

# House Study Bill 2.1

## Bill Text

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1 1 Section 1. Section [257.6](#), subsection 1, Code 2001, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. g. For the budget year beginning July 1,  
1 4 2001, and succeeding budget years, foreign exchange pupils  
1 5 enrolled in a district pursuant to a foreign exchange program  
1 6 shall be counted as resident pupils and included in actual  
1 7 enrollment pursuant to paragraph "a". For purposes of this  
1 8 paragraph, "foreign exchange program" means an educational and  
1 9 cultural exchange program for which a visa is issued to an  
1 10 exchange visitor pursuant to section 101(a)(15)(J) of the  
1 11 federal Immigration and Nationality Act, 8 U.S.C. } 1101 et  
1 12 seq.

1 13 A school district may amend the certified enrollment  
1 14 previously reported by October 1, 2000, to include foreign  
1 15 exchange pupils pursuant to this paragraph "g", for the  
1 16 purpose of determining combined district cost applicable for  
1 17 the budget year beginning July 1, 2001. The amended certified  
1 18 enrollment shall be submitted to the department of education  
1 19 within thirty days of the enactment of this Act, and the  
1 20 department shall promptly forward the information to the  
1 21 department of management.

1 22 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 23 immediate importance, takes effect upon enactment.

1 24 EXPLANATION

1 25 This bill provides that, for the budget year beginning July  
1 26 1, 2001, and succeeding budget years, a foreign exchange pupil  
1 27 enrolled in a school district pursuant to a foreign exchange  
1 28 program will be included in the school district's actual  
1 29 enrollment. The bill provides that in order to be included in  
1 30 enrollment, the foreign exchange program must be an  
1 31 educational and cultural exchange program for which a visa is  
1 32 issued pursuant to section 101(a)(15)(J) of the federal  
1 33 Immigration and Nationality Act. This type of visa, typically  
1 34 referred to as a J-1 visa, is not subject to federal  
1 35 provisions requiring that tuition shall be charged to  
2 1 noncitizens temporarily residing in the United States for  
2 2 educational purposes. The bill also provides that a school  
2 3 district shall submit an amended certified enrollment to the  
2 4 department of education within 30 days following enactment for  
2 5 the 2001-2002 budget year. The amended certified enrollment  
2 6 shall be forwarded to the department of management for  
2 7 purposes of calculating combined district cost applicable for  
2 8 the 2001-2002 budget year.

2 9 The bill takes effect upon enactment.

2 10 LSB 1143HC 79

2 11 rn/pj/5.1