

Senate Study Bill 110

Bill Text

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1 1 Section 1. Section [22.7](#), Code 1997, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 37. The schedule of bills and claims paid
1 4 by school districts for reimbursement of tuition and fees to
1 5 parents, guardians, legal or actual custodians, or students as
1 6 a result of any fee waiver policy.

1 7 Sec. 2. Section [256.7](#), subsection 20, Code 1997, is
1 8 amended by striking the subsection.

1 9 Sec. 3. Section [279.35](#), Code 1997, is amended to read as
1 10 follows:

1 11 279.35 PUBLICATION OF PROCEEDINGS.

1 12 The proceedings of each regular, adjourned, or special
1 13 meeting of the board, including the schedule of bills allowed,
1 14 shall be published after the adjournment of the meeting in the
1 15 manner provided in this section and section 279.36, and the
1 16 publication of the schedule of the bills allowed shall include
1 17 a list of claims allowed, including salary claims for services
1 18 performed. The schedule of bills allowed may be published on
1 19 a once monthly basis in lieu of publication with the
1 20 proceedings of each meeting of the board. The list of claims
1 21 allowed shall include the name of the person or firm making
1 22 the claim, the purpose of the claim, and the amount of the
1 23 claim. The schedule of bills and claims for reimbursement of
1 24 tuition and fees to parents, guardians, legal or actual
1 25 custodians, or students, that result from any fee waiver
1 26 policy, shall not be published and are considered confidential
1 27 records under section 22.7. However, salaries paid to
1 28 individuals regularly employed by the district shall only be
1 29 published annually and the publication shall include the total
1 30 amount of the annual salary of each employee. The secretary
1 31 shall furnish a copy of the proceedings to be published within
1 32 two weeks following the adjournment of the meeting.

1 33 Sec. 4. Section [282.1A](#), subsection 1, Code 1997, is
1 34 amended to read as follows:

1 35 1. A board of directors of a public school district may,
2 1 subject to the approval of the department of education,
2 2 provide an extended school program for residents of the
2 3 district who are over the maximum school age established in
2 4 section 282.1, who do not possess a high school diploma or a
2 5 high school equivalency diploma under chapter 259A, and who
2 6 are currently enrolled in an education program in the
2 7 district. The educational program may be separate from or
2 8 integrated into the regular school program. Residents
2 9 attending the program shall be included in the district's
2 10 basic enrollment and shall attend on a tuition-free basis. A
2 11 district may also provide services to nonresidents under this
2 12 section, and those persons shall be charged

~~a~~
- sufficient
2 13 tuition

~~fee~~
- to cover the cost of the instruction received by
2 14 the person as provided in section 282.6.
2 15 Sec. 5. Section [282.6](#), Code 1997, is amended to read as

2 16 follows:

2 17 282.6 TUITION AND FEES.

2 18 1. This section shall be construed broadly to effectuate
2 19 its purposes to permit school districts to provide a wide
2 20 range of tuition-free educational choices for Iowa resident
2 21 students enrolled in public schools in this state and to
2 22 maximize the ability of students to use those choices in order
2 23 to access educational opportunities.

2 24 2. Every school shall be free of tuition to all actual
2 25 residents between the ages of five and twenty-one years and to
2 26 resident honorably discharged

~~—soldiers, sailors, and marines~~

2 27 military personnel, as many months after becoming twenty-one
2 28 years of age as they have spent in the military or naval
2 29 service of the United States before they became twenty-one,
2 30 provided, however,

~~—fees~~

~~—tuition~~ may be charged covering
2 31 instructional costs for a summer school or

~~—drivers~~

~~—driver~~
2 32 education program.

~~—The board of education may, in a hardship~~

2 33

~~—case, exempt a student from payment of the above fees.~~

~~—Every~~
2 34 person, however, who

~~—shall attend any~~

~~—attends a public~~ school
2 35 after graduation from a four-year course in an approved high
3 1 school or its equivalent shall be charged

~~—a~~

~~—sufficient tuition~~
3 2

~~—fee~~

~~—to cover the cost of the instruction received by~~

~~—such~~

~~—the~~
3 3 person.
3 4

~~—This section shall not apply to tuition authorized by~~

3 5

~~—chapter 260C.~~

3 6 3. Boards of school districts may charge reasonable fees,
3 7 not to exceed the costs, for the following:
3 8 a. Textbooks as defined in section 301.1.
3 9 b. Eye-protective devices required under section 280.10.
3 10 c. Ear-protective devices required under section 280.11.
3 11 d. Services provided and rental of school property limited
3 12 to towel service, uniform or robe cleaning or rental,
3 13 graduation cap and gown rental, musical instrument rental,
3 14 parking permits, and padlock rental.

