

House Study Bill 526

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requirements for blood lead testing and dental
2 screening of children.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5328XD 82
5 kh/nh/5

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1 1 Section 1. Section 135.17, subsection 2, as enacted by
1 2 2007 Iowa Acts, chapter 146, section 1, is amended to read as
1 3 follows:
1 4 2. Each public and nonpublic school shall give notice of
1 5 the dental screening requirement to parents of students
1 6 enrolled or to be enrolled in the school ~~at least no earlier~~
1 7 ~~than~~ ninety days before the start of the school year, ~~and not~~
1 8 ~~later than the school start date,~~ in the manner prescribed by
1 9 the department.
1 10 Sec. 2. Section 135.17, subsection 3, as enacted by 2007
1 11 Iowa Acts, chapter 146, section 1, is amended by striking the
1 12 subsection.
1 13 Sec. 3. Section 135.17, subsection 4, as enacted by 2007
1 14 Iowa Acts, chapter 146, section 1, is amended to read as
1 15 follows:
1 16 4. Each local board shall furnish the department, ~~within~~
1 17 ~~sixty days as rapidly as is feasible~~ after ~~the start of the~~
1 18 ~~school year October 1,~~ evidence that each person enrolled in
1 19 any public or nonpublic school within the local board's
1 20 jurisdiction has met the dental screening requirement in this
1 21 section.
1 22 Sec. 4. Section 135.105D, subsection 2, paragraphs b and
1 23 c, Code Supplement 2007, are amended to read as follows:
1 24 b. A child of compulsory attendance age may be
1 25 ~~provisionally~~ enrolled in an elementary school if the child's
1 26 parent or guardian consents to have the child receive a blood
1 27 lead test as rapidly as is feasible ~~but not later than sixty~~
1 28 ~~days after the school calendar commences. The department~~
1 29 ~~shall adopt rules relating to the provisional enrollment of~~
1 30 ~~children to an elementary school in accordance with this~~
1 31 ~~paragraph.~~
1 32 c. The board of directors of each school district and the
1 33 authorities in charge of each nonpublic school shall give
1 34 notice of the blood lead test requirement to parents ~~and~~
1 35 ~~guardians~~ of students enrolled or to be enrolled in the school
2 1 ~~at least no earlier than~~ ninety days before the start of the
2 2 school year, ~~and not later than the school start date,~~ in the
2 3 manner prescribed by the department.
2 4 Sec. 5. Section 135.105D, subsection 3, Code Supplement
2 5 2007, is amended to read as follows:
2 6 3. The board of directors of each school district and the
2 7 authorities in charge of each nonpublic school shall furnish
2 8 the department, ~~within sixty days as rapidly as is feasible~~
2 9 ~~after the first official day of school October 1,~~ evidence
2 10 that each child enrolled in ~~any~~ elementary school has ~~either~~
2 11 ~~been tested as required in subsection 2 or received a waiver~~
2 12 ~~under subsection 4 met the blood lead testing requirement set~~
2 13 ~~forth in this section.~~

EXPLANATION

2 14
2 15
2 16 This bill relates to the school enrollment and notice
2 17 requirements for blood lead testing and dental screening of a
2 18 child who is enrolled in or enrolling in a school district or
2 19 accredited nonpublic school. The Code section regulating

2 20 dental screening takes effect July 1, 2008.

2 21 The bill permits a child to be enrolled in school, rather
2 22 than provisionally enrolled, if the child's parent or guardian
2 23 consents to have the child receive a blood lead test as
2 24 rapidly as is feasible. Currently, the Code requires that as
2 25 a condition of the provisional enrollment, a parent or
2 26 guardian must consent to have the child receive the test not
2 27 later than 60 days after the school calendar commences. The
2 28 bill strikes from the new Code section regulating dental
2 29 screening of children a provision addressing the provisional
2 30 enrollment in school of persons in the process of obtaining a
2 31 dental screening. The provision, enacted by 2007 Iowa Acts,
2 32 chapter 146, section 1, provided that a person could be
2 33 enrolled in a school district or accredited nonpublic school
2 34 if the person is in the process of obtaining a dental
2 35 screening.

3 1 The bill requires school districts and schools, no sooner
3 2 than 90 days prior to the start of the school year, and not
3 3 later than the school start date to give notice of the blood
3 4 lead testing and dental screening requirements to parents and
3 5 guardians of children who are or are to be enrolled in school.
3 6 Currently, notice is required at least 90 days prior to the
3 7 start of the school year.

3 8 The bill replaces the deadline by which school districts
3 9 and schools must provide evidence to the department of
3 10 education that each child enrolled in elementary school had a
3 11 blood lead test or received a waiver on religious grounds, as
3 12 well as the deadline by which local boards of health must
3 13 furnish the department with evidence that each person enrolled
3 14 in a school within the board's jurisdiction has met the dental
3 15 screening requirement. Under the bill, school districts,
3 16 schools, and local boards must provide the evidence as soon as
3 17 feasible after October 1, rather than within 60 days after the
3 18 school calendar start date.

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