

FILED MAR 4 1997

SENATE FILE 287  
BY DRAKE and LIND

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

A BILL FOR

1 An Act relating to school finance, providing for payment of an  
2 open enrollment state aid amount per pupil to an open  
3 enrollment receiving district, and providing an applicability  
4 provision.

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

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

S.F. 287

1 Section 1. Section 282.18, subsection 7, Code 1997, is  
2 amended to read as follows:

3 7. A pupil participating in open enrollment shall be  
4 counted, for state school foundation aid purposes, in the  
5 pupil's district of residence. A pupil's residence, for  
6 purposes of this section, means a residence under section  
7 282.1. The board of directors of the district of residence  
8 shall pay to the receiving district the state cost-per-pupil  
9 ~~for the previous school year~~ open enrollment state aid amount  
10 per pupil, plus any moneys received for the pupil as a result  
11 of the non-English speaking weighting under section 280.4,  
12 subsection 3, for the previous school year multiplied by the  
13 state cost per pupil for the previous year. The district of  
14 residence shall also transmit the phase III moneys allocated  
15 to the district for the previous year for the full-time  
16 equivalent attendance of the pupil, who is the subject of the  
17 request, to the receiving district specified in the request  
18 for transfer. For purposes of this section, the open  
19 enrollment state aid amount per pupil is calculated by  
20 subtracting the per pupil amount raised by the foundation  
21 property tax in the district for the previous year from the  
22 regular program foundation base per pupil for the previous  
23 year.

24 Sec. 2. Section 282.18, subsection 9, Code 1997, is  
25 amended to read as follows:

26 9. If a parent or guardian of a child, who is  
27 participating in open enrollment under this section, moves to  
28 a different school district during the course of either  
29 district's academic year, the child's first district of  
30 residence shall be responsible for payment of the cost-per  
31 pupil amount specified in subsection 7 plus weightings or  
32 special education costs to the receiving school district for  
33 the balance of the school year in which the move took place.  
34 The new district of residence shall be responsible for the  
35 payments during succeeding years.

1 If a request to transfer is due to a change in family  
 2 residence, change in the state in which the family residence  
 3 is located, a change in a child's parents' marital status, a  
 4 guardianship proceeding, placement in foster care, adoption,  
 5 participation in a foreign exchange program, or participation  
 6 in a substance abuse or mental health treatment program, and  
 7 the child who is the subject of the request is not currently  
 8 using any provision of open enrollment, the parent or guardian  
 9 of the child shall have the option to have the child remain in  
 10 the child's original district of residence until such  
 11 time as the child is accepted to the child's school zone  
 12 provided that a parent or guardian exercises this option. The  
 13 original district of residence is not required to provide  
 14 transportation or other costs to the receiving district until  
 15 the start of the first full year of enrollment in the receiving  
 16 district's schools shall be made to the receiving district.  
 17 If the transfer of a pupil from one district to another  
 18 results in a transfer from one area education agency to  
 19 another, the sending district shall forward a copy of the  
 20 request to the sending district's area education agency, and  
 21 receiving district shall forward a copy of the request to the  
 22 receiving district's area education agency. Any monies  
 23 received by the area education agency of the sending district  
 24 for the pupil who is the subject of the request shall be  
 25 forwarded to the receiving district's area education agency.  
 26  
 27 A district of residence may apply to the school budget  
 28 review committee if a student was not included in the resident  
 29 district's enrollment count during the fall of the year  
 30 preceding the student's transfer under open enrollment.  
 31 Sec. 3. Section 282.18, subsection 10, Code 1997, is  
 32 amended to read as follows:  
 33 10. Notwithstanding section 285.1 relating to  
 34 transportation of nonresident pupils, the parent or guardian  
 35 is responsible for transporting the pupil without

1 reimbursement to and from a point on a regular school bus  
2 route of the receiving district. However, a receiving  
3 district may send school vehicles into the district of  
4 residence of the pupil using the open enrollment option under  
5 this section, for the purpose of transporting the pupil to and  
6 from school in the receiving district, if the boards of both  
7 the sending and receiving districts agree to this arrangement.  
8 If the pupil meets the economic eligibility requirements  
9 established by the department and state board of education,  
10 the sending district is responsible for providing  
11 transportation or paying the pro rata cost of the  
12 transportation to a parent or guardian for transporting the  
13 pupil to and from a point on a regular school bus route of a  
14 contiguous receiving district unless the cost of providing  
15 transportation or the pro rata cost of the transportation to a  
16 parent or guardian exceeds the average transportation cost per  
17 pupil transported for the previous school year in the  
18 district. If the cost exceeds the average transportation cost  
19 per pupil transported for the previous school year, the  
20 sending district shall only be responsible for that average  
21 per pupil amount. A sending district which provides  
22 transportation for a pupil to a contiguous receiving district  
23 under this subsection may withhold from the district-cost-per-  
24 pupil amount specified in subsection 7, that is to be paid to  
25 the receiving district, an amount which represents the average  
26 or pro rata cost per pupil for transportation, whichever is  
27 less.

28 Sec. 4. This Act applies to school budget years beginning  
29 on or after July 1, 1997.

30 EXPLANATION

31 This bill provides that when a student is participating in  
32 open enrollment, the board of directors in the student's  
33 district of residence shall pay to the receiving district an  
34 amount representing the foundation aid per pupil remaining  
35 after property taxes per pupil are retained by the district of

1 residence. The bill provides that the amount paid to the  
2 receiving district shall be referred to as the open enrollment  
3 state aid amount per pupil. The bill applies to school budget  
4 years beginning on or after July 1, 1997.

5  
6  
7  
8  
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