

**House File 445 - Introduced**

HOUSE FILE 445

BY JONES, WORTHAN, and HUSEMAN

**A BILL FOR**

1 An Act relating to education funding weighting for children  
2 living in certain facilities and including effective date  
3 provisions.

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

1 Section 1. Section 282.31, subsection 1, paragraph b, Code  
2 2019, is amended to read as follows:

3 b. (1) A child who lives in a facility or other placement  
4 pursuant to [section 282.19](#), and who does not require special  
5 education and who is enrolled in the educational program of the  
6 district of residence at the time the child is placed, shall  
7 be included in the basic enrollment of the school district in  
8 which the child is enrolled. A child who lives in a facility  
9 or other placement pursuant to [section 282.19](#), and who does  
10 not require special education and who is not enrolled in  
11 the educational program of the district of residence of the  
12 child, shall be included in the basic enrollment of the school  
13 district in which the facility or other placement is located.  
14 However, for school budget years beginning on or after July  
15 1, 2019, if a child under this paragraph "b", is living in a  
16 licensed individual or agency child foster care facility or  
17 in an unlicensed relative foster care placement, as provided  
18 in section 282.19, subsection 2, and, following a juvenile  
19 court or agency determination under section 282.19, subsection  
20 2, the child is enrolled in the school district where the  
21 facility or placement is located, the child shall be assigned a  
22 weighting equal to the weighting established in section 256B.9,  
23 subsection 1, paragraph "b", as if the child required special  
24 education.

25 (2) However, on June 30 of a school year, if the board  
26 of directors of a school district determines that the number  
27 of children under this paragraph "b" who were counted in the  
28 basic enrollment of the school district in that school year  
29 in accordance with [section 257.6, subsection 1](#), is fewer than  
30 the sum of the number of months all children were enrolled  
31 in the school district under this paragraph "b" during the  
32 school year divided by nine, the secretary of the school  
33 district may submit a claim to the department of education by  
34 August 1 following the school year for an amount equal to the  
35 district cost per pupil of the district for the previous school

1 year, including any amount attributable to weighting assigned  
2 under subparagraph (1), multiplied by the difference between  
3 the number of children counted and the number of children  
4 calculated by the number of months of enrollment. The amount  
5 of the claim shall be paid by the department of administrative  
6 services to the school district by October 1. The department  
7 of administrative services shall transfer the total amount  
8 of the approved claim of a school district from the moneys  
9 appropriated under [section 257.16](#) and the amount paid shall  
10 be deducted monthly from the state foundation aid paid to all  
11 school districts in the state during the remainder of the  
12 subsequent fiscal year in the manner provided in paragraph "a".

13 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
14 importance, takes effect upon enactment.

15 EXPLANATION

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

18 This bill relates to the method by which children living in  
19 certain foster care facilities and placements and enrolled in  
20 public schools are counted for funding purposes.

21 Current Code section 282.31 provides that a child who lives  
22 in certain residential or foster care facilities or placements  
23 pursuant to Code section 282.19, and who does not require  
24 special education and who is enrolled in the educational  
25 program of the district of residence at the time the child  
26 is placed, is included in the basic enrollment of the school  
27 district in which the child is enrolled. Additionally, such  
28 a child who is not enrolled in the educational program of the  
29 district of residence of the child is included in the basic  
30 enrollment of the school district in which the facility or  
31 other placement is located.

32 The bill provides that for school budget years beginning on  
33 or after July 1, 2019, if such a child is living in a licensed  
34 individual or agency child foster care facility or in an  
35 unlicensed relative foster care placement and if the juvenile

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1 court or responsible agency has determined that remaining in  
2 the child's prior school is not in the best interest of the  
3 child, the child shall be assigned a weighting equal to the  
4 weighting established in Code section 256B.9(1)(b), as if the  
5 child required special education.

6 The bill takes effect upon enactment.