

SENATE FILE 2183  
BY KRAMER

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to a reduction in aid to a recipient of the  
2 family investment program for continued truancy by a  
3 recipient's child, and providing a conditional effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2183

1 Section 1. Section 299.5A, unnumbered paragraph 5, Code  
2 1995, is amended to read as follows:

3 The mediator may refer a truant to the juvenile court if  
4 mediation breaks down without an agreement being reached. If  
5 the child is under the age of twelve and mediation does not  
6 result in the child's school attendance, and the school has  
7 determined that the child's parent, guardian, or legal or  
8 actual custodian is participating in the family investment  
9 program under chapter 239, school officials shall notify the  
10 department of human services, which shall institute any  
11 appropriate action.

12 Sec. 2. WELFARE REFORM WAIVER MODIFICATION.

13 1. The department of human services shall submit a waiver  
14 or waiver modification request to the United States department  
15 of health and human services as necessary to implement the  
16 school attendance provisions of this section for a recipient  
17 under the family investment program. Under the provision, the  
18 superintendent of a school district, authorities in charge of  
19 a nonpublic school, or a school truancy officer may request  
20 and receive information from the department of human services  
21 indicating whether a child who is under the age of twelve and  
22 who may be truant as defined in section 299.8 has a parent,  
23 guardian, or legal or actual custodian who is participating in  
24 the family investment program. If referral of the truancy  
25 matter to the county attorney pursuant to section 299.5A does  
26 not assure the child's attendance, the superintendent,  
27 authorities, or school truancy officer shall notify the  
28 department of the truancy matter and the department shall  
29 apply a sanction to the parent. The sanction shall be to  
30 reduce the amount of the grant paid to the child's family  
31 under the family investment program by reducing by one the  
32 family size used to compute the grant amount. The sanction  
33 shall continue until the truancy matter is resolved.

34 However, the provisions of this section shall not apply if  
35 a parent, guardian, or legal or actual custodian of a child

1 who is truant has made reasonable efforts to comply with the  
2 provisions of sections 299.1 through 299.5, but is unable to  
3 cause the child to attend school and files with the department  
4 an affidavit listing the reasonable efforts made by the  
5 parent, guardian, or legal or actual custodian to cause the  
6 child's attendance.

7 2. The department shall implement the school attendance  
8 requirement of this section on the first day of the month  
9 following federal approval of the provisions of this Act, or  
10 on July 1, 1996, whichever date is later.

11 3. If the federal government grants a waiver under this  
12 section, the department shall prepare and submit to the  
13 legislative service bureau a proposed legislative bill, in  
14 accordance with the provisions of section 2.16, that provides  
15 for statutory reference to the provisions granted by the  
16 federal government under the waiver.

17 Sec. 3. CONDITIONAL EFFECTIVE DATE. Section 1 of this Act  
18 takes effect July 1, 1996, or on the first day of the month  
19 following federal approval of a waiver allowing the  
20 implementation of section 2 of this Act, whichever date is  
21 later.

22 EXPLANATION

23 The bill contains provisions related to tying truancy to  
24 the aid a child's parent or guardian receives under the family  
25 investment program.

26 Under the bill, school officers may request and receive  
27 information from the department of human services indicating  
28 whether a child, under the age of 12, who may be truant has a  
29 parent, guardian, or legal or actual custodian participating  
30 in the family investment program. If mediation does not  
31 result in the child's school attendance, school officials  
32 shall notify the department of human services of the truancy  
33 and if the federal government has granted the department a  
34 waiver, the department shall reduce the recipient's aid under  
35 the family investment program by reducing by one the family

1 size used to compute the grant amount.

2 The bill requires the department of human services to  
3 submit a waiver request to the United States department of  
4 health and human services to implement the school attendance  
5 provisions of the bill.

6 Section 1 of the Act takes effect July 1, 1996, or on the  
7 first day of the month following federal approval of the  
8 provisions of this Act, whichever is later.

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