

256.25 Therapeutic classroom incentive grant program — fund.

1. The department shall create a therapeutic classroom incentive grant program to provide competitive grants to school districts for the establishment of therapeutic classrooms.

2. A school district, which may collaborate and partner with one or more school districts, area education agencies, accredited nonpublic schools, nonprofit agencies, and institutions that provide children's mental health services, located in mental health and disability services regions providing children's behavioral health services in accordance with [chapter 331, subchapter III, part 6](#), may apply for a grant under this program to establish a therapeutic classroom in the school district in accordance with [this section](#).

3. The department shall develop a grant application and selection and evaluation criteria. Selection criteria shall include a method for prioritizing grant applications submitted by school districts located in mental health and disability services regions providing children's behavioral health services in accordance with [chapter 331, subchapter III, part 6](#), with those proposing to serve the most students given highest priority. Grant awards shall be distributed as equitably as possible among small, medium, and large school districts. For purposes of [this subsection](#), a small school district is a district with an actual enrollment of fewer than six hundred pupils; a medium school district is a district with an actual enrollment that is at least six hundred pupils, but less than two thousand five hundred pupils; and a large school district is a district with an actual enrollment of two thousand five hundred or more pupils.

4. *a.* The department may disburse moneys contained in the therapeutic classroom incentive fund as grants to school districts for the establishment of therapeutic classrooms.

b. The total amount of funding awarded for the establishment of therapeutic classrooms for a fiscal year shall not exceed an amount equivalent to the state cost per pupil multiplied by weighting of one and one-half pupil calculated for one hundred fifty pupils.

c. Grant awards shall be made for the establishment of therapeutic classrooms with one to five pupils, classrooms with six to ten pupils, and classrooms with eleven to fifteen pupils.

d. For purposes of calculating a therapeutic classroom grant award, the department shall determine grant awards based on the following:

(1) For classrooms with one to five pupils, using the state cost per pupil multiplied by weighting of one and one-half pupil multiplied by five.

(2) For classrooms with six to ten pupils, using the state cost per pupil multiplied by weighting of one and one-half pupil multiplied by ten.

(3) For classrooms with eleven to fifteen pupils, using the state cost per pupil multiplied by weighting of one and one-half pupil multiplied by fifteen.

e. Grant moneys credited to the therapeutic classroom incentive fund established under [subsection 5](#) shall be distributed after December 31 but before the start of the school calendar for start-up costs for a new therapeutic classroom in the fall semester.

5. A therapeutic classroom incentive fund is established in the state treasury under the control of the department. Moneys credited to the fund are appropriated to the department for purposes of distributing grants under [this section](#). The department may accept gifts, grants, bequests, and other private contributions, as well as state or federal moneys, for deposit in the fund. Moneys available in the therapeutic classroom incentive fund for a fiscal year shall be distributed as grants pursuant to [this section](#). Notwithstanding [section 8.33](#), moneys in the fund at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated for subsequent fiscal years.

6. Placement of a child requiring special education under [chapter 256B](#) in a therapeutic classroom, whether or not the school district operating such classroom receives funds under [this section](#), is subject to the provisions of [chapter 256B](#), to the administrative rules adopted by the state board for purposes of [chapter 256B](#), and to the federal Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq., and shall not violate such laws, rules, or regulations.

7. For purposes of [this section](#), "therapeutic classroom" means a classroom designed for the purpose of providing support for any student whose emotional, social, or behavioral needs interfere with the student's ability to be successful in the current educational environment, with or without supports, until the student is able to successfully return to the student's

current education environment, with or without supports, including but not limited to the general education classroom.

[2020 Acts, ch 1108, §3, 17](#)

Referred to in [§256.25A](#)