

House File 2211 - Introduced

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BY STONE

A BILL FOR

1 An Act relating to special education weighting for children
2 enrolled in accredited nonpublic schools.

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

1 Section 1. Section 256B.7, Code 2024, is amended to read as
2 follows:

3 **256B.7 Examinations of children.**

4 1. In order to render proper instruction to each child
5 requiring special education, the school districts shall certify
6 children requiring special education for special instruction
7 in accordance with the requirements set up by the division
8 of special education and shall provide examinations for
9 children preliminary to making certification. The examinations
10 necessary for the certification of children requiring special
11 education shall be prescribed by the state division of special
12 education.

13 2. The parent or guardian of a child enrolled in an
14 accredited nonpublic school may have the child examined
15 pursuant to requirements prescribed by the state division of
16 special education.

17 3. Disputes concerning a child's eligibility for special
18 education shall be addressed under rules and procedures adopted
19 by the state board of education pursuant to [section 256B.6](#)
20 and consistent with the federal Individuals with Disabilities
21 Education Act of 2004, 20 U.S.C. §1400 et seq.

22 4. The state board of education shall adopt rules pursuant
23 to chapter 17A to implement this section.

24 Sec. 2. Section 256B.9, subsection 2, Code 2024, is amended
25 to read as follows:

26 2. The weighting for each category of child multiplied
27 by the sum of the number of children in each category in the
28 enrollment of a school district plus the number of children
29 examined pursuant to section 256B.7, subsection 2, in each
30 category in the enrollment of each accredited nonpublic school
31 within the school district's boundaries, as identified and
32 certified by the director of special education for the area,
33 determines the weighted enrollment to be used in that district
34 for purposes of computations required under the state school
35 foundation plan in [chapter 257](#).

1

EXPLANATION

2

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

3

4 Each child with special needs is given an enhanced weight
5 when calculating the state school foundation aid due to a
6 school district for the school year. The weighting increases
7 based on the level of care the child requires. A portion of the
8 foundation aid is paid to each area education agency (AEA) in
9 an amount proportionate to the number of children with special
10 needs enrolled in school districts within the AEA's service
11 boundaries. Children enrolled in a nonpublic school are not
12 included in this calculation.

13 This bill allows the parents and guardians of children
14 who attend an accredited nonpublic school to have their
15 child examined in accordance with the requirements set by the
16 division of special education. The bill requires the state
17 board of education to adopt administrative rules to implement
18 such requirements.

19 The bill modifies the calculation of state school foundation
20 aid to include children enrolled in an accredited nonpublic
21 school and who have been examined in accordance with the
22 requirements set by the division of special education.
23 Additional weighting will be assigned to a child based on the
24 level of care the child requires.