

# House File 458 - Introduced

HOUSE FILE \_\_\_\_\_  
BY WHITAKER

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

## A BILL FOR

1 An Act restricting students from open enrolling to school  
2 districts that have been designated as school districts in  
3 need of assistance as part of the federal No Child Left Behind  
4 Act.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2375YH 82  
7 ak/es/88

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1 1 Section 1. Section 282.18, subsection 2, unnumbered  
1 2 paragraph 2, Code 2007, is amended to read as follows:  
1 3 The board of the receiving district shall enroll the pupil  
1 4 in a school in the receiving district for the following school  
1 5 year unless the receiving district does not have classroom  
1 6 space for the pupil or the school district has been designated  
1 7 a school district in need of assistance as part of the federal  
1 8 No Child Left Behind Act of 2001, Pub. L. No. 107=110. An  
1 9 exception may be made if the pupil requesting the transfer has  
1 10 a sibling who is already participating in open enrollment to  
1 11 the school district in need of assistance. The board of  
1 12 directors of a receiving district may adopt a policy granting  
1 13 the superintendent of the school district authority to approve  
1 14 open enrollment applications. If the request is granted, the  
1 15 board shall transmit a copy of the form to the parent or  
1 16 guardian and the school district of residence within five days  
1 17 after board action, but not later than June 1 of the preceding  
1 18 school year. The parent or guardian may withdraw the request  
1 19 at any time prior to the start of the school year. A denial  
1 20 of a request by the board of a receiving district is not  
1 21 subject to appeal.

### EXPLANATION

1 22 This bill prevents students from using open enrollment to  
1 23 transfer to a school district that has been designated as a  
1 24 school district in need of assistance as part of the federal  
1 25 No Child Left Behind Act. The bill provides that an exception  
1 26 may be made if the student requesting the transfer has a  
1 27 sibling who is already participating in open enrollment to the  
1 28 school district in need of assistance.  
1 29 LSB 2375YH 82  
1 30 ak:nh/es/88