

Senate File 427 - Introduced

SENATE FILE 427
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 150)

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

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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.