

Sen 4/3 2d. Cass 4/10/91 (p. 1178)  
" " " " 3/1/92 (p. 591)

MAR 26 1991

HOUSE FILE 646  
BY COMMITTEE ON EDUCATION

Place On Calendar

(SUCCESSOR TO HSB 311)

Passed House, Date 4/2/91 (p. 1019) Passed Senate, Date 4-1-92 (p. 1135)  
Vote: Ayes 62 Nays 37 Vote: Ayes 31 Nays 14  
Approved April 23, 1992 (p. 1770)  
Repassed 4/7/92 (p. 1167)  
Ayes 78 - Nays 18

A BILL FOR

1 An Act to permit school districts to provide educational programs  
2 to persons who are beyond the age prescribed as the school  
3 age.

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

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

HF 646

1 Section 1. Section 282.1, unnumbered paragraph 1, Code  
2 1991, is amended to read as follows:

3 Persons between five and twenty-one years of age are of  
4 school age. A board may establish and maintain evening  
5 schools or an educational program under section 282.1A for  
6 residents of the corporation regardless of age and for which  
7 no tuition need be charged. Nonresident children shall be  
8 charged the maximum tuition rate as determined in section  
9 282.24, subsection 1, with the exception that those residing  
10 temporarily in a school corporation may attend school in the  
11 corporation upon terms prescribed by the board, and boards  
12 discontinuing grades under section 282.7, subsection 1 or  
13 subsections 1 and 3, shall be charged tuition as provided in  
14 section 282.24, subsection 2.

15 Sec. 2. NEW SECTION. 282.JA EXTENDED SCHOOL PROGRAMS.

16 1. A board of directors of a public school district may,  
17 subject to the approval of the department of education,  
18 establish an extended school program for residents of the  
19 district who are over the maximum school age established in  
20 section 282.1 and who do not possess a high school diploma or  
21 a high school equivalency diploma under chapter 259A. The  
22 educational program may be separate from or integrated into  
23 the regular school program. Residents attending the program  
24 shall be included in the district's basic enrollment and shall  
25 attend on a tuition-free basis. A district may also provide  
26 services to nonresidents under this section, and those persons  
27 shall be charged a sufficient tuition fee to cover the cost of  
28 the instruction received by the person as provided in section  
29 282.6.

30 2. A district which wishes to establish an extended school  
31 program, in addition to meeting any requirements set by the  
32 department, shall establish all of the following prior to  
33 obtaining approval for the program:

34 a. There is an identified presence of resident persons who  
35 are over the maximum established school age, who do not

1 possess a high school diploma or a high school equivalency  
2 diploma under chapter 259A, and who are not currently being  
3 served locally by a community college remedial or high school  
4 equivalency diploma program.

5 b. The provision of services to these additional persons  
6 will not substantially interfere with the educational  
7 programming provided to students of school age.

8 c. The provision of services will not require additional  
9 or new facilities to meet the needs of the identified  
10 populations.

11 3. The department shall make recommendations for, and the  
12 state board of education shall adopt, rules which provide for  
13 the administration of extended school programs.

14 EXPLANATION

15 This bill provides that school districts may, under certain  
16 circumstances, establish educational programs for resident  
17 persons, who are over the age for school attendance, on a  
18 tuition-free basis. If the school is to serve persons who are  
19 nonresidents of the district, the school must charge tuition  
20 to cover the costs of that attendance. All programs are  
21 subject to approval by the department of education. All  
22 districts which wish to provide an extended school program  
23 under the new section must establish that there are persons  
24 needing services, that the persons are not being served  
25 locally by another program, that the new program will not  
26 substantially interfere with programming for students of  
27 school age, and that the new program will not entail new or  
28 additional facilities. The department is to recommend, and  
29 the state board is to adopt, rules which provide for the  
30 administration of extended school programs.

31  
32  
33  
34  
35

HOUSE FILE 646  
FISCAL NOTE

---

A fiscal note for House File 646 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

---

House File 646 is a bill which permits school districts to provide educational programs to people who are over age 21. The program would be for people who do not have a high school degree, or the equivalent. Students participating in the program would be counted in the school district's basic enrollment, and would generate State Foundation Aid.

