-3013

1 Amend Senate File 59 as follows:

2 1. Page 2, by striking lines 12 through 17 and
3 inserting the following:4 "The board of directors of the district of resi-
5 dence shall send notification to the department of
6 management of the names of its resident pupils using
7 this section and the names of the districts in which
8 the pupils will be enrolled.9 The department of management shall subtract from
10 its state foundation aid payments to the district of
11 residence under chapter 442, an amount equal to the
12 state foundation aid generated under chapter 442 for
13 each pupil in the receiving district using this
14 section and shall include that amount in the state aid
15 payment to the receiving school".

By JOHN W. JENSEN

S-3013 FILED JANUARY 23, 1989

Placed 1/24 (p. 175)

SENATE FILE 59

S-3015

Amend Senate File 59 as follows:

1. Page 1, lines 5 and 6, by striking the words
 3 "1989, and each succeeding school year" and inserting
 4 the following: "1990, and ending June 30, 1991, if
 5 both the district of residence and the receiving
 6 district agree to participate in open enrollment".

2. Page 1, by inserting after line 12, the
 8 following:

9 "For the school year commencing July 1, 1991, and
 10 in succeeding years, all districts shall participate
 11 in open enrollment under this section."

3. Page 2, by inserting after line 32, the
 13 following:

14 Sec. ____ . DEPARTMENT OF EDUCATION PROGRESS
 15 REPORT. The department of education shall conduct a
 16 study of the progress and implementation of open
 17 enrollment throughout the state. The study shall
 18 include a demographic study of the use of the open
 19 enrollment option. The department shall report its
 20 findings and any recommendations to the chairpersons
 21 and ranking members of the house and senate education
 22 committees of the general assembly which convenes in
 23 January 1992."

4. By renumbering as necessary.

By MAGGIE TINSMAN

3015 FILED JANUARY 23, 1989

Adopted, H. Res. 1/24 (p. 170)

SENATE FILE 59

S-3016

Amend Senate File 59 as follows:

1. Page 1, lines 5 and 6, by striking the words
 3 "each succeeding school year" and inserting the
 4 following: "ending June 30, 1990, if both the
 5 district of residence and the receiving district agree
 6 to participate in open enrollment".

2. Page 1, by inserting after line 12, the
 8 following:

9 "For the school year commencing July 1, 1990, and
 10 ending June 30, 1991, school districts with certified
 11 enrollments of less than one thousand pupils are not
 12 required to send and receive pupils under this
 13 section. For the school year commencing July 1, 1991,
 14 and for succeeding years, all school districts shall
 15 be required to send and receive pupils under this
 16 section."

3. Page 2, by inserting after line 32, the
 18 following:

19 "Any district which agrees to participate in open
 20 enrollment under this section shall not deny a
 21 parent's or guardian's request to transfer a pupil to
 22 or from the district if the district has either sent
 23 or received pupils under this section, except where
 24 there is insufficient class space or an adverse effect
 25 on a desegregation order or plan."

By BEVERLY HANNON

S-3016 FILED JANUARY 23, 1989

1989 REGULAR SESSION

DAILY

SENATE CLIP SHEET

JANUARY 26, 1989

SENATE FILE 59

S-3022

1 Amend Senate File 59 as follows:

2 1. Page 1, line 6, by inserting after the word
3 "guardian" the following: "of a child in grades seven
4 through twelve".

By JOHN W. JENSEN

S-3022 FILED JANUARY 25, 1989

SENATE FILE 59

S-3018

1 Amend Senate File 59 as follows:
2 1. Page 2, by inserting after line 32 the
3 following:
4 "A student who transfers from one district to
5 another under this section shall meet the graduation
6 requirements of the district that has the highest
7 graduation requirements, as compared to the graduation
8 requirements of the other district in which the
9 student is or has been enrolled."

By LINN FUHRMAN

S-3018 FILED JANUARY 24, 1989

LOST (p. 174)

SENATE FILE 59

S-3019

1 Amend Senate File 59 as follows:
2 1. Page 2, by inserting after line 32, the
3 following:
4 "Notwithstanding contrary provisions of this
5 section, if a parent or guardian submits a request at
6 any time, to the board of the district in which the
7 child is attending school, that the child be permitted
8 to enroll and participate in no more than two
9 extracurricular activities in another district the
10 child shall be permitted to participate in those
11 activities. The parent or guardian shall be
12 responsible for notifying the instructor or
13 supervising school officer in charge of the
14 extracurricular activities in the other district. The
15 school district sponsoring or in charge of the
16 activities shall accept the child for purposes of
17 participating in those activities."

By LINN FUHRMAN

S-3019 FILED JANUARY 24, 1989

LOST (p. 174)

SENATE FILE 59

S-3020

1 Amend amendment S-3017 to Senate File 59 as
2 follows:
3 1. Page 1, line 7, by inserting after the word
4 "subdivision." the following: "A school district that
5 is contained within a second school district shall be
6 considered contiguous to the districts adjoining the
7 second district."

By MARK R. HAGERLA

S-3020 FILED JANUARY 24, 1989

ADOPTED 1/24 (p. 171)

S-3017

1 Amend Senate File 59 as follows:

DIV. A- 2 1. Page 1, line 18, by striking the words
LOST 3 "another school district." and inserting the
1/24/89 4 following: "a contiguous district or school that is
(p. 172) 5 no further than the most distant county seat of a
30207 6 county in which the district of residence is a
political subdivision."

DIV. B- 8 2. Page 1, by striking lines 19 and 20 and
WITHDRAWN 9 inserting the following: "guardian shall describe the
(p. 172) 10 academic or distance reasons which exist for
11 enrollment in the receiving district that are not
12 present in the district".

DIV. C- 13 3. Page 1, line 21, by inserting after the word
WITHDRAWN 14 "residence." the following: "A parent or guardian may
(p. 172) 15 also enroll the parent's or guardian's child in a
16 public school in another school district if the child
17 lives more than fifteen miles from the school in the
18 district of residence and the receiving school is less
19 than forty percent of the distance from the child's
20 home and the school in the district of residence."

1/24 (p. 172) 21 4. Page 1, line 32, by striking the word
DIV. D- 22 "graduate" and inserting the following: "graduate,
ADOPTED 23 the pupil's family moves to another school district,".

24 5. Page 2, by inserting after line 25, the fol-
DIV. E- 25 lowing:
ADOPTED 26 "Every school district shall adopt a policy which
1/24 (p. 172) 27 defines the term "insufficient classroom space" for
28 that district."

29 6. Page 2, by striking lines 26 through 32.

DIV. F - 30 7. Page 2, by inserting before line 33, the fol-
LOST 31 lowing:
1/24 (p. 172) 32 "A student who attends school in a school district
33 other than the district of residence shall not
34 participate in interscholastic athletic contests,
35 athletic competitions, organized practice sessions, or
36 extracurricular activities if the student was not
37 permitted to participate in those events in the
38 district of residence for disciplinary reasons. For
39 purposes of this section, a student's ineligibility is
40 limited to those events and time periods specified in
41 the district of residence's disciplinary action
42 against the student."

By LINN FUHRMAN

S-3017 FILED JANUARY 24, 1989

SENATE FILE 59

S-3021

1 Amend amendment S-3008 to Senate File 59 as
2 follows:

3 1. Page 1, line 3, by striking the word "two" and
4 inserting the following: "one".

5 2. Page 1, line 5, by striking the word "two-
6 year" and inserting the following: "one-year".

7 3. Page 1, line 7, by striking the word "two-
8 year" and inserting the following: "one-year".

9 4. Page 1, line 9, by striking the word "two-
10 year" and inserting the following: "one-year".

By RAY TAYLOR

S-3021 FILED JANUARY 24, 1989

LOST (p. 172)

1 Section 1. Section 282.18, Code 1989, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

3209,
3205, 3208,
3197, 3205-
3180, 3206

4 282.18 OPEN ENROLLMENT.

5 For the school year commencing July 1, 1989, and each
6 succeeding school year, a parent or guardian residing in a
7 school district may enroll the parent's or guardian's child in
8 a public school in another school district in the manner
9 provided in this section.

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3211, 3207-
3157,

10 By September 15 of the preceding school year the parent or
11 guardian shall informally notify the district of residence,
12 and not later than November 1 of the preceding school year,
13 the parent or guardian shall send notification to the district
14 of residence and to the department of education on forms
15 prescribed by the department of education that the parent or
16 guardian intends to enroll the parent's or guardian's child in
17 a public school in another school district. The parent or
18 guardian shall describe the academic reason that exists for
19 enrollment in the receiving district that is not present in
20 the district of residence. The board of the district of
21 residence shall transmit a copy of the form to the receiving
22 school district within five days after its receipt unless the
23 board of the district of residence determines that
24 transmission of the request will result in a loss of greater
25 than five percent of the district's certified enrollment for
26 that year. If, however, a failure to transmit a request will
27 result in enrollment of students from the same nuclear family
28 in different school districts, the request shall be
29 transmitted to the receiving district for enrollment. The
30 board of each school district shall adopt a policy relating to
31 the order in which requests for enrollment in other districts
32 shall be considered. Requests for enrollment in another
33 district which are denied, because of the five percent
34 limitation on enrollment loss, shall be given priority over
35 new requests in the next succeeding school years. The board

1 of the receiving school district shall enroll the pupil in a
2 school in the receiving district for the following school year
3 unless the receiving district does not have classroom space
4 for the pupil. In all districts involved with volunteer or
5 court-ordered desegregation, minority and nonminority student
6 ratios shall be maintained according to the desegregation plan
7 or order. The superintendent of a district subject to
8 volunteer or court-ordered desegregation may deny a request
9 for transfer under this section if the superintendent finds
10 that enrollment or release of a pupil will adversely affect
11 the superintendent's district's compliance with the
12 desegregation order or plan. A parent or guardian, whose
13 request has been denied because of a desegregation order or
14 plan, may appeal the decision of the superintendent to the
15 board of the district in which the request was denied. The
16 board may either uphold or overturn the superintendent's
17 decision. A decision of the board to uphold the denial of the
18 request is subject to appeal under section 290.1.

