

FILED JAN 21 '03

SENATE FILE 31
BY BRUNKHORST

(COMPANION TO HF 13
BY WISE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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 31 EDUCATION

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 17, 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 implementati
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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Description

Senate File 31 removes language from SF 348 (2002 Iowa Acts, Chapter 1124) that makes establishment of a Charter School Pilot Program conditional upon receipt of federal funding for the Program. The Bill directs the Department of Education to apply for a federal grant and initiate the Pilot Program testing the effectiveness of charter schools. The Bill is effective upon enactment.

Assumptions

1. The Department of Education did not receive federal funding for this Pilot Project in FY 2003 because implementation of the Program was contingent upon receipt of federal funding. This Bill corrects that issue.
2. This Program will not cause public school enrollments to change.
3. Ten districts will apply to establish charter schools.
4. The U.S. Department of Education will approve \$50,000 per school in planning grants and \$25,000 in technical support for the Department in FY 2004 and \$150,000 per school in implementation grants and \$75,000 in technical support for the Department in FY 2005.
5. The Department of Education will provide staffing to develop the grant application and to assist local school districts from available resources.

Fiscal Impact

The estimated fiscal impact of SF 31 on the Department of Education is as follows:

	<u>FY 2004</u>	<u>FY 2005</u>
<u>Revenues</u>		
Federal Funds	\$ 525,000	\$ 1,575,000
<u>Expenditures</u>		
Dept. of Education	\$ 25,000	\$ 75,000
Grants	<u>500,000</u>	<u>1,500,000</u>
Total Expenditures	<u>\$ 525,000</u>	<u>\$ 1,575,000</u>
Net Impact	<u>\$ 0</u>	<u>\$ 0</u>

Source

Department of Education

/s/ Dennis C Prouty

March 3, 2003