

EDUCATION

Grundberg, Ch
Eddie
Wier

HOUSE FILE _____ *D2404*
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON GRUNDBERG)

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

A BILL FOR

1 An Act relating to the amount of additional weighting provided
2 for limited English proficient students.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 280.4, subsection 3, Code 2001, is
2 amended to read as follows:

3 3. In order to provide funds for the excess costs of
4 instruction of limited English proficient students above the
5 costs of instruction of pupils in a regular curriculum,
6 students identified as limited English proficient shall be
7 assigned an additional weighting of twenty-two hundredths, and
8 that weighting shall be included in the weighted enrollment of
9 the school district of residence for a period not exceeding
10 three years. However, the school budget review committee may
11 grant supplemental aid or modified allowable growth to a
12 school district to continue funding a program for students
13 after the expiration of the three-year period. ~~The school~~
14 ~~budget-review-committee-shall-calculate-the-additional-amount~~
15 ~~for-the-weighting-to-the-nearest-one-hundredth-of-one-percent~~
16 ~~so-that-to-the-extent-possible-the-moneys-generated-by-the~~
17 ~~weighting-will-be-equivalent-to-the-moneys-generated-by-the~~
18 ~~two-tenths-weighting-provided-prior-to-July-27-1991.~~

19 EXPLANATION

20 This bill provides for an additional weighting for students
21 identified as limited English proficient of twenty-two
22 hundredths. The bill deletes the previous provision that the
23 additional weighting shall be calculated by the school budget
24 review committee to the nearest one-hundredth of 1 percent so
25 that to the extent possible the moneys generated by the
26 weighting will be equivalent to the moneys generated by the
27 two-tenths weighting provided prior to July 2, 1991.

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2/20/02 Place on Calendar
- 3/13/02 Do Pass

FEB 18 2002
APPROPRIATIONS

HOUSE FILE 2404
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 669)

Passed House, (P. 491) Date 2/25/02 Passed Senate, (P. 877) Date 4/1/02
Vote: Ayes 96 Nays 0 Vote: Ayes 47 Nays 0
Approved April 12, 2002

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HF 2404

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8 that weighting shall be included in the weighted enrollment of
9 the school district of residence for a period not exceeding
10 three years. However, the school budget review committee may
11 grant supplemental aid or modified allowable growth to a
12 school district to continue funding a program for students
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22 hundredths. The bill deletes the previous provision that the
23 additional weighting shall be calculated by the school budget
24 review committee to the nearest one-hundredth of 1 percent so
25 that to the extent possible the moneys generated by the
26 weighting will be equivalent to the moneys generated by the
27 two-tenths weighting provided prior to July 2, 1991.

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HOUSE FILE 2404

S-5179

1 Amend House File 2404, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.31, subsection 17, Code
6 2001, is amended by adding the following new
7 paragraph:

8 NEW PARAGRAPH. e. There is appropriated each year
9 from the general fund of the state to the committee,
10 in addition to any other funding which may be
11 appropriated, the sum of one million two hundred
12 thousand dollars for transportation assistance aid to
13 school districts as provided in this subsection.
14 Notwithstanding section 8.33, moneys appropriated in
15 this paragraph that remain unencumbered and
16 unobligated shall not revert but shall remain
17 available for the purposes designated for the next
18 fiscal year."

19 2. Title page, by striking lines 1 and 2 and
20 inserting the following: "An Act providing additional
21 funding for transportation assistance aid to certain
22 school districts, and making an appropriation."

By KITTY REHBERG

S-5179 FILED MARCH 18, 2002

W/KD
4/1/02
(P. 876)

HOUSE FILE 2404

S-5253

1 Amend House File 2404, as passed by the House, as
2 follows:

3 1. Page 1, by inserting after line 18 the
4 following:

5 "Sec. ____ Section 403.19, subsections 2 and 7,
6 Code Supplement 2001, are amended to read as follows:

7 2. That portion of the taxes each year in excess
8 of such amount shall be allocated to and when
9 collected be paid into a special fund of the
10 municipality to pay the principal of and interest on
11 loans, moneys advanced to, or indebtedness, whether
12 funded, refunded, assumed, or otherwise, including
13 bonds issued under the authority of section 403.9,
14 subsection 1, incurred by the municipality to finance
15 or refinance, in whole or in part, an urban renewal
16 project within the area, and to provide assistance for
17 low and moderate income family housing as provided in
18 section 403.22, except that taxes for the regular and
19 voter-approved physical plant and equipment levy of a
20 school district imposed pursuant to section 298.2,
21 taxes for the instructional support levy of a school
22 district imposed pursuant to section 257.21, and taxes
23 for the payment of bonds and interest of each taxing
24 district must be collected against all taxable
25 property within the taxing district without limitation
26 by the provisions of this subsection. However, all or
27 a portion of the taxes for the physical plant and
28 equipment levy and for the instructional support levy
29 shall be paid by the school district to the
30 municipality if the auditor certifies to the school
31 district by July 1 the amount of such levy that is
32 necessary to pay the principal and interest on bonds
33 issued by the municipality to finance an urban renewal
34 project, which bonds were issued before July 1, 2001.
35 Indebtedness incurred to refund bonds issued prior to
36 July 1, 2001, shall not be included in the
37 certification. Such school district shall pay over
38 the amount certified by November 1 and May 1 of the
39 fiscal year following certification to the school
40 district as provided in subsection 7. Unless and
41 until the total assessed valuation of the taxable
42 property in an urban renewal area exceeds the total
43 assessed value of the taxable property in such area as
44 shown by the last equalized assessment roll referred
45 to in subsection 1, all of the taxes levied and
46 collected upon the taxable property in the urban
47 renewal area shall be paid into the funds for the
48 respective taxing districts as taxes by or for the
49 taxing districts in the same manner as all other
50 property taxes. When such loans, advances,

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1 indebtedness, and bonds, if any, and interest thereon,
2 have been paid, all moneys thereafter received from
3 taxes upon the taxable property in such urban renewal
4 area shall be paid into the funds for the respective
5 taxing districts in the same manner as taxes on all
6 other property.

7 7. a. All or a portion of the taxes for the
8 physical plant and equipment levy shall be paid by the
9 school district to the municipality if the auditor
10 certifies to the school district by July 1 the amount
11 of such levy that is necessary to pay the principal
12 and interest on bonds issued by the municipality to
13 finance an urban renewal project, which bonds were
14 issued before July 1, 2001. Indebtedness incurred to
15 refund bonds issued prior to July 1, 2001, shall not
16 be included in the certification. Such school district
17 shall pay over the amount certified by November 1 and
18 May 1 of the fiscal year following certification to
19 the school district. For any fiscal year, a
20 municipality may certify to the county auditor for
21 physical plant and equipment revenue necessary for
22 payment of principal and interest on bonds issued
23 prior to July 1, 2001, only if the municipality
24 certified for such revenue for the fiscal year
25 beginning July 1, 2000. A municipality shall not
26 certify to the county auditor for a school district
27 more than the amount the municipality certified for
28 the fiscal year beginning July 1, 2000. If for any
29 fiscal year a municipality fails to certify to the
30 county auditor for a school district by July 1 the
31 amount of physical plant and equipment revenue
32 necessary for payment of principal and interest on
33 such bonds, as provided in subsection 2, the school
34 district is not required to pay over the revenue to
35 the municipality. If a school district and a
36 municipality are unable to agree on the amount of
37 physical plant and equipment revenue certified by the
38 municipality for the fiscal year beginning July 1,
39 2001, either party may request that the state appeal
40 board review and finally pass upon the amount that may
41 be certified. Such appeals must be presented in
42 writing to the state appeal board no later than July
43 31 following certification. The burden shall be on
44 the municipality to prove that the physical plant and
45 equipment levy revenue is necessary to pay principal
46 and interest on bonds issued prior to July 1, 2001. A
47 final decision must be issued by the state appeal
48 board no later than the following October 1.

49 b. All or a portion of the taxes for the
50 instructional support levy shall be paid by the school

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Page 3

1 district to the municipality if the auditor certifies
2 to the school district by July 1 the amount of such
3 levy that is necessary to pay the principal and
4 interest on bonds issued by the municipality to
5 finance an urban renewal project, which bonds were
6 issued before July 1, 2002. Indebtedness incurred to
7 refund bonds issued prior to July 1, 2002, shall not
8 be included in the certification. Such school district
9 shall pay over the amount certified by November 1 and
10 May 1 of the fiscal year following certification to
11 the school district. For any fiscal year, a
12 municipality shall not certify to the county auditor
13 for a school district more than the amount the
14 municipality certified for the fiscal year beginning
15 July 1, 2002. If for any fiscal year a municipality
16 fails to certify to the county auditor for a school
17 district by July 1 the amount of instructional support
18 property tax revenue necessary for payment of
19 principal and interest on such bonds, as provided in
20 subsection 2, the school district is not required to
21 pay over the revenue to the municipality. If a school
22 district and a municipality are unable to agree on the
23 amount of instructional support property tax revenue
24 certified by the municipality for the fiscal year
25 beginning July 1, 2002, either party may request that
26 the state appeal board review and finally pass upon
27 the amount that may be certified. Such appeals must
28 be presented in writing to the state appeal board no
29 later than July 31 following certification. The
30 burden shall be on the municipality to prove that the
31 instructional support property tax revenue is
32 necessary to pay principal and interest on bonds
33 issued prior to July 1, 2002. A final decision must
34 be issued by the state appeal board no later than the
35 following October 1.

