

*Reprinted*

FEB 13 1992

HOUSE FILE 2247

BY WISE

*Chapter (1983) De. Res. 427*

Passed House, Date 3/10/92 (p. 517) Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 92 Nays 8 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act modifying eligibility requirements within the  
2 postsecondary enrollment options Act relating to students  
3 identified as gifted and talented children.

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

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*H.F. 2247*

1 Section 1. Section 261C.2, Code 1991, is amended to read  
2 as follows:

3 261C.2 POLICY.

4 It is the policy of this state to promote rigorous academic  
5 or vocational-technical pursuits and to provide a wider  
6 variety of options to high school pupils by enabling ninth and  
7 tenth grade pupils who have been identified as gifted and  
8 talented, and eleventh and twelfth grade pupils, to enroll  
9 part-time part-time in nonsectarian courses in eligible  
10 postsecondary institutions of higher learning in this state.

11 Sec. 2. Section 261C.3, subsection 2, Code Supplement  
12 1991, is amended to read as follows:

13 2. "Eligible pupil" means a pupil classified by the board  
14 of directors of a school district or the authorities in charge  
15 of an accredited nonpublic school as a ninth or tenth grade  
16 pupil who is identified according to the school district's  
17 gifted and talented criteria and procedures, pursuant to  
18 section 257.43, as a gifted and talented child, or an eleventh  
19 or twelfth grade pupil, during the period the pupil is  
20 participating in the enrollment option provided under this  
21 chapter. A pupil attending an accredited nonpublic school  
22 shall be counted as a shared-time student in the school  
23 district in which the nonpublic school of attendance is  
24 located for state foundation aid purposes.

25 Sec. 3. Section 261C.9, Code 1991, is amended by striking  
26 the section and inserting in lieu thereof the following:

27 261C.9 PUPIL ENROLLMENT.

28 If the eligible pupil is enrolled on a full-time basis in  
29 the pupil's school district of residence or in an accredited  
30 nonpublic school as well as enrolling in a course or program  
31 in an eligible postsecondary institution, and is not  
32 identified according to the district's gifted and talented  
33 criteria and procedures as a gifted and talented child,  
34 payments shall not be made under section 261C.6.

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EXPLANATION

1 This bill modifies the postsecondary enrollment options Act  
2 to include ninth and tenth grade pupils who have been  
3 identified as gifted and talented under their district's  
4 gifted and talented identification procedures. The Act  
5 prohibits school district payments on behalf of full-time high  
6 school pupils who enroll in a postsecondary class or program.  
7 The bill would modify the Act to permit payments to be made on  
8 behalf of eligible full-time high school pupils, who are  
9 identified as gifted and talented, and who enroll in a course  
10 or program in an eligible postsecondary institution.

11 This bill may include a state mandate as defined in section  
12 25B.3.

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## HOUSE FILE 2247

H-5218

- 1 Amend House File 2247 as follows:  
2 1. Page 1, by inserting after line 24 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 261C.4, Code Supplement 1991,  
5 is amended to read as follows:  
6 261C.4 AUTHORIZATION.  
7 An eligible pupil may make application to an  
8 eligible institution to allow the eligible pupil to  
9 enroll for academic or vocational-technical credit in  
10 a nonsectarian course offered at that eligible  
11 institution. A comparable course, as defined in rules  
12 made by the board of directors of the public school  
13 district, must not be offered by the school district  
14 or accredited nonpublic school in which the pupil is  
15 enrolled attends. If an eligible institution accepts  
16 an eligible pupil for enrollment under this section,  
17 the institution shall send written notice to the  
18 pupil, the pupil's school district or accredited  
19 nonpublic school, and the department of education.  
20 The notice shall list the course, the clock hours the  
21 pupil will be attending the course, and the number of  
22 hours of postsecondary academic or vocational-  
23 technical credit that the eligible pupil will receive  
24 from the eligible institution upon successful  
25 completion of the course."  
26 2. Title page, line 2, by striking the words  
27 "relating to" and inserting the following: ",  
28 including".  
29 3. By renumbering as necessary.

