

Senate File 2082 - Introduced

SENATE FILE 2082
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3018)

A BILL FOR

1 An Act relating to matters involving the state board of
2 education and the department of education to reflect current
3 practices, technology, and titles, to delete redundancies,
4 and to resolve inconsistencies.

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

1 Section 1. Section 256.56, Code 2020, is amended to read as
2 follows:

3 **256.56 Electronic access to documents.**

4 The state library shall work to develop a system of
5 electronic access to documents maintained by the state
6 library with a goal of providing electronic access to all such
7 documents. The access shall be provided ~~initially through~~
8 ~~the use of compact disc~~ using a current, widely accepted and
9 utilized technology. **This section** shall not prohibit the state
10 librarian from considering other forms of electronic access if
11 the use of such other access is shown to exceed the benefits
12 of, and is more cost-effective than, ~~the use of compact disc~~
13 currently used technology.

14 Sec. 2. Section 256A.2, subsection 1, paragraphs a and f,
15 Code 2020, are amended to read as follows:

16 a. The administrator of the division of ~~child~~ adult,
17 children and family services of the department of human
18 services or the administrator's designee.

19 f. The dean of the college of ~~family and consumer~~ human
20 sciences at Iowa state university of science and technology or
21 the dean's designee.

22 Sec. 3. Section 257.6, subsection 1, paragraph a,
23 subparagraph (3), Code 2020, is amended to read as follows:

24 (3) Shared-time and part-time pupils of school age enrolled
25 in public schools within the district, irrespective of the
26 districts in which the pupils reside, in the proportion that
27 the time for which they are enrolled or receive instruction for
28 the school year is to the time that full-time pupils carrying
29 a normal course schedule, at the same grade level, in the
30 same school district, for the same school year, are enrolled
31 and receive instruction. Tuition charges to the parent or
32 guardian of a shared-time or part-time nonresident pupil shall
33 be reduced by the amount of any increased state aid received by
34 the district by the counting of the pupil. This subparagraph
35 applies to pupils enrolled in grades nine through twelve under

1 section 299A.8 and to pupils from accredited nonpublic schools
2 accessing classes or services on the accredited nonpublic
3 school premises under section 256.12 or on the school district
4 site, but excludes accredited nonpublic school pupils receiving
5 classes or services funded entirely by federal grants or
6 allocations.

7 Sec. 4. Section 279.42, Code 2020, is amended to read as
8 follows:

9 **279.42 Gifts to schools.**

10 The board of directors of a school district that receives
11 funds through a gift, devise, or bequest shall deposit the
12 funds in a trust fund, permanent fund, or agency custodial
13 fund and shall use the funds in accordance with the terms of
14 the gift, devise, or bequest.

15 Sec. 5. Section 282.18, subsection 8, Code 2020, is amended
16 to read as follows:

17 8. a. If a request filed under this section is for a child
18 requiring special education under chapter 256B, the request to
19 transfer to the other district shall only be granted if the
20 following conditions are met:

21 (1) The receiving district maintains a special education
22 instructional program which is appropriate to meet the child's
23 educational needs and the enrollment of the child in the
24 receiving district's program would not cause the size of the
25 class or caseload in that special education instructional
26 program in the receiving district to exceed the maximum class
27 size in or caseload established pursuant to rules adopted by
28 the state board of education for that program.

29 (2) If the child would be assigned to a general education
30 class, there is sufficient classroom space for the general
31 education class to which the child would be assigned.

32 b. For children requiring special education, the board
33 of directors of the district of residence shall pay to the
34 receiving district the actual costs incurred in providing the
35 appropriate special education.

1 university to reflect prior name changes of those entities.

2 SHARED-TIME AND PART-TIME PUPILS ENROLLMENT. Under the Code
3 provision used to determine the certified enrollments of school
4 districts, the provision relating to shared-time and part-time
5 pupils from accredited nonpublic schools who are enrolled in
6 public schools to access classes or services on the accredited
7 nonpublic school premises is amended to add a reference to Code
8 section 256.12, which describes the manner in which school
9 districts may provide classes and services to private school
10 students and receive funding for providing such instruction and
11 services.

12 SCHOOL DISTRICT AGENCY FUNDS. The term "agency fund",
13 describing a fund maintained by a school district, is replaced
14 with the term "custodial fund".

15 OPEN ENROLLMENT REQUESTS FOR CHILDREN REQUIRING SPECIAL
16 EDUCATION. Currently, a receiving school district need only
17 grant the open enrollment request of a child requiring special
18 education if the district maintains a special education
19 instructional program appropriate to meet the child's
20 educational needs and such enrollment would not cause the
21 appropriate class to exceed the maximum class size under rules
22 adopted by the state board of education. In addition to not
23 causing the class to exceed the maximum class size, the bill
24 provides that the enrollment of the child must not cause
25 the caseload to exceed the maximum caseload in that special
26 education instructional program under rules adopted by the
27 state board and there must be sufficient classroom space for
28 the general education classes to which the child would be
29 assigned.