

House File 88 - Introduced

HOUSE FILE 88

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A BILL FOR

1 An Act relating to education, including by modifying provisions
2 related to private instruction, world language instruction,
3 dual enrollment, and the tuition and textbook tax credit,
4 and including effective date, applicability, and retroactive
5 applicability provisions.

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

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DIVISION I
PRIVATE INSTRUCTION

Section 1. Section 299.4, subsection 1, Code 2025, is amended to read as follows:

1. The parent, guardian, or legal custodian of a child who is of compulsory attendance age, who places the child under competent private instruction under section 299A.2, not in an accredited school or a home school assistance program operated by a school district or accredited nonpublic school, shall furnish a report in duplicate on forms provided by the public school district, to the district by September 1 of the school year in which the child will be under competent private instruction. The secretary shall retain and file one copy and forward the other copy to the district's area education agency. The report shall state the name and age of the child, the period of time during which the child ~~has been or~~ will be under competent private instruction for the year, an outline of the course of study, or texts that will be used, and the name and address of the instructor. ~~The parent, guardian, or legal custodian of a child, who is placing the child under competent private instruction for the first time, shall also provide the district with evidence that the child has had the immunizations required under section 139A.8, and, if the child is elementary school age, a blood lead test in accordance with section 135.105D. The term "outline of course of study" shall include subjects covered, lesson plans, and time spent on the areas of study.~~

Sec. 2. Section 299A.1, subsection 2, paragraph b, Code 2025, is amended to read as follows:

b. "Independent private instruction" means private instruction that meets the following criteria:

- (1) Is not accredited.
- ~~(2) Enrolls not more than four unrelated students.~~
- ~~(3) Does not charge tuition, fees, or other remuneration for instruction.~~
- ~~(4)~~ (2) Provides private or religious-based instruction as

1 its primary purpose.

2 ~~(5)~~ (3) Provides enrolled students in all grade levels with
3 instruction in mathematics, reading, and language arts, ~~science,~~
4 ~~and social studies.~~

5 (4) Provides students in grades six through twelve with
6 instruction in science and social studies.

7 ~~(6)~~ (5) Provides, upon written request from the
8 superintendent of the school district in which the independent
9 private instruction is provided, or from the director of
10 the department of education, a report identifying the primary
11 instructor, location, name of the authority responsible for the
12 independent private instruction, and the names of the students
13 enrolled receiving the instruction, who need not be related to
14 the primary instructor.

15 ~~(7)~~ (6) Is not a nonpublic school and does not provide
16 competent private instruction as defined in this subsection.

17 ~~(8)~~ (7) Is exempt from all state statutes and administrative
18 rules applicable to a school, a school board, or a school
19 district, except as otherwise provided in chapter 299 and this
20 chapter.

21 Sec. 3. Section 299A.8, subsection 1, Code 2025, is amended
22 to read as follows:

23 1. If a parent, guardian, or legal custodian of a school-age
24 child who is receiving competent private instruction under this
25 chapter submits a request, the child shall also be registered
26 in a public school for dual enrollment purposes. If the child
27 is enrolled in a public school district for dual enrollment
28 purposes, the child shall be permitted to participate in any
29 academic activities in the district and shall also be permitted
30 to participate on the same basis as public school children
31 in any extracurricular activities available to children in the
32 child's grade or group. Dual enrollment of a child solely for
33 purposes of accessing the annual achievement evaluation shall not
34 constitute a dual enrollment purpose. A child who is enrolled
35 in a public school for dual enrollment purposes may receive any

1 amount of instruction by way of the public school's academic
2 programs, including offerings pursuant to chapter 261E.

3 Sec. 4. NEW SECTION. **299A.13 Diplomas and credentials.**

4 1. A diploma or credential issued by a person who administers
5 a program of secondary education under competent private
6 instruction or independent private instruction pursuant to
7 this chapter shall be deemed sufficient to demonstrate for
8 all purposes that the recipient has completed the program of
9 secondary education and has attained the equivalent of a high
10 school diploma.

11 2. The state, a political subdivision of the state, a
12 community college, an institution of higher education under the
13 control of the state board of regents, or an accredited private
14 institution as defined in section 256.183, shall not discriminate
15 against any individual based on the source of the individual's
16 diploma or credential and shall treat a diploma or credential
17 awarded for completion of a program of secondary education under
18 competent private instruction or independent private instruction
19 the same as a high school diploma awarded by a school district or
20 accredited nonpublic school.

21 Sec. 5. NEW SECTION. **299A.14 Verification of enrollment.**

22 The parent, guardian, or legal custodian of a child of
23 compulsory attendance age shall have the authority to execute any
24 document required by law to verify any of the following:

25 1. The placement of a child under competent private
26 instruction or independent private instruction.

27 2. The child's full-time or part-time status in competent
28 private instruction or independent private instruction.

29 3. The grades the child has obtained in competent private
30 instruction or independent private instruction.

31 4. Any other required educational information.

32 Sec. 6. EFFECTIVE DATE. The following, being deemed of
33 immediate importance, take effect upon enactment:

34 1. The section of this division of this Act enacting section
35 299A.13.

1 2. The section of this division of this Act enacting section
2 299A.14.

3 Sec. 7. APPLICABILITY. The following applies to any diplomas
4 or credentials issued before, on, or after the effective date of
5 this division of this Act:

6 The section of this division of this Act enacting section
7 299A.13.

8 DIVISION II

9 WORLD LANGUAGE INSTRUCTION

10 Sec. 8. Section 256.11, subsection 5, paragraph f, Code 2025,
11 is amended to read as follows:

12 *f.* Two sequential units of one world language, which may
13 include American sign language. The world language instruction
14 shall not alter the world language to incorporate gender-neutral
15 language if the world language being offered and taught utilizes
16 a grammatical gender system.

17 Sec. 9. Section 256E.7, subsection 2, paragraph g, Code 2025,
18 is amended by adding the following new subparagraph:

19 NEW SUBPARAGRAPH. (3) The educational standards established
20 in section 256.11, subsection 5, paragraph "f", related to the
21 prohibition against incorporating gender-neutral language into
22 world language instruction if the world language being taught
23 utilizes a grammatical gender system.

24 Sec. 10. Section 256F.4, subsection 2, Code 2025, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *r.* Be subject to and comply with the
27 requirements of section 256.11, subsection 5, paragraph "f",
28 relating to the prohibition against incorporating gender-neutral
29 language into world language instruction if the world language
30 being taught utilizes a grammatical gender system in the same
31 manner as a school district.

32 DIVISION III

33 TUITION AND TEXTBOOK TAX CREDIT

34 Sec. 11. Section 422.12, subsection 2, paragraph b, Code
35 2025, is amended to read as follows:

1 legal custodian who places the child under competent private
2 instruction to furnish a report to the school district of
3 residence by September 1 of the school year in which the child
4 will be under competent private instruction that includes an
5 outline of course of study, among other requirements. An outline
6 of course of study must include subjects covered, lesson plans,
7 and time spent on the areas of study. The bill requires this
8 report to state the name and age of the child, the period of
9 time during which the child will be under competent private
10 instruction for the year, an outline of the course of study
11 or texts that will be used, and the name and address of the
12 instructor. The bill strikes the definition of "outline of
13 course of study".

14 Current law provides that independent private instruction is
15 private instruction that, among other criteria, enrolls not more
16 than four unrelated students and does not charge tuition or fees
17 for instruction. The bill strikes these provisions.

18 The bill provides that independent private instruction is
19 required to provide students in all grade levels with instruction
20 in mathematics, reading, and language arts, and is required to
21 provide students in grades 6 through 12 with instruction in
22 science and social studies. The bill also provides that the
23 students receiving independent private instruction need not be
24 related to the primary instructor.

25 Pursuant to administrative rule adopted by the department
26 of education, a child under dual enrollment must receive at
27 least one-quarter of the child's instruction by way of competent
28 private instruction and no more than three-quarters by way of
29 a school district's academic programs. The bill renders the
30 department's administrative rule void by providing that a child
31 who is enrolled in a school district for dual enrollment purposes
32 may receive any amount of instruction by way of the school
33 district's academic programs, including offerings pursuant to
34 Code chapter 261E (senior year plus program).

35 The bill provides that a diploma or credential issued by a

1 person who administers a program of secondary education under
2 competent private instruction or independent private instruction
3 pursuant to Code chapter 299A (private instruction) shall
4 be deemed sufficient to demonstrate that the recipient has
5 completed the program of secondary education and has attained the
6 equivalent of a high school diploma. This provision takes effect
7 upon enactment and applies to any diplomas or credentials issued
8 before, on, or after the new Code section's effective date.

9 The bill prohibits the state, a political subdivision of the
10 state, a community college, institutions of higher education
11 under the control of the state board of regents, or an accredited
12 private institution from discriminating against any individual
13 based on the source of the individual's diploma or credential
14 and shall treat a diploma or credential awarded for completion
15 of a program of secondary education under competent private
16 instruction or independent private instruction the same as a
17 high school diploma awarded by a school district or accredited
18 nonpublic school. This provision takes effect upon enactment
19 and applies to any diplomas or credentials issued before, on, or
20 after the new Code section's effective date.

21 The bill provides that the parent, guardian, or legal
22 custodian of a child of compulsory attendance age shall have
23 the authority to execute any document required by law to verify
24 the placement of a child under competent private instruction
25 or independent private instruction, the child's full-time or
26 part-time status in competent private instruction or independent
27 private instruction, the grades the child has obtained in
28 competent private instruction or independent private instruction,
29 or any other required educational information.

30 DIVISION II — WORLD LANGUAGE INSTRUCTION. The bill modifies
31 provisions related to world language instruction in grades 9
32 through 12 in school districts, accredited nonpublic schools,
33 charter schools, and innovation zone schools by prohibiting the
34 incorporation of gender-neutral language when the world language
35 being taught utilizes a grammatical gender system.

1 DIVISION III — TUITION AND TEXTBOOK TAX CREDIT. Current
2 law establishes a tuition credit equal to 25 percent of the
3 first \$2,000 which the taxpayer has paid to others for each
4 dependent in grades kindergarten through 12, for tuition and
5 textbooks of each dependent who is receiving private instruction
6 or who is attending an elementary or secondary school situated in
7 Iowa, which school is accredited or approved under Code section
8 256.11, which is not operated for profit, and which adheres to
9 the provisions of the federal Civil Rights Act of 1964 and Code
10 chapter 216 (Iowa civil rights Act of 1965). The bill increases
11 the amount of this tax credit to 50 percent of the first \$2,000.
12 The division applies retroactively to January 1, 2025, for tax
13 years beginning on or after that date.

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