

SENATE FILE

2190  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2117)

Passed Senate, Date 3/10/92 (p. 709) Passed House, Date 4/14/92 (p. 1441)  
Vote: Ayes 48 Nays 0 Vote: Ayes 98 Nays 0

Approved April 28, 1992 (p. 691)  
*Repassed Senate 4/16/92 (p. 1449)  
April 28, Page 0*

A BILL FOR

1 An Act to permit the director of the department of education to  
2 waive compliance with the minimum education standards for  
3 accredited schools under certain circumstances, and providing  
4 a repealer.

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

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SF 2190

1 Section 1. Section 256.9, Code Supplement 1991, is amended  
2 by adding the following new subsection:

3 NEW SUBSECTION. 46. Grant annual exemptions from one or  
4 more of the minimum education standards to nonpublic schools  
5 or public school districts who are engaging in comprehensive  
6 school transformation efforts that are broadly consistent with  
7 the current standards, but require exemption from one or more  
8 standards in order to implement the comprehensive school  
9 transformation effort within the nonpublic school or school  
10 district. Nonpublic schools or public school districts  
11 wishing to be exempted from one or more of the minimum  
12 standards shall file a request for an exemption with the  
13 department. Requests for exemption shall include all of the  
14 following:

15 a. A description of the nonpublic school or public school  
16 district's school transformation plan, including but not  
17 limited to new structures, methodologies, and creative  
18 approaches designed to help students achieve at higher levels.

19 b. Identification of the standard or standards for which  
20 the exemption is being sought, including a statement of the  
21 reasons for requesting the exemption from the standard or  
22 standards.

23 c. Identification of a method for periodic demonstration  
24 that student achievement will not be lessened by the granting  
25 of the exemption.

26 The director shall develop a procedure for application for  
27 exemption and receipt, review, and evaluation of nonpublic  
28 school and public school district requests, including but not  
29 limited to development of criteria for the granting or denying  
30 of requests for exemptions and a time line for the submission,  
31 review, and granting or denying of requests for exemption from  
32 one or more standards.

33 Sec. 2. DEPARTMENTAL REPORT. The department of education  
34 shall, by January 1, 1993, submit a report to the general  
35 assembly which contains proposed statutory language and

1 departmental guidelines or proposed rules which provide for  
2 the granting of exemptions to schools and school districts  
3 which are engaged in comprehensive school transformation  
4 efforts. The proposed statutory language of the departmental  
5 guidelines or proposed rules shall include, but are not  
6 limited to, the criteria which will be used in determining  
7 which schools or school districts qualify for the granting of  
8 an exemption and identification of the method which will be  
9 used by the department to determine that student achievement  
10 in the schools or school districts will not be lessened by the  
11 granting of the exemption.

12 Sec. 3. Section 1 of this Act is repealed on July 1, 1993.

13

#### EXPLANATION

14 This bill gives the director of the department of education  
15 the authority, during the next five years, to grant or deny  
16 nonpublic schools or public school districts exemptions from  
17 the minimum school standards specified in section 256.11 of  
18 the Code. A school or school district that wishes to obtain  
19 an exemption from one or more standards is to submit a request  
20 to the department, for review by the director. The request is  
21 to contain a description of the plan, the standards that the  
22 school or district is seeking exemption from and the reasons  
23 that exemption is needed, and identification of a method by  
24 which the school or district will periodically demonstrate  
25 that student achievement has not been adversely affected by  
26 the granting of the exemption. The director is to develop  
27 criteria and a process for the granting and denying of  
28 requests for exemptions. The department is, by January 1,  
29 1993, to file a report with the general assembly which  
30 contains proposed statutory language and proposed guidelines  
31 or rules that set out the criteria for the granting of the  
32 exemption and identify the method that will be used to  
33 determine whether student achievement is lessened. The  
34 authority to grant the exemptions is repealed on July 1, 1993.

35

SENATE FILE 2190

H-5524

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, line 4, by inserting after the word  
4 "standards" the following: "contained in section  
5 256.11 and rules adopted by the state board of  
6 education".

7 2. Page 1, line 12, by inserting after the word  
8 "standards" the following: "contained in section  
9 256.11 and rules adopted by the state board of  
10 education".

11 3. Page 1, by inserting after line 32, the  
12 following:

13 "Sec. \_\_\_\_ Section 256.11, subsection 5, paragraph  
14 e, Code Supplement 1991, is amended to read as  
15 follows:

16 e. Two additional units of general mathematics.

