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Declaratory Ruling #4
(Cite as I. D.P.I. Declaratory Ruling 11)

December 10, 1975

Max E. Redmond
Superintendent of Schools
Fort Madison Community School District
Twentieth Street & Avenue M
Fort Madison, Iowa 52627

Dear Superintendent Redmond:

Your Petition for Declaratory Ruling was filed in my office on October 2, 1975. The materials you attached indicated that the question dealt with the bussing of nonpublic students authorized in Section 285.1 as amended. The specific question was as follows:

The matter in question: Is it legal for a transporting district transporting nonpublic school students from outside its district to collect, from the parents of the nonpublic school students being transported, the difference in the nonpublic school students resident district's average per pupil transportation costs and the average per pupil transportation costs of the transporting district?

The answer appears to be in the negative. I have been unable to determine any statutory authorization for a transporting school district, which is not the district of residence, to directly charge to the parents of the nonpublic school students being transported any portion of the transportation expenses much less that amount by which the average per pupil transportation cost of the transporting district exceeds that of the resident.

Sincerely yours,

Robert D. Benton, Ed.D.
State Superintendent of Public Instruction

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