

3-17-97 Amend / Do Pass  
w/H-1198  
3/17/97 Referred to W. & Mason

MAR 6 1997  
EDUCATION

HOUSE FILE 498  
BY GRUNDBERG

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

A BILL FOR

1 An Act relating to school finance providing for additional  
2 funding for at-risk students, restructuring the method for  
3 determining state aid for special education students,  
4 providing a unified regular program and special education  
5 state foundation level, providing an appropriation, and  
6 providing an effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 498

1 Section 1. Section 256B.8, unnumbered paragraph 1, Code  
2 1997, is amended to read as follows:

3 It is not incumbent upon the school districts to keep a  
4 child requiring special education in regular instruction when  
5 the child cannot sufficiently profit from the work of the  
6 regular classroom, nor to keep a child requiring special  
7 education in the special class or instruction for children  
8 requiring special education when it is determined by the  
9 diagnostic educational team that the child can no longer  
10 benefit from the instruction or needs more specialized  
11 instruction available in special schools. ~~However, the school~~  
12 ~~district shall count the child requiring special education in~~  
13 ~~the enrollment as provided in sections 256B.9, 257.6, and~~  
14 ~~273.9 and shall ensure that appropriate educational provisions~~  
15 ~~are made for the child requiring special education.~~

16 Sec. 2. Section 256B.9, subsection 1, Code 1997, is  
17 amended by striking the subsection and inserting in lieu  
18 thereof the following:

19 1. In order to provide funds for the excess costs of  
20 instruction of children requiring special education, above the  
21 costs of instruction of pupils in a regular curriculum, a  
22 special education state cost per pupil and special education  
23 district costs per pupil shall be established pursuant to  
24 sections 257.9 and 257.10.

25 Sec. 3. Section 256B.9, subsection 2, Code 1997, is  
26 amended by striking the subsection and inserting in lieu  
27 thereof the following:

28 2. On December 1, 1997, and no later than December 1 every  
29 two years thereafter, for the school year commencing the  
30 following July 1, the director of the department of education  
31 shall report to the school budget review committee the average  
32 cost of providing instruction for children requiring special  
33 education, the numbers of special education students provided  
34 special education instruction from each school district, and  
35 an estimate of the expenditures needed to provide the

1 appropriate special education services throughout the state.  
2 This information shall be considered by the department in  
3 conducting the review of the total district cost per pupil  
4 range pursuant to section 257.13. In addition, the school  
5 budget review committee may adjust a school district's total  
6 district cost per pupil, as defined in section 257.10, when  
7 determined warranted by the committee upon the request of a  
8 district pursuant to section 257.31.

9 Sec. 4. Section 256B.9, subsection 3, Code 1997, is  
10 amended by striking the subsection.

11 Sec. 5. Section 256B.9, subsection 4, Code 1997, is  
12 amended by striking the subsection and inserting in lieu  
13 thereof the following:

14 4. A school district with one or more students provided  
15 special education services during a school year for which the  
16 expenditures totaled more than seven times the total district  
17 cost per pupil, as defined in section 257.10, may petition the  
18 school budget review committee for reimbursement under section  
19 257.31.

20 Sec. 6. Section 256B.9, subsection 5, Code 1997, is  
21 amended to read as follows:

22 5. The division of special education shall audit the  
23 reports required in section 273.5 to determine that all  
24 children in the area who have been identified as requiring  
25 special education have received the appropriate special  
26 education instructional and support services, and to verify  
27 the proper identification of pupils in the area who will  
28 require special education instructional services during the  
29 school year in which the report is filed. ~~The division shall~~  
30 ~~certify to the director of the department of management the~~  
31 ~~correct total enrollment of each school district in the state,~~  
32 ~~determined by applying the appropriate pupil weighting index~~  
33 ~~to each child requiring special education, as certified by the~~  
34 ~~directors of special education in each area.~~

35 Sec. 7. Section 256B.9, subsection 8, Code 1997, is

1 amended to read as follows:

2 8. Commencing with the school year beginning July 1, ~~1976~~  
3 1997, a school district may expend an amount not to exceed  
4 two-sevenths of an amount equal to the district cost of a  
5 school district for the costs of regular classroom instruction  
6 of a child certified ~~under the special education weighting~~  
7 ~~plan in subsection 17, paragraph "b"~~, as a pupil with  
8 disabilities who is enrolled in a special class, but who  
9 receives part of the pupil's instruction in a regular  
10 classroom. ~~Unencumbered funds generated for special education~~  
11 ~~instructional programs for the school year beginning July 1,~~  
12 ~~1975, and for the school year beginning July 1, 1976, shall~~  
13 ~~not be expended for such purpose.~~

14 Sec. 8. Section 257.1, subsection 2, unnumbered paragraph  
15 2, Code 1997, is amended to read as follows:

16 For the budget year commencing July 1, ~~1996~~ 1997, and for  
17 each succeeding budget year the regular program foundation  
18 base per pupil is eighty-seven and five-tenths percent of the  
19 regular program state cost per pupil, ~~except that the regular~~  
20 ~~program and the~~ foundation base per pupil for the ~~portion of~~  
21 ~~weighted enrollment that is additional enrollment because of~~  
22 special education state cost per pupil is seventy-nine percent  
23 of the ~~regular program~~ special education state cost per pupil.  
24 For the budget year commencing July 1, ~~1991~~ 1997, and for each  
25 succeeding budget year, the special education support services  
26 foundation base is seventy-nine percent of the special  
27 education support services state cost per pupil. The combined  
28 foundation base is the sum of the regular program foundation  
29 base, the special education foundation base, and the special  
30 education support services foundation base.

31 Sec. 9. Section 257.2, Code 1997, is amended by adding the  
32 following new subsections:

33 NEW SUBSECTION. 13. "Total district cost per pupil" means  
34 the sum of the regular program district cost per pupil and the  
35 special education district cost per pupil, determined pursuant

1 to section 257.10.

2 NEW SUBSECTION. 14. "Total state cost per pupil" means  
3 the sum of the regular state cost per pupil and the special  
4 education state cost per pupil, determined pursuant to section  
5 257.9.

6 Sec. 10. Section 257.4, subsection 1, Code 1997, is  
7 amended to read as follows:

8 1. COMPUTATION OF TAX. A school district shall cause an  
9 additional property tax to be levied each year. The rate of  
10 the additional property tax levy in a school district shall be  
11 determined by the department of management and shall be  
12 calculated to raise the difference between the combined  
13 district cost for the budget year and the sum of the products  
14 of the regular program foundation base per pupil times the  
15 weighted enrollment in the district, the special education  
16 foundation base per pupil times the budget enrollment in the  
17 district, and the special education support services  
18 foundation base per pupil times the ~~special-education-support~~  
19 ~~services-weighted enrollment served~~ in the district.

20 Sec. 11. Section 257.6, subsection 5, Code 1997, is  
21 amended to read as follows:

22 5. WEIGHTED ENROLLMENT. Weighted enrollment is the budget  
23 enrollment ~~plus-the-district's-additional-enrollment-because~~  
24 ~~of-special-education-calculated-on-December-1-of-the-base-year~~  
25 plus additional pupils added due to the application of the  
26 supplementary weighting.

27 ~~Weighted-enrollment-for-special-education-support-services~~  
28 ~~costs-is-equal-to-the-weighted-enrollment-minus-the-additional~~  
29 ~~pupils-added-due-to-the-application-of-the-supplementary~~  
30 ~~weighting.~~

31 Sec. 12. Section 257.8, subsection 2, Code 1997, is  
32 amended to read as follows:

33 2. ALLOWABLE GROWTH CALCULATION. The department of  
34 management shall calculate the regular program allowable  
35 growth for a budget year by multiplying the state percent of

1 growth for the budget year by the regular program state cost  
2 per pupil for the base year, shall calculate the special  
3 education allowable growth for a budget year by multiplying  
4 the state percent of growth for the budget year by the special  
5 education state cost per pupil for the base year, and shall  
6 calculate the special education support services allowable  
7 growth for the budget year by multiplying the state percent of  
8 growth for the budget year by the special education support  
9 services state cost per pupil for the base year.

10 Sec. 13. Section 257.9, Code 1997, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 2A. SPECIAL EDUCATION STATE COST PER  
13 PUPIL FOR 1997-1998.