17 Sec. \_\_\_\_ . NEW SECTION. 256.37 SCHOOL  
18 RESTRUCTURING AND EFFECTIVENESS -- POLICY -- FINDINGS.

19 It is the policy of the state of Iowa to provide an  
20 education system that prepares the children of this  
21 state to meet and exceed the technological,  
22 informational, and communications demands of our  
23 society. The general assembly finds that the current  
24 education system must be transformed to deliver the  
25 enriched educational program that the adults of the  
26 future will need to have to compete in tomorrow's  
27 world. The general assembly further finds that the  
28 education system must strive to reach the following  
29 goals:

30 1. All children in Iowa must start school ready to  
31 learn.

32 2. Iowa's high school graduation rate must  
33 increase to at least ninety percent.

34 3. Students graduating from Iowa's education  
35 system must demonstrate competency in challenging  
36 subject matter, and must have learned to use their  
37 minds well, so they may be prepared for responsible  
38 citizenship, further learning, and productive  
39 employment in a global economy.

40 4. Iowa students must be first in the world in  
41 science and mathematics achievement.

42 5. Every adult Iowan must be literate and possess  
43 the knowledge and skills necessary to compete in a  
44 global economy and exercise the rights and  
45 responsibilities of citizenship.

46 6. Every school in Iowa must be free of drugs and  
47 violence and offer a disciplined environment conducive  
48 to learning."

49 4. Title page, line 1, by inserting after the  
50 word "Act" the following: "relating to educational

H-5524

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H-5524

Page 2

1 standards,".

2 5. By numbering and renumbering as necessary.

By COMMITTEE ON EDUCATION

OLLIE of Clinton, Chairperson

H-5524 FILED MARCH 25, 1992

*Adopted 4/14 (p. 1454)  
#4 filed 4/6 by 5652*

## SENATE FILE 2190

H-5551

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, by striking line 16 and inserting the  
4 following: "district's comprehensive school  
5 transformation plan as described in section 294A.14,  
6 unnumbered paragraph 13, including but not".

By SPEAR of Lee

H-5551 FILED MARCH 26, 1992

*Lost 4/14 (p. 1457)*

## SENATE FILE 2190

H-5561

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 32, the  
4 following:

5 "Sec. \_\_\_\_ . Section 256.11A, subsection 2, Code  
6 1991, is amended to read as follows:

7 2. Schools and school districts are not required  
8 to meet the requirement stated in the standards  
9 adopted by the state board under section 256.17, Code  
10 Supplement 1987, that prohibits an individual who is  
11 employed or contracted as superintendent from also  
12 serving as a principal in that school or school  
13 district until July 1, 1990, except as otherwise  
14 provided in this subsection, if the individual serves  
15 as a principal of an elementary school that contains  
16 only one section of each grade level that is taught in  
17 the elementary school. Not later than January 1,  
18 1990, for the school year beginning July 1, 1990, the  
19 board of directors of a school district or authorities  
20 in charge of a nonpublic school, may file a written  
21 request with the department of education that the  
22 department waive the requirement for that district or  
23 school. The procedures specified in subsection 5  
24 apply to the request."

25 2. Title page, line 3, by inserting after the  
26 word "circumstances," the following: "providing for  
27 an exception to a minimum standard,".

28 3. By numbering and renumbering as necessary.

By IVERSON of Wright

H-5561 FILED MARCH 26, 1992

*Reled not germane 4/14 (p. 1457)*

## SENATE FILE 2190

H-5562

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 32, the  
4 following:

5 "Sec. \_\_\_\_ . NEW SECTION. 256.11B ALTERNATIVE  
6 ACCREDITATION PROCESS.

7 1. As an alternative to the standards and  
8 accreditation procedures contained in sections 256.11  
9 and 256.11A, and the rules adopted by the state board  
10 of education to implement the standards and  
11 accreditation procedures, the department of education  
12 shall recommend rules for adoption by the state board  
13 under chapter 17A which provide for the establishment  
14 of an alternative performance-based system for  
15 accrediting public and nonpublic schools by the school  
16 year which begins July 1, 1993. In developing  
17 recommendations, the director of the department of  
18 education shall appoint an advisory committee to  
19 assist the department. The committee shall include,  
20 but is not limited to, representatives from schools  
21 and school districts of different sizes around the  
22 state.

