

# House File 328 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 138)

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

## A BILL FOR

1 An Act relating to requirements for school districts providing  
2 transportation to students participating in open enrollment.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1699HV 83  
5 kh/nh/5

PAG LIN

1 1 Section 1. Section 282.18, subsection 10, Code 2009, is  
1 2 amended to read as follows:  
1 3 10. a. Notwithstanding section 285.1 relating to  
1 4 transportation of nonresident pupils, the parent or guardian  
1 5 is responsible for transporting the pupil without  
1 6 reimbursement to and from a point on a regular school bus  
1 7 route of the receiving district. For purposes of this  
1 8 subsection, "a point on a regular school bus route of the  
1 9 receiving district" includes any school bus stop on the  
1 10 regular school bus route of the receiving district that  
1 11 existed prior to road construction that necessitates a change  
1 12 in the regular school bus route, whether or not the change in  
1 13 the regular school bus route resulting from the road  
1 14 construction necessitates sending school vehicles from the  
1 15 receiving district into the district of residence in order to  
1 16 safely, economically, or efficiently transport students to or  
1 17 from the preexisting point.  
1 18 b. ~~However, a~~ A receiving district may send school  
1 19 vehicles into the district of residence of the pupil using the  
1 20 open enrollment option under this section, for the purpose of  
1 21 transporting the pupil to and from school in the receiving  
1 22 district, if the boards of both the sending and receiving  
1 23 districts agree to this arrangement.  
1 24 c. If the pupil meets the economic eligibility  
1 25 requirements established by the department and state board of  
1 26 education, the sending district is responsible for providing  
1 27 transportation or paying the pro rata cost of the  
1 28 transportation to a parent or guardian for transporting the  
1 29 pupil to and from a point on a regular school bus route of a  
1 30 contiguous receiving district unless the cost of providing  
1 31 transportation or the pro rata cost of the transportation to a  
1 32 parent or guardian exceeds the average transportation cost per  
1 33 pupil transported for the previous school year in the  
1 34 district. If the cost exceeds the average transportation cost  
1 35 per pupil transported for the previous school year, the  
2 1 sending district shall only be responsible for that average  
2 2 per pupil amount. A sending district which provides  
2 3 transportation for a pupil to a contiguous receiving district  
2 4 under this subsection may withhold from the district cost per  
2 5 pupil amount, that is to be paid to the receiving district, an  
2 6 amount which represents the average or pro rata cost per pupil  
2 7 for transportation, whichever is less.

### EXPLANATION

2 9 This bill defines a point on a regular school bus route of  
2 10 a receiving school district for purposes of transporting  
2 11 students who are participating in open enrollment. The  
2 12 definition provides that such a point includes any school bus  
2 13 stop on the route that existed prior to road construction  
2 14 which necessitates a change in the route, whether or not the  
2 15 change to the route necessitates sending school vehicles from  
2 16 the receiving district into the district of residence to  
2 17 transport the students to or from the preexisting point on the  
2 18 route safely, economically, or efficiently.

2 19 Currently, the receiving school district can only send  
2 20 vehicles into the district of residence for purposes of  
2 21 transporting students participating in open enrollment if both  
2 22 school districts agree to the arrangement.  
2 23 LSB 1699HV 83  
2 24 kh/nh/5