

Sec. 20. CODE EDITOR. The Code editor shall renumber sections as provided in this Act to ensure consistency with the model state trademark bill promulgated by the United States trademark association, including the most recent revisions in the model bill.

Approved April 19, 1994

CHAPTER 1091

EDUCATION — MISCELLANEOUS TECHNICAL AND OTHER PROVISIONS

S.F. 2236

AN ACT relating to education by providing technical corrections that adjust language to reflect current usage, delete temporary language, and update ongoing provisions; and relating to prescription refills provided to students residing in the Iowa braille and sight saving school, the school for the deaf, and the state hospital-school.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 256.7, subsection 12, Code Supplement 1993, is amended to read as follows:

12. Adopt rules pursuant to chapter 17A relating to educational programs and budget limitations for educational programs pursuant to sections 282.28, 282.29, 282.30, and 282.31. The rules adopted pursuant to this subsection shall be written by June 30, 1987.

Sec. 2. Section 256.7, subsection 21, Code Supplement 1993, is amended to read as follows:

21. Adopt rules to be effective by July 1, 1993, which that set standards for approval of family support preservice and in-service training programs, offered by area education agencies and practitioner preparation institutions, and family support programs offered by or through local school districts.

Sec. 3. Section 256.7, subsections 7, 8, 15, 16, and 17, Code Supplement 1993, are amended by striking the subsections.

Sec. 4. Section 256.9, subsection 27, Code Supplement 1993, is amended to read as follows:

27. Cause to be printed in pamphlet form after each session of the general assembly Direct that any amendments or changes in the school laws, with necessary notes and suggestions, to be distributed as prescribed in subsection 26 annually.

Sec. 5. Section 256.9, subsection 33, Code Supplement 1993, is amended to read as follows:

33. Develop programs in conjunction with the center for early development education to be made available to the school districts to assist them in identification of at-risk children and their developmental needs. For a period of one year, beginning July 1, 1988, and ending June 30, 1989, direct the educational services division of the area education agencies to develop program plans to assist the districts in educating at-risk children. The area education agencies may enter into contracts with other groups or agencies to provide all or part of the program. The programs shall include but are not limited to:

- a. Administrator and staff in-service education.
- b. Area education agency and district staff utilization plans.
- c. Qualifications required of personnel administering the program.
- d. Child-to-staff ratio specifications.
- e. Longitudinal testing of the children.
- f. Referrals to outside agencies.
- g. An emphasis on integrating the identified children with the balance of the class.
- h. Proposed curriculum content and materials.
- i. Cost projections for provision of the programs.

Sec. 6. Section 256.9, subsection 36, Code Supplement 1993, is amended to read as follows:

36. By July 1, 1990, ~~develop~~ Develop, or direct the area education agencies to develop, a statewide technical assistance support network to provide school districts, or district subcontractors under section 279.49, with assistance in creating developmentally appropriate programs under section 279.49.

Sec. 7. Section 256.9, subsection 41, Code Supplement 1993, is amended to read as follows:

41. ~~Develop by September 1, 1990,~~ an application and review process for the identification of quality instructional centers at the community colleges. The process developed shall include but is not limited to the development of criteria for the identification of a quality instructional center as well as for the enhancement of other program offerings in order to upgrade programs to quality instructional center status. Criteria established shall be designed to increase student access to programs, establish high quality occupational and vocational education programs, and to enhance interinstitutional cooperation in program offerings.

Sec. 8. Section 256.9, subsection 42, Code Supplement 1993, is amended to read as follows:

42. Explore, in conjunction with the state board of regents, the need for coordination between school districts, area education agencies, regents' institutions, and community colleges for purposes of delivery of courses, use of telecommunications, transportation, and other similar issues. Coordination may include, but is not limited to, coordination of calendars, programs, schedules, or telecommunications emissions. ~~The department shall develop recommendations which shall be submitted in a report to the general assembly by February 15, 1991.~~

Sec. 9. Section 256.9, subsection 43, Code Supplement 1993, is amended to read as follows:

43. ~~Develop by September 1, 1990,~~ an application and review process for approval of administrative and program sharing agreements between two or more community colleges or a community college and an institution of higher education under the board of regents entered into pursuant to section 260C.46.