23 2. The performance-based accreditation system  
24 shall be based on performance and outcome measures.  
25 The measures adopted in the state board's rules shall  
26 include, but are not limited to, the plans for pupil  
27 performance required under section 280.12, subsection  
28 1, paragraphs "c" and "d", the student achievement  
29 goals developed under the guidelines established in  
30 section 280.18, and a requirement that schools and  
31 school districts identify the means that will be used  
32 to determine and to report on the achievement of all  
33 segments of the student population.

34 3. The recommendations for rules relating to the  
35 alternative accreditation procedures shall include all  
36 of the following:

37 a. A requirement that, by January 15 of each year,  
38 the board of directors of each school district and the  
39 authorities in charge of each nonpublic school, shall  
40 notify the department of education of its intent to  
41 seek accreditation under the alternative performance-  
42 based accreditation procedures for the following  
43 school year. A school district or nonpublic school  
44 which notifies the department that it has chosen to be  
45 accredited under this section is not subject to the  
46 standards specified in sections 256.11 and 256.11A.

47 b. A procedure for determining whether a school  
48 district or nonpublic school is to be accredited under  
49 this section, which shall be identical to the  
50 accreditation procedures contained in section 256.11,

H-5562

H-5562

Page 2

1 subsections 10 through 12.

2 c. A provision that, if the state board determines  
3 in its review of the accreditation committee's report  
4 under the alternative performance-based accreditation  
5 procedures that a school or school district does not  
6 meet the alternative performance-based standards, the  
7 state board, in cooperation with the school or school  
8 district may choose to use the accreditation standards  
9 contained in sections 256.11 and 256.11A, as well as  
10 the standards under this section, as part of the plan  
11 prescribing the procedures to be taken by the district  
12 to correct any deficiencies in meeting the alternative  
13 performance-based accreditation standards.

14 d. A provision for an annual review and approval  
15 process for the accreditation standards and procedures  
16 established under this section, to be performed by the  
17 state board of education. The process shall include,  
18 but is not limited to, consideration of additional or  
19 revised methods of measuring performance and outcomes  
20 for the purpose of accrediting schools and school  
21 districts.

22 e. A requirement that schools and school districts  
23 which seek accreditation under the alternative  
24 performance-based accreditation standards shall comply  
25 with the practitioner licensing requirements contained  
26 in chapter 260."

27 2. Title page, line 3, by inserting after the  
28 word "circumstances," the following: "providing an  
29 alternative method of accreditation,".

30 3. By renumbering as necessary.

By DAGGETT of Adams

H-5562 FILED MARCH 26, 1992

*Revised not germane 4/14 (of 1460)*

## SENATE FILE 2190

H-5565

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1 the follow-  
4 ing:

5 "Section 1. Section 256.7, Code Supplement 1991,  
6 is amended by adding the following new subsection:  
7 NEW SUBSECTION. 22. By July 1, 1994, adopt rules  
8 relating to student matriculation that prohibit a  
9 student from receiving a high school diploma unless  
10 the student successfully meets the minimum standards  
11 established by the department for student achievement  
12 for the third, seventh, and tenth grades."

13 2. Page 1, by inserting after line 32, the  
14 following:

15 "Sec. \_\_\_\_ . Section 256.9, Code Supplement 1991, is  
16 amended by adding the following new subsections:

17 NEW SUBSECTION. 47. By July 1, 1993, in  
18 consultation with school districts, area education  
19 agencies, and members of the general public, establish  
20 a set of minimum competencies or standards that a  
21 student enrolled in the third, seventh, and tenth  
22 grades must meet in order to receive a high school  
23 diploma. Standards adopted shall include, but are not  
24 limited to, alternative standards for students  
25 requiring special education under chapter 281.

26 NEW SUBSECTION. 48. By July 1, 1994, develop in  
27 conjunction with local schools and school districts a  
28 method or methods for assessing or measuring the  
29 educational attainments of students in the third,  
30 seventh, and tenth grades to determine whether the  
31 students have met or have failed to meet the minimum  
32 competencies or standards for student achievement.

