

House File 2345

H-8112

1 Amend House File 2345 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 598.1, Code 2011, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 2A. "*Educational setting*" means
6 a public school, an accredited nonpublic school,
7 competent private instruction in accordance with the
8 provisions of chapter 299A, or any other method of
9 educational instruction that satisfies the compulsory
10 education requirements of chapter 299.

11 Sec. _____. Section 598.10, subsection 1, Code 2011,
12 is amended by adding the following new paragraph:

13 NEW PARAGRAPH. c. If the parents are in
14 disagreement over a minor child's educational setting,
15 the court shall consider the educational setting
16 of the minor child in making a temporary order for
17 custody. There is a rebuttable presumption that it is
18 in the best interest of the minor child to remain in
19 the educational setting in which the minor child was
20 enrolled during the immediately preceding school year.>

21 2. Page 1, after line 6 by inserting:

22 <Sec. _____. Section 598.41, Code 2011, is amended by
23 adding the following new subsections:

24 NEW SUBSECTION. 4A. If the court awards joint
25 legal custody to the parents, but the parents are in
26 disagreement over a minor child's educational setting,
27 the court shall consider, and include a provision in
28 the custody order regarding, the educational setting
29 of the minor child. There is a rebuttable presumption
30 that it is in the best interest of the minor child to
31 remain in the educational setting in which the minor
32 child was enrolled during the immediately preceding
33 school year.

34 NEW SUBSECTION. 10. All orders relating to
35 custody of a child shall specify the rights and
36 responsibilities of each parent relative to the minor
37 child's educational setting. The order shall, at a
38 minimum, specify a parent's rights and responsibilities
39 regarding physical access to the child during the
40 school day; access to records involving the health,
41 education, and welfare of the child; decision-making
42 authority including instances when parental consent
43 or authorization is required; and the removal of the
44 child from the premises of the educational setting
45 during school hours. Any parent with legal custody
46 of the child shall provide a copy of the order to the
47 educational setting and to the school district of the
48 child to whom the order applies.>

49 3. Title page, lines 1 and 2, by striking <a
50 determination of the best interest of the child in>

1 4. By renumbering as necessary.

HAGENOW of Polk