Sec. 10. Section 256.9, subsection 44, Code Supplement 1993, is amended to read as follows:

44. Prepare a plan and a report for ensuring that all Iowa children will be able to satisfy the requirements for high school graduation. The plan and report shall include a statement of the dimensions of the dropout problem in Iowa; a survey of existing programs geared to dropout prevention; a plan for use of competency-based outcome methods and measures; proposals for alternative means for satisfying graduation requirements including alternative high school settings, supervised vocational experiences, education experiences within the correctional system, screening and assessment mechanisms for identifying students who are at risk of dropping out and the development of an individualized education plan for identified students; a requirement that schools provide information to students who drop out of school on options for pursuing education at a later date; the development of basic materials and information for schools to present to students leaving school; a requirement that students notify their school districts of residence when the student discontinues school, including the reasons for leaving school and future plans for career development; a requirement that, unless a student chooses to make the information relating to the student leaving school confidential, schools make the information available to community colleges, area education agencies, and other educational institutions upon request; and recommendations for the establishment of pilot projects for the development of model alternative options education programs; a plan for implementation of any recommended courses of action to attain a zero dropout rate by the year 2000; and other requirements necessary to achieve the goals of this subsection. Alternative means for satisfying graduation requirements which relate to the development of individualized education plans for students who have dropped out of the regular school program shall include, but are not limited to, a tracking component that requires a school district to maintain periodic contact with a student, assistance to a dropout in curing any of the student's academic deficiencies, an assessment of the student's employability skills and plans to improve those skills, and treatment or counseling for a student's social needs. The department shall also prepare

a cost estimate associated with implementation of proposals to attain a zero dropout rate, including but not limited to evaluation of existing funding sources and a recommended allocation of the financial burden among federal, state, local, and family resources. The report and plan shall be submitted to the general assembly by January 15, 1993.

Sec. 11. Section 256.9, subsection 46, Code Supplement 1993, is amended to read as follows:

46. Develop and provide by July 1, 1993, in-service and preservice training programs through the area education agencies and practitioner preparation institutions and guidelines for school districts for the establishment of family support programs. Guidelines developed shall describe barriers to learning and development which can affect children served by family support programs.

Sec. 12. Section 256.9, subsection 39, Code Supplement 1993, is amended by striking the subsection.

Sec. 13. Section 256.11, subsections 9 and 9A, Code Supplement 1993, are amended by striking the subsections.

Sec. 14. Section 256.11A, Code Supplement 1993, is amended to read as follows:

256.11A IMPLEMENTATION OF STANDARDS GUIDANCE PROGRAM — MEDIA SERVICES PROGRAM — WAIVER.

1. Schools and school districts are not required to meet the standard adopted by the state board under section 256.17, Code Supplement 1987, requiring that ten units of vocational education be offered and taught in grades nine through twelve unless the general assembly enacts legislation relating to the requirements stated in the standard. Until the time schools and school districts are required to meet the standard, the occupational education requirements stated in section 256.11, subsection 5, paragraph "h", apply.

2 1. Schools and school districts unable to meet the standard adopted by the state board requiring each school or school district operating a kindergarten through grade twelve program to provide an articulated sequential elementary-secondary guidance program may, not later than August 1, 1993, for the school year beginning July 1, 1993, file a written request to the department of education that the department waive the requirement for that school or school district. The procedures specified in subsection 4 apply to the request. Not later than August 1, 1994, for the school year beginning July 1, 1994, the board of directors of a school district or the authorities in charge of a nonpublic school may request a one-year extension of the waiver.

If a waiver is approved under subsection 4, the school or school district shall meet the requirements of section 256.11, subsection 9, paragraph "b", Code Supplement 1987, for the period for which the waiver is approved.

3 2. Not later than August 1, 1993, for the school year beginning July 1, 1993, the board of directors of a school district, or authorities in charge of a nonpublic school, may file a written request with the department of education that the department waive the requirement rule adopted by the state board to establish and operate a media services program to support the total curriculum for that district or school. The procedures specified in subsection 4 apply to the request. Not later than August 1, 1994, for the school year beginning July 1, 1994, the board of directors of a school district or the authorities in charge of a nonpublic school may request an additional one-year extension of the waiver.

If a waiver is approved under subsection 4, the school district or school shall meet the requirements of section 256.11, subsection 9, paragraph "a", Code Supplement 1987, for the period for which the waiver is approved.

4 3. A request for a waiver filed by the board of directors of a school district or authorities in charge of a nonpublic school shall describe actions being taken by the district or school to meet the requirement for which the district or school has requested a waiver. The state board of education shall adopt rules, by January 1, 1990, under chapter 17A to implement a procedure and criteria for the department to use in making a decision to approve a waiver under subsections 2 and 3.

Sec. 15. Section 256B.5, Code 1993, is amended to read as follows:

256B.5 SECRETARY'S REPORT.

The Iowa department of public health shall ~~from time to time as requested~~ furnish to the state ~~division~~ bureau of special education upon request information obtained from birth certificates relative to the name, address, and disability of any case of ~~congenital deformity or physical defect~~ developmental disability. The state ~~crippled children's service~~ child health specialty clinics of the university of Iowa shall ~~from time to time as requested~~ upon request furnish to the state ~~division~~ bureau of special education the name, address, and disability of all children of their register.

