

House File 40 - Introduced

HOUSE FILE _____
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(COMPANION TO LSB 1343SS
BY DANDEKAR)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the compulsory school attendance age and
2 providing effective dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1343HH 83
5 kh/nh/14

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1 1 Section 1. Section 299.1A, Code 2009, is amended to read
1 2 as follows:
1 3 299.1A COMPULSORY ATTENDANCE AGE.
1 4 1. a. ~~Except as provided in paragraph "b" and section~~
1 5 ~~299.2, a child who has reached the age of six and is under~~
1 6 ~~sixteen through seventeen years of age by September 15 is of~~
1 7 ~~compulsory attendance age. However, if a child enrolled in a~~
1 8 ~~school district or accredited nonpublic school reaches the age~~
1 9 ~~of sixteen on or after September 15, the child remains of~~
1 10 ~~compulsory age until the end of the regular school calendar.~~
1 11 b. ~~A child who will receive competent private instruction~~
1 12 ~~in accordance with chapter 299A and who reaches the age of six~~
1 13 ~~by September 15 is of compulsory attendance age. A child~~
1 14 ~~receiving such private instruction is of compulsory attendance~~
1 15 ~~age until the age of sixteen if the child reaches age sixteen~~
1 16 ~~on or before September 15. A child receiving such private~~
1 17 ~~instruction who reaches age sixteen on or after September 15~~
1 18 ~~remains of compulsory attendance age until the end of the~~
1 19 ~~school year.~~
1 20 2. a. ~~An individual who reaches the age of eighteen on or~~
1 21 ~~after September 15 during the school year and intends to~~
1 22 ~~terminate school enrollment prior to graduation is encouraged~~
1 23 ~~to file with the board of directors of the school district or~~
1 24 ~~the accredited nonpublic school of enrollment a formal~~
1 25 ~~declaration of intent to terminate school enrollment and, to~~
1 26 ~~the degree possible, participate in an exit interview pursuant~~
1 27 ~~to paragraph "b" and complete a survey in accordance with~~
1 28 ~~paragraph "c". The school district or accredited nonpublic~~
1 29 ~~school shall make every effort to notify the individual's~~
1 30 ~~parent or guardian of receipt of the individual's declaration~~
1 31 ~~of intent to terminate school enrollment.~~
1 32 b. ~~To the degree possible, a guidance counselor or other~~
1 33 ~~school personnel designated by the school district or~~
1 34 ~~accredited nonpublic school shall conduct an exit interview~~
1 35 ~~with the individual to do all of the following:~~
2 1 (1) ~~Determine the reasons for the individual's decision to~~
2 2 ~~terminate school enrollment.~~
2 3 (2) ~~Discuss actions that could be taken to assist the~~
2 4 ~~individual to stay in school.~~
2 5 (3) ~~Inform the individual of opportunities to continue the~~
2 6 ~~individual's education in a different environment, including~~
2 7 ~~but not limited to adult education and test preparation~~
2 8 ~~designed to qualify the individual for a high school~~
2 9 ~~equivalency diploma.~~
2 10 c. ~~To the degree possible, the individual and the~~
2 11 ~~individual's parent or guardian are encouraged to complete a~~
2 12 ~~survey provided by the school district in a format prescribed~~

~~2 13 by the department of education to provide data on the~~
~~2 14 individual's reasons for terminating enrollment and actions~~
~~2 15 taken by the school to keep the individual enrolled. The~~
~~2 16 survey shall include an open-ended question asking why the~~
~~2 17 individual is dropping out of school. The school district or~~
~~2 18 accredited nonpublic school shall submit the data from the~~
~~2 19 completed surveys to the department of education annually.~~

2 20 Sec. 2. Section 299.2, unnumbered paragraph 1, Code 2009,
2 21 is amended to read as follows:

2 22 ~~Section Sections 299.1 and 299.1A~~ shall not apply to any
2 23 child:

2 24 Sec. 3. Section 299A.8, Code 2009, is amended to read as
2 25 follows:

2 26 299A.8 DUAL ENROLLMENT.

2 27 If a parent, guardian, or legal custodian of a child who is
2 28 receiving competent private instruction under this chapter ~~or~~
~~2 29 a child over compulsory age who is receiving private~~

~~2 30 instruction~~ submits a request, the child shall also be
2 31 registered in a public school for dual enrollment purposes.

2 32 If the child is enrolled in a public school district for dual
2 33 enrollment purposes, the child shall be permitted to

2 34 participate in any academic activities in the district and
2 35 shall also be permitted to participate on the same basis as

3 1 public school children in any extracurricular activities

3 2 available to children in the child's grade or group, and the
3 3 parent, guardian, or legal custodian shall not be required to

3 4 pay the costs of any annual evaluation under this chapter. If

3 5 the child is enrolled for dual enrollment purposes, the child
3 6 shall be included in the public school's basic enrollment

3 7 under section 257.6. A pupil who is participating only in

3 8 extracurricular activities shall be counted under section

3 9 257.6, subsection 1, paragraph "a", subparagraph (6). A pupil
3 10 enrolled in grades nine through twelve under this section

3 11 shall be counted in the same manner as a shared-time pupil

3 12 under section 257.6, subsection 1, paragraph "a", subparagraph
3 13 (3).