14 For the budget year beginning July 1, 1997, the special  
15 education state cost per pupil for a budget year is equal to  
16 the sum of the following:

17 a. The statewide special education expenditures for the  
18 budget year beginning July 1, 1996, divided by the statewide  
19 budget enrollment used for the budget year beginning July 1,  
20 1996.

21 b. A special education allowable growth amount that is  
22 equal to the state percent of growth for the budget year  
23 multiplied by the quotient obtained in paragraph "a".

24 c. The statewide special education deficits for the budget  
25 year beginning July 1, 1995, divided by the statewide budget  
26 enrollment for the budget year beginning July 1, 1996.

27 The statewide special education expenditures for the budget  
28 year beginning July 1, 1996, shall be calculated by  
29 multiplying the district cost per pupil for the budget year  
30 beginning July 1, 1996, for each district by its additional  
31 enrollment because of special education for that budget year  
32 and adding together the products.

33 Sec. 14. Section 257.9, Code 1997, is amended by adding  
34 the following new subsection:

35 NEW SUBSECTION. 2B. SPECIAL EDUCATION STATE COST PER

1 PUPIL FOR 1998-1999 AND SUCCEEDING YEARS. For the budget year  
2 beginning July 1, 1998, and succeeding budget years, the  
3 special education state cost per pupil is the special  
4 education state cost per pupil for the base year plus the  
5 special education allowable growth for the budget year.

6 Sec. 15. Section 257.9, Code 1997, is amended by adding  
7 the following new subsection:

8 NEW SUBSECTION. 2C. TOTAL STATE COST PER PUPIL. The  
9 total state cost per pupil for a budget year is the sum of the  
10 regular program state cost per pupil and the special education  
11 state cost per pupil.

12 Sec. 16. Section 257.9, subsection 4, Code 1997, is  
13 amended to read as follows:

14 4. SPECIAL EDUCATION SUPPORT SERVICES STATE COST PER PUPIL  
15 FOR 1992-1993 AND-SUCCEEDING-YEARS THROUGH 1996-1997. For the  
16 budget year beginning July 1, 1992, and succeeding each budget  
17 years year thereafter until June 30, 1997, the special  
18 education support services state cost per pupil for the budget  
19 year is the special education support services state cost per  
20 pupil for the base year plus the special education support  
21 services allowable growth for the budget year.

22 Sec. 17. Section 257.9, Code 1997, is amended by adding  
23 the following new subsection:

24 NEW SUBSECTION. 4A. SPECIAL EDUCATION SUPPORT SERVICES  
25 STATE COST PER PUPIL FOR 1997-1998. For the budget year  
26 beginning July 1, 1997, the special education support services  
27 state cost per pupil is equal to the total of the approved  
28 budgets of the area education agencies for special education  
29 support services for the budget year beginning July 1, 1997,  
30 approved by the state board of education under section 273.3,  
31 subsection 12, divided by the enrollment served for the budget  
32 year beginning July 1, 1997.

33 Sec. 18. Section 257.9, Code 1997, is amended by adding  
34 the following new subsection:

35 NEW SUBSECTION. 4B. SPECIAL EDUCATION SUPPORT SERVICES

1 STATE COST PER PUPIL FOR 1998-1999 AND SUCCEEDING YEARS. For  
2 the budget year beginning July 1, 1998, and succeeding budget  
3 years, the special education support services state cost per  
4 pupil is the special education support services state cost per  
5 pupil for the base year plus the special education support  
6 services allowable growth for the budget year.

7 Sec. 19. Section 257.9, subsection 5, Code 1997, is  
8 amended to read as follows:

9 5. COMBINED STATE COST PER PUPIL. The combined state cost  
10 per pupil for a budget year is the sum of the ~~regular-program~~  
11 total state cost per pupil and the special education support  
12 services state cost per pupil.

13 Sec. 20. Section 257.10, Code 1997, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 2A. SPECIAL EDUCATION DISTRICT COST PER  
16 PUPIL FOR 1997-1998. For the budget year beginning July 1,  
17 1997, the special education district cost per pupil for a  
18 budget year is equal to the sum of the following:

19 a. The district special education expenditures for the  
20 budget year beginning July 1, 1996, divided by the district  
21 budget enrollment for the budget year beginning July 1, 1996.

22 b. The special education allowable growth amount  
23 calculated under section 257.9, subsection 2A.