36 Sec. ____ . The section of this Act, amending
37 section 403.19, being deemed of immediate importance,
38 takes effect upon enactment."

39 2. Title page, line 2, by inserting after the
40 word "students" the following: "and the amount of the
41 instructional support levy in a tax increment
42 financing district paid to a school district and
43 including an effective date."

By MIKE CONNOLLY

S-5253 FILED MARCH 26, 2002

rw/d

4/1/02 (p. 877)

HOUSE FILE 2404

S-5268

1 Amend House File 2404, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.31, subsection 17,
6 paragraph a, Code 2001, is amended to read as follows:

7 a. If a district's average transportation costs
8 per pupil exceed the state average transportation
9 costs per pupil determined under paragraph "c" by one
10 hundred ~~fifty~~ percent, the committee may grant
11 transportation assistance aid to the district. Such
12 aid shall be miscellaneous income and shall not be
13 included in district cost.

14 Sec. 2. Section 257.31, subsection 17, Code 2001,
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. e. There is appropriated each year
17 from the general fund of the state to the committee,
18 in addition to any other funding which may be
19 appropriated, the sum of one million two hundred
20 thousand dollars for transportation assistance aid to
21 school districts as provided in this subsection.
22 Notwithstanding section 8.33, moneys appropriated in
23 this paragraph that remain unencumbered and
24 unobligated shall not revert but shall remain
25 available for the purposes designated for the next
26 fiscal year."

27 2. Title page, by striking lines 1 and 2 and
28 inserting the following: "An Act providing additional
29 funding for transportation assistance aid to certain
30 school districts, and making an appropriation."

By KITTY REHBERG

S-5268 FILED MARCH 27, 2002

w/s
4/1/02
(P. 876)

HOUSE FILE 2404

S-5274

1 Amend House File 2404, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 257.31, subsection 17,
6 paragraph a, Code 2001, is amended to read as follows:
7 a. If a district's average transportation costs
8 per pupil exceed the state average transportation
9 costs per pupil determined under paragraph "c" by one
10 hundred ~~fifty~~ percent, the committee may grant
11 transportation assistance aid to the district. Such
12 aid shall be miscellaneous income and shall not be
13 included in district cost.

14 Sec. 2. Section 257.31, subsection 17, Code 2001,
15 is amended by adding the following new paragraph:
16 NEW PARAGRAPH. e. For the fiscal year beginning
17 July 1, 2003, and succeeding fiscal years, there is
18 appropriated from the general fund of the state to the
19 committee, in addition to any other funding which may
20 be appropriated, the sum of one million two hundred
21 thousand dollars for transportation assistance aid to
22 school districts as provided in this subsection.
23 Notwithstanding section 8.33, moneys appropriated in
24 this paragraph that remain unencumbered and
25 unobligated shall not revert but shall remain
26 available for the purposes designated for the next
27 fiscal year.

28 Sec. 3. APPLICABILITY DATE. This Act is
29 applicable for the school budget year beginning July
30 1, 2003, and succeeding budget years."

31 2. Title page, by striking lines 1 and 2 and
32 inserting the following: "An Act providing additional
33 funding for transportation assistance aid to certain
34 school districts, making an appropriation, and
35 providing an applicability date."

By KITTY REHBERG

S-5274 FILED MARCH 28, 2002

0/0

4/1/02

(p. 877)

~~weighting-will-be-equivalent-to-the-moneys-generated-by-the
two-tenths-weighting-provided-prior-to-July-27-1991~~

HOUSE FILE 2404

AN ACT

RELATING TO THE AMOUNT OF ADDITIONAL WEIGHTING PROVIDED FOR
LIMITED ENGLISH PROFICIENT STUDENTS.

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

Section 1. Section 280.4, subsection 3, Code 2001, is
amended to read as follows:

3. In order to provide funds for the excess costs of
instruction of limited English proficient students above the
costs of instruction of pupils in a regular curriculum,
students identified as limited English proficient shall be
assigned an additional weighting of twenty-two hundredths, and
that weighting shall be included in the weighted enrollment of
the school district of residence for a period not exceeding
three years. However, the school budget review committee may
grant supplemental aid or modified allowable growth to a
school district to continue funding a program for students
after the expiration of the three-year period. ~~The school
budget-review-committee-shall-calculate-the-additional-amount
for-the-weighting-to-the-nearest-one-hundredth-of-one-percent
so-that-to-the-extent-possible-the-moneys-generated-by-the~~

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2404, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved *April 12*, 2002

THOMAS J. VILSACK
Governor