

this chapter, is guilty of a serious misdemeanor.

Sec. 8. Section 258A.6, subsection 4, unnumbered paragraph 1, Code 1981, is amended to read as follows:

In order to assure a free flow of information for accomplishing the purposes of this section, and notwithstanding section 622.10, all complaint files, and investigation files, and all other investigation reports, and other investigative information in the possession of a licensing board or peer review committee acting under the authority of a licensing board or its employees or agents which relates to licensee discipline shall be are privileged and confidential, and shall are not be subject to discovery, subpoena, or other means of legal compulsion for their release to any a person other than the licensee and the boards, their employees and agents involved in licensee discipline, ~~or be and are~~ not admissible in evidence in any a judicial or administrative proceeding other than the proceeding involving licensee discipline. However, investigative information in the possession of a licensing board or its employees or agents which relates to licensee discipline may be disclosed to the appropriate licensing authority in another state, the District of Columbia, or a territory or country in which the licensee is licensed or has applied for a license. If the investigative information in the possession of a licensing board or its employees or agents indicates a crime has been committed, the information shall be reported to the proper law enforcement agency. However, a final written decision and finding of fact of a licensing board in a disciplinary proceeding, including a decision referred to in section 258A.3, subsection 4, shall be is a public record.

Sec. 9.* Section 147.81, Code 1981, is repealed.

Sec. 10.* An individual who has failed an initial examination before the effective date of this Act may take a second examination without further fee within fourteen months after the first examination.

Approved February 8, 1982

See also 81 Acts, ch 5,§10

CHAPTER 1006

GIFTED AND TALENTED CHILDREN'S PROGRAMS

S.F. 522

AN ACT to require that the department of public instruction and the area education agencies encourage schools to offer programs for gifted and talented children.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 273.2, unnumbered paragraph 4, Code 1981, is amended to read as follows:

The area education agency board shall provide for special education services and media services for the local school districts in the area and shall encourage and assist school districts in the area to establish programs for gifted and talented children.

Sec. 2. Section 273.2, subsection 6, Code 1981, is amended by striking the subsection.

Sec. 3. Section 442.31, unnumbered paragraph 1, Code 1981, is amended to read as follows:

For the school year beginning July 1, 1981 and succeeding school years, boards of school districts, individually or jointly with the boards of other school districts, requesting to use additional allowable growth for gifted and talented children programs, may provide for gifted and talented children programs and annually submit program plans for gifted and talented children programs and budget costs, including requests for additional allowable growth for funding the programs, to the department of public instruction and to the applicable gifted and talented children advisory council, if an advisory council has been established, as provided in this chapter. A district shall not identify more than three percent of its budget enrollment for the budget year as gifted and talented if the district is requesting to use additional allowable growth to finance the program.

Sec. 4. Section 442.31, Code 1981, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 1:

NEW UNNUMBERED PARAGRAPH. The parent or guardian of a pupil may request that a gifted and talented children program be established for pupils who qualify as gifted and talented children under section 442.33, including demonstrated achievement or potential ability in a single subject area.

Sec. 5. Section 442.31, unnumbered paragraph 3, Code 1981, is amended to read as follows:

The department of public instruction shall promulgate rules under chapter 17A relating to the administration of sections 442.31 to 442.35 and 442.40 to 442.42. The rules shall prescribe the format of program plans submitted under section 442.32 and shall require that programs fulfill specified objectives. The department shall encourage and assist school districts to provide programs for gifted and talented children whether or not additional allowable growth is requested under this chapter.

Sec. 6. Section 442.34, Code 1981, is amended to read as follows:

442.34 SUBMISSION OF PROGRAM PLANS. The board of directors of a school district requesting to use additional allowable growth for gifted and talented children programs shall submit applications for approval for gifted and talented children the programs to the department not later than November 1 preceding the fiscal year during which the program will be offered. The board shall also submit a copy of the program plans to the gifted and talented children advisory council, if an advisory council has been established. The department shall review the program plans and shall prior to January 15 either grant approval for the program or return the request for approval with comments of the department included. Any unapproved request for a program may be resubmitted with modifications to the department not later than February 1. Not later than February 15 the department shall notify the state comptroller and the school budget review committee of the names of the school districts for which gifted and talented children programs using additional allowable growth for funding have been approved and the approved budget of each program listed separately for each school district having an approved program.

Approved February 8, 1982