

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:

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~~
5 ~~"b"~~ 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
10 English learner identified as an intermediate student shall
11 be assigned an additional weighting of twenty-one hundredths,
12 and the applicable weighting shall be included in the weighted
13 enrollment of the school district of residence for a period not
14 exceeding five years as provided in paragraph "b". However, the
15 school budget review committee may grant supplemental aid or a
16 modified supplemental amount to a school district to continue
17 funding a program for students after the expiration of the
18 five-year 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
22 shall pay to the receiving district the sum of the state cost
23 per pupil for the budget year plus the teacher leadership
24 supplement state cost per pupil, the professional development
25 supplement state cost per pupil, and the early intervention
26 supplement state cost per pupil for the budget year as provided
27 in [section 257.9](#), plus any moneys that would be due to the
28 school district of residence for the pupil as a result of the
29 ~~non-English speaking~~ additional weighting assigned to English
30 learners under [section 280.4, subsection 3](#), for the budget year
31 multiplied by the state cost per pupil for the budget year. If
32 the pupil participating in open enrollment is also an eligible
33 pupil under [section 261E.6](#), the receiving district shall pay
34 the tuition reimbursement amount to an eligible postsecondary
35 institution as provided in [section 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
5 to the other district shall only be granted if all of the
6 following conditions are met:

7 (1) The receiving district maintains a program to provide
8 special instruction to English learners under section 280.4
9 that is appropriate to meet the English learner's educational
10 needs and the enrollment of the English learner in the
11 receiving district's special instruction program would not
12 cause the size of the class or caseload in that special
13 instruction program in the receiving district to exceed the
14 maximum class size or caseload established pursuant to rules
15 adopted by the state board 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
23 would be due to the district of residence for the English
24 learner as a result of the additional weighting assigned to
25 English learners under section 280.4, subsection 3, then, in
26 addition to the payments described in subsection 7, paragraph
27 "b", subparagraph (1), the English learner's district of
28 residence shall pay to the receiving district an amount equal
29 to the actual costs the receiving district incurs in providing
30 the English learner with the special instruction described
31 in section 280.4 less any moneys that would be due to the
32 district of residence for the English learner as a result of
33 the additional weighting assigned to English learners under
34 section 280.4, subsection 3.

35 (2) If the actual costs the receiving district incurs in

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

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

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

15 The section of this Act enacting section 282.18, subsection
16 8A.

17 EXPLANATION

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

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

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

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

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

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