

2-17-93 Senate Education
4-8-93 Do Pass Comm.

MAR 4 1993

HOUSE FILE 384
BY COMMITTEE ON EDUCATION

Place On Calendar

(SUCCESSOR TO HF 15)

Passed House, Date 3-15-93 Passed Senate, Date 4/23/93
Vote: Ayes 100 Nays 0 Vote: Ayes 48 Nays 0

Repealed 100/0
4/28/93 (P. 1769)

Approved May 11, 1993

A BILL FOR

- 1 An Act relating to tuition reimbursements of postsecondary
- 2 institutions by school districts under the postsecondary
- 3 enrollment options Act.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 384

H-3205

- 1 Amend House File 384 as follows:
- 2 1. Page 1, by striking lines 1 through 11.
- 3 2. Page 1, by striking lines 20 through 28 and
- 4 inserting the following: "property of the pupil. The
- 5 school district which has paid tuition reimbursement
- 6 for a pupil under section 261C.6 shall not charge that
- 7 pupil for tuition, textbooks, materials, or fees
- 8 directly related to the course in which the pupil has
- 9 enrolled, and shall not charge the pupil's parent,
- 10 guardian, or custodian if the child is under eighteen
- 11 years of age. However, if the pupil failed to
- 12 complete and receive credit for the course, the school
- 13 district may charge the pupil, or if the pupil is
- 14 under eighteen years of age, the pupil's parent,
- 15 guardian, or custodian, the amount reimbursed to the
- 16 postsecondary institution, if the school district
- 17 finds that good cause did not exist for the pupil's
- 18 failure to complete and receive credit for the
- 19 course."
- 20 3. By renumbering as necessary.

By KREIMAN of Davis

H-3205 FILED MARCH 10, 1993

Lost 3-15-93

HF 384

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1 Section 1. Section 261C.6, unnumbered paragraph 1, Code
2 1993, is amended to read as follows:

3 Not later than June 30 of each year, a school district
4 shall pay a tuition reimbursement amount to an eligible
5 postsecondary institution that which has enrolled its the
6 resident eligible pupils under this chapter. However, the
7 payment is made only if the resident eligible pupil has
8 completed the course and received credit from the
9 postsecondary institution. The amount of tuition
10 reimbursement for each separate course shall equal the lesser
11 of:

12 Sec. 2. Section 261C.8, Code 1993, is amended to read as
13 follows:

14 261C.8 PROHIBITION ON CHARGES.

15 An eligible postsecondary institution that enrolls an
16 eligible pupil under this chapter shall not charge that pupil
17 for tuition, textbooks, materials, or fees directly related to
18 the course in which the pupil is enrolled except that the
19 pupil may be required to purchase equipment that becomes the
20 property of the pupil. However, if the pupil fails to
21 complete and receive credit for the course, the pupil is
22 responsible for all costs directly related to the course as
23 provided in section 261C.6. If the pupil is under eighteen
24 years of age, the pupil's parent, guardian, or custodian shall
25 sign the student registration form indicating that the parent,
26 guardian, or custodian is responsible for all costs directly
27 related to the course, if the pupil fails to complete and
28 receive credit for the course.

29 EXPLANATION

30 This bill relates to payment of tuition and fees by K-12
31 school districts to eligible postsecondary institutions which
32 have enrolled the resident eligible pupils of the districts.
33 The tuition is payable by the resident school district only
34 upon successful completion of course work. The pupil or the
35 pupil's parent, guardian, or legal custodian, if the pupil is

1 younger than eighteen years of age, must pay tuition and costs
2 if the pupil fails to complete the course successfully.

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HOUSE FILE 384

H-3196

1 Amend House File 384 as follows:

2 1. Page 1, by inserting before line 1, the
3 following:

4 "Section 1. Section 261C.3, subsection 2, Code
5 1993, is amended to read as follows:

6 2. "Eligible pupil" means a pupil classified by
7 the board of directors of a school district, by the
8 state board of regents for pupils of the school for
9 the deaf and the Iowa braille and sight saving school,
10 or by the authorities in charge of an accredited
11 nonpublic school as a ninth or tenth grade pupil who
12 is identified according to the school district's
13 gifted and talented criteria and procedures, pursuant
14 to section 257.43, as a gifted and talented child, or
15 an eleventh or twelfth grade pupil, during the period
16 the pupil is participating in the enrollment option
17 provided under this chapter. A pupil attending an
18 accredited nonpublic school shall be counted as a
19 shared-time student in the school district in which
20 the nonpublic school of attendance is located for
21 state foundation aid purposes.

