

**House File 144 - Introduced**

HOUSE FILE 144

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**A BILL FOR**

1 An Act relating to the minimum hours of instructional school  
2 time in a school year for public and accredited nonpublic  
3 elementary and secondary schools, and including effective  
4 date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.7, subsection 19, Code 2011, is  
2 amended by striking the subsection.

3 Sec. 2. Section 256.7, Code 2011, is amended by adding the  
4 following new subsection:

5 NEW SUBSECTION. 31. Adopt rules that define what  
6 constitutes instructional time for purposes of the minimum  
7 hours of instructional time set forth in section 279.10.  
8 Instructional time shall not include the lunch period, recess,  
9 time for noninstructional assemblies, late arrival or early  
10 dismissal times required for emergency health or safety  
11 factors, weather-related late starts or early releases, or time  
12 used for professional development.

13 Sec. 3. Section 256F.4, subsection 5, Code 2011, is amended  
14 to read as follows:

15 5. A charter school or innovation zone school shall provide  
16 instruction for at least the number of ~~days~~ hours required by  
17 section 279.10, ~~subsection 1,~~ or shall provide at least the  
18 ~~equivalent number of total hours.~~

19 Sec. 4. Section 279.10, Code 2011, is amended to read as  
20 follows:

21 **279.10 School year — ~~beginning date~~ — ~~exceptions~~ — ~~pilot~~**  
22 **programs instructional hours — exception.**

23 ~~1.~~ The school year for each school district and accredited  
24 nonpublic school shall begin on the ~~first day of~~ July 1 and  
25 each regularly established elementary and secondary school  
26 shall begin no sooner than a day during the calendar week  
27 in which the first day of September falls but no later than  
28 the first Monday in December. ~~However, if the first day of~~  
29 ~~September falls on a Sunday, school may begin on a day during~~  
30 ~~the calendar week which immediately precedes the first day of~~  
31 ~~September. School shall continue for at least one hundred~~  
32 ~~eighty days, except as provided in subsection 3, and may be~~  
33 ~~maintained during the entire calendar year~~ end on June 30.  
34 ~~However, if the board of directors of a district extends the~~  
35 ~~school calendar because inclement weather caused the district~~

~~1 to temporarily close school during the regular school calendar,~~  
2 The minimum hours of instructional time in a school year  
3 for an elementary school shall be nine hundred ninety hours.  
4 The minimum hours of instructional time in a school year for  
5 a secondary school shall be one thousand eighty hours. A  
6 school district may excuse or accredited nonpublic school shall  
7 require a graduating senior who has met district or school  
8 to meet the same requirements for graduation from attendance  
9 during the extended school calendar as those required of any  
10 other class of students enrolled at the secondary level in the  
11 school district or accredited nonpublic school, except with  
12 regard to activities related to graduation as authorized by the  
13 school district or accredited nonpublic school. The board of  
14 directors of a school district and the authorities in charge of  
15 an accredited nonpublic school shall set the number of days of  
16 required attendance for the school year as provided in section  
17 299.1, subsection 2. A school corporation may begin employment  
18 of personnel for in-service training and development purposes  
19 before the date to begin elementary and secondary school.

20 ~~2. The board of directors shall hold a public hearing on any~~  
21 ~~proposal prior to submitting it to the department of education~~  
22 ~~for approval.~~

23 ~~3. The board of directors of a school district may request~~  
24 ~~approval from the department of education for a pilot program~~  
25 ~~for an innovative school year. The number of days per year~~  
26 ~~that school is in session may be more or less than those~~  
27 ~~specified in subsection 1, but the innovative school year shall~~  
28 ~~provide for an equivalent number of total hours that school is~~  
29 ~~in session.~~

30 ~~a. The board shall file a request for approval with the~~  
31 ~~department not later than November 1 of the preceding school~~  
32 ~~year. The request shall include a listing of the savings and~~  
33 ~~goals to be attained under the innovative school year subject~~  
34 ~~to rules adopted by the department under chapter 17A. The~~  
35 ~~department shall notify the districts of the approval or denial~~