Assumptions:

- \* The State cost per pupil for FY 1993 is \$3,336.
- \* The state pays approximately 83% of this cost.
- \* The average State expense per pupil is \$2,769 (.83 X \$3,336).
- \* The Department of Education cannot determine the number of people who would participate in this program.

Fiscal Effect:

No fiscal estimate can be determined, because no accurate count of the number of participants can be made. It can be stated that for every 100 students that participate, it would cost the State \$276,900, and property tax \$56,700.

Source: Department of Education

(LSB 272lhv, CRH)

FILED MARCH 12, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE AMENDMENT TO HOUSE FILE 646

H-5708

- 1 Amend House File 646, as passed by the House, as  
2 follows:  
3 1. Page 1, line 18, by striking the word  
4 "establish" and inserting the following: "provide".  
5 2. Page 1, line 20, by striking the words "and  
6 who" and inserting the following: ", who".  
7 3. Page 1, line 21, by inserting after the figure  
8 "259A" the following: ", and who are currently  
9 enrolled in an education program in the district".  
10 4. Page 1, line 30, by striking the word  
11 "establish" and inserting the following: "provide".  
12 5. Page 2, by striking lines 2 through 4 and  
13 inserting the following: "diploma under chapter  
14 259A."

RECEIVED FROM THE SENATE

H-5708 FILED APRIL 3, 1992

*Concurred 4/7 (p. 1167)*

HOUSE FILE 646

S-3516

1 Amend House File 646, as passed by the House, as  
2 follows:  
3 1. Page 1, line 20, by striking the words "and  
4 who" and inserting the following: ", who".  
5 2. Page 1, line 21, by inserting after the figure  
6 "259A" the following: ", and who are currently  
7 enrolled or were previously enrolled in an alternative  
8 education program in the district".  
9 3. Page 2, by striking lines 2 through 4 and  
10 inserting the following: "diploma under chapter  
11 259A."  
12 4. Page 2, by inserting after line 10 the follow-  
13 ing:  
14 "d. Community college remedial or high school  
15 completion programs are not available to the persons."

By JOHN P. KIBBIE

S-3516 FILED APRIL 19, 1991

*w/d 4/192 (p. 1135)*

HOUSE FILE 646

S-3537

1 Amend House File 646, as passed by the House, as  
2 follows:  
3 1. Page 1, line 18, by striking the word  
4 "establish" and inserting the following: "provide".  
5 2. Page 1, line 20, by striking the words "and  
6 who" and inserting the following: ", who".  
7 3. Page 1, line 21, by inserting after the figure  
8 "259A" the following: ", and who are currently  
9 enrolled in an education program in the district".  
10 4. Page 1, line 30, by striking the word  
11 "establish" and inserting the following: "provide".  
12 5. Page 2, by striking lines 2 through 4 and  
13 inserting the following: "diploma under chapter  
14 259A."

By JOHN P. KIBBIE

S-3537 FILED APRIL 23, 1991

*Adopted 4/192 (p. 1135)*

HOUSE FILE 646  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CHAIRPERSON OLLIE)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act to permit school districts to provide educational programs  
2 to persons who are beyond the age prescribed as the school  
3 age.

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

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

1 Section 1. Section 282.1, unnumbered paragraph 1, Code  
2 1991, is amended to read as follows:

3 Persons between five and twenty-one years of age are of  
4 school age. A board may establish and maintain evening  
5 schools or an educational program under section 282.1A for  
6 residents of the corporation regardless of age and for which  
7 no tuition need be charged. Nonresident children shall be  
8 charged the maximum tuition rate as determined in section  
9 282.24, subsection 1, with the exception that those residing  
10 temporarily in a school corporation may attend school in the  
11 corporation upon terms prescribed by the board, and boards  
12 discontinuing grades under section 282.7, subsection 1 or  
13 subsections 1 and 3, shall be charged tuition as provided in  
14 section 282.24, subsection 2.

15 Sec. 2. NEW SECTION. 282.1A EXTENDED SCHOOL PROGRAMS.

16 1. A board of directors of a public school district may,  
17 subject to the review and approval of the department of  
18 education, establish an extended school program for residents  
19 of the district who are over the maximum school age  
20 established in section 282.1 and who do not possess a high  
21 school diploma or a high school equivalency diploma under  
22 chapter 259A. The educational program may be separate from or  
23 integrated into the regular school program. Residents  
24 attending the program shall be included in the district's  
25 basic enrollment and shall attend on a tuition-free basis. A  
26 district may also provide services to nonresidents under this  
27 section, but those persons shall be charged the maximum  
28 tuition rate provided in section 282.24, subsection 1.

