

Senate File 2131

H-8076

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 2, after line 16 by inserting:

4 <Sec. \_\_\_\_\_. Section 299.4, subsection 1, Code 2018, is  
5 amended to read as follows:

6 1. The parent, guardian, or legal custodian of a child who  
7 is of compulsory attendance age, who places the child under  
8 competent private instruction ~~under section 299A.2~~, independent  
9 private instruction, or private instruction under chapter  
10 299A, not in an accredited school or a home school assistance  
11 program operated by a school district or accredited nonpublic  
12 school, shall furnish to the school district of residence a  
13 report in duplicate on forms provided in the form and manner  
14 prescribed by the public school district, to the district by  
15 September 1 of the school year in which the child will be under  
16 competent private instruction, independent private instruction,  
17 or private instruction. The secretary shall retain and file  
18 one copy and forward the other copy to the district's area  
19 education agency. The report shall state the name and age of  
20 the child, the period of time during which the child has been  
21 or will be under competent private instruction, independent  
22 private instruction, or private instruction for the year, an  
23 outline of the course of study, texts used, and the name and  
24 address of the instructor. The parent, guardian, or legal  
25 custodian of a child, who is placing the child under competent  
26 private instruction, independent private instruction, or  
27 private instruction for the first time, shall also provide the  
28 district with evidence that the child has had the immunizations  
29 required under section 139A.8, and, if the child is elementary  
30 school age, a blood lead test in accordance with section  
31 135.105D. The term "*outline of course of study*" shall include  
32 subjects covered, lesson plans, and time spent on the areas of  
33 study.

34 Sec. \_\_\_\_\_. Section 299A.1, subsection 2, paragraph b,  
35 subparagraph (6), Code 2018, is amended to read as follows:

1 (6) ~~Provides, upon written request from the superintendent~~  
2 ~~of to the superintendent of the school district in which the~~  
3 ~~independent private instruction is provided, or from the~~  
4 ~~director of the department of education of residence of each~~  
5 student enrolled, a report identifying the primary instructor,  
6 location, name of the authority responsible for the independent  
7 private instruction, and the names of the students enrolled.

8 Sec. \_\_\_\_ . Section 299A.3, Code 2018, is amended to read as  
9 follows:

10 **299A.3 Private instruction by nonlicensed person.**

11 1. A parent, guardian, or legal custodian of a child of  
12 compulsory attendance age providing private instruction to  
13 the child shall complete and send, in a timely manner, the  
14 report required under section 299.4 to the school district of  
15 residence of the child.

16 2. A parent, guardian, or legal custodian of a child of  
17 compulsory attendance age providing private instruction to the  
18 child may meet all either of the following requirements:

19 ~~1. Complete and send, in a timely manner, the report~~  
20 ~~required under [section 299.4](#) to the school district of~~  
21 ~~residence of the child.~~

22 ~~2. a.~~ a. Ensure that the child under the parent's, guardian's,  
23 or legal custodian's instruction is evaluated annually to  
24 determine whether the child is making adequate progress, as  
25 defined in [section 299A.6](#).

26 ~~3. b.~~ b. Ensure that the results of the child's annual  
27 evaluation are reported to the school district of residence  
28 of the child and to the department of education by a date not  
29 later than June 30 of each year in which the child is under  
30 private instruction.

31 Sec. \_\_\_\_ . NEW SECTION. 299A.13 Health and safety visits.

32 1. The board of directors of a school district shall  
33 conduct quarterly home visits to check on the health and safety  
34 of children located within the district who are receiving  
35 competent private instruction, independent private instruction,

1 or private instruction.

2 2. Home visits shall take place in the child's residence  
3 with the consent of the parent, guardian, or legal custodian  
4 and an interview or observation of the child may be conducted.  
5 If permission to enter the home to interview or observe the  
6 child is refused, the juvenile court or district court upon  
7 a showing of probable cause may authorize the person making  
8 the home visit to enter the home and interview or observe the  
9 child.

10 3. The superintendent of the school district shall  
11 designate a person to carry out the duties assigned to the  
12 school district under this section. The person designated  
13 shall be a mandatory reporter, as defined in section 232.69,  
14 subsection 1. The school district may collaborate with the  
15 department of human services, including the local, county, and  
16 service area officers of the department, in conducting the home  
17 visits required under this section.

18 4. The department of education, in collaboration with the  
19 department of human services, shall provide guidelines to  
20 school districts for implementation of this section.

21 Sec. \_\_\_\_\_. STATE MANDATE FUNDING SPECIFIED. In accordance  
22 with section 25B.2, subsection 3, the state cost of requiring  
23 compliance with any state mandate included in this Act shall  
24 be paid by a school district from state school foundation aid  
25 received by the school district under section 257.16. This  
26 specification of the payment of the state cost shall be deemed  
27 to meet all of the state funding-related requirements of  
28 section 25B.2, subsection 3, and no additional state funding  
29 shall be necessary for the full implementation of this Act  
30 by and enforcement of this Act against all affected school  
31 districts.>

32 2. Title page, by striking lines 1 through 4 and inserting  
33 <An Act relating to private instruction by expanding the Iowa  
34 learning online initiative to include students receiving  
35 private instruction and by adding reporting requirements and

1 health and safety visits for children placed under private  
2 instruction, and providing for fees.>  
3 3. By renumbering as necessary.

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HUNTER of Polk