24 c. The district's special education deficit, if any, for  
25 the budget year beginning July 1, 1995, divided by the  
26 district budget enrollment for the budget year beginning July  
27 1, 1996.

28 The district special education expenditures for the budget  
29 year beginning July 1, 1996, shall be calculated by  
30 multiplying the district cost per pupil of the district for  
31 the budget year beginning July 1, 1996, by the district's  
32 additional enrollment because of special education for that  
33 budget year.

34 Sec. 21. Section 257.10, Code 1997, is amended by adding  
35 the following new subsection:



1 NEW SUBSECTION. 2B. SPECIAL EDUCATION DISTRICT COST PER  
2 PUPIL FOR 1998-1999 AND SUCCEEDING YEARS. For the budget year  
3 beginning July 1, 1998, and succeeding budget years, the  
4 special education district cost per pupil for each school  
5 district for a budget year is the special education district  
6 cost per pupil for the base year plus the allowable growth for  
7 the budget year.

8 Sec. 22. Section 257.10, Code 1997, is amended by adding  
9 the following new subsection:

10 NEW SUBSECTION. 2C. TOTAL DISTRICT COST PER PUPIL. The  
11 total district cost per pupil is the sum of the regular  
12 program district cost per pupil, and the special education  
13 district cost per pupil.

14 Sec. 23. Section 257.10, subsection 4, Code 1997, is  
15 amended to read as follows:

16 4. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST PER  
17 PUPIL FOR 1992-1993 ~~AND-SUCCEEDING-YEARS~~ THROUGH 1996-1997.  
18 For the budget year beginning July 1, 1992, and ~~succeeding~~  
19 each budget years year thereafter until June 30, 1997, the  
20 special education support services district cost per pupil for  
21 the budget year is the special education support services  
22 district cost per pupil for the base year plus the special  
23 education support services allowable growth for the budget  
24 year.

25 Notwithstanding the special education support services  
26 district cost per pupil for the budget year beginning July 1,  
27 1991, calculated under subsection 3, for area education  
28 agencies that have fewer than three and five-tenths public  
29 school pupils per square mile, the special education support  
30 services district cost per pupil for the budget year beginning  
31 July 1, 1991, is one hundred forty-seven dollars.

32 Sec. 24. Section 257.10, Code 1997, is amended by adding  
33 the following new subsection:

34 NEW SUBSECTION. 4A. SPECIAL EDUCATION SUPPORT SERVICES  
35 DISTRICT COST PER PUPIL FOR 1997-1998. For the budget year

1 beginning July 1, 1997, the special education support services  
2 district cost per pupil is equal to the approved budget of  
3 each area education agency for special education support  
4 services for that year in the area divided by the enrollment  
5 served in the area for that year.

6 Sec. 25. Section 257.10, Code 1997, is amended by adding  
7 the following new subsection:

8 NEW SUBSECTION. 4B. SPECIAL EDUCATION SUPPORT SERVICES  
9 DISTRICT COST PER PUPIL FOR 1998-1999 AND SUCCEEDING YEARS.  
10 For the budget year beginning July 1, 1998, and succeeding  
11 budget years, the special education support services district  
12 cost per pupil is the special education support services  
13 district cost per pupil for the base year plus the special  
14 education support services allowable growth for the budget  
15 year.

16 Sec. 26. Section 257.10, subsection 5, Code 1997, is  
17 amended to read as follows:

18 5. COMBINED DISTRICT COST PER PUPIL. The combined  
19 district cost per pupil for a school district is the sum of  
20 the regular-program total district cost per pupil and the  
21 special education support services district cost per pupil.  
22 Combined district cost per pupil does not include ~~additional~~  
23 ~~allowable-growth-added-for-school-districts-that-have-a~~  
24 ~~negative-balance-of-funds-raised-for-special-education~~  
25 ~~instruction-programs~~, additional allowable growth granted by  
26 the school budget review committee for a single school year,  
27 or additional allowable growth added for programs for dropout  
28 prevention and for programs for gifted and talented children.

29 Sec. 27. Section 257.10, Code 1997, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 6A. SPECIAL EDUCATION DISTRICT COST.  
32 Special education district cost for a school district for a  
33 budget year is equal to the special education district cost  
34 per pupil for a budget year multiplied by the budget  
35 enrollment for the budget year.

