

**Senate File 150 - Introduced**

SENATE FILE 150

BY ZAUN

**A BILL FOR**

1 An Act relating to supplementary weighting for limited English  
2 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, and that weighting shall be included in  
15 the weighted enrollment of the school district of residence for  
16 a period not exceeding ~~five~~ the period of years specified in  
17 paragraph "b". However, the school budget review committee may  
18 grant supplemental aid or a modified supplemental amount to  
19 a school district to continue funding a program for students  
20 after the expiration of the ~~five-year~~ specified period of  
21 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 a budget year beginning on or after July 1,  
35 2017, the additional weighting provided under paragraph "a"

1 shall be included in the weighted enrollment of the school  
2 district of residence for a period not exceeding seven years  
3 beginning with the budget year for which the student was  
4 first determined to be limited English proficient. The seven  
5 years of eligibility for the additional weighting need not be  
6 consecutive and a student's eligibility for the additional  
7 weighting is transferable to another district of residence.

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

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

31 Sec. 4. Section 282.18, subsection 15, paragraph a, Code  
32 2017, is amended to read as follows:

33 a. If a request under [this section](#) is for transfer to the  
34 research and development school, as described in [chapter 256G](#),  
35 the student who is the subject of the request shall be included

1 in the basic enrollment of the student's district of residence  
2 and the board of directors of the district of residence shall  
3 pay to the research and development school the state cost per  
4 pupil for the previous school year, plus any moneys received  
5 for the pupil as a result of the ~~non-English-speaking~~ limited  
6 English proficient weighting under section 280.4, subsection  
7 3, for the previous school year multiplied by the state cost  
8 per pupil for the previous year.

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

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

13 EXPLANATION

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

16 This bill relates to limited English proficient education by  
17 increasing the number of years for the supplementary weighting  
18 for limited English proficient students.

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

28 The bill provides that for students first determined to be  
29 limited English proficient for a budget year beginning on or  
30 after July 1, 2010, but before July 1, 2017, the additional  
31 weighting may be included for a period not exceeding five  
32 years. For students first determined to be limited English  
33 proficient for a budget year beginning on or after July 1,  
34 2017, the additional weighting may be included for a period  
35 not exceeding seven years. Similar to current law governing

1 students first determined to be limited English proficient for  
2 a budget year beginning on or after July 1, 2010, but before  
3 July 1, 2017, the period of seven years need not be consecutive  
4 and is transferable to another district of residence.

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

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