240, 326-19

19 A request under this section is for a period of not less
20 than four years unless the pupil will graduate, the pupil's
21 family moves to another school district, or the parent or
22 guardian petitions the receiving district for permission to
23 enroll the child in a different district within the four-year
24 period. If the parent or guardian requests permission of the
25 receiving district to enroll the child in a different district
26 within the four-year period, the receiving district school
27 board may transmit a copy of the request to the other school
28 district within five days of the receipt of the request. The
29 new receiving district shall enroll the pupil in a school in
30 the district unless there is insufficient classroom space in
31 the district or unless enrollment of the pupil would adversely
32 affect court ordered or voluntary desegregation orders
33 affecting a district. A denial of a request to change
34 district enrollment within the four-year period shall be
35 subject to appeal under section 290.1.

3157,
3184, 3180-1 The board of directors of the district of residence shall
2 pay to the receiving district the lower district cost per
3 pupil of the two districts, plus any moneys received for the
4 pupil as a result of special education or non-English speaking
5 weighting under section 442.4, subsection 6, for that school
3206 6 year. Quarterly payments shall be made to the receiving
7 district. Notwithstanding section 285.1 relating to
8 transportation of nonresident pupils, the parent or guardian
9 is responsible for transporting the pupil without
10 reimbursement to and from a point on a regular school bus
3216,
3214, 3208-11 route of the receiving district.

3157-12 Neither the notification of the parent to the district of
13 residence nor the decision of the receiving district is
14 subject to appeal.

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3157-15 Every school district shall adopt a policy which defines
16 the term "insufficient classroom space" for that district.

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3202, 3180-17 A student who attends school in a school district other
3157, 18 than the district of residence is not eligible to participate
19 in interscholastic athletic contests and athletic competitions
3198-20 or any organized practice sessions during the first year of
21 enrollment under this section except for an interscholastic
22 sport in which the district of residence and the other school
23 district jointly participate.

3208, 3199-
3180, 3076-
3157 3157-24 Sec. 2. DEPARTMENT OF EDUCATION PROGRESS REPORT. The
25 department of education shall conduct a study of the progress
26 and implementation of open enrollment throughout the state.
27 The study shall include a demographic study of the use of the
28 open enrollment option. The department shall report its
29 findings and any recommendations to the chairpersons and
30 ranking members of the house and senate education committees
31 of the general assembly which convenes in January 1992.

3157-32 Sec. 3. Section 280.16, Code 1989, is repealed.

33 Sec. 4. Section 290.1, Code 1989, is amended to read as
34 follows:

35 290.1 APPEAL TO STATE BOARD.

3152
31801

1 A person aggrieved by a decision or order of the board of
2 directors of a school corporation in a matter of law or fact,
3 or a decision or order of a board of directors under section
4 ~~280-16~~ 282.18 may, within thirty days after the rendition of
5 the decision or the making of the order, appeal the decision
6 or order to the state board of education; the basis of the
7 proceedings shall be an affidavit filed with the state board
8 by the party aggrieved within the time for taking the appeal,
9 which affidavit shall set forth any error complained of in a
10 plain and concise manner.

11 For purposes of section 282.11, a "person aggrieved" or
12 "party aggrieved" means the "parent or guardian of an affected
13 pupil".

* 14 Sec. 5. This Act, being deemed of immediate importance,
15 takes effect upon enactment.

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SENATE FILE 59

-3180

Amend Senate File 59, as amended, passed, and
reprinted by the Senate, as follows:

32173 1. Page 1, line 18, by striking the word
3228 3244 "academic".

328 3182 5 2. Page 1, by striking lines 22 through 35, and
6 inserting the following: "school district within five
7 days after its receipt. The board".

8 3. Page 2, line 11, by striking the word
3247 9 "superintendent's".

10 4. Page 2, line 11, by striking the words
div A 11 "compliance with" and inserting the following:
12 "implementation of".

13 5. Page 2, line 12, by inserting after the word
14 "plan." the following: "If, however, a transfer
15 request would facilitate a voluntary or court-ordered
16 desegregation plan, the district shall give priority
17 to granting the request over other requests."

3208 18 6. Page 3, line 3, by inserting after the word
3255 3242 19 "districts," the following: "or the lowest rate
div B 20 negotiated by either district which is included in any
21 whole-grade sharing agreements negotiated by that
22 district pursuant to chapter 282,".

3234 23 7. Page 3, line 5, by striking the word "that"
3241 24 and inserting the following: "each".

25 8. Page 3, line 6, by inserting after the word
26 "year." the following: "The district of residence
27 shall also transmit the phase III moneys allocated to
28 the district for the full-time equivalent attendance
29 of the pupil, who is the subject of the request, to
30 the receiving district specified in the request for
31 transfer."

3228 32 9. Page 3, line 7, by inserting after the word
33 "district." the following: "If the transfer of a
34 pupil from one district to another results in a
35 transfer from one area education agency to another,
36 the sending district shall forward a copy of the
37 request to the sending district's area education
div A 38 agency. The receiving district shall forward a copy
39 of the request to the receiving district's area
40 education agency. Any moneys received by the area
41 education agency of the sending district for the child
42 who is the subject of the request shall be forwarded
3221 43 to the receiving district's area education agency."

44 10. Page 3, by striking lines 12 through 14.

45 11. Page 3, by inserting before line 15 the
46 following:

3266 47 "A child, whose parent or guardian has submitted a
48 request to enroll the child in a public school in
49 another district, shall, if the request has resulted
50 in the enrollment of the child in the other district,

H-3180

division A

Page 2

1 attend school in the other district which is the
2 subject of the request. This requirement shall not
3 apply, however, if the child's family moves out of the
4 district of residence."

5 12. Page 3, by inserting after line 16 the fol-
6 lowing:

7 "The board of directors of a school district
8 subject to volunteer or court-ordered desegregation
9 may vote not to participate in open enrollment under
10 this section during the school year commencing July 1,
11 1990, and ending June 30, 1991. If a district chooses
12 not to participate in open enrollment under this
13 paragraph, the district shall develop a policy for
14 implementation of open enrollment in the district for
15 that following school year. The policy shall contain
16 objective criteria for determining when a request
17 would adversely impact the desegregation order or plan
18 and criteria for prioritizing requests that do not
19 have an adverse impact on the order or plan."

*3210, 3224
3235, 322720*

20 13. Page 3, line 20, by striking the words "or
21 any organized practice sessions".

3226, 32222

22 14. Page 3, line 23, by inserting after the word
23 "participate." the following: "However, a pupil who
24 has paid tuition and attended school, or has attended
25 school pursuant to a mutual agreement between the two
26 districts, in a district other than the pupil's
27 district of residence for at least one school year
28 prior to the effective date of this Act, shall be
29 eligible to participate in interscholastic athletic
30 contests and athletic competitions under this section,
31 but only as a member of a team from the district that
32 student had attended."

3225

33 15. Page 3, by inserting after line 23 the
34 following:

3226, 32235

35 "A student who has been paying tuition and
36 attending school in a district other than the
37 student's district of residence shall not be required
38 to file a request to attend school in that other
39 district during the first school year after the
40 effective date of this Act until August 1 of that
41 year.

*3226,
3223*

42 If a child, for which a request to transfer has
43 been filed with the district of residence, has been
44 suspended or expelled in the district of residence,
45 the receiving district named in the request may refuse
46 the request to transfer until the child has been
47 reinstated in the district of residence.

48 A laboratory school under chapter 265 shall be
49 exempt from the provisions of this section.

50 The director of the department of education shall

division A

1 recommend rules to the state board of education for
2 the orderly implementation of this section. The state
3 board shall adopt rules as needed for the
4 implementation of this section."

5 16. Page 3, by striking lines 24 through 31 and
6 inserting the following:

7 "Sec. ____ . THREE-YEAR REPORT ON OPEN ENROLLMENT.

8 The department of education shall conduct a three-year
9 study of the implementation of open enrollment in the
10 state. The study shall include, but not be limited
11 to, a comparison of graduation rates before and after
12 the effective date of this Act; a demographic study of
13 the use of the open enrollment option relating to the
14 number of students using the open enrollment option,
15 the effect of open enrollment on staffing patterns and
16 curricular offerings, the effect of open enrollment on
305-17 district ability to comply with desegregation orders
18 or plans and minimum school standards, and the effect
19 of open enrollment on the actual student populations
20 within affected districts; the effect of open
21 enrollment on student participation in interscholastic
22 athletics; and the average number of school days
23 missed by open enrollment participants. The data
24 collected, together with any conclusions, shall be
25 submitted in annual reports to the general assembly
26 until and including the general assembly which meets
in 1993."

17. Page 3, line 32, by inserting after the word
27 "repealed" the following: "effective July 1, 1990".

30 18. Page 4, line 2, by striking the word "fact"
31 and inserting the following: "fact,".

By COMMITTEE ON EDUCATION
OLLIE of Clinton, Chairperson

H-3180 FILED FEBRUARY 21, 1989

H-3180 division A - Adopted 2-28-89 (p. 590)
H-3180B Lost - 2-28-89 (p. 590)

SENATE FILE 59

H-3184

1 Amend Senate File 59 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 1 through 6 and
4 inserting the following:

5 "The board of directors of the district of
6 residence shall pay to the receiving school district
7 an amount which is equal to the lesser of the state
8 aid portion of the resident district's cost per pupil
9 or the state aid portion of the receiving district's
3220-10 cost per pupil. For the purpose of this section,
11 "state aid portion of a district's cost per pupil" is
12 the state foundation aid for the budget year received
13 by the district under section 442.26 for regular
14 program costs divided by the district's basic
15 enrollment for the budget year. Quarterly payments
16 shall be made to the receiving".

By MAULSBY of Calhoun

H-3184 FILED FEBRUARY 22, 1989

withdrawn 2-28-89 (p. 592)

SENATE FILE 59

H-3197

- 1 Amend Senate File 59, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, line 6, by striking the words "in a"
- 4 and inserting the following: "in an Iowa".
- 5 2. Page 1, line 8, by inserting after the word
- 6 "another" the following: "Iowa".