1 Sec. 28. Section 257.10, subsection 7, Code 1997, is  
2 amended to read as follows:

3 7. SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST.

4 Special education support services district cost for a school  
5 district for a budget year is equal to the special education  
6 support services district cost per pupil for the budget year  
7 multiplied by the special education support services **weighted**  
8 enrollment ~~for~~ served in the district for the budget year. If  
9 the special education support services district cost for a  
10 school district for a budget year is less than the special  
11 education support services district cost for that district for  
12 the base year, the department of management shall adjust the  
13 special education support services district cost for that  
14 district for the budget year to equal the special education  
15 support services district cost for the base year.

16 Sec. 29. Section 257.10, subsection 8, unnumbered  
17 paragraph 1, Code 1997, is amended to read as follows:

18 Combined district cost is the sum of the **regular-program**  
19 total district cost ~~per-pupil-multiplied-by-the-weighted~~  
20 enrollment and the special education support services district  
21 cost, plus the additional district cost allocated to the  
22 district to fund media services and educational services  
23 provided through the area education agency.

24 Sec. 30. NEW SECTION. 257.13 EQUALIZING TOTAL DISTRICT  
25 COST PER PUPIL.

26 1. Total district cost per pupil in each district shall  
27 fall within an acceptable range, the lower limit of which is  
28 the total state cost per pupil, and the upper limit of which  
29 is the total district cost per pupil of the district with the  
30 highest total district cost per pupil.

31 2. For the budget year beginning July 1, 1997, the  
32 department of management shall increase the total district  
33 cost per pupil of each school district whose total district  
34 cost per pupil is below the total state cost per pupil, by one  
35 percent of the total state cost per pupil not to exceed the

1 state cost per pupil. For each succeeding year the total  
2 district cost per pupil shall be increased one percent until  
3 the total district cost per pupil reaches the total state cost  
4 per pupil.

5 3. When all districts with a total district cost per pupil  
6 falling below the total state cost per pupil have reached the  
7 total state cost per pupil, the upper limit of the acceptable  
8 range is subject to review and recommendation by the director  
9 of the department.

10 Sec. 31. Section 257.14, Code 1997, is amended by adding  
11 the following new subsection:

12 NEW SUBSECTION. 4. For the budget year commencing July 1,  
13 1997, and each succeeding budget year, if the department of  
14 management determines that the special education district cost  
15 of a school district for a budget year is less than the total  
16 of the special education district cost plus any adjustment  
17 added under this section for the base year for that school  
18 district, the department of management shall provide a budget  
19 adjustment for that district for that budget year that is  
20 equal to the difference.

21 Sec. 32. Section 257.19, unnumbered paragraph 1, Code  
22 1997, is amended to read as follows:

23 The additional funding for the instructional support  
24 program for a budget year is limited to an amount not  
25 exceeding ten percent of the total of regular program district  
26 cost for the budget year and moneys received under section  
27 257.14 as a budget adjustment for the budget year. Moneys  
28 received by a district for the instructional support program  
29 are miscellaneous income and may be used for any general fund  
30 purpose. However, moneys received by a district for the  
31 instructional support program shall not be used as, or in a  
32 manner which has the effect of, supplanting funds authorized  
33 to be received under sections 257.41, 257.46, 298.2, and  
34 ~~298.47-or-to-cover-any-deficiencies-in-funding-for-special~~  
35 ~~education-instructional-services-resulting-from-the~~

1 application-of-the-special-education-weighting-plan-under  
2 section-256B-9.

3 Sec. 33. Section 257.31, subsection 14, Code 1997, is  
4 amended by striking the subsection.

5 Sec. 34. Section 257.31, subsection 5, Code 1997, is  
6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. m. An unusual increase or decrease in  
8 identification of pupils requiring special education.

9 Sec. 35. Section 257.31, Code 1997, is amended by adding  
10 the following new subsection:

11 NEW SUBSECTION. 18. The committee may grant supplemental  
12 aid to a school district for the excess costs of special  
13 education instructional services for a pupil for which the  
14 special education instructional services costs totaled more  
15 than seven times the district's total district cost per pupil.  
16 The supplemental aid is equal to the difference between the  
17 cost of the special education instructional services for the  
18 pupil for a year and seven times the district's total district  
19 cost per pupil for that year. There is appropriated from the  
20 general fund of the state to the department of education for  
21 the use of the school budget review an amount sufficient to  
22 pay the supplemental aid under this subsection. Supplemental  
23 aid granted to a district shall be added to the district's  
24 state aid payments made under section 257.16.