33 Sec. \_\_\_\_ . NEW SECTION. 280.12A STUDENT  
34 ACHIEVEMENT STANDARDS -- EVALUATIONS -- REPORTING.

35 The board of directors of a public school district  
36 and the authorities in charge of a nonpublic school,  
37 in addition to the goals and plans determined and  
38 implemented under section 280.12, shall implement by  
39 July 1, 1995, student achievement standards  
40 established by the department of education for  
41 students in the third, seventh, and tenth grades. In  
42 implementing the standards, schools and school  
43 districts shall require all of the following:

44 1. That a student is not to receive a high school  
45 diploma without having met the standards of this  
46 section required of students at the third, seventh,  
47 and tenth grade levels.

48 2. That a student who has not met the standards of  
49 this section required of students at the third,  
50 seventh, and tenth grade levels shall receive a

H-5565

H-5565

Page 2

1 certificate of attendance in lieu of a high school  
2 diploma.  
3 3. A remedial instructional program for students  
4 who fail to meet the requirements in the third,  
5 seventh, or tenth grade standards. The remedial  
6 instructional program shall include, but is not  
7 limited to, one or more conferences between the  
8 parent, guardian, or custodian, the student's teacher,  
9 and the principal of the school that the student is  
10 attending; notification of a student's parent,  
11 guardian, or custodian, if a student fails to meet the  
12 school or school district achievement standards; and  
13 development of an individualized education program  
14 designed to assist the student in meeting the  
15 standards. Students who initially fail to meet the  
16 standards for the third, seventh, or tenth grade shall  
17 have unlimited opportunities to meet the requirements  
18 during the next succeeding year. Examination times  
19 shall be scheduled at regular designated intervals  
20 during a school year. Conferences between a student's  
21 parent, guardian, or custodian, and school officials  
22 may also include the student.

23 4. An annual report describing the results of the  
24 administration of the assessment or measurement  
25 methods for student achievement which shall be  
26 forwarded to the department of education.

27 Sec. \_\_\_\_ . The department of education shall by  
28 January 15, 1993, report to the general assembly on  
29 the status of the development of minimum student  
30 standards or competencies for third, seventh, and  
31 tenth grade students and the methods for assessing or  
32 measuring whether students completing those grades  
33 have met the standards or competencies."

34 3. Title page, line 3, by inserting after the  
35 word "circumstances," the following: "providing for  
36 the establishment of student performance standards,".

37 4. By numbering and renumbering as necessary.

By IVERSON of Wright  
HANSON of Delaware  
SIEGRIST of Pottawattamie

H-5565 FILED MARCH 26, 1992

*By and under signature 4/1/92 (1452)*

SENATE FILE 2190

H-5652

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 32 the  
4 following:

5 "Sec. \_\_\_\_ . Section 256.11A, subsection 3,  
6 unnumbered paragraph 1, and subsection 4, unnumbered  
7 paragraph 1, Code 1991, are amended to read as  
8 follows:

9 Schools and school districts unable to meet the  
10 standard adopted by the state board under section  
11 256.17, Code Supplement 1987, and contained in section  
12 256.11, subsection 9A, effective July 1, 1989,  
13 requiring that on July 1, 1989, each board operating a  
14 kindergarten through grade twelve program provide an  
15 articulated sequential elementary-secondary guidance  
16 program may, not later than January 1, 1989, for the  
17 school year beginning July 1, 1989, file a written  
18 request to the department of education that the  
19 department waive the requirement for that school or  
20 school district. The procedures specified in  
21 subsection 5 apply to the request. Not later than  
22 ~~January 17 1990~~ August 1, 1992, for the school year  
23 beginning July 1, ~~1990~~ 1992, the board or authorities  
24 may request a one-year extension of the waiver. Not  
25 ~~later than January 17 1991~~, for the school year  
26 ~~beginning July 17 1991~~ the board or authorities may  
27 ~~request an additional one-year extension of the~~  
28 ~~waiver.~~

29 Schools and school districts are not required to  
30 meet the standard adopted by the state board of  
31 education under section 256.17, Code Supplement 1987,  
32 and contained in section 256.11, subsection 9,  
33 paragraph "b", effective July 1, 1990, that requires  
34 the board to establish and operate a media services  
35 program to support the total curriculum until July 1,  
36 1990, except as otherwise provided in this subsection.  
37 Not later than ~~January~~ August 1, ~~1990~~ 1992, for the  
38 school year beginning July 1, ~~1990~~ 1992, the board of  
39 directors of a school district, or authorities in  
40 charge of a nonpublic school, may file a written  
41 request with the department of education that the  
42 department waive the requirement for that district or  
43 school. The procedures specified in subsection 5  
44 apply to the request. ~~Not later than January 17 1991~~  
45 ~~for the school year beginning July 17 1991~~ the board  
46 ~~of directors of a school district, or authorities in~~  
47 ~~charge of a nonpublic school, may file a request for a~~  
48 ~~one-year extension of the waiver."~~

49 2. Title page, line 1, by inserting after the  
50 word "Act" the following: "relating to educational

H-5652 -1-

H-5652

Page 2

1 standards,".

