

Senate File 2071 - Introduced

SENATE FILE 2071

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A BILL FOR

1 An Act relating to a mental health service providers
2 competitive grant program for school districts and area
3 education agencies, reducing state aid to area education
4 agencies, and making an appropriation.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 256.25 Mental health service
2 providers competitive grant program.

3 1. The department shall establish a mental health service
4 providers competitive grant program to use mental health
5 service providers in high-need school districts or in high-need
6 attendance centers operated by school districts. The state
7 board, after consultation with education stakeholders, shall
8 adopt administrative rules pursuant to chapter 17A for the
9 program, including but not limited to grant application
10 materials, eligibility requirements, and award criteria.

11 2. A school district or area education agency or any
12 combination thereof may apply to the department for a grant to
13 employ a mental health service provider to design and implement
14 a program that provides counseling and support services for
15 children who are enrolled in a school district, and counseling,
16 support services, and training for adults employed by or
17 served by the school district, who have a serious emotional
18 disturbance. For purposes of this section, "*serious emotional*
19 *disturbance*" means the same as defined in section 225C.2.

20 3. *a.* Except as provided for in paragraph "*b*", there
21 is appropriated from the general fund of the state to the
22 department of education for the fiscal year beginning July
23 1, 2020, and each succeeding fiscal year, the sum of fifteen
24 million dollars to award competitive grants in accordance with
25 this section.

26 *b.* For a fiscal year, if the reduction in state aid for
27 area education agencies and the portion of the combined
28 district cost calculated for these agencies pursuant to section
29 257.35, subsection 14A, is less than fifteen million dollars,
30 the moneys appropriated pursuant to paragraph "*a*" for the
31 same fiscal year shall be reduced by an amount equal to the
32 difference between fifteen million dollars and the amount of
33 reduction specified in section 257.35, subsection 14A, for that
34 fiscal year.

35 4. Moneys awarded under this section shall be used to

1 supplement, not supplant, existing public funding used by a
2 school district or area education agency for similar purposes.

3 Sec. 2. Section 257.35, Code 2020, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 14A. Notwithstanding subsection 1, and in
6 addition to the reduction applicable pursuant to subsection 2,
7 the state aid for area education agencies and the portion of
8 the combined district cost calculated for these agencies for
9 the fiscal year beginning July 1, 2020, and each succeeding
10 fiscal year, shall be reduced by the department of management
11 by fifteen million dollars. The reduction for each area
12 education agency shall be prorated based on the reduction that
13 the agency received in the fiscal year beginning July 1, 2003.

14 Sec. 3. EMERGENCY RULES. The state board of education
15 may adopt emergency rules under section 17A.4, subsection 3,
16 and section 17A.5, subsection 2, paragraph "b", to implement
17 the provisions of this Act and the rules shall be effective
18 immediately upon filing unless a later date is specified in the
19 rules. Any rules adopted in accordance with this section shall
20 also be published as a notice of intended action as provided
21 in section 17A.4.

22 EXPLANATION

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

25 This bill extends a current reduction of \$15 million in state
26 aid to area education agencies for FY 2021 and for subsequent
27 fiscal years, provides for the establishment by the department
28 of education of a mental health service providers competitive
29 grant program to use mental health service providers in
30 high-need school districts or in high-need attendance centers
31 operated by school districts, and provides for a standing
32 appropriation of \$15 million from the general fund of the state
33 to the department for purposes of the program.

34 A school district or area education agency or any
35 combination thereof may apply to the department for a grant to

1 employ a mental health service provider to design and implement
2 a program that provides counseling and support services
3 for children who are enrolled in a school district and such
4 counseling and support services, as well as training, to adults
5 employed by or served by the school district who have a serious
6 emotional disturbance.

7 "Serious emotional disturbance" is defined as a diagnosable
8 mental, behavioral, or emotional disorder of sufficient
9 duration to meet diagnostic criteria specified within the most
10 current diagnostic and statistical manual of mental disorders
11 published by the American psychiatric association that results
12 in a functional impairment. "Serious emotional disturbance"
13 does not include substance use and developmental disorders
14 unless such disorders co-occur with such a diagnosable mental,
15 behavioral, or emotional disorder.

16 In adopting rules for the program, the state board of
17 education is directed to consult with education stakeholders.
18 The bill provides the state board with emergency rulemaking
19 authority.

20 If the reduction to state aid for area education agencies
21 is less than \$15 million for a given fiscal year, the bill
22 provides for an equivalent reduction in the amount appropriated
23 to the department from the general fund of the state for the
24 program for the same fiscal year.

25 Moneys awarded must be used to supplement, not supplant,
26 existing public funding used by a school district or area
27 education agency for similar purposes.