3 15 e. Costs associated with participation in school-sponsored
3 16 activity programs if student participation is not required.
3 17 f. Transportation for resident pupils attending public
3 18 school who are not entitled to transportation under section
3 19 285.1.
3 20 g. Admission for students and other persons to school-
3 21 sponsored activities if student attendance is not required.
3 22 h. School supplies that are not essential to participation
3 23 in the educational program under section 256.11.
3 24 i. Items and materials that become property of the student
3 25 and are not essential to the educational program under section
3 26 256.11.
3 27 j. Services provided that are not required as part of the
3 28 educational program under section 256.11, limited to child
3 29 care, preschool programs, and Internet or other on-line
3 30 computer services.
3 31 4. The state board of education shall adopt tuition and
3 32 fee waiver rules that at a minimum do the following:
3 33 a. Require a waiver of tuition and fees for indigent
3 34 families for the following:
3 35 (1) Driver education offered during the regular school
4 1 year.
4 2 (2) Driver education when offered by a school district
4 3 only as a summer school program.
4 4 (3) Costs associated with student participation in a
4 5 school-sponsored activity program if student participation is
4 6 not required and if fund-raising activities are not available
4 7 to defray the student costs of participation.
4 8 (4) Transportation for resident pupils attending public
4 9 school who are not entitled to transportation under section
4 10 285.1 if the school district determines that the
4 11 transportation is necessary for safety purposes.
4 12 (5) Student fees included in subsection 3, paragraphs "a"
4 13 through "e".
4 14 b. Permit, at the discretion of the board of directors of
4 15 the school district, a full, partial, or temporary waiver of
4 16 fees for the following:
4 17 (1) Summer school tuition or summer school driver
4 18 education tuition when driver education is also offered during
4 19 the regular school year.
4 20 (2) Costs associated with student participation in a
4 21 school-sponsored activity program if student participation is
4 22 not required and if fund-raising activities are available to
4 23 defray the student costs of participation.
4 24 (3) Transportation for resident pupils attending public
4 25 school who are not entitled to transportation under section
4 26 285.1 if transportation is not for safety purposes.
4 27 (4) Student fees included in subsection 3, paragraphs "g"
4 28 through "j".
4 29 c. Require that items and materials resulting from a
4 30 student's efforts become the property of the student unless
4 31 impractical or in violation of state or federal law.
4 32 5. For purposes of this section, "resident" means a person
4 33 who is physically present in a district, whose residence has
4 34 not been established in another district by operation of law,
4 35 and who meets any of the following conditions:

5 1

~~1.~~

- a. Is in the district for the purpose of making a home
5 2 and not solely for school purposes.
5 3

~~2.~~

- b. Meets the definitional requirements of the term
5 4 "homeless individual" under 42 U.S.C. } 11302(a) and (c).
5 5

- c. Lives in a residential correctional facility in the
5 6 district.

5 7 6. This section shall not apply to tuition or fees
5 8 authorized by chapters 260C and 261C.

5 9 Sec. 6. Section 301.1, unnumbered paragraph 2, Code 1997,
5 10 is amended to read as follows:

5 11 Textbooks adopted and purchased by a school district may,
5 12 and shall to the extent funds are appropriated by the general
5 13 assembly, be made available to pupils attending nonpublic
5 14 schools upon request of the pupil or the pupil's parent under
5 15 comparable terms as made available to pupils attending public
5 16 schools. As used in this

~~paragraph~~

- section, "textbooks" means

5 17 books and loose-leaf or bound manuals, systems of reusable
5 18 instructional materials or combinations of books and
5 19 supplementary instructional materials which convey information
5 20 to the student or otherwise contribute to the learning
5 21 process, or electronic textbooks, including but not limited to
5 22 computer software, applications using computer-assisted
5 23 instruction, interactive videodisc, and other computer
5 24 courseware and magnetic media.

5 25 Sec. 7. EFFECTIVE DATE. This Act, being deemed of
5 26 immediate importance, takes effect upon enactment.

5 27 EXPLANATION

5 28 This bill authorizes public school districts to charge a
5 29 reasonable fee to cover the district costs for certain
5 30 products or services supplied to students. However, the bill
5 31 also requires the state board of education to establish
5 32 tuition and fee waiver rules for indigent families and
5 33 provides that items and materials resulting from a student's
5 34 efforts become the property of the student unless impractical
5 35 or a violation of state or federal law.

6 1 The bill communicates the intent of the general assembly to
6 2 permit a wide range of tuition-free educational choices for
6 3 Iowa's public school students. Those who would interpret the
6 4 provision relating to tuition and fees charged or waived by
6 5 school districts are directed to broadly construe the
6 6 provision in order to increase student choice and access to
6 7 educational opportunities.

6 8 The schedule of bills and claims paid by school districts
6 9 for reimbursement of tuition and fees to parents, guardians,
6 10 legal or actual custodians, or students as a result of any fee
6 11 waiver policy shall remain confidential, as provided in the
6 12 bill, unless otherwise ordered by a court, by the lawful
6 13 custodian of the records, or by another person duly authorized
6 14 to release the information.

6 15 The Act takes effect upon enactment.

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