22 Sec. 2. Section 261C.4, Code 1993, is amended to
23 read as follows:

24 261C.4 AUTHORIZATION.

25 An eligible pupil may make application to an
26 eligible institution to allow the eligible pupil to
27 enroll for academic or vocational-technical credit in
28 a nonsectarian course offered at that eligible
29 institution. A comparable course, as defined in rules
30 made by the board of directors of the public school
31 district, must not be offered by the school district
32 or accredited nonpublic school which the pupil
33 attends. If an eligible institution accepts an
34 eligible pupil for enrollment under this section, the
35 institution shall send written notice to the pupil,
36 the pupil's school district or accredited nonpublic
37 school or the school for the deaf or the Iowa braille
38 and sight saving school, and the department of
39 education. The notice shall list the course, the
40 clock hours the pupil will be attending the course,
41 and the number of hours of postsecondary academic or
42 vocational-technical credit that the eligible pupil
43 will receive from the eligible institution upon
44 successful completion of the course.

45 Sec. 3. Section 261C.5, Code 1993, is amended to
46 read as follows:

47 261C.5 HIGH SCHOOL CREDITS.

48 A school district, the school for the deaf, the
49 Iowa braille and sight saving school, or accredited
50 nonpublic school shall grant high school academic or

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Page 2

1 vocational-technical credit to an eligible pupil
2 enrolled in a course under this chapter if the
3 eligible pupil successfully completes the course as
4 determined by the eligible institution. Eligible
5 pupils, who have completed the eleventh grade but who
6 have not yet completed the requirements for
7 graduation, may take up to seven semester hours of
8 credit during the summer months when school is not in
9 session and receive credit for that attendance, if the
10 pupil pays the cost of attendance of those summer
11 credit hours. The board of directors of the school
12 district, the state board of regents for the school
13 for the deaf and the Iowa braille and sight saving
14 school, or authorities in charge of an accredited
15 nonpublic school shall determine the number of high
16 school credits that shall be granted to an eligible
17 pupil who successfully completes a course.

18 The high school credits granted to an eligible
19 pupil under this section shall count toward the
20 graduation requirements and subject area requirements
21 of the school district of residence, the school for
22 the deaf, the Iowa braille and sight saving school, or
23 accredited nonpublic school of the eligible pupil.
24 Evidence of successful completion of each course and
25 high school credits and postsecondary academic or
26 vocational-technical credits received shall be
27 included in the pupil's high school transcript."

28 2. Page 1, line 6, by inserting after the word
29 "chapter." the following: "For pupils enrolled at the
30 school for the deaf and the Iowa braille and sight
31 saving school, the state board of regents shall pay a
32 tuition reimbursement amount by June 30 of each year."

33 3. Title page, line 2, by inserting after the
34 word "districts" the following: "and the board of
35 regents for pupils of the school for the deaf and the
36 Iowa braille and sight saving school".

37 4. By renumbering as necessary.

By NEUHAUSER of Jonsson

H-3196 FILED MARCH 9, 1993

NAVY/CLM

WITHDRAWN

3-15-93

S-3532

1 Amend House File 384, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 1 through 11.

4 2. Page 1, line 23, by inserting after the figure
5 "261C.6" the following: "and shall reimburse the
6 school district for its costs".

7 3. Page 1, by inserting after line 28 the
8 following:

9 "If the local area education agency verifies that
10 the pupil was unable to complete the course for
11 reasons including but not limited to the pupil's
12 physical incapacity, death in the family, or the
13 pupil's move to another school district, a
14 verification by the area education agency shall
15 constitute a waiver to the requirement that the pupil,
16 pupil's parent, guardian, or legal custodian pay the
17 costs of the course to the school district."

18 4. Page 1, by inserting after line 28 the
19 following:

20 "Sec. ____ . NEW SECTION. 261C.9 TUITION REFUND.

21 An eligible postsecondary institution shall make
22 pro rata adjustments to tuition reimbursement amounts
23 based upon federal guidelines established pursuant to
24 20 U.S.C. § 1091b."

25 5. By renumbering as necessary.

By LARRY MURPHY
MIKE CONNOLLY

MARY KRAMER
JIM LIND

S-3532 FILED APRIL 20, 1993

Adopted 4/23/93 (P.1314)

HOUSE FILE 384

S-3547

1 Amend House File 384, as passed by the House, as
2 follows:

3 1. Page 1, by inserting after line 28 the follow-
4 ing:

5 "Sec. ____ . NEW SECTION. 279.38A MEMBERSHIP IN
6 OTHER ORGANIZATIONS.

7 Duly elected members of boards of directors and
8 designated administrators of school corporations may
9 join and participate in local, regional, and national
10 organizations which directly relate to the functions
11 of the board of directors."

