

3-11-93 House Education  
4-8-93 House amend/Do Pass w/H 3808  
FILE MAR 2 1993

SENATE FILE 205  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 77)

(P. 562)  
Passed Senate, Date 3-10-93 Passed House, Date 4/30/93 (p. 1868)  
Vote: Ayes 49 Nays 0 Vote: Ayes 99 Nays 0  
Approved May 20, 1993

Re-passed Senate  
41-8 4/30/93 (p. 1493)

A BILL FOR

- 1 An Act relating to open enrollment procedures and reports.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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SF 205

1 Section 1. Section 282.18, subsection 1, Code 1993, is  
2 amended by adding the following new unnumbered paragraph:  
3 NEW UNNUMBERED PARAGRAPH. School districts shall publish,  
4 prior to September 30 of each year, in a newspaper of general  
5 circulation pursuant to section 618.3, open enrollment  
6 deadlines and criteria to qualify for transportation  
7 assistance.

8 Sec. 2. Section 282.18, subsection 3, Code 1993, is  
9 amended by striking the subsection.

10 Sec. 3. 1989 Iowa Acts, chapter 12, section 2, is amended  
11 to read as follows:

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

31 EXPLANATION

32 The bill provides for notification through a newspaper of  
33 general circulation of the deadlines and criteria for  
34 transportation in open enrollment. Three report topics  
35 concerning open enrollment are deleted from a three-year

1 report to be made by the department of education to the  
2 general assembly.

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SENATE FILE 205

H-4088

1 Amend Senate File 205, as passed by the Senate, as  
2 follows:

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

5 "Section 1. NEW SECTION. 257.4A OPEN ENROLLMENT  
6 SUPPLEMENTAL LEVY.

7 The board of directors of a receiving district  
8 under the open enrollment provisions of section 282.18  
9 which determines that the funding received from the  
10 district of residence for a pupil attending school in  
11 the receiving district is insufficient to provide the  
12 educational program may certify by April 15 of the  
13 base year the imposition of a supplemental open  
14 enrollment levy on all taxable property in the school  
15 district. The maximum amount that may be received  
16 from the levy shall be the sum of the difference, for  
17 pupils participating in open enrollment in the  
18 receiving district, between the receiving district  
19 cost per pupil and the amount transferred per pupil  
20 from the resident district. The school district shall  
21 certify the amount to be raised and the department of  
22 management shall establish the amount of the property  
23 tax to be levied for the budget year. Moneys received  
24 by a school district from the supplemental open  
enrollment levy are miscellaneous income."

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

27 "Sec. \_\_\_\_ . Section 282.18, subsection 8, Code  
28 1993, is amended to read as follows:

29 8. A pupil participating in open enrollment shall  
30 be counted, for state school foundation aid purposes,  
31 in the pupil's district of residence. A pupil's  
32 residence, for purposes of this section, means a  
33 residence under section 282.1. After the actual  
34 enrollment count is completed pursuant to section  
35 257.6, the receiving district shall notify the  
36 department of education of the number of pupils  
37 participating in open enrollment. The department of  
38 education shall notify the department of management  
39 which shall make the appropriate adjustments to be  
40 reflected in payments from the department of education  
41 to the receiving districts, notwithstanding any other  
42 provisions of this section. The board-of-directors-of  
43 the-district-of-residence-shall-pay-to-the receiving  
44 district shall receive the state aid portion of the  
45 lower district cost per pupil of the two-districts for  
46 the sending district, plus any moneys received for the  
47 pupil as a result of non-English speaking weighting  
48 under section 280.4, subsection 4, for each school  
49 year. The district-of-residence-shall-also-transmit

4088

H-4088

Page 2

1 the phase III moneys allocated to the district for the  
2 full-time equivalent attendance of the pupil, who is  
3 the subject of the request, shall be transferred by  
4 the department of education to the receiving district  
5 specified in the request for transfer."

