

**279.10 School year — beginning date — exemption.**

1. The school year for each school district and accredited nonpublic school shall begin on July 1 and the school calendar shall begin no sooner than August 23 and no later than the first Monday in December. The school calendar shall include not less than one hundred eighty days or one thousand eighty hours of instruction during the calendar year. The board of directors of a school district and the authorities in charge of an accredited nonpublic school shall determine the school start date for the school calendar in accordance with [this subsection](#) and shall set the number of days or hours of required attendance for the school year as provided in [section 299.1, subsection 2](#), but the board of directors of a school district shall hold a public hearing on any proposed school calendar prior to adopting the school calendar. If the board of directors of a district or the authorities in charge of an accredited nonpublic school extends the school calendar because inclement weather caused the school district or accredited nonpublic school to temporarily close during the regular school calendar, the school district or accredited nonpublic school may excuse a graduating senior who has met district or school requirements for graduation from attendance during the extended school calendar. A school corporation may begin employment of personnel for in-service training and development purposes before the date to begin elementary and secondary school.

2. The board of directors of a school district and the authorities in charge of an accredited nonpublic school may apply to the department of education for authorization to maintain a year-round school calendar at an attendance center or school for students in prekindergarten through grade eight. However, a board shall hold a public hearing on any proposal relating to authorization for a year-round school calendar prior to submitting an application under [this subsection](#) to the department of education for approval.

a. The initial application for a year-round school calendar shall be submitted to the department of education not later than November 1 of the preceding school year. The department shall notify the board or the authorities of the approval or denial of an application not later than the next following January 15. The application may be approved for one or two years at a time. A board or the authorities in charge may reapply to renew an authorization by November 1 of the year prior to expiration of the authorization.

b. An attendance center or school authorized to maintain a year-round calendar must serve all students attending the school and shall not be limited based on student achievement or based on the trait or characteristic of the student as defined in [section 280.28](#).

c. An attendance center or school authorized to maintain a year-round school calendar under [this subsection](#) shall provide at least ten days of instruction or the hourly equivalent during eleven of the twelve months of the school year. The period of time between instructional days shall not exceed six weeks.

d. A year-round school calendar authorized pursuant to [this subsection](#) is exempt from the school start date specified in [subsection 1](#).

3. a. For the school year beginning July 1, 2020, and ending June 30, 2021, any instruction provided in accordance with a return-to-learn plan submitted by a school district or accredited nonpublic school to the department of education in response to a proclamation of a public health disaster emergency, issued by the governor pursuant to [section 29C.6](#) and related to COVID-19, shall be deemed to meet the requirements of [subsection 1](#), regardless of the nature, location, or medium of instruction if the return-to-learn plan contains the minimum number of days or hours as required by [subsection 1](#). Any return-to-learn plan submitted by a school district or accredited nonpublic school must contain provisions for in-person instruction and provide that in-person instruction is the presumed method of instruction.

b. [This subsection](#) is repealed on July 1, 2021.

[R60, §2023, 2037; C73, §1724, 1727; C97, §2773; S13, §2773; C24, 27, 31, 35, 39, §4226; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §279.10]

83 Acts, ch 17, §1, 3, 4; 85 Acts, ch 6, §1, 2; 86 Acts, ch 1245, §1467; 88 Acts, ch 1087, §1; 88 Acts, ch 1259, §1; 90 Acts, ch 1272, §68; 94 Acts, ch 1020, §1; 2010 Acts, ch 1061, §180; 2013

Acts, ch 121, §81, 82, 85; 2014 Acts, ch 1003, §2; 2015 Acts, ch 31, §2, 3, 5; 2015 Acts, ch 138, §40, 52, 161; 2016 Acts, ch 1011, §44; 2020 Acts, ch 1107, §9

Referred to in §256.7, 256F.4, 257.17, 299.1

NEW subsection 3