By DE GROOT of Lyon

H-3197 FILED FEBRUARY 23, 1989

lost 2-28-89 (p.590)

SENATE FILE 59

H-3198

- 1 Amend Senate File 59, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 3, line 20, by striking the word "year"
- 4 and inserting the following: "semester".

By EDDIE of Buena Vista

H-3198 FILED FEBRUARY 23, 1989

lost 2-28-89 (p.595)

SENATE FILE 59

H-3199

- 1 Amend Senate File 59 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 23, by inserting after the word
- 4 "participate" the following: "or unless the sport in
- 5 which the student wishes to participate is not offered
- 6 in the district of residence".

By SIEGRIST of Pottawattamie
CORBETT of Linn

H-3199 FILED FEBRUARY 23, 1989

Adopted 2-28-89 (p.595)

SENATE FILE 59

H-3200

- 1 Amend the amendment, H-3180, to Senate File 59, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking lines 22 through 32.
- 5 2. By renumbering as necessary.

By CORBETT of Linn

SIEGRIST of Pottawattamie

H-3200 FILED FEBRUARY 23, 1989

withdrawn 2-28-89 (p.594)

SENATE FILE 59

H-3201

- 1 Amend Senate File 59, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, line 5, by inserting after the figure
- 4 "1989," the following: "in districts with a certified
- 5 enrollment of more than one thousand pupils,".
- 6 2. Page 1, line 5, by inserting after the word
- 7 "and" the following: "in all school districts
- 8 during".

By DAGGETT of Adams

H-3201 FILED FEBRUARY 23, 1989

(lost 2-28-89 (p. 587))

SENATE FILE 59

H-3202

- 1 Amend Senate File 59, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 3, by striking lines 17 through 23.

By CORBETT of Linn

SIEGRIST of Pottawattamie

H-3202 FILED FEBRUARY 23, 1989

Out of Order 2-28-89 (p. 595)

SENATE FILE 59

H-3203

- 1 Amend Senate File 59, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 *22473* 1. Page 3, line 11, by inserting after the word
- 4 "district" the following: ", unless the child meets
- 5 the economic eligibility requirements, established
- 6 under the federal National School Lunch and Child
- 7 Nutrition Acts, 42 U.S.C. § 1751-1785, for free or
- 8 reduced price lunches. If the child meets those
- 9 requirements, the sending district shall be
- 10 responsible for providing transportation or paying the
- 11 pro rata cost of the transportation to a parent or
- 12 guardian for transporting the child to and from a
- 13 point on a regular school bus route of the receiving
- 14 district unless the cost of providing transportation
- 15 or the pro rata cost of the transportation to a parent
- 16 or guardian exceeds the average transportation cost
- 17 per pupil transported for the previous school year in
- 18 the district. If the cost exceeds the average
- 19 transportation cost per pupil transported for the
- 20 previous school year, the sending district shall only
- 21 be responsible for that average per pupil amount. A
- 22 sending district which provides transportation to a
- 23 child under this paragraph may withhold from the
- 24 district cost per pupil amount, that is to be paid to
- 25 the receiving district, an amount which represents the
- 26 average or pro rata cost per pupil for transportation,
- 27 whichever is less".

By SIEGRIST of Pottawattamie

SHOULTZ of Black Hawk

H-3203 FILED FEBRUARY 23, 1989

adopted 2-28-89 (p. 595)

SENATE FILE 59

H-3204

Amend Senate File 59, as amended, passed, and reprinted by the Senate as follows:

1. Page 1, line 8, by striking the word "another" and inserting the following: "a contiguous".
2. Page 1, line 17, by striking the word "another" and inserting the following: "a contiguous".
3. Page 1, line 19, by inserting before the word "receiving" the following: "contiguous".
4. Page 1, line 21, by inserting before the word "receiving" the following: "contiguous".
5. Page 1, line 29, by inserting before the word "receiving" the following: "contiguous".
6. Page 1, line 31, by striking the word "other" and inserting the following: "contiguous".
7. Page 1, line 32, by striking the word "another" and inserting the following: "a contiguous".
8. Page 2, line 1, by inserting before the word "receiving" the following: "contiguous".
9. Page 2, line 22, by inserting before the word "receiving" the following: "contiguous".
10. Page 2, line 23, by inserting after the word "different" the following: "contiguous".
11. Page 2, line 25, by inserting after the word "different" the following: "contiguous".
12. Page 2, line 27, by striking the word "other" and inserting the following: "contiguous".

By GARMAN of Story

H-3204 FILED FEBRUARY 23, 1989

Lost 2-28-89 (p. 591)

SENATE FILE 59

H-3205

Amend Senate File 59, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 5, by inserting after the word "for" the following: "children who are to be enrolled in grades nine through twelve during".

By STROMER of Hancock

H-3205 FILED FEBRUARY 23, 1989

Lost 2-28-89 (p. 587)

SENATE FILE 59

H-3206

1 Amend Senate File 59 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 3, line 6, by inserting after the word
4 "year." the following: "However, if the district of
5 residence has outstanding obligations on school bonds,
6 has entered into a rental or lease arrangement under
7 section 279.26, or has entered into a loan agreement
8 in anticipation of the collection of the schoolhouse
9 tax under section 297.36, only fifty percent of the
10 property tax portion of the district cost per pupil
11 shall be paid to the receiving district for the first
12 three years of the transfer, unless the debt is paid
13 before the end of the three years. If the debt is
14 paid in less than three years from the date of the
15 transfer or if three years pass, from the date of the
16 transfer, without retirement of the district of
17 residence's debt obligation, whichever date is sooner,
18 the full amount of the district cost per pupil shall
3214,3215-19 then be paid to the receiving district."

By MAULSBY of Calhoun

H-3206, FILED FEBRUARY 23, 1989

Withdrawn 2-28-89 (p 592)
SENATE FILE 59

H-3208

1 Amend Senate File 59 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, lines 5 and 6, by striking the words
4 "each succeeding school year" and inserting the
5 following: "ending June 30, 1990, if both the
6 district of residence and the receiving district agree
7 to participate in open enrollment".

8 2. Page 1, by inserting after line 9, the
9 following:

10 "For the school year commencing July 1, 1990, and
11 ending June 30, 1991, school districts with certified
12 enrollments of less than one thousand pupils are not
13 required to send and receive pupils under this
14 section. For the school year commencing July 1, 1991,
15 and for succeeding years, all school districts shall
16 be required to send and receive pupils under this
17 section."

18 3. Page 3, by inserting after line 23, the
19 following:

20 "Any district which agrees to participate in open
21 enrollment under this section shall not deny a
22 parent's or guardian's request to transfer a pupil to
23 or from the district if the district has either sent
24 or received pupils under this section, except where
25 there is insufficient class space or an adverse effect
26 on a desegregation order or plan."

By METCALF of Polk

DE GROOT of Lyon

H-3208 FILED FEBRUARY 23, 1989

Withdrawn 2-28-89 (p 588)

SENATE FILE 59

H-3209

- 1 Amend Senate File 59, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, line 5, by striking the figure "1989"
- 4 and inserting the following: "1990".

By METCALF of Polk
TYRRELL of Iowa
HANSON of Delaware

H-3209 FILED FEBRUARY 23, 1989

Lost 2-28-89 (p.587)

SENATE FILE 59

H-3210

- 1 Amend Senate File 59, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 20, by striking the words
- 4 "graduate, the" and inserting the following:
- 5 "graduate or the".
- 6 2. Page 2, line 21, by striking the words
- 7 "district, or the parent or" and inserting the
- 8 following: "district."
- 9 3. Page 2, by striking lines 22 and 23.
- 10 4. Page 2, line 24, by striking the word
- 11 "period."

By GARMAN of Story

H-3210 FILED FEBRUARY 23, 1989

Lost 2-28-89 (p.591)

SENATE FILE 59

H-3211

- 1 Amend Senate File 59, as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 10 through 12, and
- 4 inserting the following:
- 5 "By September 15 of the preceding school year,".

By GARMAN of Story

H-3211 FILED FEBRUARY 23, 1989

Lost 2-28-89 (p.591)

SENATE FILE 59

H-3212

- 1 Amend the Committee amendment, H-3180, to Senate
- 2 File 59 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, by striking line 31 and inserting the
- 5 following: "transfer. However, if the district of
- 6 residence has outstanding obligations on school bonds,
- 7 has entered into a rental or lease arrangement under
- 8 section 279.26, or has entered into a loan agreement
- 9 in anticipation of the collection of the schoolhouse
- 10 tax under section 297.36, only fifty percent of the
- 11 property tax portion of the district cost per pupil
- 12 shall be paid to the receiving district for the first
- 13 three years of the transfer, unless the debt is paid
- 14 before the end of the three years. If the debt is
- 15 paid in less than three years from the date of the
- 16 transfer or if three years pass, from the date of the
- 17 transfer, without retirement of the district of
- 18 residence's debt obligation, whichever date is sooner,
- 19 the full amount of the district cost per pupil shall
- 20 then be paid to the receiving district."

By MAULSBY of Calhoun

H-3212 FILED FEBRUARY 23, 1989

Adopted 2-28-89 (p.571)

SENATE FILE 59

H-3213

1 Amend the amendment, H-3180, to Senate File 59 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 7 and
5 inserting the following:

6 "_____. Page 1, line 26, by striking the word
7 "that" and inserting the following: "each"."

8 2. By renumbering as necessary.

By OLLIE of Clinton
MILLER of Cherokee

H-3213 FILED FEBRUARY 27, 1989

OUT OF ORDER 2-27-89 (p. 51A)

SENATE FILE 59

H-3214

1 Amend Senate File 59 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 11, by inserting after the word
4 "district." the following: "A parent or guardian
5 whose child transfers to another district under this
6 section shall not be eligible to vote on propositions
7 relating to the issuance of bonds or the levy of a
8 bond tax by the board of directors of the district of
9 residence under chapter 298."

By GARMAN of Story

H-3214 FILED FEBRUARY 27, 1989

Withdrawn 2-28-89 (p. 513)

SENATE FILE 59

H-3215

1 Amend the amendment, H-3206, to Senate File 59, as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, line 19, by inserting after the word
5 "district." the following: "A parent or guardian
6 whose child transfers to another district under this
7 section shall not be eligible to vote on propositions
8 relating to the issuance of bonds or the levy of a
9 bond tax by the board of directors of the district of
10 residence under chapter 298."