29 2. A district which wishes to establish an extended school  
30 program, in addition to meeting any requirements set by the  
31 department, shall establish all of the following prior to  
32 obtaining approval for the program:

33 a. There is an identified presence of an appreciable  
34 resident population of persons who are over the maximum  
35 established school age and who do not possess a high school



1 diploma or a high school equivalency diploma under chapter  
2 259A.

3 b. The population of identified persons is not currently  
4 being served locally by a community college remedial or high  
5 school equivalency diploma program.

6 c. The provision of services to these additional persons  
7 will not interfere with the educational programming provided  
8 to students of school age.

9 d. The provision of services will not require additional  
10 or new facilities to meet the needs of the identified  
11 populations.

12 3. The department shall make recommendations for, and the  
13 state board of education shall adopt, rules which provide for  
14 the administration of extended school programs.

15 EXPLANATION

16 This bill provides that school districts may, under certain  
17 circumstances, establish educational programs for resident  
18 persons, who are over the age for school attendance, on a  
19 tuition-free basis. If the school is to serve persons who are  
20 nonresidents of the district, the school must charge tuition  
21 for that attendance. All programs are subject to review and  
22 approval by the department of education. All districts which  
23 wish to provide an extended school program under the new  
24 section must establish that there is an appreciable population  
25 of persons needing services, that the persons are not being  
26 served locally by another program, that the new program will  
27 not interfere with programming for students of school age, and  
28 that the new program will not entail new or additional  
29 facilities. The department is to recommend, and the state  
30 board is to adopt, rules which provide for the administration  
31 of extended school programs.

32  
33  
34  
35

temporarily in a school corporation may attend school in the corporation upon terms prescribed by the board, and boards discontinuing grades under section 282.7, subsection 1 or subsections 1 and 3, shall be charged tuition as provided in section 282.24, subsection 2.

Sec. 2. NEW SECTION. 282.1A EXTENDED SCHOOL PROGRAMS.

1. A board of directors of a public school district may, subject to the approval of the department of education, provide an extended school program for residents of the district who are over the maximum school age established in section 282.1, who do not possess a high school diploma or a high school equivalency diploma under chapter 259A, and who are currently enrolled in an education program in the district. The educational program may be separate from or integrated into the regular school program. Residents attending the program shall be included in the district's basic enrollment and shall attend on a tuition-free basis. A district may also provide services to nonresidents under this section, and those persons shall be charged a sufficient tuition fee to cover the cost of the instruction received by the person as provided in section 282.6.

2. A district which wishes to provide an extended school program, in addition to meeting any requirements set by the department, shall establish all of the following prior to obtaining approval for the program:

a. There is an identified presence of resident persons who are over the maximum established school age, who do not possess a high school diploma or a high school equivalency diploma under chapter 259A.

b. The provision of services to these additional persons will not substantially interfere with the educational programming provided to students of school age.

c. The provision of services will not require additional or new facilities to meet the needs of the identified populations.

HOUSE FILE 646

AN ACT

TO PERMIT SCHOOL DISTRICTS TO PROVIDE EDUCATIONAL PROGRAMS TO PERSONS WHO ARE BEYOND THE AGE PRESCRIBED AS THE SCHOOL AGE.

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

Section 1. Section 282.1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

Persons between five and twenty-one years of age are of school age. A board may establish and maintain evening schools or an educational program under section 282.1A for residents of the corporation regardless of age and for which no tuition need be charged. Nonresident children shall be charged the maximum tuition rate as determined in section 282.24, subsection 1, with the exception that those residing

3. The department shall make recommendations for, and the state board of education shall adopt, rules which provide for the administration of extended school programs.

---

ROBERT C. ARNOULD  
Speaker of the House

---

MICHAEL E. GRONSTAL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 646, Seventy-fourth General Assembly.

---

JOSEPH O'HERN  
Chief Clerk of the House

Approved April 23, 1992

---

TERRY E. BRANSTAD  
Governor