By SPEAR of Lee

H-5218 FILED MARCH 9, 1992

*adopted 3/10 (p. 517)*

HOUSE FILE 2247

H-5214

- 1 Amend House File 2247 as follows:  
2 1. Page 1, by inserting after line 24 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 261C.6, unnumbered paragraph 1,  
5 Code 1991, is amended to read as follows:  
6 Not later than June 30 of each year, a school  
7 district shall pay a tuition reimbursement amount to  
8 an eligible postsecondary institution that has  
9 enrolled its resident eligible pupils under this  
10 chapter. Responsibility for the payment of tuition  
11 under this chapter for students using open enrollment  
12 remains with the student's resident district. The  
13 amount of tuition reimbursement for each separate  
14 course shall equal the lesser of:".  
15 2. By renumbering as necessary.

By SPEAR of Lee

H-5214 FILED MARCH 9, 1992

*w/d 3/10 (p. 517)*

HOUSE FILE 2247

H-5153

- 1 Amend House File 2247 as follows:  
2 1. Page 1, by striking lines 25 through 34 and  
3 inserting the following:  
4 "Sec. \_\_\_\_ . Section 261C.9, Code 1991, is amended  
5 to read as follows:  
6 261C.9 PUPIL ENROLLMENT.  
7 Payments shall not be made under section 261C.6 if  
8 the eligible pupil is enrolled on a full-time basis in  
9 the pupil's school district of residence or in an  
10 accredited nonpublic school as well as enrolling in a  
11 course or program in an eligible postsecondary  
12 institution, unless the eligible pupil has been  
13 identified according to the district's gifted and  
14 talented criteria and procedures as a gifted and  
15 talented child."  
16 2. By renumbering as necessary.

By COMMITTEE ON EDUCATION

OLLIE of Clinton, Chairperson

H-5153 FILED FEBRUARY 27, 1992

*adopted as amended 3/10 (p. 516)*

HOUSE FILE 2247

H-5162

- 1 Amend the amendment, H-5153, to House File 2247 as  
2 follows:  
3 1. Page 1, by striking lines 5 through 15 and  
4 inserting the following: "by striking the section and  
5 inserting in lieu thereof the following:  
6 261C.9 PUPIL ENROLLMENT.  
7 Payments shall not be made under section 261C.6 if  
8 the eligible pupil is enrolled full-time in a public  
9 or accredited nonpublic school and is also enrolled in  
10 a course or program in an eligible postsecondary  
11 institution unless the eligible pupil has been  
12 identified as a gifted and talented child by the board  
13 of directors of the school district or the authorities  
14 in charge of the accredited nonpublic school according  
15 to the school district's or school's gifted and  
16 talented criteria and procedures.""

By SPEAR of Lee

H-5162 FILED FEBRUARY 28, 1992

*out of main 3/10 (p. 516)*

HOUSE FILE 2247

H-5165

- 1 Amend House File 2247 as follows:  
2 1. Page 1, by striking lines 17 and 18 and  
3 inserting the following: "or school's gifted and  
4 talented criteria and procedures as a gifted and  
5 talented child, or an eleventh".

By SPEAR of Lee

H-5165 FILED FEBRUARY 28, 1992

*2/10 3/10 (p. 516)*

HOUSE FILE 2247

H-5227

1 Amend the amendment, H-5153, to House File 2247 as  
2 follows:

3 1. Page 1, by striking lines 4 through 15 and  
4 inserting the following:

5 "Sec. \_\_\_\_ Section 261C.9, Code 1991, is  
6 repealed."

By SPEAR of Lee

H-5227 FILED MARCH 10, 1992

*adopted 3/10 (p. 516)*

Sen. Ed. 3/13/92, No Pass 3/24

HOUSE FILE 2247

BY WISE

(As Amended and Passed by the House March 10, 1992)

Passed House, Date 3/10/92 (4517) Passed Senate, Date 3/30/92 (41074)

Vote: Ayes 92 Nays 8 Vote: Ayes 47 Nays 0

Approved April 21, 1992 (41707)

**A BILL FOR**

1 An Act modifying eligibility requirements within the  
2 postsecondary enrollment options Act, including students  
3 identified as gifted and talented children.

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

House Amendments \_\_\_\_\_

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1 Section 1. Section 261C.2, Code 1991, is amended to read  
2 as follows:

3 261C.2 POLICY.

4 It is the policy of this state to promote rigorous academic  
5 or vocational-technical pursuits and to provide a wider  
6 variety of options to high school pupils by enabling ninth and  
7 tenth grade pupils who have been identified as gifted and  
8 talented, and eleventh and twelfth grade pupils, to enroll  
9 part-time part-time in nonsectarian courses in eligible  
10 postsecondary institutions of higher learning in this state.

