

**Senate File 400 - Introduced**

SENATE FILE 400

BY JOCHUM

**A BILL FOR**

1 An Act relating to competent private instruction, independent  
2 private instruction, and private instruction requirements.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 299.4, subsection 1, Code 2021, is  
2 amended to read as follows:

3 1. a. The parent, guardian, or legal custodian of a child  
4 who is of compulsory attendance age, who places the child  
5 under competent private instruction under section 299A.2, or  
6 independent private instruction or private instruction under  
7 chapter 299A, not in an accredited school or a home school  
8 assistance program operated by a school district or accredited  
9 nonpublic school, shall furnish a report in ~~duplicate on forms~~  
10 a format provided by the public school district and approved  
11 by the department of education, to the district by September 1  
12 of the school year in which the child will be under competent  
13 private instruction under section 299A.2, or independent  
14 private instruction or private instruction under chapter 299A.

15 b. The secretary of the school district receiving a report  
16 furnished for a child under competent private instruction  
17 under section 299A.2 shall retain and file one copy of the  
18 report submitted for a child placed under competent private  
19 instruction and forward ~~the other~~ a copy of the report to the  
20 district's area education agency.

21 c. The report furnished pursuant to paragraph "a" shall  
22 state the name and age of the child, and the period of time  
23 during which the child has been or will be under competent  
24 private instruction, independent private instruction, or  
25 private instruction for the year.

26 d. (1) The report shall include an outline of the course of  
27 study, texts used, and the name and address of the instructor  
28 providing competent private instruction, the name and address  
29 of the authority responsible for the independent private  
30 instruction, or the name of the individual providing private  
31 instruction, as applicable.

32 (2) A report furnished for a child under private instruction  
33 must include the qualifications of the individual providing the  
34 private instruction.

35 e. The parent, guardian, or legal custodian of a child, who

1 is placing the child under competent private instruction under  
2 section 299A.2, for the first time, shall also provide the  
3 district with evidence that the child has had the immunizations  
4 required under section 139A.8, and, if the child is elementary  
5 school age, a blood lead test in accordance with section  
6 135.105D.

7 f. The term "*outline of course of study*" shall include  
8 subjects covered, lesson plans, and time spent on the areas of  
9 study.

10 Sec. 2. Section 299A.3, Code 2021, is amended to read as  
11 follows:

12 **299A.3 Private Independent private instruction and private**  
13 **instruction by a nonlicensed person.**

14 1. A parent, guardian, or legal custodian of a child  
15 of compulsory attendance age providing independent private  
16 instruction or private instruction to the child ~~may meet all of~~  
17 ~~the following requirements:~~ shall

18 ~~1. Complete~~ complete and send, in a timely manner, the  
19 report required under section 299.4 to the school district of  
20 residence of the child.

21 ~~2. Ensure~~ and shall ensure that the child under the  
22 parent's, guardian's, or legal custodian's instruction is  
23 evaluated annually to determine whether the child is making  
24 adequate progress, as defined in section 299A.6.

25 ~~3. 2. Ensure that~~ The parent, guardian, or legal custodian  
26 of a child of compulsory attendance age providing independent  
27 private instruction or private instruction to the child  
28 may report the results of the child's annual evaluation ~~are~~  
29 ~~reported~~ to the school district of residence of the child and  
30 to the department of education by a ~~date not later than~~ June 30  
31 of each year in which the child is under independent private  
32 instruction or private instruction.

33 3. The nonlicensed person providing private instruction  
34 to a child of compulsory attendance age shall possess a high  
35 school diploma or a high school equivalency diploma.

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EXPLANATION

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

3

4 This bill relates to competent private instruction,  
5 independent private instruction, and private instruction  
6 reporting and assessment requirements, and requires the  
7 nonlicensed person providing private instruction to possess a  
8 high school diploma or a high school equivalency diploma.

9 The bill requires the parent, guardian, or legal custodian  
10 of a child who is of compulsory attendance age, who places  
11 the child under competent private instruction under Code  
12 section 299A.2, or independent private instruction or private  
13 instruction under Code chapter 299A, not in an accredited  
14 school or a home school assistance program operated by a school  
15 district or accredited nonpublic school, to furnish a report  
16 to the school district by September 1 of the school year. The  
17 report must state the name and age of the child and the period  
18 of time during which the child has been or will be under such  
19 instruction for the year. Currently, only persons providing  
20 competent private instruction must furnish this information.

21 The report must also include an outline of the course of  
22 study, texts used, and the name and address of the instructor  
23 providing competent private instruction, the name and address  
24 of the authority responsible for the independent private  
25 instruction, or the name of the individual providing private  
26 instruction, as applicable.

27 A report furnished for a child under private instruction  
28 must include the qualifications of the individual providing the  
29 private instruction.

30 Currently, a parent, guardian, or legal custodian of a child  
31 of compulsory attendance age providing private instruction  
32 to the child may meet the reporting and annual assessment  
33 requirements. The bill requires parents, guardians, and  
34 custodians of such children, who are providing private or  
35 independent private instruction, to file the reports with the

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1 school district and to ensure that the child is evaluated  
2 annually to determine whether the child is making adequate  
3 progress.

4 The bill requires a nonlicensed person providing private  
5 instruction to a child of compulsory attendance age to possess  
6 a high school diploma or a high school equivalency diploma.