25 Sec. 36. NEW SECTION. 257.50 ADDITIONAL AID FOR AT-RISK  
26 PUPILS.

27 1. Beginning with the school budget year commencing July  
28 1, 1997, school districts shall receive additional at-risk aid  
29 to increase their capacity to meet the needs of all children  
30 enrolled in a public school in the district and to increase  
31 the support available to at-risk students.

32 2. The amount of additional at-risk aid for at-risk pupils  
33 which a school district shall receive for a budget year shall  
34 be based upon the estimated number and percent of children  
35 qualifying for free lunches within each district. No later

1 than October 1 of each budget year, school districts shall  
2 report to the department of education the actual enrollment  
3 for the budget year of pupils enrolled in and the percent of  
4 those pupils qualifying for free lunch.

5 3. The department of management shall pay additional at-  
6 risk aid to each school district pursuant to this subsection  
7 in the manner prescribed as follows:

8 a. The department shall multiply the percent of pupils  
9 calculated in subsection 2 by the district's budget enrollment  
10 for the budget year to obtain the district's total free lunch  
11 count.

12 b. The district's total free lunch count shall be  
13 multiplied by the percent of students receiving a free lunch,  
14 and that product shall be multiplied by the district cost per  
15 pupil for the school district for the budget year.

16 c. The total calculated for paragraph "b" multiplied by an  
17 index factor of twenty-five hundredths percent is the amount  
18 of the additional at-risk aid which the district shall receive  
19 for that budget year.

20 4. Districts shall not be required to identify or  
21 categorize particular students as at-risk in order to receive  
22 funding. However, an at-risk student is a student who is at  
23 risk of not meeting the goals of the educational program  
24 established by the district, not completing a high school  
25 education, or not becoming a productive worker. These  
26 students may include, but are not limited to, dropouts,  
27 potential dropouts, teenage parents, substance users and  
28 abusers, low academic achievers, abused and homeless children,  
29 youth offenders, economically deprived students, minority  
30 students, culturally isolated students, students experiencing  
31 sudden negative changes in academic performance due to  
32 environmental or physical trauma, and students with language  
33 barriers, gender barriers, and disabilities.

34 5. At-risk aid received by a district shall be utilized  
35 throughout a district to develop services for at-risk

1 students, and as a basis for increasing the capacity of the  
2 district to accommodate at-risk students.

3 6. School districts receiving additional at-risk aid shall  
4 report the expenditure of amounts received on the annual  
5 report required by the department. The department of  
6 education shall adopt rules under chapter 17A to establish a  
7 process to conduct a biennial review of activities and  
8 services supported by the additional at-risk and received and  
9 shall make recommendations to the director to implement  
10 necessary adjustments to the determination of additional at-  
11 risk aid.

12 7. There is appropriated from the general fund of the  
13 state to the department of management for each fiscal year an  
14 amount sufficient to pay the additional at-risk aid to school  
15 districts under this section. The additional state aid shall  
16 be paid, to the extent possible, in the manner provided in  
17 section 257.16. Additional at-risk aid received by a school  
18 district under this section is miscellaneous income, and shall  
19 not be provided in lieu of or cause a reduction in amounts  
20 otherwise received by reason of any other provision of this  
21 chapter. Additional at-risk aid provided under this section  
22 is in addition to other moneys appropriated by the general  
23 assembly or otherwise available to school districts for at-  
24 risk pupils.

25 Sec. 37. This Act, being deemed of immediate importance,  
26 shall take effect immediately upon enactment for purposes of  
27 budget calculations for the budget year beginning July 1,  
28 1997.

29 EXPLANATION

30 This bill provides additional funding for at-risk students  
31 and restructures the manner in which special education funding  
32 is determined.

