

3-17-95 Amend/Do Pass
w/ H-3338
4/10/95 Referred to Education

MAR 13 1995
EDUCATION

HOUSE FILE 404
BY GRUNDBERG

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to limited English proficiency programs in the
2 public schools.

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

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HOUSE FILE 404

H-3338

- 1 Amend House File 404 as follows:
- 2 1. Page 1, by striking lines 16 and 17 and
- 3 inserting the following: "commencing July 1, 1995,
- 4 and ending June 30, 1996."

By COMMITTEE ON EDUCATION
GRUBBS of Scott, Chairperson

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H-3338 FILED MARCH 17, 1995

HF
404

1 Section 1. Section 257.31, subsection 5, paragraph j, Code
2 1995, 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 three-year
6 period specified in section 280.4.

7 Sec. 2. Section 280.4, subsection 3, Code 1995, is amended
8 to read as follows:

9 3. In order to provide funds for the excess costs of
10 instruction of limited English proficient students above the
11 costs of instruction of pupils in a regular curriculum,
12 students identified as limited English proficient shall be
13 assigned an additional weighting that shall be included in the
14 weighted enrollment of the school district of residence for a
15 period not exceeding three four years for the school year
16 commencing July 1, 1995, and ending June 30, 1996, and not
17 exceeding five years for the subsequent school years.

18 However, the school budget review committee may grant
19 supplemental aid or modified allowable growth to a school
20 district to continue funding a program for students after the
21 expiration of the three-year original period. The school
22 budget review committee shall calculate the additional amount
23 for the weighting to the nearest one-hundredth of one percent
24 so that to the extent possible the moneys generated by the
25 weighting will be equivalent to the moneys generated by the
26 two-tenths weighting provided prior to July 2, 1991.

27 Sec. 3. Section 280.4, Code 1995, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 4. The board of directors of a school
30 district shall provide documentation that a limited English
31 proficient student requires special instruction beyond a
32 three-year period.

33 Sec. 4. Section 282.18, subsection 8, Code 1995, is
34 amended to read as follows:

35 8. A pupil participating in open enrollment shall be

1 counted, for state school foundation aid purposes, in the
2 pupil's district of residence. A pupil's residence, for
3 purposes of this section, means a residence under section
4 282.1. The board of directors of the district of residence
5 shall pay to the receiving district the lower district cost
6 per pupil of the two districts, plus any moneys received for
7 the pupil as a result of non-English-speaking limited English
8 proficiency weighting under section 280.4, subsection 4 3, for
9 each school year. The district of residence shall also
10 transmit the phase III moneys allocated to the district for
11 the full-time equivalent attendance of the pupil, who is the
12 subject of the request, to the receiving district specified in
13 the request for transfer.

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EXPLANATION

15 This bill extends the maximum time frame for funding for
16 limited English proficient students from three years to four
17 years for the school year commencing July 1, 1995, and ending
18 June 30, 1996, and to five years for the subsequent school
19 years. It also requires that the board of directors of a
20 school district provide documentation that a limited English
21 proficient student requires additional special instruction
22 beyond a three-year period. Section 282.18, subsection 8, is
23 amended to correspond to Code changes made in 1993.

24 This bill may include a state mandate as defined in section
25 25B.3.

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HOUSE FILE 404
FISCAL NOTE

A fiscal note for House File 404 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 404 extends the maximum time frame for limited English proficient students from three years to four years for FY 1996 and to five years for subsequent fiscal years for calculating additional weighted enrollment.

ASSUMPTIONS:

1. Allowable growth is 3.5% for FY 1996, 0.0% for FY 1997, and 0.0% for FY 1998.
2. There are 4,073 limited English proficient students. In FY 1996, an additional 985 limited English proficient students will be identified due to adding a fourth year. In FY 1997, an additional 2,145 limited English proficient students will be identified due to adding a fourth and fifth year.
3. The additional students will be identified in FY 1996 and FY 1997 but will be calculated in the school aid formula for FY 1997 and FY 1998.
4. The FY 1995 State cost per pupil is \$3,503.
5. The limited English proficient weighting is 0.19.

FISCAL EFFECT:

In FY 1997, HF 404 is estimated to cost an additional \$563,243 in state aid and \$115,363 in property tax due to adding a fourth year. In FY 1998, HF 404 is estimated to cost an additional \$1,226,554 in state aid and \$251,222 in property tax due to adding a fourth and fifth year.

(LSB 2439hh.3, JAS)

FILED MARCH 22, 1995

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 404
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A fiscal note for House File 404 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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FISCAL EFFECT:

In FY 1997, HF 404 is estimated to cost an additional \$678,606 in state aid and \$115,363 in property tax due to adding a fourth year. In FY 1998, HF 404 is estimated to cost an additional \$1,226,554 in state aid and \$251,222 in property tax due to adding a fourth and fifth year.

(LSB 2439hh, JAS)

FILED MARCH 15, 1995

BY DENNIS PROUTY, FISCAL DIRECTOR

**HOUSE FILE 404
FISCAL NOTE**

A fiscal note for House File 404 as amended by the Committee amendment is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 404 as amended by the Committee amendment extends the maximum time frame for limited English proficient students from three years to four years for FY 1996 and subsequent fiscal years for calculating additional weighted enrollment.

ASSUMPTIONS:

1. Allowable growth is 3.5% for FY 1996 and 0.0% for FY 1997.
2. There are 4,073 limited English proficient students. In FY 1996, an additional 985 limited English proficient students will be identified due to adding a fourth year. This assumes all students in the third year will move to the fourth year.
3. The additional students will be identified in FY 1996 but will be calculated in the school aid formula for FY 1997.
4. The FY 1995 State cost per pupil is \$3,503.
5. The limited English proficient weighting is 0.19.

FISCAL EFFECT:

In FY 1997, HF 404 as amended by the Committee amendment is estimated to cost an additional \$563,243 in state aid and \$115,363 in property tax due to adding a fourth year.

(LSB 2439hh.2, JAS)

FILED MARCH 22, 1995

BY DENNIS PROUTY, FISCAL DIRECTOR