2 3. By renumbering as necessary.

By WISSING of Scott  
IVERSON of Wright

H-5652 FILED APRIL 1, 1992

*Adopted 4/14 (p. 1458)*

HOUSE AMENDMENT TO  
SENATE FILE 2190

S-5698

1 Amend Senate File 2190, as passed by the Senate, as  
2 follows:

3 1. Page 1, line 4, by inserting after the word  
4 "standards" the following: "contained in section  
5 256.11 and rules adopted by the state board of  
6 education".

7 2. Page 1, line 12, by inserting after the word  
8 "standards" the following: "contained in section  
9 256.11 and rules adopted by the state board of  
10 education".

11 3. Page 1, by inserting after line 32, the  
12 following:

13 "Sec. \_\_\_\_\_. Section 256.11, subsection 5, paragraph  
14 e, Code Supplement 1991, is amended to read as  
15 follows:

16 e. Two additional units of ~~general~~ mathematics."

17 4. Page 1, by inserting after line 32 the  
18 following:

19 "Sec. \_\_\_\_\_. Section 256.11A, subsection 3,  
20 unnumbered paragraph 1, and subsection 4, unnumbered  
21 paragraph 1, Code 1991, are amended to read as  
22 follows:

23 Schools and school districts unable to meet the  
24 standard adopted by the state board under section  
25 256.17, Code Supplement 1987, and contained in section  
26 256.11, subsection 9A, effective July 1, 1989,  
27 requiring that on July 1, 1989, each board operating a  
28 kindergarten through grade twelve program provide an  
29 articulated sequential elementary-secondary guidance  
30 program may, not later than January 1, 1989, for the  
31 school year beginning July 1, 1989, file a written  
32 request to the department of education that the  
33 department waive the requirement for that school or  
34 school district. The procedures specified in  
35 subsection 5 apply to the request. Not later than  
36 ~~January 17, 1990~~ August 1, 1992, for the school year  
37 beginning July 1, ~~1990~~ 1992, the board or authorities  
38 may request a one-year extension of the waiver. Not  
39 ~~later than January 17, 1991, for the school year~~  
40 ~~beginning July 17, 1991, the board or authorities may~~  
41 ~~request an additional one-year extension of the~~  
42 ~~waiver.~~

43 Schools and school districts are not required to  
44 meet the standard adopted by the state board of  
45 education under section 256.17, Code Supplement 1987,  
46 and contained in section 256.11, subsection 9,  
47 paragraph "b", effective July 1, 1990, that requires  
48 the board to establish and operate a media services  
49 program to support the total curriculum until July 1,  
50 1990, except as otherwise provided in this subsection.

S-5698

S-5698

Page 2

1 Not later than ~~January~~ August 1, ~~1990~~ 1992, for the  
2 school year beginning July 1, ~~1990~~ 1992, the board of  
3 directors of a school district, or authorities in  
4 charge of a nonpublic school, may file a written  
5 request with the department of education that the  
6 department waive the requirement for that district or  
7 school. The procedures specified in subsection 5  
8 apply to the request. ~~Not later than January 1, 1991,~~  
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10 ~~of directors of a school district, or authorities in~~  
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12 ~~one-year extension of the waiver.~~

13 Sec.     . NEW SECTION. 256.37 SCHOOL  
14 RESTRUCTURING AND EFFECTIVENESS -- POLICY -- FINDINGS.

15 It is the policy of the state of Iowa to provide an  
16 education system that prepares the children of this  
17 state to meet and exceed the technological,  
18 informational, and communications demands of our  
19 society. The general assembly finds that the current  
20 education system must be transformed to deliver the  
21 enriched educational program that the adults of the  
22 future will need to have to compete in tomorrow's  
23 world. The general assembly further finds that the  
24 education system must strive to reach the following  
25 goals:

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27 learn.

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29 increase to at least ninety percent.

