

Senate Study Bill 1064 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON SINCLAIR)

A BILL FOR

1 An Act relating to temporary in-person and remote learning
2 instruction and instructional time requirements for school
3 districts and accredited nonpublic schools, and including
4 effective date provisions.

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

1 Section 1. IN-PERSON INSTRUCTION DURING THE 2020-2021
2 SCHOOL YEAR.

3 1. Notwithstanding any provision of law to the contrary,
4 including 2020 Iowa Acts, chapter 1107, beginning no later than
5 the second Monday following the effective date of this Act and
6 ending June 30, 2021, a brick-and-mortar school district or
7 accredited nonpublic school shall provide an opportunity for
8 a parent or guardian of each student enrolled in the school
9 district or accredited nonpublic school to select full-time
10 in-person instruction for the parent's or guardian's student
11 unless this requirement is explicitly waived for one or
12 more school districts or accredited nonpublic schools in a
13 proclamation of a public health disaster emergency issued by
14 the governor pursuant to section 29C.6 and related to COVID-19.
15 A school district or accredited nonpublic school that is not
16 providing an opportunity for full-time in-person instruction
17 on the effective date of this Act shall provide to the parents
18 and guardians of students enrolled in the school district
19 or accredited nonpublic school notice of the opportunity to
20 select full-time in-person instruction and shall allow the
21 parent or guardian at least five days to decide whether to
22 select the full-time in-person option if the school district or
23 accredited nonpublic school will also continue to offer other
24 instructional options.

25 2. Notwithstanding any provision of law to the contrary,
26 any instruction provided by a school district or accredited
27 nonpublic school shall be deemed to meet the days and hours
28 of instructional time requirements of Iowa law only if the
29 instruction is provided in compliance with all requirements
30 of Iowa law, including this Act; or pursuant to 2020 Iowa
31 Acts, chapter 1107; or under a proclamation of a public health
32 disaster emergency issued by the governor pursuant to section
33 29C.6 and related to COVID-19.

34 Sec. 2. REQUESTS TO MOVE TO REMOTE LEARNING FOR A SCHOOL
35 BUILDING OR DISTRICT. For the school year beginning July 1,

1 2020, and ending June 30, 2021, in determining whether to grant
2 permission to a school district or accredited nonpublic school
3 to provide primarily continuous remote learning, in addition to
4 the positivity rate in the county in which the school district
5 or school is located and the percentage of student absenteeism
6 in the school district or school, the department of education
7 shall consider data regarding the number of teachers employed
8 by the school district or school who are quarantining due to
9 exposure to COVID-19, as well as the scarcity of substitute
10 teachers and school bus drivers.

11 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
12 importance, takes effect upon enactment.

13 EXPLANATION

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

16 This bill relates to educational instruction requirements
17 for certain school districts and accredited nonpublic schools.

18 The bill requires, beginning no later than the second Monday
19 following the effective date of the bill and ending June
20 30, 2021, a brick-and-mortar school district or accredited
21 nonpublic school to provide an opportunity for a parent or
22 guardian of each student enrolled in the school district or
23 accredited nonpublic school to select full-time in-person
24 instruction for the parent's or guardian's student unless
25 this requirement is explicitly waived for one or more school
26 districts or accredited nonpublic schools in proclamation of
27 a public health disaster emergency issued by the governor
28 pursuant to Code section 29C.6 and related to COVID-19. A
29 school district or accredited nonpublic school that is not
30 providing an opportunity for full-time in-person instruction
31 on the effective date of the bill must provide to the parents
32 and guardians of students enrolled in the school district or
33 accredited nonpublic school notice of the opportunity to select
34 full-time in-person instruction and shall allow the parent or
35 guardian at least five days to decide whether to select the

1 full-time in-person instruction option if the school district
2 or accredited nonpublic school will also continue to offer
3 other instructional options.

4 Any instruction provided by a school district or accredited
5 nonpublic school shall be deemed to meet the days and hours
6 of instructional time requirements of Iowa law only if the
7 instruction is provided in compliance with all requirements
8 of Iowa law, including the bill; or pursuant to 2020 Iowa
9 Acts, chapter 1107; or under a proclamation of a public health
10 disaster emergency issued by the governor pursuant to Code
11 section 29C.6 and related to COVID-19.

12 For the fiscal year beginning July 1, 2020, and ending
13 June 30, 2021, the department of education, in determining
14 whether to grant permission to a school district or accredited
15 nonpublic school to provide primarily continuous remote
16 learning, is directed to consider data regarding the number
17 of teachers who are quarantining due to exposure to COVID-19,
18 as well as the scarcity of substitute teachers and school bus
19 drivers.

20 The bill takes effect upon enactment.