

3 (1758-j), seventeen hundred fifty-eight-k (1758-k), seventeen hun-  
 4 fifty-eight-l (1758-l), seventeen hundred fifty-eight-m (1758-m),  
 5 seventeen hundred fifty-eight-n (1758-n), seventeen hundred fifty-  
 6 eight-o (1758-o), seventeen hundred fifty-eight-p (1758-p), seventeen  
 7 hundred fifty-eight-q (1758-q), seventeen hundred fifty-eight-r  
 8 (1758-r) and seventeen hundred fifty-eight-s (1758-s), supplemental  
 9 supplement to the code, 1915, be and the same are hereby repealed.

Approved April 6, A. D. 1917.

## CHAPTER 156.

### OF THE SYSTEM OF COMMON SCHOOLS.

#### H. F. 70.

AN ACT to repeal the law as it appears in section 2733-1a of the supplemental supplement to the code, 1915, relating to high school tuition of non-resident pupils in approved schools, and to enact a substitute therefor.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. Attendance at schools outside home district—  
 1 tuition. That the law as it appears in section 2733-1a supplemental  
 2 supplement to the code 1915 be, and the same is hereby repealed and  
 3 the following is enacted in lieu thereof: Any person of school age  
 4 who is a resident of a school corporation which does not offer a four-  
 5 year high school course and who has completed the course as approved  
 6 by the department of public instruction for such corporation shall be  
 7 permitted to attend any public high school or county high school in  
 8 the state approved in like manner, that will receive him. Any person  
 9 applying for admission to any high school under the provisions of  
 10 this act shall present the officials of said high school the affidavit of  
 11 his or her father, mother, guardian or if he have neither, his next  
 12 friend that such applicant is of school age and a resident of a school  
 13 district of this state, specifying the district. He shall also present a  
 14 certificate signed by the county superintendent showing proficiency  
 15 in the common school branches, reading, orthography, arithmetic,  
 16 physiology, grammar, civics of Iowa, geography, United States his-  
 17 tory, penmanship and music. The school corporation in which such  
 18 student resides shall pay to the secretary of the corporation in which  
 19 such student shall be permitted to enter a tuition fee of five dollars  
 20 (\$5.00) per month, but in districts in which there is a city of the  
 21 first class a tuition fee of seven dollars (\$7.00) per month may be  
 22 charged, in the high school department in the latter corporation  
 23 during the time he so attends, not exceeding, however, a total period  
 24 of four school years; provided that such tuition shall in no case exceed  
 25 the average cost of said tuition in such high school; such payment  
 26 to be made out of the teachers' fund and the contingent fund or out  
 27 of the general fund of the debtor corporation and such tuition fee as  
 28 collected by the secretary shall be turned over by him with an itemized  
 29 statement, to the treasurer of the school funds on or before February  
 30 fifteenth and June fifteenth of each year. If payment is refused or

31 neglected the board of the creditor corporation shall file with the  
32 auditor of the county of the pupil's residence a statement certified by  
33 its president specifying the amount due for tuition and for contingent  
34 expenses respectively, and the time for which the same is claimed;  
35 and the auditor shall transmit to the county treasurer an order  
36 directing such treasurer to transfer the amount of such account from  
37 the debtor corporation to the creditor corporation, and the treasurer  
38 shall pay the same in accordance therewith. No school corporation  
39 situated in a county maintaining a county high school shall be re-  
40 quired to pay the tuition of pupils at any high school other than such  
41 county high school, but this shall not apply to pupils who, while re-  
42 siding at home, attend some high school other than that of the school  
43 corporation in which they reside; and the tuition to be paid by  
44 school corporations in such county shall be three and one-half dollars  
45 (\$3.50) per pupil per month, provided that, in counties having a  
46 high school where a child resides at home and attends a high school  
47 outside the district of his residence other than the county high school,  
48 and the school corporation where the child resides pays the tuition  
49 for such child, and at the end of the school year it is found that less  
50 pupils have attended the county high school from the district where  
51 such child resides than was entitled to attend under the county high  
52 school apportionment, then and in that case the school corporation  
53 where such child resides shall be entitled to be reimbursed from the  
54 county high school funds for the tuition so paid, not exceeding in the  
55 aggregate an amount equal to the taxes contributed by such district  
56 to said county high school funds for the tax year preceding, fair  
57 and equitable credit being given to the county high school fund for  
58 pupils actually attending said county high school during said school  
59 year from the district where said child resides. The county super-  
60 intendent shall, on being applied to for such purpose, determine in  
61 writing the amount due such corporation from the county high school  
62 fund, and furnish such corporation with a copy of such finding.  
63 Within twenty days thereafter such corporation may appeal to the  
64 district court from such finding by serving written notice on the  
65 county superintendent of the taking of such appeal. On the service  
66 of said notice the county superintendent shall file a copy of his find-  
67 ing in the office of the clerk of the district court and the clerk shall  
68 docket the cause without fee. The matter shall be tried on appeal  
69 as in equity and without formal pleading. The decision of the district  
70 court shall be final. The treasurer shall, upon the filing with him  
71 of any final decision, immediately transfer from the county high  
72 school funds to the credit of the corporation entitled to the same  
73 the amount directed to be transferred.

1 **SEC. 2. Publication clause.** This act, being deemed of immediate  
2 importance, shall take effect and be in force from and after its pub-  
3 lication in the Des Moines Register, a newspaper published in Des  
4 Moines, Iowa, and the Council Bluffs Nonpariel, a newspaper pub-  
5 lished in Council Bluffs, Iowa.

Approved April 7, A. D. 1917.

I hereby certify that the foregoing act was published in the Council Bluffs Nonpareil  
April 14, 1917, and in the Des Moines Register April 16, 1917.

W. S. ALLEN, *Secretary of State.*