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31 system must demonstrate competency in challenging  
32 subject matter, and must have learned to use their  
33 minds well, so they may be prepared for responsible  
34 citizenship, further learning, and productive  
35 employment in a global economy.

36 4. Iowa students must be first in the world in  
37 science and mathematics achievement.

38 5. Every adult Iowan must be literate and possess  
39 the knowledge and skills necessary to compete in a  
40 global economy and exercise the rights and  
41 responsibilities of citizenship.

42 6. Every school in Iowa must be free of drugs and  
43 violence and offer a disciplined environment conducive  
44 to learning."

45 5. Title page, line 1, by inserting after the  
46 word "Act" the following: "relating to educational  
47 standards,".

48 6. By renumbering, relettering, or redesignating  
49 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5698 FILED APRIL 15, 1992

*Senate concurred 4/16 (p. 1448)*

MURPHY, CH.  
HORN  
KRAMER 2/4/92

SSB 2117  
EDUCATION - New -

SENATE FILE 2190  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY CHAIRPERSON  
CONNOLLY)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act to permit the director of the department of education to  
2 waive compliance with the minimum education standards for  
3 accredited schools under certain circumstances, and providing  
4 a repealer.

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

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1 Section 1. Section 256.9, Code Supplement 1991, is amended  
2 by adding the following new subsection:

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5 or public school districts who are engaging in comprehensive  
6 school transformation efforts that are broadly consistent with  
7 the current standards, but require exemption from one or more  
8 standards in order to implement the comprehensive school  
9 transformation effort within the nonpublic school or school  
10 district. Nonpublic schools or public school districts  
11 wishing to be exempted from one or more of the minimum  
12 standards shall file a request for an exemption with the  
13 department. Requests for exemption shall include all of the  
14 following:

15 a. A description of the nonpublic school or public school  
16 district's school transformation plan, including but not  
17 limited to new structures, methodologies, and creative  
18 approaches designed to help students achieve at higher levels.

19 b. Identification of the standard or standards for which  
20 the exemption is being sought, including a statement of the  
21 reasons for requesting the exemption from the standard or  
22 standards.

23 c. Identification of a method for periodic demonstration  
24 that student achievement will not be lessened by the granting  
25 of the exemption.

26 The director shall develop a procedure for application for  
27 exemption and receipt, review, and evaluation of nonpublic  
28 school and public school district requests, including but not  
29 limited to development of criteria for the granting or denying  
30 of requests for exemptions and a time line for the submission,  
31 review, and granting or denying of requests for exemption from  
32 one or more standards.

33 Sec. 2. Section 1 of this Act is repealed on July 1, 1997.

34 EXPLANATION

35 This bill gives the director of the department of education

2117

1 the authority, during the next five years, to grant or deny  
2 nonpublic schools or public school districts exemptions from  
3 the minimum school standards specified in section 256.11 of  
4 the Code. A school or school district that wishes to obtain  
5 an exemption from one or more standards is to submit a request  
6 to the department, for review by the director. The request is  
7 to contain a description of the plan, the standards that the  
8 school or district is seeking exemption from and the reasons  
9 that exemption is needed, and identification of a method by  
10 which the school or district will periodically demonstrate  
11 that student achievement has not been adversely affected by  
12 the granting of the exemption. The director is to develop  
13 criteria and a process for the granting and denying of  
14 requests for exemptions. The authority to grant the  
15 exemptions is repealed on July 1, 1997.

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SENATE FILE 2190

AN ACT

RELATING TO EDUCATIONAL STANDARDS, TO PERMIT THE DIRECTOR OF THE DEPARTMENT OF EDUCATION TO WAIVE COMPLIANCE WITH THE MINIMUM EDUCATION STANDARDS FOR ACCREDITED SCHOOLS UNDER CERTAIN CIRCUMSTANCES, AND PROVIDING A REPEALER.

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

Section 1. Section 256.9, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 46. Grant annual exemptions from one or more of the minimum education standards contained in section 256.11 and rules adopted by the state board of education to nonpublic schools or public school districts who are engaging in comprehensive school transformation efforts that are broadly consistent with the current standards, but require exemption from one or more standards in order to implement the

comprehensive school transformation effort within the nonpublic school or school district. Nonpublic schools or public school districts wishing to be exempted from one or more of the minimum standards contained in section 256.11 and rules adopted by the state board of education shall file a request for an exemption with the department. Requests for exemption shall include all of the following:

- a. A description of the nonpublic school or public school district's school transformation plan, including but not limited to new structures, methodologies, and creative approaches designed to help students achieve at higher levels.
- b. Identification of the standard or standards for which the exemption is being sought, including a statement of the reasons for requesting the exemption from the standard or standards.
- c. Identification of a method for periodic demonstration that student achievement will not be lessened by the granting of the exemption.