3 14 Sec. 4. SCHOOL DISTRICT COMPULSORY ATTENDANCE SUPPORT

3 15 REVIEW. The board of directors of each school district shall,
3 16 during the school year beginning July 1, 2009, convene a

3 17 working group comprised of educational and community

3 18 stakeholders to review financial and programmatic supports for
3 19 students affected by an increase in the compulsory attendance

3 20 age from sixteen through seventeen. The working group shall
3 21 consider, at a minimum, the necessity of expansion of support

3 22 programs and services for such students, web-based at-risk
3 23 academy courses, summer school offerings, credit recovery

3 24 efforts, mentoring and tutoring services, before and after
3 25 school supports, career academies, and at-risk allowable

3 26 growth provisions, and the use of the instructional support
3 27 levy. The working group shall include in the comprehensive

3 28 school improvement plan submitted to the department of

3 29 education in accordance with section 256.7, subsection 21, a
3 30 plan for addressing the needs of students at risk of dropping

3 31 out, including any proposed changes to the local program or
3 32 funding priorities.

3 33 Sec. 5. COMPULSORY ATTENDANCE WORKING GROUP. The

3 34 department of education shall convene a working group
3 35 comprised of the director of the department of education, or

4 1 the director's designee, and other education stakeholders

4 2 appointed by the department to review supports for students
4 3 affected by an increase in the compulsory attendance age from

4 4 sixteen to eighteen years of age. The working group shall
4 5 consider, at a minimum, the necessity of expansion of support

4 6 programs and services for such students, online at-risk
4 7 academy courses, career academies, and current at-risk

4 8 allowable growth provisions, and full funding of the
4 9 instructional support levy. The working group shall submit

4 10 its findings and recommendations, including any proposed
4 11 changes in policy or statute, to the state board of education

4 12 and the general assembly by January 15, 2010.

4 13 Sec. 6. STATE MANDATE FUNDING SPECIFIED. In accordance

4 14 with section 25B.2, subsection 3, the state cost of requiring
4 15 compliance with any state mandate included in this Act shall

4 16 be paid by a school district from state school foundation aid
4 17 received by the school district under section 257.16. This

4 18 specification of the payment of the state cost shall be deemed
4 19 to meet all the state funding-related requirements of section

4 20 25B.2, subsection 3, and no additional state funding shall be
4 21 necessary for the full implementation of this Act by and

4 22 enforcement of this Act against all affected school districts.
4 23 Sec. 7. EFFECTIVE DATES. The section of this Act

4 24 providing for a compulsory attendance working group takes
4 25 effect July 1, 2009, and the remainder of the Act takes effect
4 26 July 1, 2010.

4 27 EXPLANATION

4 28 This bill raises the compulsory school attendance age from
4 29 16 to 17 for students other than those receiving competent
4 30 private instruction. The bill encourages students, other than
4 31 those who received competent private instruction, who reach
4 32 age 18 on or after September 15 and intend to leave school, to
4 33 file with the school district or accredited nonpublic school a
4 34 formal declaration of intent to terminate school enrollment
4 35 and, to the degree possible, participate in an exit interview
5 1 and complete a survey that will provide data annually to the
5 2 department of education regarding the reasons students are
5 3 terminating enrollment.

5 4 The school district or nonpublic school must make every
5 5 effort to notify the individual's parent or guardian of a
5 6 student's intent to terminate enrollment. To the degree
5 7 possible, in conducting the exit interview, school personnel
5 8 must determine the reasons for the individual's decision to
5 9 terminate school enrollment, discuss actions that could be
5 10 taken to assist the individual to stay in school, and inform
5 11 the individual of opportunities to continue the individual's
5 12 education in a different environment, including but not
5 13 limited to adult education and test preparation designed to
5 14 qualify the individual for a high school equivalency diploma.
5 15 The survey must include an open-ended question asking why the
5 16 student is dropping out.

5 17 The bill directs each school district to convene a working
5 18 group during the 2009=2010 school year to review financial and
5 19 programmatic supports for students affected by the increase in
5 20 the compulsory age of attendance. The working group must
5 21 include in the school district's comprehensive school
5 22 improvement plan a plan for addressing the needs of students
5 23 at risk of dropping out.

5 24 The bill also directs the department of education to
5 25 convene a compulsory attendance working group. The working
5 26 group is to review supports for affected students and to
5 27 consider the necessity of expanding support programs and
5 28 services, online at-risk academy courses, career academies,
5 29 current at-risk allowable growth provisions, and full funding
5 30 of the instructional support levy. The working group must
5 31 submit a report to the general assembly and the department of
5 32 education by January 15, 2010.

5 33 The bill includes technical amendments to eliminate a
5 34 reference to the compulsory attendance age for purposes of
5 35 dual enrollment and to exempt children who meet conditions
6 1 existing in Code section 299.2.

6 2 The provision relating to the compulsory attendance working
6 3 group takes effect July 1, 2009, while the remainder of the
6 4 bill takes effect July 1, 2010.

6 5 The bill may include a state mandate as defined in Code
6 6 section 25B.3. The bill requires that the state cost of any
6 7 state mandate included in the bill be paid by a school
6 8 district from state school foundation aid received by the
6 9 school district under Code section 257.16. The specification
6 10 is deemed to constitute state compliance with any state
6 11 mandate funding-related requirements of Code section 25B.2.
6 12 The inclusion of this specification is intended to reinstate
6 13 the requirement of political subdivisions to comply with any
6 14 state mandates included in the bill.

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