6 3. Title page, line 1, by inserting after the  
7 word "procedures" the following: ", funding,".

8 4. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-4088 FILED APRIL 20, 1993

*Not germane 4/30 (p. 1867)*

SENATE FILE 205

H-3808

1 Amend Senate File 205, as passed by the Senate, as  
2 follows:

3 1. Page 1, by striking lines 1 through 7.

4 2. By renumbering as necessary.

By COMMITTEE ON EDUCATION

GRUBBS of Scott, Chairperson

H-3808 FILED APRIL 8, 1993

*Adopted 4/30 (p. 1866)*

*denote*

HOUSE AMENDMENT TO  
SENATE FILE 205

S-3738

1 Amend Senate File 205, as passed by the Senate, as  
2 follows:

3 1. Page 1, by striking lines 1 through 7.

4 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3738 FILED APRIL 30, 1993

CONCURRED (p. 1493)

CONNOLLY, CH.  
MURPHY  
SLIFE

SSB 77  
EDUCATION

SENATE/HOUSE FILE 205  
BY (PROPOSED DEPARTMENT OF  
EDUCATION BILL)

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

A BILL FOR

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8 Sec. 2. Section 282.18, subsection 3, Code 1993, is  
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10 Sec. 3. 1989 Iowa Acts, chapter 12, section 2, is amended  
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12 SEC. 2. THREE-YEAR REPORT ON OPEN ENROLLMENT. The  
13 department of education shall conduct a three-year study of  
14 the implementation of open enrollment in the state. The study  
15 shall include, but not be limited to, ~~a-comparison-of~~  
16 ~~graduation-rates-before-and-after-the-effective-date-of-this~~  
17 ~~Act;~~ a demographic study of the use of the open enrollment  
18 option relating to the number of students using the open  
19 enrollment option, ~~the-effect-of-open-enrollment-on-staffing~~  
20 ~~patterns-and-curricular-offerings;~~ the effect of open  
21 enrollment on district ability to comply with desegregation  
22 orders or plans and minimum school standards, and the effect  
23 of open enrollment on the actual student populations within  
24 affected districts, ~~the-effect-of-open-enrollment-on-student~~  
25 ~~participation-in-interscholastic-athletics;-and-the-average~~  
26 ~~number-of-school-days-missed-by-open-enrollment-participants.~~  
27 The data collected, together with any conclusions, shall be  
28 submitted in annual reports to the general assembly until and  
29 including the general assembly which meets in 1993.

30 EXPLANATION

31 The bill provides for notification through a newspaper of  
32 general circulation of the deadlines and criteria for  
33 transportation in open enrollment. Four report topics  
34 concerning open enrollment are deleted from a three-year  
35 report to be made by the department of education to the

1 general assembly.

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BACKGROUND STATEMENT

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SUBMITTED BY THE AGENCY

4 Section 1 is designed to address equal access to open  
5 enrollment by increasing awareness of the program and criteria  
6 for transportation assistance.

7 Section 2 is a cleanup action to eliminate some outdated  
8 Code language.

9 Section 3 eliminates some of the three-year reporting  
10 requirements for open enrollment. The staff time required for  
11 local school districts to gather this information would be  
12 immense compared to the value of the information for  
13 evaluating the effects of open enrollment.

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SENATE FILE 205

AN ACT  
RELATING TO OPEN ENROLLMENT PROCEDURES AND REPORTS.

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

Section 1. Section 282.18, subsection 3, Code 1993, is amended by striking the subsection.

Sec. 2. 1989 Iowa Acts, chapter 12, section 2, is amended to read as follows:

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; and 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

\_\_\_\_\_  
LEONARD L. BOSWELL  
President of the Senate

\_\_\_\_\_  
HAROLD VAN MAANEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 205, Seventy-fifth General Assembly.

\_\_\_\_\_  
JOHN F. DWYER  
Secretary of the Senate

Approved *May 20* 1993

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor