SENATE FILE 160
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1064)

(As Amended and Passed by the Senate January 28, 2021)

_____ and [= New Language by the Senate

* = Language Stricken by the Senate

A BILL FOR

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

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

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

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

2. Notwithstanding any provision of law to the contrary, for the school year beginning July 1, 2020, and ending June 30, 2021, any instruction provided by a school district or accredited nonpublic school shall be deemed to meet the days and hours of instructional time requirements of Iowa law only if the instruction is provided in compliance with all requirements of Iowa law, including this Act; or pursuant to 2020 Iowa Acts, chapter 1107; or under a proclamation of a public health disaster emergency issued by the governor pursuant to section 29C.6 and related to COVID-19.

Sec. 2. REQUESTS TO MOVE TO REMOTE LEARNING FOR A

SCHOOL BUILDING OR DISTRICT. For the school year beginning July 1, 2020, and ending June 30, 2021, to the extent the governor waives the requirement for full-time in-person instruction pursuant to section 1 of this Act, or authorizes a brick-and-mortar school district or accredited nonpublic school to provide primarily remote learning in accordance with 2020 Iowa Acts, chapter 1107, by conditioning the waiver or authorization on approval by the department of education, the department of education shall consider, in addition to any other factors or information, data regarding the number of teachers employed by the school district or school who are quarantining due to exposure to COVID-19, as well as the scarcity of substitute teachers, food service workers, and school bus drivers.

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