

SENATE FILE 172
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 31)
(COMPANION TO HF 13 BY WISE)

Passed Senate, Date 2/26/03 Passed House, Date 4/14/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 4/28/03

A BILL FOR

1 An Act relating to the establishment of a public charter school
2 pilot program and providing effective and applicability dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 172

1 Section 1. Section 256F.3, subsection 1, as enacted by
2 2002 Iowa Acts, chapter 1124, section 3, is amended to read as
3 follows:

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

14 Sec. 2. Section 256F.4, subsections 1 and 3, as enacted by
15 2002 Iowa Acts, chapter 1124, section 4, are amended to read
16 as follows:

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

22 3. A charter school shall not discriminate in its student
23 admissions policies or practices on the basis of intellectual
24 or athletic ability, measures of achievement or aptitude, or
25 status as a person with a disability. However, a charter
26 school may limit admission to students who are within a
27 particular range of ~~age ages~~ or grade ~~level~~ levels or on any
28 other basis that would be legal if initiated by a school
29 district. Enrollment priority shall be given to the siblings
30 of students enrolled in a charter school.

31 Sec. 3. 2002 Iowa Acts, chapter 1124, section 12, is
32 amended by striking the section and inserting in lieu thereof
33 the following:

34 SEC. 12. Section 257.31, subsection 5, paragraph d, Code
35 2003, is amended to read as follows:

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

3 Sec. 4. 2002 Iowa Acts, chapter 1124, section 13, is
4 amended by striking the section and inserting in lieu thereof
5 the following:

6 SEC. 13. Section 282.18, subsection 4, paragraph b, Code
7 2003, is amended to read as follows:

8 b. For purposes of this section, "good cause" means a
9 change in a child's residence due to a change in family
10 residence, a change in the state in which the family residence
11 is located, a change in a child's parents' marital status, a
12 guardianship or custody proceeding, placement in foster care,
13 adoption, participation in a foreign exchange program, or
14 participation in a substance abuse or mental health treatment
15 program, a change in the status of a child's resident district
16 such as removal of accreditation by the state board, surrender
17 of accreditation, or permanent closure of a nonpublic school,
18 revocation of a charter school contract as provided in section
19 256F.8, the failure of negotiations for a whole-grade sharing,
20 reorganization, dissolution agreement or the rejection of a
21 current whole-grade sharing agreement, or reorganization plan.
22 If the good cause relates to a change in status of a child's
23 school district of residence, however, action by a parent or
24 guardian must be taken to file the notification within forty-
25 five days of the last board action or within thirty days of
26 the certification of the election, whichever is applicable to
27 the circumstances.

28 Sec. 5. 2002 Iowa Acts, chapter 1124, section 14, as
29 amended by 2002 Iowa Acts, chapter 1175, section 96, is
30 amended to read as follows:

31 SEC. 14. EXPEDITED APPLICATION PROCEDURE. The state board
32 of education shall develop an expedited charter school
33 application procedure for the fiscal year beginning July 1,
34 ~~2002~~ 2004, for purposes of receiving federal planning funds
35 issued pursuant to the federal Elementary and Secondary

1 Education Act of 1965, Title X, Part C, as codified in 20
2 U.S.C. §§ 8061-8067.

3 Sec. 6. 2002 Iowa Acts, chapter 1124, section 16, is
4 amended by striking the section and inserting in lieu thereof
5 the following:

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

12 Sec. 7. EFFECTIVE DATE. This Act, being deemed of
13 immediate importance, takes effect upon enactment.

14 EXPLANATION

15 This bill removes language from Senate File 348 (2002 Iowa
16 Acts, chapter 1124), an Act relating to the establishment of a
17 charter school pilot program, that conditioned the effective
18 date of the Act upon receipt of a federal grant to the state
19 for the planning, program design, and initial implementation
20 of public charter schools under the federal No Child Left
21 Behind Act of 2001.

22 The bill directs the department of education to apply for
23 the federal grant and, upon receipt of the grant, to initiate
24 a charter school pilot program to test the effectiveness of
25 charter schools. The charter school provisions become
26 applicable on the date on which the department initiates
27 implementation of the charter school pilot program Code
28 provisions. The bill updates the Act as necessary, and makes
29 various grammatical corrections.

30 The bill takes effect upon enactment.

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SENATE FILE 172

H-1034

1 Amend Senate File 172, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 30, the
4 following:
5 "Sec. ____ . Section 256F.11, as enacted by 2002
6 Iowa Acts, chapter 1124, section 11, is amended to
7 read as follows:
8 SEC. 11. NEW SECTION. 256F.11 FUTURE REPEAL.
9 This chapter is repealed effective July 1, ~~2010~~
10 2011."
11 2. By renumbering as necessary.

By COMMITTEE ON EDUCATION
TYMESON of Madison, Chairperson

H-1034 FILED MARCH 4, 2003

Adopted 4/14/03

SENATE FILE 172

H-1304

1 Amend Senate File 172, as passed by the Senate, as
2 follows:
3 1. Page 1, line 10, by striking the words "Upon
4 receipt of such a grant, the" and inserting the
5 following: "The".
6 2. Page 2, by striking lines 33 and 34, and
7 inserting the following: "application procedure ~~for~~
8 ~~the fiscal year beginning not later than~~ July 1, ~~2002~~
9 2004, for purposes of ~~receiving~~ distributing federal
10 planning funds".

By CARROLL of Poweshiek

H-1304 FILED APRIL 9, 2003

Adopted 4/14/03

S-3211

1 Amend Senate File 172, as passed by the Senate, as
2 follows:
3 1. Page 1, line 10, by striking the words "Upon
4 receipt of such a grant, the" and inserting the
5 following: "The".
6 2. Page 1, by inserting after line 30, the
7 following:
8 "Sec. ____ . Section 256F.11, as enacted by 2002
9 Iowa Acts, chapter 1124, section 11, is amended to
10 read as follows:
11 SEC. 11. NEW SECTION. 256F.11 FUTURE REPEAL.
12 This chapter is repealed effective July 1, ~~2010~~
13 2011."
14 3. Page 2, by striking lines 33 and 34, and
15 inserting the following: "application procedure ~~for~~
16 ~~the fiscal year beginning not later than~~ July 1, ~~2002~~
17 2004, for purposes of ~~receiving~~ distributing federal
18 planning funds".
19 4. By renumbering, relettering, or redesignating
20 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3211 FILED APRIL 14, 2003

Senate approved 4/14/03

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 17, 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 _____, 2003

THOMAS J. VILSACK
Governor