

**281—35.2(282) Definitions.** For purposes of this chapter, the following definitions apply:

“*Child*” or “*children*” means an individual or individuals under 18 years of age. A child is “school-age” if the child is at least 5 years of age on September 15 but not more than 21 years of age or if the child is younger than 5 years of age or older than 18 years of age and is an eligible child to receive special education.

“*Children’s residential facility*” means the same as defined in Iowa Code section 237C.1(3) and may also be referred to as a “private facility.” It does not include any facility that houses school-age children and children eligible to receive special education who are under the jurisdiction of the department of corrections, department of health and human services, board of regents, or other governmental agency and that has current authority to offer direct instruction to children from funding available to one of the above agencies.

[ARC 7656C, IAB 3/6/24, effective 4/10/24]