

**House File 2363 - Introduced**

HOUSE FILE 2363  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 557)

**A BILL FOR**

1 An Act relating to English learners, including by modifying  
2 provisions related to open enrollment and the payment of  
3 costs incurred in transporting English learners to nonpublic  
4 schools, and including applicability provisions.

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

unofficial

1 Section 1. Section 280.4, subsection 3, paragraph a, Code  
2 2026, is amended to read as follows:

3 a. In order to provide funds for the excess costs of  
4 instruction of English learners ~~specified in paragraph "b"~~  
5 above the costs of instruction of pupils in a regular  
6 curriculum, and for the costs of transporting English learners,  
7 including transportation to nonpublic schools, each English  
8 learner identified as an intensive student shall be assigned  
9 an additional weighting of twenty-six hundredths, each English  
10 learner identified as an intermediate student shall be assigned  
11 an additional weighting of twenty-one hundredths, and the  
12 applicable weighting shall be included in the weighted enrollment  
13 of the school district of residence for a period not exceeding  
14 five years as provided in paragraph "b". However, the school  
15 budget review committee may grant supplemental aid or a modified  
16 supplemental amount to a school district to continue funding  
17 a program for students after the expiration of the five-year  
18 period.

19 Sec. 2. Section 282.18, subsection 7, paragraph b,  
20 subparagraph (1), Code 2026, is amended to read as follows:

21 (1) The board of directors of the district of residence shall  
22 pay to the receiving district the sum of the state cost per pupil  
23 for the budget year plus the teacher leadership supplement state  
24 cost per pupil, the professional development supplement state  
25 cost per pupil, and the early intervention supplement state cost  
26 per pupil for the budget year as provided in section 257.9, plus  
27 any moneys that would be due to the school district of residence  
28 for the pupil as a result of the ~~non-English speaking~~ additional  
29 weighting assigned to English learners under section 280.4,  
30 subsection 3, for the budget year multiplied by the state cost  
31 per pupil for the budget year. If the pupil participating in  
32 open enrollment is also an eligible pupil under section 261E.6,  
33 the receiving district shall pay the tuition reimbursement amount  
34 to an eligible postsecondary institution as provided in section  
35 261E.7.

1 Sec. 3. Section 282.18, Code 2026, is amended by adding the  
2 following new subsection:

3 NEW SUBSECTION. 8A. a. If a request filed under this  
4 section is for an English learner, the request to transfer to  
5 the other district shall only be granted if all of the following  
6 conditions are met:

7 (1) The receiving district maintains a program to provide  
8 special instruction to English learners under section 280.4 that  
9 is appropriate to meet the English learner's educational needs  
10 and the enrollment of the English learner in the receiving  
11 district's special instruction program would not cause the size  
12 of the class or caseload in that special instruction program  
13 in the receiving district to exceed the maximum class size or  
14 caseload established pursuant to rules adopted by the state board  
15 of education.

16 (2) If the English learner would be assigned to a general  
17 education class, there is sufficient classroom space in the  
18 general education class to which the English learner would be  
19 assigned.

20 b. (1) If the actual costs the receiving district incurs  
21 in providing the English learner with the special instruction  
22 described in section 280.4 are greater than the moneys that would  
23 be due to the district of residence for the English learner as a  
24 result of the additional weighting assigned to English learners  
25 under section 280.4, subsection 3, then, in addition to the  
26 payments described in subsection 7, paragraph "b", subparagraph  
27 (1), the English learner's district of residence shall pay to  
28 the receiving district an amount equal to the actual costs the  
29 receiving district incurs in providing the English learner with  
30 the special instruction described in section 280.4 less any  
31 moneys that would be due to the district of residence for the  
32 English learner as a result of the additional weighting assigned  
33 to English learners under section 280.4, subsection 3.

34 (2) If the actual costs the receiving district incurs in  
35 providing the English learner with the special instruction

1 described in section 280.4 are less than or equal to the  
2 moneys that would be due to the district of residence for the  
3 English learner as a result of the additional weighting assigned  
4 to English learners under section 280.4, subsection 3, then  
5 the district of residence shall pay the receiving district in  
6 accordance with the provisions of subsection 7, paragraph "b",  
7 subparagraph (1).

8 c. For purposes of this subsection, "English learner" means  
9 the same as defined in section 280.4.

10 Sec. 4. APPLICABILITY. The following applies to open  
11 enrollment applications, requests, and notifications filed by a  
12 parent or guardian pursuant to section 282.18 on or after the  
13 effective date of this Act:

14 The section of this Act enacting section 282.18, subsection  
15 8A.

#### 16 EXPLANATION

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

19 This bill relates to English learners, including by modifying  
20 provisions related to open enrollment and the payment of costs  
21 incurred in transporting English learners to nonpublic schools.

22 The bill provides that the additional weighting associated  
23 with English learners, in addition to paying for the excess  
24 costs of instruction, are to be used to pay for the costs  
25 of transporting English learners, including transportation to  
26 nonpublic schools.

27 The bill provides that if a parent or guardian files a  
28 request for an English learner to open enroll, the request shall  
29 be granted only if the receiving district maintains a program  
30 to provide special instruction to English learners that is  
31 appropriate to meet the English learner's educational needs and  
32 the enrollment of the English learner in the receiving district's  
33 special instruction program would not cause the size of the class  
34 or caseload in that special instruction program in the receiving  
35 district to exceed the maximum class size or caseload, and if the

1 English learner would be assigned to a general education class,  
2 there is sufficient classroom space in the general education  
3 class to which the English learner would be assigned. The bill  
4 establishes the amount that the English learner's district of  
5 residence is required to pay to the receiving district. These  
6 provisions apply to open enrollment applications, requests, and  
7 notifications filed by a parent or guardian on or after the  
8 effective date of the bill.

9 The bill makes other nonsubstantive terminology changes  
10 to Code section 282.18(7)(b)(1), which describes amounts that  
11 districts of residence are required to pay to receiving districts  
12 for students who open enroll.

unofficial