



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 28, 2003

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

Senate File 172, an Act relating to the establishment of a public charter school pilot program and providing effective and applicability dates.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 172

AN ACT

RELATING TO THE ESTABLISHMENT OF A PUBLIC CHARTER SCHOOL PILOT PROGRAM AND PROVIDING EFFECTIVE AND APPLICABILITY DATES.

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

Section 1. Section 256F.3, subsection 1, as enacted by 2002 Iowa Acts, chapter 1124, section 3, is amended to read as follows:

1. ~~Commencing with the school year beginning July 1, 2002,~~ the The state board of education shall apply for a federal grant under Pub. L. No. 107-110, cited as the federal No Child Left Behind Act of 2001 (Title V, Part B, Subpart 1), for purposes of providing financial assistance for the planning, program design, and initial implementation of public charter schools. The department shall initiate a pilot program to test the effectiveness of charter schools and shall implement the applicable provisions of this chapter.

Sec. 2. Section 256F.4, subsections 1 and 3, as enacted by 2002 Iowa Acts, chapter 1124, section 4, are amended to read as follows:

1. Within fifteen days after approval of a charter school application submitted in accordance with section 256F.3, subsection 2, a school board shall report to the department the name of the charter school applicant ~~entry~~, the proposed charter school location, and its projected enrollment.

3. A charter school shall not discriminate in its student admissions policies or practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, or status as a person with a disability. However, a charter school may limit admission to students who are within a particular range of ~~age ages~~ or ~~grade level levels~~ or on any other basis that would be legal if initiated by a school

district. Enrollment priority shall be given to the siblings of students enrolled in a charter school.

Sec. 3. Section 256F.11, as enacted by 2002 Iowa Acts, chapter 1124, section 11, is amended to read as follows:

SEC. 11. NEW SECTION. 256F.11 FUTURE REPEAL.

This chapter is repealed effective July 1, ~~2010~~ 2011.

Sec. 4. 2002 Iowa Acts, chapter 1124, section 12, is amended by striking the section and inserting in lieu thereof the following:

SEC. 12. Section 257.31, subsection 5, paragraph d, Code 2003, is amended to read as follows:

d. The closing of a nonpublic school, wholly or in part, or the opening or closing of a pilot charter school.

Sec. 5. 2002 Iowa Acts, chapter 1124, section 13, is amended by striking the section and inserting in lieu thereof the following:

SEC. 13. Section 282.18, subsection 4, paragraph b, Code 2003, is amended to read as follows:

b. For purposes of this section, "good cause" means a change in a child's residence due to a change in family residence, a change in the state in which the family residence is located, a change in a child's parents' marital status, a guardianship or custody proceeding, placement in foster care, adoption, participation in a foreign exchange program, or participation in a substance abuse or mental health treatment program, a change in the status of a child's resident district such as removal of accreditation by the state board, surrender of accreditation, or permanent closure of a nonpublic school, revocation of a charter school contract as provided in section 256F.8, the failure of negotiations for a whole-grade sharing, reorganization, dissolution agreement or the rejection of a current whole-grade sharing agreement, or reorganization plan. If the good cause relates to a change in status of a child's school district of residence, however, action by a parent or guardian must be taken to file the notification within forty-five days of the last board action or within thirty days of the certification of the election, whichever is applicable to the circumstances.

Sec. 6. 2002 Iowa Acts, chapter 1124, section 14, as amended by 2002 Iowa Acts, chapter 1175, section 96, is amended to read as follows:

SEC. 14. EXPEDITED APPLICATION PROCEDURE. The state board

of education shall develop an expedited charter school application procedure ~~for-the-fiscal-year-beginning~~ not later than July 1, 2002 2004, for purposes of ~~receiving~~ distributing federal planning funds issued pursuant to the federal Elementary and Secondary Education Act of 1965, Title X, Part C, as codified in 20 U.S.C. §§ 8061-8067.

Sec. 7. 2002 Iowa Acts, chapter 1124, section 16, is amended by striking the section and inserting in lieu thereof the following:

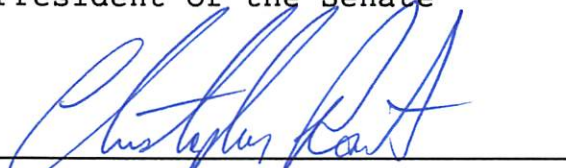
SEC. 16. APPLICABILITY DATE. This Act applies on the date by which the department of education initiates implementation in accordance with the provisions of section 256F.3, subsection 1. The department of education shall notify the Code editor upon initiating implementation in accordance with this section and section 256F.3, subsection 1.

Sec. 8. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.



MARY E. KRAMER

President of the Senate



CHRISTOPHER C. RANTS

Speaker of the House

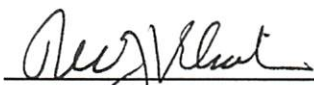
I hereby certify that this bill originated in the Senate and is known as Senate File 172, Eightieth General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved April 28, 2003



THOMAS J. VILSACK

Governor