

257.41 Funding for programs for returning dropouts and dropout prevention.

1. *Budget.* The budget of an adopted 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 or amount designated from the school district’s flexibility account under [section 298A.2, subsection 2](#), 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 or amount designated from the school district’s flexibility account under [section 298A.2, subsection 2](#).

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

a. Salary and benefits for staff including but not limited to instructional staff, instructional support staff, administrative staff, and guidance counselors, salary and benefits or contract payments for psychologists licensed under [chapter 154B](#), licensed independent social workers or master social workers under [chapter 154C](#), licensed mental health counselors under [chapter 154D](#), and salary and benefits for school-based youth services staff who are working with at-risk or dropout prevention programs, alternative programs, and alternative schools, in a traditional or alternative setting, or who are working with students who are participating in such programs or schools, if such person’s time is dedicated to working with the program or 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 such person works part-time with students who are participating in a program or alternative school and the person has another unrelated assignment, only the portion of the person’s time that is related to the program or alternative school may be charged to the program or school. For each such person who works part time or on a contract basis with the program or with students who are participating in a program or alternative school, the school district shall have the authority to designate the portion of the person’s time and the corresponding amount of salary and benefits or contract payment amount that is related to the program or alternative school and shall include such designation as part of the program plan under [section 257.38](#), if applicable. 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, counselors, and staff identified in paragraph “a” who are 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.

d. Costs incurred for a program intended to address high rates of absenteeism, truancy, or frequent tardiness.

e. Costs incurred for programs authorized under [section 257.11, subsection 4](#), paragraph “d”.

f. Any purpose determined by the board of directors that directly benefits students participating in the adopted program.

g. School security personnel costs.

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](#); [2017 Acts, ch 153, §5 – 8](#); [2017 Acts, ch 154, §3](#); [2018 Acts, ch 1112, §8 – 11, 18](#)

Referred to in [§257.10](#), [257.11](#), [257.19](#), [257.40](#), [282.27](#)

2017 amendments to subsection 2 by 2017 Acts, ch 153, §5, 6, take effect May 11, 2017, and apply to school budget years beginning on or after July 1, 2017; 2017 Acts, ch 153, §7, 8

2018 amendments apply to school budget years beginning on or after July 1, 2019; 2018 Acts, ch 1112, §18

Subsection 1 amended

Subsection 2, unnumbered paragraph 1 amended

Subsection 2, paragraphs a and b amended

Subsection 2, NEW paragraphs f and g