11 Sec. 2. Section 261C.3, subsection 2, Code Supplement  
12 1991, is amended to read as follows:

13 2. "Eligible pupil" means a pupil classified by the board  
14 of directors of a school district or the authorities in charge  
15 of an accredited nonpublic school as a ninth or tenth grade  
16 pupil who is identified according to the school district's  
17 gifted and talented criteria and procedures, pursuant to  
18 section 257.43, as a gifted and talented child, or an eleventh  
19 or twelfth grade pupil, during the period the pupil is  
20 participating in the enrollment option provided under this  
21 chapter. A pupil attending an accredited nonpublic school  
22 shall be counted as a shared-time student in the school  
23 district in which the nonpublic school of attendance is  
24 located for state foundation aid purposes.

25 Sec. 3. Section 261C.4, Code Supplement 1991, is amended  
26 to read as follows:

27 261C.4 AUTHORIZATION.

28 An eligible pupil may make application to an eligible  
29 institution to allow the eligible pupil to enroll for academic  
30 or vocational-technical credit in a nonsectarian course  
31 offered at that eligible institution. A comparable course, as  
32 defined in rules made by the board of directors of the public  
33 school district, must not be offered by the school district or  
34 accredited nonpublic school in which the pupil is-enrolled  
35 attends. If an eligible institution accepts an eligible pupil



1 for enrollment under this section, the institution shall send  
2 written notice to the pupil, the pupil's school district or  
3 accredited nonpublic school, and the department of education.  
4 The notice shall list the course, the clock hours the pupil  
5 will be attending the course, and the number of hours of  
6 postsecondary academic or vocational-technical credit that the  
7 eligible pupil will receive from the eligible institution upon  
8 successful completion of the course.

9 Sec. 4. Section 261C.9, Code 1991, is repealed.

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HOUSE FILE 2247

AN ACT

MODIFYING ELIGIBILITY REQUIREMENTS WITHIN THE POSTSECONDARY ENROLLMENT OPTIONS ACT, INCLUDING STUDENTS IDENTIFIED AS GIFTED AND TALENTED CHILDREN.

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

Section 1. Section 261C.2, Code 1991, is amended to read as follows:

261C.2 POLICY.

It is the policy of this state to promote rigorous academic or vocational-technical pursuits and to provide a wider variety of options to high school pupils by enabling ninth and

tenth grade pupils who have been identified as gifted and talented, and eleventh and twelfth grade pupils, to enroll ~~part-time~~ part-time in nonsectarian courses in eligible postsecondary institutions of higher learning in this state.

Sec. 2. Section 261C.3, subsection 2, Code Supplement 1991, is amended to read as follows:

2. "Eligible pupil" means a pupil classified by the board of directors of a school district or the authorities in charge of an accredited nonpublic school as a ninth or tenth grade pupil who is identified according to the school district's gifted and talented criteria and procedures, pursuant to section 257.43, as a gifted and talented child, or an eleventh or twelfth grade pupil, during the period the pupil is participating in the enrollment option provided under this chapter. A pupil attending an accredited nonpublic school shall be counted as a shared-time student in the school district in which the nonpublic school of attendance is located for state foundation aid purposes.

Sec. 3. Section 261C.4, Code Supplement 1991, is amended to read as follows:

261C.4 AUTHORIZATION.

An eligible pupil may make application to an eligible institution to allow the eligible pupil to enroll for academic or vocational-technical credit in a nonsectarian course offered at that eligible institution. A comparable course, as defined in rules made by the board of directors of the public school district, must not be offered by the school district or accredited nonpublic school ~~in~~ in which the pupil ~~is enrolled~~ attends. If an eligible institution accepts an eligible pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school district or accredited nonpublic school, and the department of education. The notice shall list the course, the clock hours the pupil will be attending the course, and the number of hours of postsecondary academic or vocational-technical credit that the

eligible pupil will receive from the eligible institution upon successful completion of the course.

Sec. 4. Section 261C.9, Code 1991, is repealed.

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ROBERT C. ARNOULD  
Speaker of the House

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MICHAEL E. GRONSTAL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2247, Seventy-fourth General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved April 21, 1992

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TERRY E. BRANSTAD  
Governor