Sec. 16. Section 262.9, subsection 4, paragraphs a, b, and c, Code Supplement 1993, are amended to read as follows:

a. ~~By July 1, 1989, a minimum of fifty percent of the purchases of inks which are used for newsprint paper for printing services performed internally or contracted for by the board shall be soybean-based. The percentage of purchases by the board of soybean-based inks used for newsprint printing services shall increase by July 1, 1991, to one hundred percent of the total purchases of inks used for newsprint printing services.~~

~~b a. By July 1, 1991, a minimum of twenty-five percent of the purchases of All inks, other than inks which are used for newsprint printing services, and which purchased that are used internally or contracted for by the board shall be soybean-based to the extent formulations for such inks are available. The percentage of purchases by the board of the soybean-based inks, to the extent formulations for such inks are available, shall increase by July 1, 1992, to fifty percent of the total purchases of the inks, and shall increase by July 1, 1993, to one hundred percent of the total purchases of the inks.~~

~~e b. By July 1, 1989, a minimum of fifteen percent of the purchases of garbage can liners made by the board shall be starch-based plastic garbage can liners. The percentage purchased shall increase by five percent annually until fifty percent of the purchases of garbage can liners are purchases of starch-based plastic garbage can liners.~~

Sec. 17. Section 262.9, subsection 5, Code Supplement 1993, is amended to read as follows:

5. In conjunction with the recommendations made by the department of natural resources, purchase and use recycled printing and writing paper, with the exception of specialized paper when no recyclable product is available, in accordance with the schedule established in section 18.18; establish a wastepaper recycling program by January 1, 1990, for all institutions governed by the board in accordance with recommendations made by the department of natural resources and the requirements of section 18.20; comply with, and the institutions governed by the board shall also comply with, the recycling goal, recycling schedule, and ultimate termination of purchase and use of polystyrene products for the purpose of storing, packaging, or serving food for immediate consumption pursuant to section 455D.16; shall, in accordance with the requirements of section 18.6, require product content statements, the provision of information regarding on-site review of waste management in product bidding and contract procedures, and compliance with requirements regarding procurement specifications; and shall comply with the requirements for the purchase of lubricating oils and industrial oils as established pursuant to section 18.22.

Sec. 18. Section 262.9, subsection 24, Code Supplement 1993, is amended to read as follows:

24. ~~By July 1, 1991, develop~~ Develop a policy which ~~requires~~ requiring oral communication competence of persons who provide instruction to students attending institutions under the control of the board. The policy shall include a student evaluation mechanism which requires student evaluation of persons providing instruction on at least an annual basis.

Sec. 19. Section 262.9, subsection 25, Code Supplement 1993, is amended to read as follows:

25. ~~By July 1, 1991, develop~~ Develop a policy relating to the teaching proficiency of teaching assistants which provides a teaching proficiency standard, instructional assistance to, and evaluation of persons who provide instruction to students at the higher education institutions under the control of the board.

Sec. 20. Section 262.9, subsection 26, Code Supplement 1993, is amended to read as follows:

26. Explore, in conjunction with the department of education, the need for coordination between school districts, area education agencies, state board of regents' institutions, and community colleges for purposes of delivery of courses, use of telecommunications, transportation, and other similar issues. Coordination may include, but is not limited to, coordination of calendars, programs, schedules, or telecommunications emissions. The state board shall develop recommendations as necessary, which shall be submitted in a report to the general assembly by ~~February 15, 1991~~ on a timely basis.

Sec. 21. Section 269.1, Code 1993, is amended to read as follows:

269.1 ADMISSION.

~~All blind persons and persons whose vision is so defective that they cannot be properly instructed in the common schools, who are residents of the state and of suitable age and capacity, Any resident of the state under twenty-one years of age who has a visual disability too severe to acquire a satisfactory education in a regular educational environment shall be entitled to an education in the Iowa braille and sight saving school at the expense of the state. Non-residents also may be admitted to the Iowa braille and sight saving school if their presence would not be prejudicial to the interests of residents, upon such terms as may be fixed by the state board of regents.~~

Sec. 22. Section 270.4, Code 1993, is amended to read as follows:

270.4 CLOTHING, PRESCRIPTIONS, AND TRANSPORTATION.

~~When pupils are not supplied with The superintendent shall provide students, who would otherwise be without, with clothing, prescription refills, or transportation, it shall be furnished by the superintendent, who and shall make out an account therefor against bill the student's parent or guardian, if the pupil be student is a minor, and against or the pupil student if the pupil has no parent or guardian, or student has attained the age of majority, which for any clothing, prescription refills, or transportation provided. The bill shall be certified by the superintendent to be correct, and shall be presumptive evidence thereof in all courts.~~

Sec. 23. Section 282.5, Code 1993, is amended to read as follows:

282.5 READMISSION OF PUPIL STUDENT.

~~When a scholar student is dismissed by the a teacher, principal, or superintendent, as above provided pursuant to section 282.4, the scholar student may be readmitted by such the teacher, principal, or superintendent, but when expelled by the board the scholar student may be readmitted only by the board or in the manner prescribed by it the board.~~

Sec. 24. Section 282.18, subsection 14, Code Supplement 1993, is amended by striking the subsection.

Sec. 25. Sections 258.14, 258.15, and 270.2, Code 1993, are repealed.

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