By GARMAN of Story

H-3215 FILED FEBRUARY 27, 1989

Out of Order 2-28-89 (p. 511)

SENATE FILE 59

H-3216

1 Amend Senate File 59, as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 3, line 11, by inserting after the word
4 "district." the following: "A parent or guardian
5 whose child transfers to another district under this
6 section shall pay to the receiving district an amount
7 which equals the property tax amount that the parent
8 or guardian would have been assessed, for the purposes
9 of paying the principal of and interest on bonded
10 indebtedness of the receiving school district, if the
11 child's family lived in the receiving district."

By GARMAN of Story

H-3216 FILED FEBRUARY 27, 1989

lost 2-28-89 (p. 514)

SENATE FILE 59

H-3217

- 1 Amend the committee amendment, H-3180, to Senate
- 2 File 59 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, by striking lines 3 and 4.
- 5 2. By renumbering as necessary.

By GARMAN of Story

H-3217 FILED FEBRUARY 27, 1989

LOST 2-27-89 (p. 569)

SENATE FILE 59

H-3218

- 1 Amend the amendment, H-3180, to Senate File 59, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting after line 17, the
- 5 following:
- 6 "____. Page 3, by inserting before line 1, the
- 7 following:
- 8 "A district which receives students under this
- 9 section and also has increases in numbers of resident
- 10 students, as reflected in increases in the district's
- 11 certified enrollment, which results in insufficient
- 12 classroom space within the receiving district, may
- 13 return students to the students' resident districts
- 14 within the four-year period of the students' open
- 15 enrollment requests. Districts shall develop a policy
- 16 relating to the order in which students shall be
- 17 returned under this paragraph. A decision to return a
- 18 student to the student's district of residence under
- 19 this paragraph is subject to appeal under section
- 20 290.1.""
- 21 2. By renumbering as necessary.

By CARPENTER of Polk

H-3218 FILED FEBRUARY 27, 1989

LOST 2-27-89 (p. 571)

SENATE FILE 59

H-3219

- 1 Amend amendment, H-3206, to Senate File 59 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 19, by inserting after the word
- 5 "district." the following: "A parent or guardian
- 6 whose child transfers to another district under this
- 7 section shall pay to the receiving district an amount
- 8 which equals the property tax amount that the parent
- 9 or guardian would have been assessed, for the purposes
- 10 of paying the principal of and interest on bonded
- 11 indebtedness of the receiving school district, if the
- 12 child's family lived in the receiving district."

By GARMAN of Story

H-3219 FILED FEBRUARY 27, 1989

Out of Order 2-28-89 (p. 591)

SENATE FILE 59

H-3220

1 Amend the amendment, H-3184, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 10, by inserting after the word
5 "pupil" the following: ", plus any moneys received
6 for the pupil as a result of special education
7 weighting under section 442.4, subsection 6, for each
8 school year".

By MAULSBY of Calhoun

H-3220 FILED FEBRUARY 27, 1989

Out of Order 2-28-89 (p. 592)

SENATE FILE 59

H-3221

1 Amend the amendment, H-3180, to Senate File 59 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 43, the
5 following:
6 "_____. Page 3, line 11, by inserting after the
7 word "district." the following: "A parent or guardian
8 whose child transfers to another district under this
9 section shall not be eligible to vote on propositions
10 relating to the issuance of bonds or the levy of a
11 bond tax by the board of directors of the district of
12 residence under chapter 298.""

By GARMAN of Story

H-3221 FILED FEBRUARY 27, 1989

Withdrawn 2-28-89 (p. 581)

SENATE FILE 59

H-3222

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by striking lines 37 through 41 and
5 inserting the following: "student's district of
6 residence shall be permitted to attend school in the
7 district where the student has been paying tuition,
8 during the 1989-1990 school year, by filing a request
9 to use the open enrollment option under this section
10 by August 1, 1989."

By SPEAR of Lee

H-3222 FILED FEBRUARY 27, 1989

Adopted 2-28-89 (p. 585)

SENATE FILE 59

H-3223

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 2, by inserting after line 41 the
5 following:
6 "A student, whose district of residence, for the
7 purposes of school attendance, changes during the
8 1989-1990 school year, shall be permitted to attend
9 school during the 1989-1990 school year in the
10 district in which the student attended during the
11 1988-1989 school year if a request to use the open
12 enrollment option under this section is filed by
13 August 1, 1989."

By SPEAR of Lee

H-3223 FILED FEBRUARY 27, 1989

ADOPTED 2-28-89 (p. 585)

SENATE FILE 59

H-3224

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by inserting after line 19 the fol-
5 lowing:

6 " ". Page 3, line 17, by striking the words
7 "attends school" and inserting the following:

8 "attends a grade in grades nine through twelve".

By SPENNER of Henry

H-3224 FILED FEBRUARY 27, 1989

withdrawn 2-28-89 (p. 581)

SENATE FILE 59

H-3225

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 32, by inserting after the word
5 "attended." the following: "A student who has been
6 paying tuition and attending a nonpublic school in a
7 district other than the student's district of
8 residence for at least one school year prior to the
9 effective date of this Act, shall be eligible to
10 participate in interscholastic athletic contests and
11 athletic competitions, if the student transfers to a
12 public school in the district in which the nonpublic
13 school is located by filing a request under this
14 section, but only as a member of the public school
15 team from the district in which the student has
16 attended school."

By FOGARTY of Palo Alto

H-3225 FILED FEBRUARY 27, 1989

lost 2-28-89 (p. 582)

SENATE FILE 59

H-3226

1 Amend amendment, H-3180, to Senate File 59 as
2 amended, passed, and reprinted by the Senate as
3 follows:

- 4 1. Page 1, line 30, by inserting before the word
5 "receiving" the following: "contiguous".
- 6 2. Page 1, line 38, by inserting before the word
7 "receiving" the following: "contiguous".
- 8 3. Page 1, line 39, by inserting before the word
9 "receiving" the following: "contiguous".
- 10 4. Page 1, line 43, by inserting before the word
11 "receiving" the following: "contiguous".
- 12 5. Page 1, line 49, by striking the word
13 "another" and inserting the following: "a
14 contiguous".
- 15 6. Page 1, line 50, by striking the word "other"
16 and inserting the following: "contiguous".
- 17 7. Page 2, line 1, by striking the word "other"
18 and inserting the following: "contiguous".
- 19 8. Page 2, line 26, by inserting after the words
20 "in a" the following: "contiguous".
- 21 9. Page 2, line 31, by inserting after the words
22 "from the" the following: "contiguous".
- 23 10. Page 2, line 36, by inserting before the word
24 "district" the following: "contiguous".
- 25 11. Page 2, line 38, by striking the word "other"
26 and inserting the following: "contiguous".
12. Page 2, line 45, by inserting before the word
"receiving" the following: "contiguous".

By GARMAN of Story

H-3226 FILED FEBRUARY 27, 1989

LOST 2-27-89 (p. 572)

SENATE FILE 59

H-3227

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 2, by striking lines 20 and 21 and
5 inserting the following:
6 " . Page 3, by striking lines 18 through 20 and
7 inserting the following: "than the district of
8 residence and is enrolled in tenth, eleventh, or
9 twelfth grade is not eligible to participate in
10 interscholastic athletic contests and athletic
11 competitions during the first year of".
- 12 2. Page 2, line 23, by inserting after the word
13 "pupil" the following: "enrolled in tenth, eleventh,
14 or twelfth grade".

By SVOBODA of Tama

H-3227 FILED FEBRUARY 27, 1989

LOST 2-28-89 (p. 581)

SENATE FILE 59

H-3228

1 Amend the amendment, H-3180, to Senate File 59 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 7 and
5 inserting the following:

6 "_____. Page 1, line 22, by striking the words
7 "receipt unless the" and inserting the following:
8 "receipt. During the 1990-1991 school year, if the".

9 _____: Page 1, line 26, by striking the word
10 "year." and inserting the following: "year, the board
11 of the district of residence may deny the request for
12 the 1990-1991 school year."

13 _____: Page 1, by striking lines 32 through 35 and
14 inserting the following: "shall be considered. The
15 board".

By OLLIE of Clinton
MILLER of Cherokee

H-3228 FILED FEBRUARY 27, 1989
ADOPTED 2-27-89 (p. 569)

SENATE FILE 59

H-3231

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 31, by inserting after the word
5 "transfer." the following: "In addition, if the
6 receiving district specified in the request for the
7 transfer has approved the use of an additional
8 enrichment amount under section 442.14 and the
9 district of residence has not, the district of resi-
10 dence shall pay to the receiving district an amount
11 for the pupil that is equal to the additional
12 enrichment amount approved divided by the budget
13 enrollment for the budget year of the receiving
14 district."

By HAMMOND of Story
ROSENBERG of Story

H-3231 FILED FEBRUARY 27, 1989
Out of Order 2-28-89 (p. 579)

H-3234

1 Amend the amendment, H-3180, to Senate File 59, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 22 the fol-
 5 lowing:
 6 " . Page 3, line 4, by striking the words
 7 "special education or".
 8 2. Page 1, line 31, by inserting after the word
 9 "transfer." the following: "If a request filed under
 10 this section is for a child requiring special
 11 education under chapter 281, the request to transfer
 12 to the other district shall only be granted if the
 13 receiving district maintains a special education
 14 instructional program which is appropriate to meet the
 15 child's educational needs and the enrollment of the
 16 child in the receiving district's program would not
 17 cause the size of the class in that special education
 18 instructional program in the receiving district to
 19 exceed the maximum class size in rules adopted by the
 20 state board of education for that program. For pupils
 21 requiring special education, the board of directors of
 22 the district of residence shall pay to the receiving
 23 district the actual costs incurred in providing the
 24 appropriate special education."

