

Senate File 2131

S-5092

1 Amend the House amendment, S-5068, to Senate File 2131, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, after line 8 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.~~ 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.~~ 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 2. Page 1, after line 18 by inserting:

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

33 3. By striking lines 22 through 25 and inserting:

34 <_____. Title page, by striking lines 1 through 4 and
35 inserting <An Act relating to private instruction by expanding

1 the Iowa learning online initiative to include students
2 receiving private instruction and by adding reporting
3 requirements and health and safety visits for children placed
4 under private instruction, by providing for an online working
5 group, providing for fees, and including effective date
6 provisions.>>

7 4. By renumbering as necessary.

MATT McCOY