

House File 2106 - Introduced

HOUSE FILE _____
BY KELLEY

(COMPANION TO LSB 5663SS BY
DANIELSON)

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

A BILL FOR

1 An Act beginning the compulsory education attendance age at age
2 five, providing for related matters, and providing an
3 effective date.

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

5 TLSB 5663YH 82

6 kh/nh/14

PAG LIN

1 1 Section 1. Section 282.3, subsections 1 and 2, Code 2007,
1 2 are amended to read as follows:

1 3 1. The board may exclude from school children under the
1 4 age of ~~six~~ five years when in its judgment such children are
1 5 not sufficiently mature to be benefited by regular
1 6 instruction, or any child who is found to be physically or
1 7 mentally unable to attend school under section 299.5, or whose
1 8 presence in school has been found to be injurious to the
1 9 health of other pupils, or is efficiently taught for the
1 10 scholastic year at a state institution. However, the board
1 11 shall provide special education programs and services under
1 12 chapters 256B, 257, and 273 for all children requiring special
1 13 education.

~~1 14 2. The conditions of admission to public schools for work
1 15 in the year immediately preceding the first grade and in the
1 16 first grade shall be as follows:~~

~~1 17 A child under the age of six ~~five~~ years on the ~~fifteenth~~
1 18 September 15 of the current school year shall not be admitted
1 19 to a public school unless the child participated in the prior
1 20 year in an approved preschool program implemented by the board
1 21 of directors of the school has adopted and put into effect
1 22 courses of study for the school year immediately preceding the
1 23 first grade, approved by the department of education, and has
1 24 employed a practitioner or practitioners for this work with
1 25 standards of training approved by the board of educational
1 26 examiners.~~

~~1 27 No child shall be admitted to school work for the year
1 28 immediately preceding the first grade unless the child is five
1 29 years of age on or before the fifteenth of September of the
1 30 current school year.~~

~~1 31 No child shall be admitted to the first grade unless the
1 32 child is six years of age on or before the fifteenth of
1 33 September of the current school year; except that a child
1 34 under six years of age who has been admitted to school work
1 35 for the year immediately preceding the first grade under~~

~~2 1 conditions approved by the department of education, district
2 2 in accordance with chapter 256C or who the child has
2 3 demonstrated the possession of sufficient ability to profit by
2 4 first-grade kindergarten work on the basis of tests or other
2 5 means of evaluation recommended or approved by the department
2 6 of education, may be admitted to first grade at any time
2 7 before December 31.~~

2 8 Sec. 2. Section 299.1A, Code 2007, is amended to read as
2 9 follows:

2 10 299.1A COMPULSORY ATTENDANCE AGE.

2 11 ~~¶~~ Except as provided in section 299.2, a child who has
2 12 reached the age of six ~~five~~ and is under sixteen years of age
2 13 by September 15 is of compulsory attendance age. However, if
2 14 a child enrolled in a school district or accredited nonpublic
2 15 school reaches the age of sixteen on or after September 15,
2 16 the child remains of compulsory age until the end of the

2 17 regular school calendar.

2 18 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
2 19 with section 25B.2, subsection 3, the state cost of requiring
2 20 compliance with any state mandate included in this Act shall
2 21 be paid by a school district from state school foundation aid
2 22 received by the school district under section 257.16. This
2 23 specification of the payment of the state cost shall be deemed
2 24 to meet all the state funding-related requirements of section
2 25 25B.2, subsection 3, and no additional state funding shall be
2 26 necessary for the full implementation of this Act by and
2 27 enforcement of this Act against all affected school districts.
2 28 Sec. 4. EFFECTIVE DATE. This Act takes effect July 1,
2 29 2009.

2 30 EXPLANATION

2 31 This bill lowers the minimum compulsory school attendance
2 32 age from age six to age five.

2 33 The bill also lowers from age six to age five the age at
2 34 which a child may be excluded from admission by the board of
2 35 directors of a school district when in the board's judgment
3 1 the child is not sufficiently mature, is found to be
3 2 physically or mentally unable to attend school, or whose
3 3 presence in school has been found to be injurious to the
3 4 health of other pupils.

3 5 The bill provides that a child under the age of five on
3 6 September 15 shall not be admitted to public school unless the
3 7 child participated in the prior year in an approved preschool
3 8 program or the child has demonstrated the possession of
3 9 sufficient ability to profit by kindergarten work on the basis
3 10 of tests or other means of evaluation recommended or approved
3 11 by the department of education.

3 12 The bill may include a state mandate as defined in Code
3 13 section 25B.3. The bill requires that the state cost of any
3 14 state mandate included in the bill be paid by a school
3 15 district from state school foundation aid received by the
3 16 school district under Code section 257.16. The specification
3 17 is deemed to constitute state compliance with any state
3 18 mandate funding-related requirements of Code section 25B.2.
3 19 The inclusion of this specification is intended to reinstate
3 20 the requirement of political subdivisions to comply with any
3 21 state mandates included in the bill.

3 22 The bill takes effect July 1, 2009.

3 23 LSB 5663YH 82

3 24 kh/nh/14.1