1 ~~of pilot programs not later than the next following January 15.~~

2 ~~b. A request to continue an innovative school year pilot~~  
3 ~~project after its initial year also shall include an evaluation~~  
4 ~~of the savings and impacts on the educational program in the~~  
5 ~~district.~~

6 ~~c. Participation in a pilot project shall not modify~~  
7 ~~provisions of a master contract negotiated between a school~~  
8 ~~district and a certified bargaining unit pursuant to chapter~~  
9 ~~20 unless mutually agreed upon.~~

10 ~~4. The director of the department of education may~~  
11 ~~grant a request made by a board of directors of a school~~  
12 ~~district stating its desire to commence classes for regularly~~  
13 ~~established elementary and secondary schools prior to the~~  
14 ~~earliest starting date specified in subsection 1. A request~~  
15 ~~shall be based upon the determination that a starting date on~~  
16 ~~or after the earliest starting date specified in subsection 1~~  
17 ~~would have a significant negative educational impact.~~

18 Sec. 5. Section 299.4, subsection 1, Code 2011, is amended  
19 to read as follows:

20 1. The parent, guardian, or legal custodian of a child who  
21 is of compulsory attendance age, who places the child under  
22 competent private instruction under either section 299A.2 or  
23 299A.3, not in an accredited school or a home school assistance  
24 program operated by a school district or accredited nonpublic  
25 school, shall furnish a report in duplicate on forms provided  
26 by the public school district, to the district by ~~the earliest~~  
27 ~~starting date specified in section 279.10, subsection 1~~ July 1  
28 of the school year in which the child will be under competent  
29 private instruction. The secretary shall retain and file  
30 one copy and forward the other copy to the district's area  
31 education agency. The report shall state the name and age of  
32 the child, the period of time during which the child has been  
33 or will be under competent private instruction for the year,  
34 an outline of the course of study, texts used, and the name  
35 and address of the instructor. The parent, guardian, or legal

1 custodian of a child, who is placing the child under competent  
2 private instruction for the first time, shall also provide the  
3 district with evidence that the child has had the immunizations  
4 required under section 139A.8, and, if the child is elementary  
5 school age, a blood lead test in accordance with section  
6 135.105D. The term "*outline of course of study*" shall include  
7 subjects covered, lesson plans, and time spent on the areas of  
8 study.

9 Sec. 6. REPEAL. Sections 256.20 and 256.22, Code 2011, are  
10 repealed.

11 Sec. 7. REPEAL. Section 257.17, Code 2011, is repealed.

12 Sec. 8. EFFECTIVE DATE. This Act takes effect July 1, 2012.

13 EXPLANATION

14 This bill replaces the current 180-day school calendar,  
15 which converts to a required 990 hours of instructional school  
16 time at 5.5 hours per day, with a requirement that the school  
17 calendar include 990 hours of instructional time for elementary  
18 schools and 1,080 hours of instructional time for secondary  
19 schools. The bill authorizes school districts and accredited  
20 nonpublic schools to set the number of days their schools will  
21 be in session.

22 The bill strikes a Code provision directing the state board  
23 of education to define the minimum school day and allowing the  
24 minimum hours to include early dismissals or late arrivals  
25 for inclement weather or emergency health factors and staff  
26 development. However, the bill adds a new requirement that  
27 the state board define what constitutes instructional time,  
28 which the bill states cannot include the lunch period, recess,  
29 assembly time, late arrival or early dismissal times, or  
30 professional development time.

31 The bill eliminates a provision that authorizes a school  
32 district to excuse a graduating senior from attendance on days  
33 added to the school calendar to make up for days lost due to  
34 inclement weather. The bill requires that graduating seniors  
35 meet the same attendance requirements as those required of any

1 other class of students at the secondary level, except with  
2 regard to graduation activities.

3 The bill also includes technical changes and repeals  
4 obsolete provisions relating to innovative school year pilots,  
5 school start date waivers and penalties, year around school  
6 pilot projects, and an extended year school grant program.

7 The bill takes effect July 1, 2012.