By OLLIE of Clinton

H-3234 FILED FEBRUARY 27, 1989

ADOPTED 2-27-89 (p 571)

H-3235

1 Amend Senate File 59, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by striking lines 20 through 24, and
 4 inserting the following: "than the length of time of
 5 any sharing agreement entered into by the receiving
 6 district. If the receiving district has not entered
 7 into any sharing agreements, the request is for a
 8 period of not less than the length of time of any
 9 collective bargaining agreement entered into by the
 10 receiving district. If the receiving district has not
 11 entered into any collective bargaining agreements, the
 12 request is for a period of not less than one year. A
 13 pupil who graduates or whose family moves to another
 14 school district is not required to attend the district
 15 specified in the request. A parent or guardian may
 16 petition the receiving district for permission to
 17 enroll the pupil in a different district within the
 18 period of the request. If the parent or guardian
 19 requests permission of the".
 20 2. Page 2, line 26, by striking the words "four-
 21 year period" and inserting the following: "period of
 22 the request".
 23 3. Page 2, line 34, by striking the words "four-
 24 year period" and inserting the following: "period of
 25 the request".

By SWARTZ of Marshall

H-3235 FILED FEBRUARY 27, 1989

lost 2-28-89 (p 591)

SENATE FILE 59

H-3192

1 Amend amendment, H-3180, to Senate File 59 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 7.

5 2. By renumbering as necessary.

By MILLER of Cherokee

H-3192

FILED FEBRUARY 22, 1989

Newhauser of Johnson

Out of Order 2-27-89 (p.569)

2-23-89 (p.548)

SENATE FILE 59

H-3239

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, by inserting after line 31, the
5 following:

6 "____. Page 4, by striking lines 14 and 15 and
7 inserting the following:

3268 "Sec. ____ This Act shall not take effect until
9 rules have been adopted by the state board of
10 education under chapter 17A and the administrative
11 rules review committee finds no objection to the
12 rules.""

By MAULSBY of Calhoun

H-3239 FILED FEBRUARY 27, 1989

lost 2-28-89 (p. 586)

SENATE FILE 59

H-3240

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by striking lines 20 through 32 and
5 inserting the following:

6 "____. Page 3, by striking lines 17 through 23."

7 2. By renumbering as necessary.

By CORBETT of Linn

SIEGRIST of Pottawattamie

H-3240 FILED FEBRUARY 27, 1989

lost 2-28-89 (p. 583)

SENATE FILE 59

H-3242

1 Amend Senate File 59, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 11, by inserting after the word
32624 "district" the following: "and the receiving district
5 shall not send school vehicles into the district of
6 residence of the pupil using the open enrollment
7 option under this section, for the purpose of
8 transporting the pupil to and from school in the
9 receiving district".

By BENNETT of Ida

H-3242 FILED FEBRUARY 27, 1989

adopted 2-28-89 (p. 594) motion to Reconsider
adopted as amended 2-28-89 (p. 595)

SENATE FILE 59

H-3244

1 Amend Senate File 59 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, lines 5 and 6, by striking the words
4 "each succeeding school year" and inserting the
5 following: "ending June 30, 1991, if both the
6 district of residence and the receiving district agree
7 to participate in open enrollment".

8 2. Page 1, by inserting after line 9, the
9 following:

10 "For the school year commencing July 1, 1991, and
11 ending June 30, 1992, school districts with certified
12 enrollments of less than one thousand pupils are not
13 required to send and receive pupils under this
14 section. For the school year commencing July 1, 1992,
15 and for succeeding years, all school districts shall
16 be required to send and receive pupils under this
17 section."

18 3. Page 3, by inserting after line 23, the
19 following:

20 "Any district which agrees to participate in open
21 enrollment under this section shall not deny a
22 parent's or guardian's request to transfer a pupil to
23 or from the district if the district has either sent
24 or received pupils under this section, except where
25 there is insufficient class space or an adverse effect
26 on a desegregation order or plan."

By METCALF of Polk

H-3244 FILED FEBRUARY 27, 1989

lost 2-28-89 (p 588)

SENATE FILE 59

H-3245

1 Amend Senate File 59, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 17, by striking the words
4 "attends school" and inserting the following:
5 "attends a grade in grades nine through twelve".

By SPENNER of Henry

H-3245 FILED FEBRUARY 27, 1989

Adopted 2-28-89 (p 595)

SENATE FILE 59

H-3246

1 Amend the amendment, H-3180, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 18 through 31 and
5 inserting the following:

6 "____. Page 3, by striking lines 1 through 6 and
7 inserting the following:

8 "The board of directors of the district of resi-
9 dence shall pay to the receiving school district an
10 amount which is equal to seventy-five percent of the
11 resident district's cost per pupil. Quarterly
12 payments shall be made to the receiving".

By STROMER of Hancock

H-3246 FILED FEBRUARY 28, 1989

LOST 2-28-89 (p. 581)

SENATE FILE 59

H-3247

1 Amend amendment, H-3203, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 13, by striking the word "the"
5 and inserting the following: "a contiguous".

6 2. Page 1, line 22, by striking the word "to" and
7 inserting the following: "for".

8 3. Page 1, line 23, by inserting after the word
9 "child" the following: "to a contiguous receiving
10 district".

By SIEGRIST of Pottawattamie

H-3247 FILED FEBRUARY 28, 1989

ADOPTED 2-28-89 (p. 593)

SENATE FILE 59

H-3252

1 Amend the amendment, H-3180, to Senate File 59, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by inserting after line 21, the
 5 following:
 6 "____. Page 3, line 20, by inserting before the
 7 word "during" the following: "or extracurricular
 8 activities".
 9 _____. Page 3, line 22, by inserting after the word
 10 "sport" the following: "or extracurricular
 11 activity"."

By EDDIE of Buena Vista
 HERMANN of Scott

H-3252 FILED FEBRUARY 28, 1989

LOST 2-28-89 (p 584)

SENATE FILE 59

H-3255

1 Amend the amendment, H-3180, to Senate File 59, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 18 through 22 and
 5 inserting the following:
 6 "____. Page 3, by striking lines 2 and 3 and
 7 inserting the following: "pay to the receiving
 8 district during the first year of enrollment sixty
 9 percent of the district cost per pupil of the sending
 10 district, during the second year of enrollment eighty
 11 percent of the district cost per pupil of the sending
 12 district, and during the third and succeeding years of
 13 enrollment the district cost per pupil of the sending
 14 district, plus any moneys received for the"."

By STROMER of Hancock

H-3255 FILED FEBRUARY 28, 1989

ADOPTED, THEN RECONSIDERED AND WITHDRAWN-2-28-89 (p. 588)
2-28-89 (p 586)

SENATE FILE 59

H-3256

1 Amend the amendment, H-3239, to Senate File 59, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 10 through 12 and
 5 inserting the following: "education under chapter
 6 17A.""

By MAULSBY of Calhoun

H-3256 FILED FEBRUARY 28, 1989

ADOPTED BY UNANIMOUS CONSENT 2-28-89 (p 585)

SENATE FILE 59

H-3261

1 Amend the amendment, H-3216, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 2 the fol-
5 lowing:

6 "_____. Page 1, line 8, by inserting after the word
7 "another" the following: "public school in the
8 child's district of residence or a public school in
9 another".

10 _____. Page 1, line 17, by striking the word "a"
11 and inserting the following: "another public school
12 within the district of residence or a".

13 _____. Page 1, line 17, by striking the word "The"
14 and inserting the following: "If the request is a
15 request to transfer to a school within a district
16 outside the district of residence, the".

17 _____. Page 2, line 7, by inserting before the word
18 "district" the following: "public school within a
19 district or a".

20 2. By renumbering as necessary.

By STROMER of Hancock

H-3261 FILED FEBRUARY 28, 1989

WITHDRAWN 2-28-89 (p. 594)

SENATE FILE 59

H-3262

1 Amend amendment H-3242, to Senate File 59, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 4, by striking the words "and
5 the" and inserting the following: ". A".

By BENNETT of Ida

H-3262 FILED FEBRUARY 28, 1989

ADOPTED BY UNANIMOUS CONSENT 2-28-89 (p. 596)

SEVENTY-THIRD GENERAL ASSEMBLY

1989 REGULAR SESSION

DAILY

SENATE CLIP SHEET

MARCH 2, 1989

HOUSE AMENDMENT TO
SENATE FILE 59

S-3157

1 Amend Senate File 59, as amended, passed, and
2 reprinted by the Senate, as follows:

3161 3. Page 1, line 18, by striking the word
3165 "academic".

3160 5 2. Page 1, line 22, by striking the words
6 "receipt unless the" and inserting the following:
3161-7 "receipt. During the 1990-1991 school year, if the".

8 3. Page 1, line 26, by striking the word "year."
9 and inserting the following: "year, the board of the
10 district of residence may deny the request for the
3161-11 1990-1991 school year."

12 4. Page 1, by striking lines 32 through 35 and
13 inserting the following: "shall be considered. The
14 board".

15 5. Page 2, line 11, by striking the word
16 "superintendent's".

17 6. Page 2, line 11, by striking the words
18 "compliance with" and inserting the following:
19 "implementation of".

20 7. Page 2, line 12, by inserting after the word
21 "plan." the following: "If, however, a transfer
22 request would facilitate a voluntary or court-ordered
23 desegregation plan, the district shall give priority
24 to granting the request over other requests."

25 8. Page 3, line 4, by striking the words "special
26 education or".

27 9. Page 3, line 5, by striking the word "that"
28 and inserting the following: "each".

29 10. Page 3, line 6, by inserting after the word
30 "year." the following: "The district of residence
31 shall also transmit the phase III moneys allocated to
32 the district for the full-time equivalent attendance
33 of the pupil, who is the subject of the request, to
34 the receiving district specified in the request for
35 transfer. However, if the district of residence has
36 outstanding obligations on school bonds, has entered
37 into a rental or lease arrangement under section
38 279.26, or has entered into a loan agreement in
39 anticipation of the collection of the schoolhouse tax
40 under section 297.36, only fifty percent of the
41 property tax portion of the district cost per pupil
42 shall be paid to the receiving district for the first
43 three years of the transfer, unless the debt is paid
44 before the end of the three years. If the debt is
45 paid in less than three years from the date of the
46 transfer or if three years pass, from the date of the
47 transfer, without retirement of the district of
48 residence's debt obligation, whichever date is sooner,
49 the full amount of the district cost per pupil shall
50 then be paid to the receiving district. If a request

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Page 2

1 filed under this section is for a child requiring
2 special education under chapter 281, the request to
3 transfer to the other district shall only be granted
4 if the receiving district maintains a special
5 education instructional program which is appropriate
6 to meet the child's educational needs and the
7 enrollment of the child in the receiving district's
8 program would not cause the size of the class in that
9 special education instructional program in the
10 receiving district to exceed the maximum class size in
11 rules adopted by the state board of education for that
12 program. For pupils requiring special education, the
13 board of directors of the district of residence shall
14 pay to the receiving district the actual costs
15 incurred in providing the appropriate special
16 education."