The director shall develop a procedure for application for exemption and receipt, review, and evaluation of nonpublic school and public school district requests, including but not limited to development of criteria for the granting or denying of requests for exemptions and a time line for the submission, review, and granting or denying of requests for exemption from one or more standards.

Sec. 2. Section 256.11, subsection 5, paragraph e, Code Supplement 1991, is amended to read as follows:

- e. Two additional units of general mathematics.

Sec. 3. Section 256.11A, subsection 3, unnumbered paragraph 1, and subsection 4, unnumbered paragraph 1, Code 1991, are amended to read as follows:

Schools and school districts unable to meet the standard adopted by the state board under section 256.17, Code Supplement 1987, and contained in section 256.11, subsection 9A, effective July 1, 1989, requiring that on July 1, 1989,

each board operating a kindergarten through grade twelve program provide an articulated sequential elementary-secondary guidance program may, not later than January 1, 1989, for the school year beginning July 1, 1989, file a written request to the department of education that the department waive the requirement for that school or school district. The procedures specified in subsection 5 apply to the request. Not later than ~~January 17, 1990~~ August 1, 1992, for the school year beginning July 1, ~~1990~~ 1992, the board or authorities may request a one-year extension of the waiver. ~~Not later than January 17, 1991, for the school year beginning July 17, 1991, the board or authorities may request an additional one-year extension of the waiver.~~

Schools and school districts are not required to meet the standard adopted by the state board of education under section 256.17, Code Supplement 1987, and contained in section 256.11, subsection 9, paragraph "b", effective July 1, 1990, that requires the board to establish and operate a media services program to support the total curriculum until July 1, 1990, except as otherwise provided in this subsection. Not later than ~~January~~ August 1, 1990 1992, for the school year beginning July 1, ~~1990~~ 1992, the board of directors of a school district, or authorities in charge of a nonpublic school, may file a written request with the department of education that the department waive the requirement for that district or school. The procedures specified in subsection 5 apply to the request. ~~Not later than January 17, 1991, for the school year beginning July 17, 1991, the board of directors of a school district, or authorities in charge of a nonpublic school, may file a request for a one-year extension of the waiver.~~

Sec. 4. NEW SECTION. 256.37 SCHOOL RESTRUCTURING AND EFFECTIVENESS -- POLICY -- FINDINGS.

It is the policy of the state of Iowa to provide an education system that prepares the children of this state to

meet and exceed the technological, informational, and communications demands of our society. The general assembly finds that the current education system must be transformed to deliver the enriched educational program that the adults of the future will need to have to compete in tomorrow's world. The general assembly further finds that the education system must strive to reach the following goals:

1. All children in Iowa must start school ready to learn.
2. Iowa's high school graduation rate must increase to at least ninety percent.
3. Students graduating from Iowa's education system must demonstrate competency in challenging subject matter, and must have learned to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in a global economy.
4. Iowa students must be first in the world in science and mathematics achievement.
5. Every adult Iowan must be literate and possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.
6. Every school in Iowa must be free of drugs and violence and offer a disciplined environment conducive to learning.

Sec. 5. DEPARTMENTAL REPORT. The department of education shall, by January 1, 1993, submit a report to the general assembly which contains proposed statutory language and departmental guidelines or proposed rules which provide for the granting of exemptions to schools and school districts which are engaged in comprehensive school transformation efforts. The proposed statutory language or the departmental guidelines or proposed rules shall include, but are not limited to, the criteria which will be used in determining which schools or school districts qualify for the granting of an exemption and identification of the method which will be used by the department to determine that student achievement in the schools or school districts will not be lessened by the granting of the exemption.

Sec. 6. Section 1 of this Act is repealed on July 1, 1993.

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MICHAEL E. GRONSTAL  
President of the Senate

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ROBERT C. ARNOULD  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2190, Seventy-fourth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 28, 1992

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TERRY E. BRANSTAD  
Governor

**SF 2190**