

Education: Haverland, Chair; Buhr and Carpenter.

Do Pass 3/22 (p. 1227)

FILED MAR 1 1984

SENATE FILE 2263

BY COMMITTEE ON EDUCATION  
approved 3/1 (p. 608)  
(FORMERLY SSB 2214)

Passed Senate, Date 3-7-84 (p. 713) Passed House, Date 3-27-84 (p. 1340)

Vote: Ayes 48 Nays 0 Vote: Ayes 96 Nays 0

Approved April 11, 1984 (p. 1493)

### A BILL FOR

1 An Act requiring the department of public instruction to  
2 adopt rules relating to the review of an action or  
3 omission relating to special education programs by  
4 state or local authorities.

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

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S. 2263

1 Section 1. Section 281.6, unnumbered paragraph 2 and  
2 subsections 1, 2, 3, 4, and 5, Code 1983, are amended to read  
3 as follows:

4 A child, or ~~his~~ the parent or guardian of the child, or  
5 the school district in which the child resides, may obtain  
6 a review of ~~any~~ an action or omission of state or local  
7 authorities pursuant to the procedures established ~~in chapter~~  
8 290 by the state board of public instruction on the ground  
9 that the child has been or is about to be:

- 10 1. Denied entry or continuance in a program of special  
11 education appropriate to ~~his~~ the child's condition and needs.
- 12 2. Placed in a special education program which is  
13 inappropriate to ~~his~~ the child's condition and needs.
- 14 3. Denied educational services because no suitable program  
15 of education or related services is maintained.
- 16 4. Provided with special education which is insufficient  
17 in quantity to satisfy the requirements of law.
- 18 5. Assigned to a program of special education when ~~he~~  
19 the child is not handicapped.

20 Notwithstanding section 17A.11, the state board of public  
21 instruction shall adopt rules for the appointment of an im-  
22 partial administrative hearing officer for special education  
23 appeals. The rules shall comply with federal statutes and  
24 regulations.

25 EXPLANATION

26 This bill requires the state board of public instruction  
27 to adopt rules for the review of an action or omission of  
28 state or local authorities relating to special education  
29 programs for a child and for the appointment of an  
30 administrative hearing officer for the appeal process.

31 The bill takes effect July 1 following its enactment.

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SENATE FILE 2263

AN ACT  
REQUIRING THE DEPARTMENT OF PUBLIC INSTRUCTION TO ADOPT  
RULES RELATING TO THE REVIEW OF AN ACTION OR OMISSION  
RELATING TO SPECIAL EDUCATION PROGRAMS BY STATE OR  
LOCAL AUTHORITIES.

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

Section 1. Section 281.6, unnumbered paragraph 2 and  
subsections 1, 2, 3, 4, and 5, Code 1983, are amended to read  
as follows:

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~~290~~ by the state board of public instruction on the ground  
that the child has been or is about to be:

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of education or related services is maintained.
4. Provided with special education which is insufficient  
in quantity to satisfy the requirements of law.
5. Assigned to a program of special education when ~~he~~  
the child is not handicapped.

Notwithstanding section 17A.11, the state board of public  
instruction shall adopt rules for the appointment of an im-  
partial administrative hearing officer for special education

ROBERT T. ANDERSON  
President of the Senate

DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 2263, Seventieth General Assembly.

K. MARIE THAYER  
Secretary of the Senate

Approved April 11, 1984

TERRY E. BRANSTAD  
Governor

S.F. 2263