33 The bill provides for the funding of special education on a  
34 per pupil basis utilizing the total enrollment of a school  
35 district, instead of the current special education weighted

1 enrollment system. A new special education state cost, and  
2 special education district cost calculation would be made,  
3 determined by dividing statewide or district-wide special  
4 education expenditures by total state or district enrollment,  
5 and adding to the resulting amount special education deficits  
6 existing as of the budget year beginning July 1, 1996. The  
7 special education state and district costs would be added to  
8 regular program state and district costs to arrive at a total  
9 state or district cost figure. The current two-tier  
10 foundation aid percentage level, applying 87.5 percent to the  
11 regular program state cost and 79 percent to special education  
12 and special education support services state costs, is  
13 retained. The bill provides that special education support  
14 services costs shall be recalculated to become more consistent  
15 with other area education agency cost determinations. The  
16 bill contains provisions for a gradual equalization of total  
17 district cost per pupil amounts, and for providing for  
18 extremely high individual case special education expenses  
19 through school budget review committee petition.

20 The bill provides that additional funding for at-risk  
21 students should be provided based on the number and percent of  
22 children from low-income families in a school district as  
23 measured by the free lunch count in each district. The bill  
24 provides a formula for calculating additional at-risk funding,  
25 provides that moneys received shall be utilized throughout a  
26 district to develop services for at-risk students and to  
27 increase building capacity to accommodate them, and provides  
28 for biennial department of education review. The bill  
29 provides for an appropriation from the general fund of the  
30 state to pay the additional at-risk aid.

31 The bill provides an immediate effective date for purposes  
32 of budget calculations for the budget year beginning July 1,  
33 1997.

34

35



## HOUSE FILE 498

H-1198

- 1 Amend House File 498 as follows:  
2 1. Page 1, line 28, by striking the figure "1997"  
3 and inserting the following: "1998".  
4 2. By striking page 2, line 35, through page 3,  
5 line 13.  
6 3. Page 3, line 16, by striking the figure "1997"  
7 and inserting the following: "1998".  
8 4. Page 3, line 24, by striking the figure "1997"  
9 and inserting the following: "1998".  
10 5. Page 5, line 13, by striking the figures  
11 "1997-1998" and inserting the following: "1998-1999".  
12 6. Page 5, line 14, by striking the figure "1997"  
13 and inserting the following: "1998".  
14 7. Page 5, line 18, by striking the figure "1996"  
15 and inserting the following: "1997".  
16 8. Page 5, line 20, by striking the figure "1996"  
17 and inserting the following: "1997".  
18 9. Page 5, line 25, by striking the figure "1995"  
19 and inserting the following: "1996".  
20 10. Page 5, by inserting after line 26 the  
21 following:  
22 "d. A special education allowable growth amount  
23 that is equal to the state percent of growth for the  
24 budget year multiplied by the quotient obtained in  
25 paragraph "c"."  
26 11. Page 5, line 28, by striking the figure  
27 "1996" and inserting the following: "1997".  
28 12. Page 5, line 30, by striking the figure  
29 "1996" and inserting the following: "1997".  
30 13. Page 6, line 1, by striking the figures  
31 "1998-1999" and inserting the following: "1999-2000".  
32 14. Page 6, line 2, by striking the figure "1998"  
33 and inserting the following: "1999".  
34 15. Page 6, line 15, by striking the figures  
35 "1996-1997" and inserting the following: "1997-1998".  
36 16. Page 6, line 17, by striking the figure  
37 "1997" and inserting the following: "1998".  
38 17. Page 6, line 25, by striking the figures  
39 "1997-1998" and inserting the following: "1998-1999".  
40 18. Page 6, line 26, by striking the figure  
41 "1997" and inserting the following: "1998".  
42 19. Page 6, line 29, by striking the figure  
43 "1997" and inserting the following: "1998".  
44 20. Page 6, line 32, by striking the figure  
45 "1997" and inserting the following: "1998".  
46 21. Page 7, line 1, by striking the figures  
47 "1998-1999" and inserting the following: "1999-2000".  
48 22. Page 7, line 2, by striking the figure "1998"  
49 and inserting the following: "1999".  
50 23. Page 7, line 16, by striking the figures

