

SENATE FILE _____
BY QUIRMBACH

A BILL FOR

1 An Act modifying the supplementary weighting for limited
2 English proficient students and including effective date and
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 257.31, subsection 5, paragraph j, Code
2 2017, is amended to read as follows:

3 j. Unusual need to continue providing a program or other
4 special assistance to ~~non-English-speaking~~ limited English
5 proficient pupils after the expiration of the ~~five-year~~ period
6 of years specified in section 280.4.

7 Sec. 2. Section 280.4, subsection 3, Code 2017, is amended
8 to read as follows:

9 3. a. In order to provide funds for the excess costs of
10 instruction of limited English proficient students specified
11 in paragraph "b" above the costs of instruction of pupils in
12 a regular curriculum, students identified as limited English
13 proficient shall be assigned an additional weighting of
14 ~~twenty-two hundredths~~ three-tenths, and that weighting shall be
15 included in the weighted enrollment of the school district of
16 residence for a period not exceeding ~~five~~ the period of years
17 specified in paragraph "b". However, the school budget review
18 committee may grant supplemental aid or a modified supplemental
19 amount to a school district to continue funding a program for
20 students after the expiration of the ~~five-year~~ specified period
21 of years.

22 b. (1) For students first determined to be limited English
23 proficient for a budget year beginning on or after July
24 1, 2010, but before July 1, 2017, the additional weighting
25 provided under paragraph "a" shall be included in the weighted
26 enrollment of the school district of residence for a cumulative
27 period of time not exceeding five years beginning with the
28 budget year for which the student was first determined to be
29 limited English proficient. The five years of eligibility
30 for the additional weighting need not be consecutive and
31 a student's eligibility for the additional weighting is
32 transferable to another district of residence.

33 (2) For students first determined to be limited English
34 proficient for the budget year beginning on July 1, 2017, the
35 additional weighting provided under paragraph "a" shall be

1 included in the weighted enrollment of the school district of
2 residence for a period not exceeding six years beginning with
3 the budget year for which the student was first determined to
4 be limited English proficient.

5 (3) For students first determined to be limited English
6 proficient for a budget year beginning on or after July 1,
7 2018, the additional weighting provided under paragraph "a"
8 shall be included in the weighted enrollment of the school
9 district of residence for a period not exceeding seven years
10 beginning with the budget year for which the student was first
11 determined to be limited English proficient.

12 Sec. 3. Section 282.18, subsection 7, Code 2017, is amended
13 to read as follows:

14 7. A pupil participating in open enrollment shall be
15 counted, for state school foundation aid purposes, in the
16 pupil's district of residence. A pupil's residence, for
17 purposes of this section, means a residence under section
18 282.1. The board of directors of the district of residence
19 shall pay to the receiving district the sum of the state cost
20 per pupil for the previous school year plus either the teacher
21 leadership supplement state cost per pupil for the previous
22 fiscal year as provided in section 257.9 or the teacher
23 leadership supplement foundation aid for the previous fiscal
24 year as provided in section 284.13, subsection 1, paragraph "e",
25 if both the district of residence and the receiving district
26 are receiving such supplements, plus any moneys received for
27 the pupil as a result of the ~~non-English-speaking~~ limited
28 English proficient weighting under section 280.4, subsection
29 3, for the previous school year multiplied by the state cost
30 per pupil for the previous year. If the pupil participating in
31 open enrollment is also an eligible pupil under section 261E.6,
32 the receiving district shall pay the tuition reimbursement
33 amount to an eligible postsecondary institution as provided in
34 section 261E.7.

35 Sec. 4. Section 282.18, subsection 15, paragraph a, Code

1 2017, is amended to read as follows:

2 a. If a request under this section is for transfer to the
3 research and development school, as described in chapter 256G,
4 the student who is the subject of the request shall be included
5 in the basic enrollment of the student's district of residence
6 and the board of directors of the district of residence shall
7 pay to the research and development school the state cost per
8 pupil for the previous school year, plus any moneys received
9 for the pupil as a result of the ~~non-English-speaking~~ limited
10 English proficient weighting under section 280.4, subsection
11 3, for the previous school year multiplied by the state cost
12 per pupil for the previous year.

13 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
14 immediate importance, takes effect upon enactment.

15 Sec. 6. APPLICABILITY. This Act applies to school budget
16 years beginning on or after July 1, 2017.

EXPLANATION

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

20 This bill relates to limited English proficient education
21 by modifying the supplementary weighting for limited English
22 proficient students.

23 Current Code section 280.4 provides supplementary weighting
24 for the excess costs of instruction of limited English
25 proficient students. The current amount of the supplementary
26 weighting for students identified as limited English proficient
27 is 0.22 per student. The weighting is provided for those
28 students first determined to be limited English proficient for
29 a budget year beginning on or after July 1, 2010, and may be
30 included in the weighted enrollment of the school district for
31 a period not exceeding five years.

32 The bill increases the amount of the supplementary weighting
33 for those students identified as limited English proficient to
34 0.30 per student.

35 The bill also specifies the number of years during which the

1 additional weighting may be included in the school district's
2 weighted enrollment. For students first determined to be
3 limited English proficient for a budget year beginning on or
4 after July 1, 2010, but before July 1, 2017, the additional
5 weighting may be included for a period not exceeding five
6 years. For students first determined to be limited English
7 proficient for the budget year beginning on July 1, 2017, the
8 additional weighting may be included for a period not exceeding
9 six years. For students first determined to be limited English
10 proficient for a budget year beginning on or after July 1,
11 2018, the additional weighting may be included for a period not
12 exceeding seven years.

13 The bill also makes statutory changes to provide uniformity
14 in referring to limited English proficient pupils.

15 The bill takes effect upon enactment and applies to school
16 budget years beginning on or after July 1, 2017.