

JAN 27 1998
EDUCATION

HOUSE FILE 2104
BY LORD, WISE, DREES, WARNSTADT,
FOEGE, MAY, WHITEAD, KINZER,
MASCHER, FREVERT, BUKTA,
MURPHY, RICHARDSON, FALCK,
OSTERHAUS, VANDE HOEF,
VEENSTRA, CARROLL, BODDICKER,
VAN MAANEN, RANTS, BRAUNS,
DIX, CHURCHILL, VAN FOSSEN,
LAMBERTI, and SUKUP

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

A BILL FOR

1 An Act relating to the transportation between school districts of
2 students participating in open enrollment.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17

Handwritten: RT 2104

1 Section 1. Section 282.18, subsection 10, Code Supplement
2 1997, is amended to read as follows:
3 10. Notwithstanding section 285.1 relating to
4 transportation of nonresident pupils, the parent or guardian
5 is responsible for transporting the pupil without
6 reimbursement to and from a point on a regular school bus
7 route of the receiving district. However, subject to section
8 285.9, subsection 3, a receiving district may send school
9 vehicles into the district of residence of the pupil using the
10 open enrollment option under this section, for the purpose of
11 transporting the pupil to and from school in the receiving
12 district, ~~if the boards of both the sending and receiving~~
13 ~~districts agree to this arrangement.~~ If the pupil meets the
14 economic eligibility requirements established by the
15 department and state board of education, the sending district
16 is responsible for providing transportation or paying the pro
17 rata cost of the transportation to a parent or guardian for
18 transporting the pupil to and from a point on a regular school
19 bus route of a contiguous receiving district unless the cost
20 of providing transportation or the pro rata cost of the
21 transportation to a parent or guardian exceeds the average
22 transportation cost per pupil transported for the previous
23 school year in the district. If the cost exceeds the average
24 transportation cost per pupil transported for the previous
25 school year, the sending district shall only be responsible
26 for that average per pupil amount. A sending district which
27 provides transportation for a pupil to a contiguous receiving
28 district under this subsection may withhold from the district
29 cost per pupil amount, that is to be paid to the receiving
30 district, an amount which represents the average or pro rata
31 cost per pupil for transportation, whichever is less.

32 EXPLANATION

33 This bill permits a receiving school district to send
34 school vehicles into the district of residence of a pupil
35 using the open enrollment option for the purpose of

1 transporting the pupil to and from school without the specific
2 approval of the district of residence. The Iowa Code
3 provides, however, that the area education agency has the
4 authority to approve all bus routes outside the boundary of
5 the district of the school operating the buses. Current law
6 permits such transportation only if the boards of the sending
7 and receiving districts both agree to a transportation
8 arrangement.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35