17 11. Page 3, line 7, by inserting after the word
18 "district." the following: "If the transfer of a
19 pupil from one district to another results in a
20 transfer from one area education agency to another,
21 the sending district shall forward a copy of the
22 request to the sending district's area education
23 agency. The receiving district shall forward a copy
24 of the request to the receiving district's area
25 education agency. Any moneys received by the area
26 education agency of the sending district for the child
27 who is the subject of the request shall be forwarded
28 to the receiving district's area education agency."

29 12. Page 3, line 11, by inserting after the word
30 "district" the following: ", unless the child meets
31 the economic eligibility requirements, established
32 under the federal National School Lunch and Child
33 Nutrition Acts, 42 U.S.C. § 1751-1785, for free or
34 reduced price lunches. If the child meets those
35 requirements, the sending district shall be
36 responsible for providing transportation or paying the
37 pro rata cost of the transportation to a parent or
38 guardian for transporting the child to and from a
39 point on a regular school bus route of a contiguous
40 receiving district unless the cost of providing
41 transportation or the pro rata cost of the
42 transportation to a parent or guardian exceeds the
43 average transportation cost per pupil transported for
44 the previous school year in the district. If the cost
45 exceeds the average transportation cost per pupil
46 transported for the previous school year, the sending
47 district shall only be responsible for that average
48 per pupil amount. A sending district which provides
49 transportation for a child to a contiguous receiving
50 district under this paragraph may withhold from the

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1 district cost per pupil amount, that is to be paid to
2 the receiving district, an amount which represents the
3 average or pro rata cost per pupil for transportation,
4 whichever is less".

5 13. Page 3, line 11, by inserting after the word
6 "district" the following: ". A receiving district
7 shall not send school vehicles into the district of
8 residence of the pupil using the open enrollment
9 option under this section, for the purpose of
10 transporting the pupil to and from school in the
11 receiving district".

12 14. Page 3, by striking lines 12 through 14.

13 15. Page 3, by inserting before line 15 the
14 following:

15 "A child, whose parent or guardian has submitted a
16 request to enroll the child in a public school in
17 another district, shall, if the request has resulted
18 in the enrollment of the child in the other district,
19 attend school in the other district which is the
20 subject of the request. This requirement shall not
21 apply, however, if the child's family moves out of the
22 district of residence."

23 16. Page 3, by inserting after line 16 the fol-
24 lowing:

25 "The board of directors of a school district
26 subject to volunteer or court-ordered desegregation
27 may vote not to participate in open enrollment under
28 this section during the school year commencing July 1,
29 1990, and ending June 30, 1991. If a district chooses
30 not to participate in open enrollment under this
31 paragraph, the district shall develop a policy for
32 implementation of open enrollment in the district for
33 that following school year. The policy shall contain
34 objective criteria for determining when a request
35 would adversely impact the desegregation order or plan
36 and criteria for prioritizing requests that do not
37 have an adverse impact on the order or plan."

38 17. Page 3, line 17, by striking the words
39 "attends school" and inserting the following:
40 "attends a grade in grades nine through twelve".

41 18. Page 3, line 20, by striking the words "or
42 any organized practice sessions".

43 19. Page 3, line 23, by inserting after the word
44 "participate" the following: "or unless the sport in
45 which the student wishes to participate is not offered
46 in the district of residence".

47 20. Page 3, line 23, by inserting after the word
48 "participate." the following: "However, a pupil who
49 has paid tuition and attended school, or has attended
50 school pursuant to a mutual agreement between the two

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1 districts, in a district other than the pupil's
2 district of residence for at least one school year
3 prior to the effective date of this Act, shall be
4 eligible to participate in interscholastic athletic
5 contests and athletic competitions under this section,
6 but only as a member of a team from the district that
7 student had attended."

8 21. Page 3, by inserting after line 23 the
9 following:

31d-10 "A student who has been paying tuition and
11 attending school in a district other than the
12 student's district of residence shall be permitted to
13 attend school in the district where the student has
14 been paying tuition, during the 1989-1990 school year,
15 by filing a request to use the open enrollment option
16 under this section by August 1, 1989.

31d17 A student, whose district of residence, for the
18 purposes of school attendance, changes during the
19 1989-1990 school year, shall be permitted to attend
20 school during the 1989-1990 school year in the
21 district in which the student attended during the
22 1988-1989 school year if a request to use the open
23 enrollment option under this section is filed by
24 August 1, 1989.

25 If a child, for which a request to transfer has
26 been filed with the district of residence, has been
27 suspended or expelled in the district of residence,
28 the receiving district named in the request may refuse
29 the request to transfer until the child has been
30 reinstated in the district of residence.

31d31 A laboratory school under chapter 265 shall be
32 exempt from the provisions of this section.

33 The director of the department of education shall
34 recommend rules to the state board of education for
35 the orderly implementation of this section. The state
36 board shall adopt rules as needed for the
37 implementation of this section."

38 22. Page 3, by striking lines 24 through 31 and
39 inserting the following:

40 "Sec. ____ . THREE-YEAR REPORT ON OPEN ENROLLMENT.
41 The department of education shall conduct a three-year
42 study of the implementation of open enrollment in the
43 state. The study shall include, but not be limited
44 to, a comparison of graduation rates before and after
45 the effective date of this Act; a demographic study of
46 the use of the open enrollment option relating to the
47 number of students using the open enrollment option,
48 the effect of open enrollment on staffing patterns and
49 curricular offerings, the effect of open enrollment on
50 district ability to comply with desegregation orders

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1 or plans and minimum school standards, and the effect
2 of open enrollment on the actual student populations
3 within affected districts; the effect of open
4 enrollment on student participation in interscholastic
5 athletics; and the average number of school days
6 missed by open enrollment participants. The data
7 collected, together with any conclusions, shall be
8 submitted in annual reports to the general assembly
9 until and including the general assembly which meets
10 in 1993."

11 23. Page 3, line 32, by inserting after the word
12 "repealed" the following: "effective July 1, 1990".

13 24. Page 4, line 2, by striking the word "fact,"
14 and inserting the following: "fact,".

15 25. By renumbering, relettering, or redesignating
16 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3157 FILED MARCH 1, 1989

Senate concurred 3-3-89 (p.65)

SENATE FILE 59

S-3160

1 Amend the House amendment, S-3157, to Senate File
2 59, as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by striking lines 5 through 11 and
5 inserting the following:

6 " ". Page 1, line 26, by striking the word
7 "that" and inserting the following: "any".

By JOHN W. JENSEN

S-3160 FILED MARCH 2, 1989

lost 3-3-89 (p.615)

SENATE FILE 59

S-3161

1 Amend the House amendment, S-3157, to Senate File
2 59, as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 " ". Page 1, line 5, by striking the figure
7 "1989" and inserting the following: "1991".

8 2. Page 1, line 7, by striking the figures "1990-
9 1991" and inserting the following: "1992-1993".

10 3. Page 1, line 11, by striking the figures
11 "1990-1991" and inserting the following: "1992-1993".

12 4. Page 3, line 29, by striking the words and
13 figures "1990, and ending June 30, 1991" and inserting
14 the following: "1992, and ending June 30, 1993".

15 5. Page 4, line 14, by striking the figures
16 "1989-1990" and inserting the following: "1991-1992".

17 6. Page 4, line 16, by striking the figure "1989"
18 and inserting the following: "1991".

19 7. Page 4, line 19, by striking the figures
20 "1989-1990" and inserting the following: "1991-1992".

21 8. Page 4, line 20, by striking the figures
22 "1989-1990" and inserting the following: "1991-1992".

23 9. Page 4, line 22, by striking the figures
24 "1988-1989" and inserting the following: "1990-1991".

25 10. Page 4, line 24, by striking the figure
26 "1989" and inserting the following: "1991".

27 11. Page 4, line 12, by striking the figure
28 "1990" and inserting the following: "1992".

By JOHN W. JENSEN

KEN SCOTT

S-3161 FILED MARCH 2, 1989

lost 3-3-89 (p.614)

SENATE FILE 59

S-3165

1 Amend the House amendment, S-3157, to Senate File
2 59 as amended, passed and reprinted by the Senate as
3 follows:

4 1. By striking page 1, line 3 through page 5,
5 line 16 and inserting the following:

6 "____. By striking everything after the enacting
7 clause and inserting the following:

8 "Section 1. Section 282.18, Code 1989, is amended
9 by striking the section and inserting in lieu thereof
10 the following:

11 282.18 OPEN ENROLLMENT

12 For the school year beginning July 1, 1990, a
13 parent or guardian residing in a school district may
14 enroll the parent's or guardian's child in a public
15 school in another school district. The state board of
16 education shall adopt rules to administer this
17 section. The rules shall include, but not be limited
18 to the following: procedures and timelines for
19 notification of school districts affected by a child's
20 transfer, designation of responsibility for
21 transporting the student to and from school, and any
22 exceptions to a parent's or guardian's option to
23 enroll a child in a school district under this
24 section. Exceptions to a parent's or guardian's
25 option under this section may relate to voluntary or
26 court-ordered desegregation plans, limited space in
27 school facilities, staffing limitations, or rules
28 under section 280.13 which relate to participation in
29 interscholastic contests and competitions."

30 2. Title, by striking lines 1 through 4 and
31 inserting the following: "An Act to permit parents or
32 guardians to enroll their children in the public
33 schools of school districts other than the district of
34 residence.""

By JOY CORNING

S-3165 FILED MARCH 3, 1989

LOST 3-3-89 (p. 614)

SENATE FILE 59

S-3166

1 Amend the House amendment, S-3157, to Senate File
2 59, as amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 4, by striking lines 31 and 32.

By JOY CORNING

S-3166 FILED MARCH 3, 1989

WITHDRAWN

SSB 5.1
EDUCATION

SENATE FILE 59
BY (PROPOSED COMMITTEE ON
EDUCATION BILL)

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

A BILL FOR

1 An Act to provide a procedure for parents or guardians to enroll
2 their children in the public schools of contiguous school
3 districts without cost to the parents or guardians and to
4 provide an effective date.

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

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1 Section 1. Section 282.18, Code 1989, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 282.18 OPEN ENROLLMENT.

5 For the school year commencing July 1, 1989, and each
6 succeeding school year, a parent or guardian residing in a
7 school district may enroll the parent's or guardian's child in
8 a public school in another school district in the manner
9 provided in this section, unless a number of pupils, which
10 equals ten percent of the school district's actual enrollment,
11 have already enrolled in other school districts under this
12 section.

13 Not later than November 1 of the preceding school year, the
14 parent or guardian shall send notification to the district of
15 residence and to the department of education on forms
16 prescribed by the department of education that the parent or
17 guardian intends to enroll the parent's or guardian's child in
18 a public school in another school district. The parent or
19 guardian shall describe the reason that exists for enrollment
20 in the receiving district that is not present in the district
21 of residence. The board of the district of residence shall
22 transmit a copy of the form to the receiving school district
23 within five days after its receipt. The board of the
24 receiving school district shall enroll the pupil in a school
25 in the receiving district for the following school year unless
26 the receiving district does not have classroom space for the
27 pupil or unless enrolling the pupil in the receiving district
28 will adversely affect the minority enrollment in a school
29 district in which there is voluntary or court ordered
30 desegregation.

31 A request under this section is for a period of not less
32 than four years unless the pupil will graduate or the parent
33 or guardian petitions the receiving district for permission to
34 enroll the child in a different district within the four-year
35 period. If the parent or guardian requests permission of the

1 receiving district to enroll the child in a different district
2 within the four-year period the receiving district school
3 board may transmit a copy of the request to the other school
4 district within five days of the receipt of the request. The
5 new receiving district shall enroll the pupil in a school in
6 the district unless there is insufficient classroom space in
7 the district or unless enrollment of the pupil would adversely
8 affect court ordered or voluntary desegregation orders
9 affecting the district. A denial of a request to change
10 district enrollment within the four-year period shall be
11 subject to appeal under section 290.1.

12 The board of directors of the district of residence shall
13 pay to the receiving district the lower district cost per
14 pupil of the two districts, plus any moneys received for the
15 pupil as a result of special education or non-English speaking
16 weighting under section 442.4, subsection 6, for that school
17 year. Quarterly payments shall be made to the receiving
18 district. Notwithstanding section 285.1 relating to
19 transportation of nonresident pupils, the parent or guardian
20 is responsible for transporting the pupil without
21 reimbursement to and from a point on a regular school bus
22 route of the receiving district.

23 Neither the notification of the parent to the district of
24 residence nor the decision of the receiving district is
25 subject to appeal.

26 A student who attends school in a school district other
27 than the district of residence is not eligible to participate
28 in interscholastic athletic contests and athletic competitions
29 during the first year of enrollment under this section except
30 for an interscholastic sport in which the district of
31 residence and the contiguous school district jointly
32 participate.

33 Sec. 2. Section 280.16, Code 1989, is repealed.

34 Sec. 3. Section 290.1, Code 1989, is amended to read as
35 follows:

1 290.1 APPEAL TO STATE BOARD.

2 A person aggrieved by a decision or order of the board of
3 directors of a school corporation in a matter of law or fact,
4 ~~or a decision or order of a board of directors under section~~
5 ~~280-16~~ may, within thirty days after the rendition of the
6 decision or the making of the order, appeal the decision or
7 order to the state board of education; the basis of the
8 proceedings shall be an affidavit filed with the state board
9 by the party aggrieved within the time for taking the appeal,
10 which affidavit shall set forth any error complained of in a
11 plain and concise manner.

12 For purposes of section 282.11, a "person aggrieved" or
13 "party aggrieved" means the "parent or guardian of an affected
14 pupil".

15 Sec. 4. Notwithstanding the notification date specified in
16 section 1 of this Act, for the school year beginning July 1,
17 1989, the parent or guardian shall notify the district of
18 residence and the department of education not later than
19 thirty days following the effective date of this Act.

20 Sec. 5. This Act, being deemed of immediate importance,
21 takes effect upon enactment.

22 EXPLANATION

23 This bill allows a parent or guardian to send the parent's
24 or guardian's child to school in another school district for a
25 period of not less than four years if a reason exists for
26 enrollment in the other school district rather than in the
27 district of residence. The four-year requirement does not
28 apply if the student will graduate within four years. A
29 provision allowing enrollment in a third school district is
30 included. The tuition cost is paid by the district of
31 residence, but the parent or guardian must provide transpor-
32 tation to a bus route located in the receiving district. A
33 contiguous school district must accept the child unless
34 classroom space is not available or acceptance would adversely
35 affect desegregation orders. A student who attends school in

1 a contiguous school district cannot participate in
2 interscholastic athletic contests and competitions during
3 their first year of enrollment except for an interscholastic
4 sport in which the district of residence and the contiguous
5 school district jointly participate.

6 The bill takes effect upon its enactment so that children
7 can enroll in a contiguous school district for the school year
8 beginning July 1, 1989. For the first year, the parent or
9 guardian must notify the school district of residence and the
10 department of education within thirty days after the effective
11 date of the bill; thereafter, the notification must be
12 completed by November 1 of the preceding school year.

13 There is no appeal of notification of the parent to the
14 district of residence or the decision of the receiving
15 district.

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SSB #5

EDUCATION

ALW

SENATE FILE 59

BY (PROPOSED COMMITTEE ON
EDUCATION BILL)

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

A BILL FOR

1 An Act to provide a procedure for parents or guardians to enroll
2 their children in the public schools of contiguous school
3 districts without cost to the parents or guardians and to
4 provide an effective date.

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

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1 Section 1. Section 282.18, Code 1989, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 282.18 OPEN ENROLLMENT.

5 For the school year commencing July 1, 1989, and each
6 succeeding school year, a parent or guardian residing in a
7 school district may enroll the parent's or guardian's child in
8 a public school in a contiguous school district in the manner
9 provided in this section if the contiguous school district
10 provides an opportunity for academic instruction that is not
11 provided in the district of residence.

12 Not later than January 1 of the preceding school year, the
13 parent or guardian shall send notification to the district of
14 residence and to the department of education on forms
15 prescribed by the department of education that the parent or
16 guardian intends to enroll the parent's or guardian's child in
17 a public school in a contiguous school district. The parent
18 or guardian shall describe the opportunity for academic
19 instruction that exists in the receiving district that is not
20 present in the district of residence. The board of the
21 district of residence shall transmit a copy of the form to the
22 receiving school district within five days after its receipt.
23 The board of the receiving school district shall enroll the
24 pupil in a school in the receiving district for the following
25 school year unless the receiving district does not have
26 classroom space for the pupil or unless enrolling the pupil in
27 the receiving district will adversely affect the minority
28 enrollment in a school district in which there is voluntary or
29 court ordered desegregation.

30 A request under this section is for a period of not less
31 than four years unless the pupil will graduate within the
32 four-year period.

33 The board of directors of the district of residence shall
34 pay to the receiving district the lower district cost per
35 pupil of the two districts for that school year. Quarterly

1 payments shall be made to the receiving district.
2 Notwithstanding section 285.1 relating to transportation of
3 nonresident pupils, the parent or guardian is responsible for
4 transporting the pupil without reimbursement to and from a
5 point on a regular school bus route of the receiving district.

6 Neither the notification of the parent to the district of
7 residence nor the decision of the receiving district is
8 subject to appeal.

9 A student who attends school in a contiguous school
10 district is not eligible to participate in interscholastic
11 athletic contests and athletic competitions during the first
12 year of enrollment under this section except for an
13 interscholastic sport in which the district of residence and
14 the contiguous school district jointly participate.

15 Sec. 2. Section 280.16, Code 1989, is repealed.

16 Sec. 3. Section 290.1, Code 1989, is amended to read as
17 follows:

18 290.1 APPEAL TO STATE BOARD.

19 A person aggrieved by a decision or order of the board of
20 directors of a school corporation in a matter of law or fact,
21 ~~or a decision or order of a board of directors under section~~
22 ~~280.16~~ may, within thirty days after the rendition of the
23 decision or the making of the order, appeal the decision or
24 order to the state board of education; the basis of the
25 proceedings shall be an affidavit filed with the state board
26 by the party aggrieved within the time for taking the appeal,
27 which affidavit shall set forth any error complained of in a
28 plain and concise manner.

29 For purposes of section 282.11, a "person aggrieved" or
30 "party aggrieved" means the "parent or guardian of an affected
31 pupil".

32 Sec. 4. Notwithstanding the notification date specified in
33 section 1 of this Act, for the school year beginning July 1,
34 1989, the parent or guardian shall notify the district of
35 residence and the department of education not later than

1 thirty days following the effective date of this Act.

2 Sec. 5. This Act, being deemed of immediate importance,
3 takes effect upon enactment.

4 EXPLANATION

5 This bill allows a parent or guardian to send the parent's
6 or guardian's child to school in a contiguous school district
7 for a period of not less than four years if the contiguous
8 school district provides an opportunity for academic
9 instruction that is not provided in the district of residence.
10 The four-year requirement does not apply if the student will
11 graduate within four years. The tuition cost is paid by the
12 district of residence, but the parent or guardian must provide
13 transportation to a bus route located in the receiving
14 district. A contiguous school district must accept the child
15 unless classroom space is not available. A student who
16 attends school in a contiguous school district may not
17 participate in interscholastic athletic contests and
18 competitions during their first year of enrollment except for
19 an interscholastic sport in which the district of residence
20 and the contiguous school district jointly participate.

21 The bill takes effect upon its enactment so that children
22 can enroll in a contiguous school district for the school year
23 beginning July 1, 1989. For the first year, the parent or
24 guardian must notify the school district of residence and the
25 department of education within thirty days after the effective
26 date of the bill; thereafter, the notification must be
27 completed by January 1 of the preceding school year.

28 There is no appeal of notification of the parent to the
29 district of residence or the decision of the receiving
30 district.

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SENATE FILE 59

AN ACT

TO PROVIDE A PROCEDURE FOR PARENTS OR GUARDIANS TO ENROLL THEIR CHILDREN IN THE PUBLIC SCHOOLS OF SCHOOL DISTRICTS OTHER THAN THE DISTRICT OF RESIDENCE WITHOUT COST TO THE PARENTS OR GUARDIANS AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 282.18, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

282.18 OPEN ENROLLMENT.

For the school year commencing July 1, 1989, and each succeeding school year, a parent or guardian residing in a school district may enroll the parent's or guardian's child in a public school in another school district in the manner provided in this section.

By September 15 of the preceding school year the parent or guardian shall informally notify the district of residence, and not later than November 1 of the preceding school year, the parent or guardian shall send notification to the district of residence and to the department of education on forms prescribed by the department of education that the parent or guardian intends to enroll the parent's or guardian's child in a public school in another school district. The parent or guardian shall describe the reason that exists for enrollment in the receiving district that is not present in the district of residence. The board of the district of residence shall transmit a copy of the form to the receiving school district within five days after its receipt. During the 1990-1991 school year, if the board of the district of residence determines that transmission of the request will result in a loss of greater than five percent of the district's certified

enrollment for that year, the board of the district of residence may deny the request for the 1990-1991 school year. If, however, a failure to transmit a request will result in enrollment of students from the same nuclear family in different school districts, the request shall be transmitted to the receiving district for enrollment. The board of each school district shall adopt a policy relating to the order in which requests for enrollment in other districts shall be considered. The board of the receiving school district shall enroll the pupil in a school in the receiving district for the following school year unless the receiving district does not have classroom space for the pupil. In all districts involved with volunteer or court-ordered desegregation, minority and nonminority student ratios shall be maintained according to the desegregation plan or order. The superintendent of a district subject to volunteer or court-ordered desegregation may deny a request for transfer under this section if the superintendent finds that enrollment or release of a pupil will adversely affect the district's implementation of the desegregation order or plan. If, however, a transfer request would facilitate a voluntary or court-ordered desegregation plan, the district shall give priority to granting the request over other requests. A parent or guardian, whose request has been denied because of a desegregation order or plan, may appeal the decision of the superintendent to the board of the district in which the request was denied. The board may either uphold or overturn the superintendent's decision. A decision of the board to uphold the denial of the request is subject to appeal under section 290.1.

A request under this section is for a period of not less than four years unless the pupil will graduate, the pupil's family moves to another school district, or the parent or guardian petitions the receiving district for permission to enroll the child in a different district within the four-year period. If the parent or guardian requests permission of the

receiving district to enroll the child in a different district within the four-year period, the receiving district school board may transmit a copy of the request to the other school district within five days of the receipt of the request. The new receiving district shall enroll the pupil in a school in the district unless there is insufficient classroom space in the district or unless enrollment of the pupil would adversely affect court ordered or voluntary desegregation orders affecting a district. A denial of a request to change district enrollment within the four-year period shall be subject to appeal under section 290.1.

The board of directors of the district of residence shall pay to the receiving district the lower district cost per pupil of the two districts, plus any moneys received for the pupil as a result of non-English speaking weighting under section 442.4, subsection 6, for each school year. The district of residence shall also transmit the phase III moneys allocated to the district for the full-time equivalent attendance of the pupil, who is the subject of the request, to the receiving district specified in the request for transfer. However, if the district of residence has outstanding obligations on school bonds, has entered into a rental or lease arrangement under section 279.26, or has entered into a loan agreement in anticipation of the collection of the schoolhouse tax under section 297.36, only fifty percent of the property tax portion of the district cost per pupil shall be paid to the receiving district for the first three years of the transfer, unless the debt is paid before the end of the three years. If the debt is paid in less than three years from the date of the transfer or if three years pass, from the date of the transfer, without retirement of the district of residence's debt obligation, whichever date is sooner, the full amount of the district cost per pupil shall then be paid to the receiving district. If a request filed under this section is for a child requiring special education under

chapter 281, the request to transfer to the other district shall only be granted if the receiving district maintains a special education instructional program which is appropriate to meet the child's educational needs and the enrollment of the child in the receiving district's program would not cause the size of the class in that special education instructional program in the receiving district to exceed the maximum class size in rules adopted by the state board of education for that program. For pupils requiring special education, the board of directors of the district of residence shall pay to the receiving district the actual costs incurred in providing the appropriate special education. Quarterly payments shall be made to the receiving district. If the transfer of a pupil from one district to another results in a transfer from one area education agency to another, the sending district shall forward a copy of the request to the sending district's area education agency. The receiving district shall forward a copy of the request to the receiving district's area education agency. Any moneys received by the area education agency of the sending district for the child who is the subject of the request shall be forwarded to the receiving district's area education agency. Notwithstanding section 285.1 relating to transportation of nonresident pupils, the parent or guardian is responsible for transporting the pupil without reimbursement to and from a point on a regular school bus route of the receiving district. A receiving district shall not send school vehicles into the district of residence of the pupil using the open enrollment option under this section, for the purpose of transporting the pupil to and from school in the receiving district, unless the child meets the economic eligibility requirements, established under the federal National School Lunch and Child Nutrition Acts, 42 U.S.C. § 1751-1785, for free or reduced price lunches. If the child meets those requirements, the sending district shall be responsible for providing transportation or paying the pro

rata cost of the transportation to a parent or guardian for transporting the child to and from a point on a regular school bus route of a contiguous receiving district unless the cost of providing transportation or the pro rata cost of the transportation to a parent or guardian exceeds the average transportation cost per pupil transported for the previous school year in the district. If the cost exceeds the average transportation cost per pupil transported for the previous school year, the sending district shall only be responsible for that average per pupil amount. A sending district which provides transportation for a child to a contiguous receiving district under this paragraph may withhold from the district cost per pupil amount, that is to be paid to the receiving district, an amount which represents the average or pro rata cost per pupil for transportation, whichever is less.

A child, whose parent or guardian has submitted a request to enroll the child in a public school in another district, shall, if the request has resulted in the enrollment of the child in the other district, attend school in the other district which is the subject of the request. This requirement shall not apply, however, if the child's family moves out of the district of residence.

Every school district shall adopt a policy which defines the term "insufficient classroom space" for that district.

The board of directors of a school district subject to volunteer or court-ordered desegregation may vote not to participate in open enrollment under this section during the school year commencing July 1, 1990, and ending June 30, 1991. If a district chooses not to participate in open enrollment under this paragraph, the district shall develop a policy for implementation of open enrollment in the district for that following school year. The policy shall contain objective criteria for determining when a request would adversely impact the desegregation order or plan and criteria for prioritizing requests that do not have an adverse impact on the order or plan.

A student who attends a grade in grades nine through twelve in a school district other than the district of residence is not eligible to participate in interscholastic athletic contests and athletic competitions during the first year of enrollment under this section except for an interscholastic sport in which the district of residence and the other school district jointly participate or unless the sport in which the student wishes to participate is not offered in the district of residence. However, a pupil who has paid tuition and attended school, or has attended school pursuant to a mutual agreement between the two districts, in a district other than the pupil's district of residence for at least one school year prior to the effective date of this Act, shall be eligible to participate in interscholastic athletic contests and athletic competitions under this section, but only as a member of a team from the district that student had attended.

A student who has been paying tuition and attending school in a district other than the student's district of residence shall be permitted to attend school in the district where the student has been paying tuition, during the 1989-1990 school year, by filing a request to use the open enrollment option under this section by August 1, 1989.

A student, whose district of residence, for the purposes of school attendance, changes during the 1989-1990 school year, shall be permitted to attend school during the 1989-1990 school year in the district in which the student attended during the 1988-1989 school year if a request to use the open enrollment option under this section is filed by August 1, 1989.

If a child, for which a request to transfer has been filed with the district of residence, has been suspended or expelled in the district of residence, the receiving district named in the request may refuse the request to transfer until the child has been reinstated in the district of residence.

A laboratory school under chapter 265 shall be exempt from the provisions of this section.

The director of the department of education shall recommend rules to the state board of education for the orderly implementation of this section. The state board shall adopt rules as needed for the implementation of this section.

Sec. 2. THREE-YEAR REPORT ON OPEN ENROLLMENT. The department of education shall conduct a three-year study of the implementation of open enrollment in the state. The study shall include, but not be limited to, a comparison of graduation rates before and after the effective date of this Act; a demographic study of the use of the open enrollment option relating to the number of students using the open enrollment option, the effect of open enrollment on staffing patterns and curricular offerings, the effect of open enrollment on district ability to comply with desegregation orders or plans and minimum school standards, and the effect of open enrollment on the actual student populations within affected districts; the effect of open enrollment on student participation in interscholastic athletics; and the average number of school days missed by open enrollment participants. The data collected, together with any conclusions, shall be submitted in annual reports to the general assembly until and including the general assembly which meets in 1993.

Sec. 3. Section 280.16, Code 1989, is repealed effective July 1, 1990.

Sec. 4. Section 290.1, Code 1989, is amended to read as follows:

290.1 APPEAL TO STATE BOARD.

A person aggrieved by a decision or order of the board of directors of a school corporation in a matter of law or fact, or a decision or order of a board of directors under section ~~280:16~~ 282.18 may, within thirty days after the rendition of the decision or the making of the order, appeal the decision or order to the state board of education; the basis of the

proceedings shall be an affidavit filed with the state board by the party aggrieved within the time for taking the appeal, which affidavit shall set forth any error complained of in a plain and concise manner.

For purposes of section 282.11, a "person aggrieved" or "party aggrieved" means the "parent or guardian of an affected pupil".

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment.

.....
JO ANN ZIMMERMAN
President of the Senate

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DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 59, Seventy-third General Assembly.

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JOHN F. DWYER
Secretary of the Senate

Approved March 10, 1989

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TERRY E. BRANSTAD
Governor