

FEB 27 2003

EDUCATION

HOUSE FILE 335
BY HEATON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to state and local funding for the costs of
2 providing educational services to children residing in
3 psychiatric medical institutions for children and mental
4 health institutes operated by the state, and providing
5 effective date and retroactive applicability provisions.

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

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HF 335

1 Section 1. Section 282.27, Code 2003, is amended to read
2 as follows:

3 282.27 CHILDREN LIVING IN PSYCHIATRIC HOSPITALS OR
4 INSTITUTIONS -- PAYMENT.

5 1. The public school district in which is located a
6 psychiatric unit of a hospital licensed under chapter 135B or
7 a psychiatric medical institution for children licensed under
8 chapter 135H, which is not operated by the state, shall be
9 responsible for the provision of educational services to
10 children residing in the unit or institution. Children
11 residing in the unit or institution shall be included in the
12 basic enrollment of their districts of residence, as defined
13 in section 282.31, subsection 4.

14 The board of directors of each district of residence shall
15 pay to the school district in which is located such
16 psychiatric unit or institution, for the provision of
17 educational services to the child, a portion of the district
18 of residence's district cost per pupil for each of such
19 children based upon the proportion that the time each child is
20 provided educational services while in such unit or
21 institution is to the total time for which the child is
22 provided educational services during a normal school year.

23 2. a. The department of human services shall provide
24 educational services to children residing in a psychiatric
25 medical institution for children licensed under chapter 135H
26 and operated by the state and to children residing in a mental
27 health institute under the jurisdiction of the director of
28 human services in accordance with section 218.1, subsections 3
29 and 5. However, for the budget year beginning July 1, 2002,
30 and for each succeeding budget year, the children residing in
31 the institutions shall be included in the basic enrollment of
32 their districts of residence, as defined in section 282.31,
33 subsection 4.

34 b. The board of directors of each district of residence
35 shall pay to the psychiatric medical institution for children

1 or the mental health institute providing educational services
2 to a child included in the basic enrollment of the district,
3 in accordance with paragraph "a", a portion of the district of
4 residence's district cost per pupil for each of such children
5 based upon the proportion that the time each child is provided
6 educational services while residing in the institution or
7 institute is to the total time for which the child is provided
8 educational services during the normal school year.

9 Sec. 2. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.

10 This Act, being deemed of immediate importance, takes effect
11 upon enactment and applies retroactively to the school budget
12 year beginning July 1, 2002.

13 EXPLANATION

14 This bill requires that children who reside in the Toledo
15 and Eldora psychiatric medical institutions for children and
16 children who reside in the Cherokee and Independence mental
17 health institutes, for the budget year beginning July 1, 2002,
18 and for each succeeding budget year, be included in the basic
19 enrollment of their school districts of residence.

20 Under the bill, the board of directors of each school
21 district of residence must pay the institution or institute
22 providing educational services to a child included in the
23 district's basic enrollment, who receives educational services
24 from the institution or institute, a portion of the district
25 of residence's district cost per pupil for the child based
26 upon the proportion that the time the child is provided
27 educational services while residing in the institution or
28 institute is to the total time for which the child is provided
29 educational services during the normal school year.

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