

House File 870 - Enrolled

House File 870

AN ACT

RELATING TO STUDENTS WHO ATTEND A COURSE IN RELIGIOUS INSTRUCTION THAT IS PROVIDED BY A PRIVATE ORGANIZATION, INCLUDING BY MODIFYING PROVISIONS RELATED TO COMPULSORY EDUCATION AND CHRONIC ABSENTEEISM.

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

Section 1. Section 299.1, subsection 4, paragraph b, Code 2025, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (7) While attending a course in religious instruction pursuant to section 299.1D.

Sec. 2. NEW SECTION. **299.1D Absences related to courses in religious instruction.**

1. Section 299.1 shall not apply to a child while the child is attending a course in religious instruction that is provided by a private organization if all of the following requirements are satisfied:

a. The child's parent, guardian, or legal or actual custodian of the child, if the child is not an emancipated minor, or the child, if the child is an emancipated minor, must submit a notification to the public school or accredited nonpublic school informing the school that the child will attend a course in religious instruction during the school day.

b. The course in religious instruction must not require the child to be absent from school for more than five hours per week.

c. The private organization that provides the course in religious instruction must maintain attendance records and must make the attendance records available to the school district or accredited nonpublic school to verify when the child is attending a course in religious instruction.

d. Transportation related to the course in religious instruction must be provided by the private organization, the child's parent, guardian, or legal or actual custodian, or the child.

e. The private organization must make provisions for and assume liability for the child while the child is attending the course in religious instruction.

f. The school district or accredited nonpublic school must not expend any moneys related to the course in religious instruction, not including de minimis administrative costs associated with processing notifications received under subsection 1 and tracking the child's attendance to ensure compliance with this section.

g. The course in religious instruction must not be held on school district property unless authorized by the board of directors of the school district pursuant to section 297.9.

h. The child must agree to make up any school work that the child does not complete while attending the course in religious instruction.

2. Each school district and each accredited nonpublic school shall, upon the request of a child's parent, guardian, or legal or actual custodian, if the child is not an emancipated minor, or the child, if the child is an emancipated minor, excuse the child from attendance for at least one hour per week, but for not more than five hours per week, so that the child can attend a course in religious instruction if all of the requirements under subsection 1 are satisfied.

3. A child's parent, guardian, or legal or actual custodian of the child, if the child is not an emancipated minor, or the child, if the child is an emancipated minor, who alleges that a school district has violated this section may bring a civil action for injunctive relief and actual damages against the school district. If the child's parent, guardian, or legal or actual custodian, or the child, is the prevailing party in a civil action instituted pursuant to this subsection, the court

shall award reasonable court costs and attorney fees to the child's parent, guardian, or legal or actual custodian, or the child, as applicable.

Sec. 3. Section 299.2, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 7. While attending a course in religious instruction pursuant to section 299.1D.

Sec. 4. Section 299.12, subsection 1, paragraph a, Code 2025, is amended to read as follows:

a. "*Chronically absent*" means any absence from school for more than ten percent of the days or hours in the grading period established by a public school; provided, however, that an absence from school that is related to attending a course in religious instruction pursuant to section 299.1D shall not count toward this amount.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 870, Ninety-first General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2025

KIM REYNOLDS
Governor