

Senate File 354 - Introduced

SENATE FILE 354

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A BILL FOR

1 An Act relating to the admission and exclusion of pupils in
2 kindergarten and first grade by school districts, lowering
3 the compulsory age of attendance to age five, and including
4 effective date provisions.

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

1 Section 1. Section 256C.3, subsection 1, paragraph a, Code
2 2017, is amended to read as follows:

3 a. A child who is a resident of Iowa and is four years
4 of age on or before September 15 of a school year shall be
5 eligible to enroll in the preschool program under [this chapter](#).
6 If such a child is enrolled under [this chapter](#), the child shall
7 be considered to be of compulsory attendance age as provided in
8 section 299.1A, subsection ~~3~~ 2.

9 Sec. 2. Section 282.3, subsections 1 and 2, Code 2017, are
10 amended to read as follows:

11 1. The board of directors of a school district may exclude
12 from school children under the age of ~~six~~ five years when in
13 its judgment such children are not sufficiently mature to be
14 benefited by regular instruction, or any child who is found
15 to be physically or mentally unable to attend school under
16 section 299.5, or whose presence in school has been found to
17 be injurious to the health of other pupils, or is efficiently
18 taught for the scholastic year at a state institution.
19 However, the board shall provide special education programs and
20 services under [chapters 256B, 257, and 273](#) for all children
21 requiring special education.

22 2. The conditions of admission to public schools ~~for work in~~
23 ~~the year immediately preceding the first grade~~ relating to a
24 child's age and in the first grade ability shall be as follows:

25 a. A child under the age of ~~six~~ five years on the fifteenth
26 of September of the current school year shall not be admitted
27 to a public school unless the ~~board of directors of the school~~
28 ~~has adopted and put into effect courses of study for the school~~
29 ~~year immediately preceding the first grade, approved by the~~
30 ~~department of education, and has employed a practitioner or~~
31 ~~practitioners for this work with standards of training approved~~
32 ~~by the board of educational examiners~~ child is being admitted
33 to a preschool program established and implemented by the
34 school district pursuant to chapter 256C.

35 b. ~~No child shall be admitted to school work for the year~~

1 ~~immediately preceding the first grade unless the child is five~~
2 ~~years of age on or before the fifteenth of September of the~~
3 ~~current school year.~~

4 ~~e. b.~~ No A child shall not be admitted to the ~~first grade~~
5 kindergarten unless the child is ~~six~~ five years of age on
6 or before the fifteenth of September of the current school
7 year; ~~except that~~ as provided in section 299.1A. However, a
8 child under ~~six~~ five years of age who has been admitted to
9 public school work for the year immediately preceding the
10 ~~first grade under conditions approved by the department of~~
11 ~~education kindergarten pursuant to paragraph "a",~~ or who has
12 demonstrated the possession of sufficient ability to profit by
13 ~~first-grade kindergarten~~ work on the basis of tests or other
14 means of evaluation recommended or approved by the department
15 of education, may be admitted to ~~first grade~~ kindergarten at
16 any time before December 31.

17 Sec. 3. Section 299.1A, Code 2017, is amended to read as
18 follows:

19 **299.1A Compulsory attendance age.**

20 1. Except as provided in subsections subsection 2 and 3, a
21 child who has reached the age of ~~six~~ five and is under sixteen
22 years of age by September 15 is of compulsory attendance age.
23 However, if a child enrolled in a school district or accredited
24 nonpublic school reaches the age of sixteen on or after
25 September 15, the child remains of compulsory age until the end
26 of the regular school calendar.

27 ~~2. A child who has reached the age of five by September 15~~
28 ~~and who is enrolled in a school district shall be considered~~
29 ~~to be of compulsory attendance age unless the parent or~~
30 ~~guardian of the child notifies the school district in writing~~
31 ~~of the parent's or guardian's intent to remove the child from~~
32 ~~enrollment in the school district.~~

33 ~~3. 2.~~ 2. A child who has reached the age of four by September
34 15 and who is enrolled in the statewide preschool program under
35 chapter 256C shall be considered to be of compulsory attendance

1 age unless the parent or guardian of the child submits written
 2 notice to the school district implementing the program of
 3 the parent's or guardian's intent to remove the child from
 4 enrollment in the preschool program.

5 Sec. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
 6 with section 25B.2, subsection 3, the state cost of requiring
 7 compliance with any state mandate included in this Act shall
 8 be paid by a school district from state school foundation aid
 9 received by the school district under section 257.16. This
 10 specification of the payment of the state cost shall be deemed
 11 to meet all of the state funding-related requirements of
 12 section 25B.2, subsection 3, and no additional state funding
 13 shall be necessary for the full implementation of this Act
 14 by and enforcement of this Act against all affected school
 15 districts.

16 Sec. 5. EFFECTIVE DATE. This Act takes effect July 1, 2018.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
 19 the explanation's substance by the members of the general assembly.

20 This bill lowers the compulsory school attendance age from
 21 six to five for a child reaching the age of five by September 15
 22 of a school year.

23 Currently, Code section 282.3 authorizes a school board to
 24 exclude from school children who are under the age of six years
 25 when in its judgment such children are not mature enough to
 26 benefit from regular instruction or for other reasons specified
 27 in statute, and establishes conditions of admission to public
 28 schools for school work in kindergarten and the first grade.

29 Current law also provides that a child under the age of six
 30 on September 15 shall not be admitted to a public school unless
 31 the school has adopted and put into effect courses of study
 32 taught by a licensed teacher for the school year immediately
 33 preceding the first grade, except that a child under age six
 34 who was admitted to kindergarten under conditions approved
 35 by the department of education, or who has demonstrated the

1 possession of sufficient ability to profit by first-grade work
2 on the basis of tests or other means of evaluation recommended
3 or approved by the department, may be admitted to first grade
4 at any time before December 31. Current law prohibits the
5 admission of a child for the year immediately preceding the
6 first grade unless the child is five years of age on or before
7 September 15.

8 The bill makes changes to Code section 282.3, relating to the
9 admission and exclusion of pupils, to apply the provision to
10 children of kindergarten age.

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

21 The bill takes effect July 1, 2018.