

Senate File 544 - Introduced

SENATE FILE 544
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 430)

(COMPANION TO HF 605 BY
COMMITTEE ON EDUCATION)

A BILL FOR

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

1 Section 1. Section 280.4, subsection 1, Code 2021, is
2 amended to read as follows:

3 1. a. The medium of instruction in all secular subjects
4 taught in both public and nonpublic schools shall be the
5 English language, except when the use of a world language is
6 deemed appropriate in the teaching of any subject or when the
7 student is limited English proficient. When the student is
8 limited English proficient, both public and nonpublic schools
9 shall provide special instruction, which shall include but
10 need not be limited to either instruction in English as a
11 second language or transitional bilingual instruction until
12 the student is fully English proficient or demonstrates a
13 functional ability to speak, read, write, and understand the
14 English language.

15 b. As used in this section, ~~“limited English proficient”~~
16 ~~means a student’s language background is in a language other~~
17 ~~than English, and the student’s proficiency in English is~~
18 ~~such that the probability of the student’s academic success~~
19 ~~in an English-only classroom is below that of an academically~~
20 ~~successful peer with an English language background.:~~

21 (1) “Fully English proficient” means a student who is able
22 to read, understand, write, and speak the English language
23 and to use English to ask questions, to understand teachers
24 and reading materials, to test ideas, and to challenge what
25 is being asked in the classroom has attained a level of
26 English-language skill in reading, writing, listening, and
27 speaking to be proficient under the state’s English language
28 proficiency standards, as measured by the state-adopted
29 assessment of English language proficiency as required by
30 section 1111 of the federal Elementary and Secondary Education
31 Act of 1965, as amended by the federal Every Student Succeeds
32 Act, Pub. L. No. 114-95.

33 (2) “Intensive student” means a limited-English-proficient
34 student who, even with support, is not proficient under the
35 state’s English language proficiency standards, as measured by

1 the state-adopted assessment of English language proficiency.

2 (3) "Intermediate student" means a
3 limited-English-proficient student who, either with or without
4 support, approaches being proficient under the state's
5 English language proficiency standards, as measured by the
6 state-adopted assessment of English language proficiency.

7 (4) "Limited English proficient" means a student's language
8 background is in a language other than English, and the
9 student's proficiency in English is such that the probability
10 of the student's academic success in an English-only classroom
11 is below that of an academically successful peer with an
12 English language background. Each limited-English-proficient
13 student shall be identified as either an intensive student or
14 an intermediate student.

15 Sec. 2. Section 280.4, subsection 3, paragraph a, Code 2021,
16 is amended to read as follows:

17 a. In order to provide funds for the excess costs of
18 instruction of limited English proficient students specified
19 in paragraph "b" above the costs of instruction of pupils in a
20 regular curriculum, ~~students~~ each limited-English-proficient
21 student identified as limited-English-proficient an intensive
22 student shall be assigned an additional weighting of ~~twenty-two~~
23 twenty-six hundredths, each limited-English-proficient student
24 identified as an intermediate student shall be assigned
25 an additional weighting of twenty-one hundredths, and that
26 the applicable weighting shall be included in the weighted
27 enrollment of the school district of residence for a period not
28 exceeding five years as provided in paragraph "b". However, the
29 school budget review committee may grant supplemental aid or a
30 modified supplemental amount to a school district to continue
31 funding a program for students after the expiration of the
32 five-year period.

33 Sec. 3. APPLICABILITY. This Act applies to school budget
34 years beginning on or after July 1, 2021.

35 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate

1 importance, takes effect upon enactment.

2

EXPLANATION

3

The inclusion of this explanation does not constitute agreement with

4

the explanation's substance by the members of the general assembly.

5

In order to provide funds for the excess costs of instruction

6

of limited-English-proficient students above the costs of

7

instruction of pupils in a regular curriculum, Code section

8

280.4 assigns students identified as limited-English-proficient

9

an additional weighting of 0.22 for up to five years.

10

This bill divides limited-English-proficient students

11

into two categories based on proficiency: intensive

12

students and intermediate students. "Intensive student"

13

means a limited-English-proficient student that, even with

14

support, is not proficient under the state's English language

15

proficiency standards. "Intermediate student" means a

16

limited-English-proficient student that, either with or without

17

support, approaches being proficient under the state's English

18

language proficiency standards. Under the bill, each intensive

19

student shall be assigned an additional weighting of 0.26 and

20

each intermediate student shall be assigned an additional

21

weighting of 0.21. The bill also modifies the definition of

22

"fully English proficient".

23

The bill takes effect upon enactment and applies to school

24

budget years beginning on or after July 1, 2021.