House File 464 - Introduced

HOUSE FILE 464
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 283)

A BILL FOR

- 1 An Act relating to private instruction, including modifying
- 2 provisions related to independent private instruction and
- 3 the reports and evidence of immunizations required under
- 4 competent private instruction.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. 464

- 1 Section 1. Section 299.4, subsection 1, Code 2023, is 2 amended to read as follows:
- 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, not
- 6 in an accredited school or a home school assistance program
- 7 operated by a school district or accredited nonpublic school,
- 8 shall furnish a report in duplicate on forms provided by the
- 9 public school district, to the district by September 1 of the
- 10 school year in which the child will be under competent private
- 11 instruction. The secretary shall retain and file one copy
- 12 and forward the other copy to the district's area education
- 13 agency. The report shall state the name and age of the child,
- 14 the period of time during which the child has been or will be
- 15 under competent private instruction for the year, an outline
- 16 of the course of study, or texts that will be used, and the
- 17 name and address of the instructor. The parent, quardian, or
- 18 legal custodian of a child, who is placing the child under
- 19 competent private instruction for the first time, shall also
- 20 provide the district with evidence that the child has had the
- 21 immunizations required under section 139A.8, and, if the child
- 22 is elementary school age, a blood lead test in accordance with
- 23 section 135.105D. The term "outline of course of study" shall
- 24 include subjects covered, lesson plans, and time spent on the
- 25 areas of study.
- Sec. 2. Section 299A.1, subsection 2, paragraph b, Code
- 27 2023, is amended to read as follows:
- 28 b. "Independent private instruction" means private
- 29 instruction that meets the following criteria:
- 30 (1) Is not accredited.
- 31 (2) Enrolls not more than four unrelated students.
- 32 (3) Does not charge tuition, fees, or other remuneration for
- 33 instruction.
- 34 (4) (2) Provides private or religious-based instruction as
- 35 its primary purpose.

H.F. 464

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      (5) (3) Provides enrolled students with instruction
 2 in mathematics, reading and language arts, science, and
 3 social studies that is consistent with and appropriate to the
 4 student's age, grade level, or achievement level.
      (6) (4) Provides, upon written request from the
 6 superintendent of the school district in which the independent
 7 private instruction is provided, or from the director of the
 8 department of education, a report identifying the primary
 9 instructor, location, name of the authority responsible for the
10 independent private instruction, and the names of the students
11 enrolled receiving the instruction, who need not be related to
12 the primary instructor.
      (7) (5) Is not a an accredited nonpublic school and does
13
14 not provide competent private instruction as defined in this
15 subsection.
16
                Is exempt from all state statutes and
17 administrative rules applicable to a school, a school board, or
18 a school district, except as otherwise provided in chapter 299
19 and this chapter.
20
                              EXPLANATION
21
           The inclusion of this explanation does not constitute agreement with
22
            the explanation's substance by the members of the general assembly.
23
      This bill relates to private instruction, including
24 modifying provisions related to independent private instruction
25 and the reports and evidence of immunization required under
26 competent private instruction.
      Current law authorizes the parent, guardian, or legal
27
28 custodian of a child of compulsory attendance age to place
29 the child under competent private instruction or independent
30 private instruction. Current law requires a child's parent,
31 quardian, or legal custodian who is placing the child under
32 competent private instruction for the first time to provide
33 the child's school district of residence with evidence that
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35 section 139A.8 (immunization of children), and, if the child

34 the child has had the immunizations required under Code

H.F. 464

- l is elementary school age, a blood lead test. The bill strikes
- 2 this requirement.
- 3 Current law requires a child's parent, guardian, or legal
- 4 custodian who places the child under competent private
- 5 instruction to furnish a report to the school district of
- 6 residence by September 1 of the school year in which the child
- 7 will be under competent private instruction that includes an
- 8 outline of course of study, among other requirements. An
- 9 outline of course of study must include subjects covered,
- 10 lesson plans, and time spent on the areas of study. The
- 11 bill requires this report to state the name and age of the
- 12 child, the period of time during which the child will be under
- 13 competent private instruction for the year, an outline of the
- 14 course of study or texts that will be used, and the name and
- 15 address of the instructor. The bill strikes the definition of
- 16 "outline of course of study".
- 17 Current law provides that independent private instruction
- 18 is private instruction that, among other criteria, enrolls not
- 19 more than four unrelated students and does not charge tuition
- 20 or fees for instruction. The bill strikes these provisions.
- 21 The bill provides that independent private instruction
- 22 is required to provide students with instruction that is
- 23 consistent with and appropriate to the student's age, grade
- 24 level, or achievement level. The bill also provides that the
- 25 students receiving independent private instruction need not be
- 26 related to the primary instructor.
- 27 Under current law, independent private instruction is
- 28 defined to not be a nonpublic school. The bill establishes
- 29 that independent private instruction is not an accredited
- 30 nonpublic school.