

Senate Study Bill 1075 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to open enrollment of certain students and the
2 determination of good cause and including applicability
3 provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 282.18, subsection 2, paragraph a, Code
2 2021, is amended to read as follows:

3 a. By March 1 of the preceding school year for students
4 entering grades one through twelve, or by September 1 of the
5 current school year for students entering kindergarten or for
6 prekindergarten students enrolled in special education programs
7 and included in the school district's basic enrollment under
8 section 257.6, subsection 1, paragraph "a", subparagraph (1),
9 the parent or guardian shall send notification to the district
10 of residence and the receiving district, on forms prescribed
11 by the department of education, that the parent or guardian
12 intends to enroll the parent's or guardian's child in a public
13 school in another school district. If a parent or guardian
14 fails to file a notification that the parent intends to enroll
15 the parent's or guardian's child in a public school in another
16 district by the deadline specified in [this subsection](#), the
17 procedures of [subsection 4](#) apply.

18 Sec. 2. Section 282.18, subsection 4, paragraph b, Code
19 2021, is amended to read as follows:

20 b. For purposes of [this section](#), "good cause" means a change
21 in a child's residence due to a change in family residence,
22 a change in a child's residence from the residence of one
23 parent or guardian to the residence of a different parent or
24 guardian, a change in the state in which the family residence
25 is located, a change in a child's parents' marital status,
26 a guardianship or custody proceeding, placement in foster
27 care, adoption, participation in a foreign exchange program,
28 initial placement of a prekindergarten student in a special
29 education program requiring specially designed instruction, or
30 participation in a substance abuse or mental health treatment
31 program, a change in the status of a child's resident district
32 such as removal of accreditation by the state board, surrender
33 of accreditation, or permanent closure of a nonpublic school,
34 revocation of a charter school contract as provided in section
35 256F.8, the failure of negotiations for a whole grade sharing,

1 reorganization, dissolution agreement or the rejection of a
2 current whole grade sharing agreement, or reorganization plan.
3 If the good cause relates to a change in status of a child's
4 school district of residence, however, action by a parent
5 or guardian must be taken to file the notification within
6 forty-five days of the last board action or within thirty days
7 of the certification of the election, whichever is applicable
8 to the circumstances.

9 Sec. 3. Section 282.18, subsection 9, paragraph b, Code
10 2021, is amended to read as follows:

11 b. If a request to transfer is due to a change in family
12 residence, a change in a child's residence from the residence
13 of one parent or guardian to the residence of a different
14 parent or guardian, change in the state in which the family
15 residence is located, a change in a child's parents' marital
16 status, a guardianship proceeding, placement in foster care,
17 adoption, participation in a foreign exchange program, or
18 participation in a substance abuse or mental health treatment
19 program, and the child who is the subject of the request is
20 enrolled in any grade from kindergarten through grade twelve
21 or who is a prekindergarten student enrolled in a special
22 education program at the time of the request and is not
23 currently using any provision of open enrollment, the parent or
24 guardian of the child shall have the option to have the child
25 remain in the child's original district of residence under open
26 enrollment with no interruption in the child's ~~kindergarten~~
27 ~~through grade twelve~~ educational program. If a parent or
28 guardian exercises this option, the child's new district of
29 residence is not required to pay the amount calculated in
30 subsection 7 or 8, as applicable, until the start of the first
31 full year of enrollment of the child.

32 Sec. 4. APPLICABILITY. This Act applies to school years
33 beginning on or after July 1, 2021.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill modifies several provisions related to Iowa's open
3 enrollment law.

4 Code section 282.18(2) establishes deadlines for requests
5 to open enroll as March 1 of the preceding school year for
6 students entering grades one through twelve and as September 1
7 of the current school year for students entering kindergarten.
8 The bill adds prekindergarten students enrolled in special
9 education programs to the group of students subject to the
10 September 1 deadline and makes corresponding changes to other
11 provisions of Code section 282.18.

12 The bill also amends the definition of "good cause" for
13 purposes of consideration and approval of open enrollment
14 requests that fail to meet statutory deadlines to include
15 a change in a child's residence from the residence of one
16 parent or guardian to the residence of a different parent or
17 guardian and the initial placement of a prekindergarten student
18 in a special education program requiring specially designed
19 instruction. The bill also makes corresponding changes
20 to other provisions of Code section 282.18 to reflect the
21 amendment to the definition of good cause.

22 The bill applies to school years beginning on or after July
23 1, 2021.