

House File 2280 - Introduced

HOUSE FILE 2280
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 464)
(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:

1 Section 1. Section 299.4, subsection 1, Code 2024, is
2 amended to read as follows:

3 1. 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, guardian, 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.~~

26 Sec. 2. Section 299A.1, subsection 2, paragraph b, Code
27 2024, 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.

1 ~~(5)~~ (3) Provides enrolled students in all grade levels
 2 with instruction in mathematics, reading, and language arts,
 3 ~~science, and social studies.~~

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

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

14 (6) Is not a nonpublic school and does not provide competent
 15 private instruction as defined in [this subsection](#).

16 ~~(8)~~ (7) 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.

27 Current law authorizes the parent, guardian, or legal
 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 guardian, 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
 34 the child has had the immunizations required under Code
 35 section 139A.8 (immunization of children), and, if the child

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