H-1198

-1-

H-1198

Page 2

- 1 "1997-1998" and inserting the following: "1998-1999".  
2 24. Page 7, line 17, by striking the figure  
3 "1997" and inserting the following: "1998".  
4 25. Page 7, line 20, by striking the figure  
5 "1996" and inserting the following: "1997".  
6 26. Page 7, line 21, by striking the figure  
7 "1996" and inserting the following: "1997".  
8 27. Page 7, line 23, by inserting after the word  
9 and figure "2A" the following: ", paragraph "b"  
10 28. Page 7, line 25, by striking the figure  
11 "1995" and inserting the following: "1996".  
12 29. Page 7, by inserting after line 27 the  
13 following:  
14 "d. The special education allowable growth amount  
15 calculated under section 257.9, subsection 2A,  
16 paragraph "d"  
17 30. Page 7, line 29, by striking the figure  
18 "1996" and inserting the following: "1997".  
19 31. Page 7, line 31, by striking the figure  
20 "1996" and inserting the following: "1997".  
21 32. Page 8, line 2, by striking the figures  
22 "1998-1999" and inserting the following: "1999-2000".  
23 33. Page 8, line 3, by striking the figure "1998"  
24 and inserting the following: "1999".  
25 34. Page 8, line 6, by inserting after the words  
26 "plus the" the following: "special education".  
27 35. Page 8, line 17, by striking the figures  
28 "1996-1997" and inserting the following: "1997-1998".  
29 36. Page 8, line 19, by striking the figure  
30 "1997" and inserting the following: "1998".  
31 37. Page 8, line 35, by striking the figures  
32 "1997-1998" and inserting the following: "1998-1999".  
33 38. Page 9, line 1, by striking the figure "1997"  
34 and inserting the following: "1998".  
35 39. Page 9, line 9, by striking the figures  
36 "1998-1999" and inserting the following: "1999-2000".  
37 40. Page 9, line 10, by striking the figure  
38 "1998" and inserting the following: "1999".  
39 41. Page 10, line 31, by striking the figure  
40 "1997" and inserting the following: "1998".  
41 42. Page 10, line 35, by inserting after the  
42 words "exceed the" the following: "total".  
43 43. Page 11, line 13, by striking the figure  
44 "1997" and inserting the following: "1998".  
45 44. Page 12, by striking lines 3 and 4.  
46 45. Page 12, by inserting after line 8 the  
47 following:  
48 "Sec. \_\_\_\_ . Section 257.31, subsection 14, Code  
49 1997, is amended by striking the subsection."  
50 46. Page 12, line 28, by striking the figure

H-1198

-2-

H-1198

Page 3

1 "1997" and inserting the following: "1998".

2 47. Page 13, line 3, by inserting after the word

3 "in" the following: "grades one through six".

4 48. Page 14, line 8, by striking the words "at-

5 risk and" and inserting the following: "at-risk aid".

6 49. Page 14, by inserting after line 24 the

7 following:

8 "Sec. \_\_\_\_\_. Section 273.9, subsection 2, Code 1997,

9 is amended to read as follows:

10 2. School districts shall pay the costs of special

11 education instructional programs with the moneys

12 available to the districts for each child requiring

13 special education, ~~by application of the special~~

14 ~~education weighting plan in section 256B-9.~~ Special

15 education instructional programs shall be provided at

16 the local level if practicable, or otherwise by

17 contractual arrangements with the area education

18 agency board as provided in section 273.3, subsection

19 5, but in each case the total money available through

20 ~~section 256B-9 and chapter 257 because of weighted~~

21 ~~enrollment~~ for each child requiring special education

22 instruction shall be made available to the district or

23 agency which provides the special education

24 instructional program to the child, subject to

25 adjustments for transportation or other costs which

26 may be paid by the school district in which the child

27 is enrolled. Each district shall co-operate with its

28 area education agency to provide an appropriate

29 special education instructional program for each child

30 who requires special education instruction, as

31 identified and counted within the certification by the

32 area director of special education or as identified by

33 the area director of special education subsequent to

34 the certification, and shall not provide a special

35 education instructional program to a child who has not

36 been so identified and counted within the

37 certification or identified subsequent to the

38 certification."

39 50. Page 14, by striking lines 25 through 28 and

40 inserting the following:

41 "Sec. \_\_\_\_\_. This Act shall take effect for the

42 school year beginning July 1, 1998."

43 51. Title page, by striking lines 4 and 5, and

44 inserting the following: "providing an appropriation,

45 and".

46 52. By renumbering as necessary.

By COMMITTEE ON EDUCATION

GRIES of Crawford, Chairperson

H-1198 FILED MARCH 17, 1997