

House File 2388 - Introduced

HOUSE FILE 2388
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 654)

A BILL FOR

1 An Act relating to continuity of learning for children
2 receiving foster care services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 273.2, Code 2014, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 10. The area education agency board shall
4 employ a child welfare liaison to provide services and guidance
5 to local school districts to facilitate the efficient and
6 effective transfer and enrollment of a child receiving foster
7 care services to another school district, including but not
8 limited to guidance relating to the transfer of credit earned
9 for coursework taken by the student, enrollment transition
10 planning, facilitating information sharing between education
11 and child welfare agencies, and developing systems designed to
12 ameliorate the transition issues faced by a child receiving
13 foster care services who is transferring to and enrolling in
14 a school district.

15 Sec. 2. Section 280.29, Code 2014, is amended to read as
16 follows:

17 **280.29 Enrollment of children in foster care — transfer of**
18 **educational records — services.**

19 1. In order to facilitate the educational stability of
20 children ~~in~~ receiving foster care services, a school district,
21 upon notification by an agency of the state that a child
22 ~~in~~ receiving foster care services is transferring ~~into~~ to
23 and enrolling in the school district, shall provide for the
24 immediate and appropriate enrollment of the child. The school
25 district shall do the following:

26 a. Work with an area education agency child welfare liaison
27 in accordance with section 273.2, subsection 10, to develop
28 systems to ease the enrollment transition of a child receiving
29 foster care services to another school.

30 b. Develop procedures for awarding credit for coursework,
31 including electives, completed by a child receiving foster care
32 services while enrolled at another school.

33 (1) Credits and grades earned and offered for acceptance
34 shall be based on official transcripts and shall be accepted
35 without validation unless required under the receiving school

1 district's accreditation requirements.

2 (2) If the child earned less than a two point on a
3 four-point scale for a unit of coursework, the school district
4 may require the child to retake the class in middle or
5 high school. If the school district determines the child's
6 proficiencies in an elementary grade are substantially
7 deficient, the child's parent or guardian shall be notified
8 and intensive instructional services and supports pursuant
9 to section 279.68, or an individualized education plan in
10 accordance with chapter 256B, shall be provided if appropriate.

11 c. Promote practices that facilitate access by a child
12 receiving foster care services to extracurricular programs,
13 summer programs, and credit transfer services.

14 d. Establish procedures to lessen the adverse impact of the
15 enrollment transfer of a child receiving foster care services
16 to another school.

17 e. Enter into a memorandum of understanding with the
18 department of human services regarding the exchange of
19 information as appropriate to facilitate the enrollment
20 transition of children receiving foster care services from one
21 school to another school.

22 f. Provide other assistance as identified by the area
23 education child welfare liaison.

24 2. A school district or an accredited nonpublic school,
25 upon notification by an agency of the state that a child in
26 foster care is transferring enrollment from the school district
27 or accredited nonpublic school to another school district or
28 accredited nonpublic school, shall promptly provide for the
29 transfer of all of the educational records of the child not
30 later than five school days after receiving the notification.

31 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
32 with section 25B.2, subsection 3, the state cost of requiring
33 compliance with any state mandate included in this Act shall
34 be paid by a school district from state school foundation aid
35 received by the school district under section 257.16. This

1 specification of the payment of the state cost shall be deemed
2 to meet all of the state funding-related requirements of
3 section 25B.2, subsection 3, and no additional state funding
4 shall be necessary for the full implementation of this Act
5 by and enforcement of this Act against all affected school
6 districts.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill relates to continuity of learning for children
11 placed in foster care by requiring every area education
12 agency to employ a child welfare liaison to provide services
13 and guidance to school districts in the area to facilitate
14 the efficient and effective enrollment transfer of a child
15 receiving foster care services. The bill directs school
16 districts to work with the liaison to develop systems to ease
17 the transition of a child receiving foster care services to
18 another school.

19 The services and guidance the liaison must provide to local
20 school districts include but are not limited to guidance
21 relating to the transfer of credit, transition planning,
22 facilitating information sharing between education and child
23 welfare agencies, and developing systems designed to ameliorate
24 the enrollment transition issues faced by a child receiving
25 foster care services who is transferring to and enrolling in
26 a school district.

27 School districts must develop procedures for awarding credit
28 for coursework, including electives, completed by such a child
29 while enrolled at another school. If the child earned less
30 than a 2.0 on a 4.0 scale for a unit of coursework, the school
31 district may require the child to retake the class. If the
32 child's proficiencies in an elementary grade are substantially
33 deficient, the district must provide intensive instructional
34 services and supports or an individualized education plan if
35 appropriate.

1 School districts must also promote practices that facilitate
2 access by such a child to extracurricular programs, summer
3 programs, and credit transfer services; establish procedures to
4 lessen the adverse impact of enrollment transition to another
5 school; and enter into a memorandum of understanding with
6 the department of human services regarding the exchange of
7 information to facilitate the enrollment transition of foster
8 care children from one school to another school.

9 The bill may include a state mandate as defined in Code
10 section 25B.3. The bill requires that the state cost of
11 any state mandate included in the bill be paid by a school
12 district from state school foundation aid received by the
13 school district under Code section 257.16. The specification
14 is deemed to constitute state compliance with any state mandate
15 funding-related requirements of Code section 25B.2. The
16 inclusion of this specification is intended to reinstate the
17 requirement of political subdivisions to comply with any state
18 mandates included in the bill.