12 2. Title page, line 3, by inserting after the
13 word "Act" the following: "and membership in
14 organizations relating to duties of a board of
15 directors of a school corporation".

16 3. By renumbering as necessary.

Adopted 4/23/93 (P.1314) By MIKE CONNOLLY

S-3547 FILED APRIL 20, 1993

HOUSE FILE 384

S-3553

1 Amend the amendment, S-3547, to House File 384, as
2 passed by the House, as follows:

3 1. Page 1, line 9, by inserting after the word
4 "join" the following: ", including the payment of
5 dues,".

Adopted 4/23/93 (P.1314) By MIKE CONNOLLY

S-3553 FILED APRIL 20, 1993

SENATE AMENDMENT TO HOUSE FILE 384

H-4190

1 Amend House File 384, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 1 through 11.
4 2. Page 1, line 23, by inserting after the figure
5 "261C.6" the following: "and shall reimburse the
6 school district for its costs".

7 3. Page 1, by inserting after line 28 the
8 following:

9 "If the local area education agency verifies that
10 the pupil was unable to complete the course for
11 reasons including but not limited to the pupil's
12 physical incapacity, death in the family, or the
13 pupil's move to another school district, a
14 verification by the area education agency shall
15 constitute a waiver to the requirement that the pupil,
16 pupil's parent, guardian, or legal custodian pay the
17 costs of the course to the school district."

18 4. Page 1, by inserting after line 28 the
19 following:

20 "Sec. ____ . NEW SECTION. 261C.9 TUITION REFUND.
21 An eligible postsecondary institution shall make
22 pro rata adjustments to tuition reimbursement amounts
23 based upon federal guidelines established pursuant to
24 20 U.S.C. § 1091b."

25 5. Page 1, by inserting after line 28 the follow-
26 ing:

27 "Sec. ____ . NEW SECTION. 279.38A MEMBERSHIP IN
28 OTHER ORGANIZATIONS.

29 Duly elected members of boards of directors and
30 designated administrators of school corporations may
31 join, including the payment of dues, and participate
32 in local, regional, and national organizations which
33 directly relate to the functions of the board of
34 directors."

35 6. Title page, line 3, by inserting after the
36 word "Act" the following: "and membership in
37 organizations relating to duties of a board of
38 directors of a school corporation".

39 7. By renumbering, relettering, or redesignating
40 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-4190 FILED APRIL 26, 1993

House Concurrent
4/28/93
(P. 1769)

HOUSE FILE 384

AN ACT

RELATING TO TUITION REIMBURSEMENTS OF POSTSECONDARY INSTITUTIONS BY SCHOOL DISTRICTS UNDER THE POSTSECONDARY ENROLLMENT OPTIONS ACT AND MEMBERSHIP IN ORGANIZATIONS RELATING TO DUTIES OF A BOARD OF DIRECTORS OF A SCHOOL CORPORATION.

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

Section 1. Section 261C.8, Code 1993, is amended to read as follows:

261C.8 PROHIBITION ON CHARGES.

An eligible postsecondary institution that enrolls an eligible pupil under this chapter shall not charge that pupil for tuition, textbooks, materials, or fees directly related to the course in which the pupil is enrolled except that the pupil may be required to purchase equipment that becomes the property of the pupil. However, if the pupil fails to complete and receive credit for the course, the pupil is responsible for all costs directly related to the course as provided in section 261C.6 and shall reimburse the school district for its costs. If the pupil is under eighteen years of age, the pupil's parent, guardian, or custodian shall sign the student registration form indicating that the parent, guardian, or custodian is responsible for all costs directly related to the course, if the pupil fails to complete and receive credit for the course.

If the local area education agency verifies that the pupil was unable to complete the course for reasons including but not limited to the pupil's physical incapacity, death in the family, or the pupil's move to another school district, a verification by the area education agency shall constitute a waiver to the requirement that the pupil, pupil's parent, guardian, or legal custodian pay the costs of the course to the school district.

Sec. 2. NEW SECTION. 261C.9 TUITION REFUND.

An eligible postsecondary institution shall make pro rata adjustments to tuition reimbursement amounts based upon federal guidelines established pursuant to 20 U.S.C. § 1091b.

Sec. 3. NEW SECTION. 279.38A MEMBERSHIP IN OTHER ORGANIZATIONS.

Duly elected members of boards of directors and designated administrators of school corporations may join, including the payment of dues, and participate in local, regional, and national organizations which directly relate to the functions of the board of directors.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. ROSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 384, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *May 11, 1993*

TERRY E. BRANSTAD
Governor