

257.41 Funding for programs for returning dropouts and dropout prevention.

1. *Budget.* The budget of an approved program for at-risk students, secondary students who attend alternative programs or alternative schools, or returning dropouts and dropout prevention for a school district, after subtracting funds received under [section 257.11, subsection 4](#), paragraphs “a” through “c”, and from other sources for that purpose, including any previous carryover, shall be funded annually on a basis of one-fourth or more from the district cost of the school district and up to three-fourths through establishment of a modified supplemental amount. Annually, the department of management shall establish a modified supplemental amount for each such school district equal to the difference between the approved budget for the program for that district and the sum of the amount funded from the district cost of the school district plus funds received under [section 257.11, subsection 4](#), and from other sources for that purpose, including any previous carryover.

2. *Appropriate uses of funding.* Appropriate uses of the funding for an approved program include but are not limited to the following:

a. Salary and benefits for instructional staff, instructional support staff, and school-based youth services staff who are working with students who are participating in at-risk or dropout prevention programs, alternative programs, and alternative schools, in a traditional or alternative setting, if the staff person’s time is dedicated to working with such students in order to provide services beyond those which are provided by the school district to students who are not participating in such programs or alternative schools. However, if the staff person works part-time with students who are participating in a program or alternative school and the staff person has another unrelated staff assignment, only the portion of the staff person’s time that is related to the program or alternative school may be charged to the program or school. For purposes of this paragraph, if an alternative setting is necessary to provide for a program which is offered at a location off school grounds and which is intended to serve student needs by improving relationships and connections to school, decreasing truancy and tardiness, providing opportunities for course credit recovery, or helping students identified as at risk to accelerate through multiple grade levels of achievement within a shortened time frame, the tuition costs for a student identified as at risk shall be considered an appropriate use of the program funding under [this section](#).

b. Professional development for all teachers and staff working with at-risk students under a program or an alternative school setting.

c. Research-based resources, materials, software, supplies, and purchased services that meet all of the following criteria:

(1) Meets the needs of kindergarten through grade twelve students identified as at risk.

(2) Are beyond those provided by the regular school program.

(3) Are necessary to provide the services listed in the school district’s plan submitted pursuant to [section 257.38](#).

(4) Will remain with the kindergarten through grade twelve at-risk program, alternative program or alternative school, or returning dropout and dropout prevention program.

3. *Limitation.* For the fiscal year beginning July 1, 2013, and each succeeding fiscal year, the ratio of the amount of the modified supplemental amount established by the department of management compared to the school district’s total regular program district cost shall not exceed two and one-half percent. However, if the school district’s highest such ratio so determined for any fiscal year beginning on or after July 1, 2009, but before July 1, 2013, exceeded two and one-half percent, the ratio may exceed two and one-half percent but shall not exceed the highest such ratio established during that period.

4. *Other uses.* Notwithstanding [subsection 2](#) and [section 282.24](#), if a student has been determined by the school district to be likely to inflict self-harm or likely to harm another student and all of the following apply, the school district may use the modified supplemental amount established under [subsection 1](#) to pay the instructional costs necessary to address the student’s behavior during instructional time when those services are not otherwise provided to students who do not require special education and the costs exceed the costs of instruction of students in a regular curriculum:

a. The student does not require special education.

b. The student is not in a court-ordered placement under [chapter 232](#) under the care and custody of the department of human services or juvenile court services.

c. The student is not in the state training school or the Iowa juvenile home pursuant to a court order entered under [chapter 232](#) under the care and custody of the department of human services.

d. The pupil is not placed in a facility licensed under [chapter 135B](#), [135C](#), or [135H](#).
[89 Acts, ch 135, §41](#); [2012 Acts, ch 1102, §1, 2](#); [2013 Acts, ch 121, §38, 42](#); [2014 Acts, ch 1013, §11](#); [2014 Acts, ch 1135, §13](#); [2015 Acts, ch 140, §41, 42, 58, 59](#)

Referred to in [§257.10](#), [§257.11](#), [§257.19](#), [§282.27](#)

2013 amendments to subsections 1 and 3 apply to school budget years beginning on or after July 1, 2014; [2013 Acts, ch 121, §42](#)

2015 amendments to section take effect July 2, 2015, and apply retroactively to July 1, 2015; [2015 Acts, ch 140, §58, 59](#)

Subsections 1 and 2 amended

NEW subsection 4