

CHAPTER 1107

OPEN ENROLLMENT — TRANSPORTATION OF PUPILS

H.F. 2278

AN ACT relating to the transportation to and from school of pupils participating in open enrollment.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 282.18, subsection 8](#), paragraphs b and c, Code 2024, are amended to read as follows:

b. (1) A receiving district with a total enrollment of less than two thousand students may send school vehicles not more than two miles into the district of residence of the pupil using the open enrollment option under [this section](#), for the purpose of transporting the pupil to and from school in the receiving district, if the boards of both the sending and receiving districts agree to this arrangement pupil's primary residence is closer to the attendance center the pupil attends in the receiving district than the residence is to the attendance center the pupil would be assigned in the sending district.

(2) Notwithstanding subparagraph (1), a receiving district with a total enrollment of greater than or equal to two thousand students may send school vehicles two miles or more into the district of residence of the pupil using the open enrollment option under [this section](#), for the purpose of transporting the pupil to and from school in the receiving district, regardless of the distance between the pupil's primary residence and the attendance center the pupil attends in the receiving district or the attendance center the pupil would be assigned in the sending district, if all of the following apply:

(a) The total enrollment of the pupil's district of residence is less than two thousand students.

(b) The pupil's district of residence is contiguous to the receiving district.

(c) The pupil's district of residence has sent school vehicles into the receiving district pursuant to subparagraph (1).

(3) Notwithstanding subparagraph (1) or (2), a receiving district may send school vehicles into the district of residence of the pupil using the open enrollment option under [this section](#), for the purpose of transporting the pupil to and from school in the receiving district, if the boards of both the sending and receiving districts agree to this arrangement.

c. (1) If the pupil meets the economic eligibility requirements established by the department and state board of education, the sending district is responsible for providing transportation or paying the pro rata cost of the transportation to a parent or guardian for transporting the pupil to and from a point on a regular school bus route of a contiguous receiving district unless the cost of providing transportation or the pro rata cost of the transportation to a parent or guardian exceeds the average transportation cost per pupil transported for the previous school year in the district. The economic eligibility requirements established by the department of education and state board of education shall minimally include those pupils with household incomes of two hundred percent or less of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services. If the cost exceeds the average transportation cost per pupil transported for the previous school year, the sending district shall only be responsible for that average per pupil amount. A sending district which provides transportation for a pupil to a contiguous receiving district under [this subsection](#) may withhold, from the district cost per pupil amount that is to be paid to the receiving district, an amount which represents the average or pro rata cost per pupil for transportation, whichever is less.

(2) A sending district shall not be responsible for paying a parent or guardian pursuant to subparagraph (1) if the pupil is transported by the receiving district to and from school in the receiving district pursuant to paragraph "b".

Approved May 1, 2024