# Requirements for Accreditation
# Iowa Non-Public Schools

## Introduction

With respect to both public and non-public schools, the state has the authority and responsibility to be assured of an educational program which is in accordance with minimal standards. For the purposes of this document, references to the *Code of Iowa* are the statutes enacted by the Iowa legislature as they apply to the schools in Iowa (e.g., Chapter 256). Approval standards are those rules and regulations promulgated by the Iowa Department of Education and found in the *Iowa Administrative Code* (IAC). These standards detail the statutes as to intent and purposes and carry the force and effect of law (e.g., 281—IAC 12.1).

Here is a link to 281—IAC Chapter 12, which details requirements to be an accredited non-public school in Iowa.

https://www.legis.iowa.gov/DOCS/ACO/IAC/LINC/8-10-2011.Rule.281.12.1.pdf

An accredited school is one that meets or exceeds the minimum requirements for operation as either an elementary or secondary school as stated in the general statutes and regulations adopted by the State Board of Education. If a school meets these minimum standards, it shall be granted accreditation.

## Application for Accreditation: First Time, Reinstatement, or Adding Grade Levels

A school seeking initial accreditation, or a school wishing to be reinstated as an accredited school, or an accredited school seeking to add grade levels to its accreditation shall make application in writing to the Director of the Iowa Department of Education on or before January 1 immediately prior to the school year for which it seeks accreditation. This application is available at this same web site.

## Notice of Accreditation

A notice of accreditation will be issued in the name of the entity applying for accreditation. This notice is valid until voluntarily surrendered by the school or revoked by action of the State Board of Education. Continued accreditation will be based upon compliance with accreditation standards as indicated by official reports to the State Director and periodic visits to the school by Department of Education consultants for school improvement.

The accreditation of the school may not be sold, transferred, or pledged.

## Other Information

**Note: The following are requirements that must be adhered to, but are not required for accreditation status.**

At least twice each year, school authorities must work with the local county auditor to offer the opportunity to register to vote to all students who are at least 17 1/2 years of age. Iowa Code § 48A.23, 280.9A.

Non-public schools must conduct two fire drills and two tornado drills between July 1 and December 31 of each year and again between January 1 and June 30 of each year. Doors and exits of all rooms and buildings must be unlocked when occupied. Fire/tornado warning systems must be installed and first-aid fire extinguishers available. Non-public schools are inspected by the state fire marshall's office or the local city fire department at least once every two years to assess compliance with the fire safety standards and to identify potential fire hazards. Iowa Code § 100.31.

Private schools must cooperate with investigations of child abuse conducted by the Department of Human Services. The school must provide confidential access to the child alleged to be abused and to other children to obtain relevant information. The investigator may observe the child but a witness must be present. Any child age 10 or older can terminate contact with the investigator by stating his desire to do so. Iowa Code § 232.71.6.

Length of School Year/Days: Non-public schools must prescribe an attendance policy which requires student attendance for at least 180 days. Iowa Code § 280.3.

Non-public schools must maintain a suitable flagstaff and raise the United States flag and the Iowa state banner on all school days when weather conditions permit. Iowa Code § 280.5.

Non-public schools must provide eye and ear-protective devices for students and teachers participating in shop or laboratory courses that pose a potential hazard. Iowa Code § 280.10, .11.

Adequate staffing must be maintained in accredited non-public schools. Iowa Code § 280.14

Non-public schools must prescribe procedures for handling child abuse reports alleged against an employee or agent of the school in accordance with state guidelines. Iowa Code § 280.17.

Accredited non-public schools must have procedures in place and are required to report to local law enforcement any incident of a dangerous weapon being possessed on school property. Iowa Code § 280.17A.

Accredited non-public schools shall prescribe procedures for "continued school involvement" with a student suspended or expelled for possession of a dangerous weapon at school, and for the reintegration of the student into the school after the suspension or expulsion. Iowa Code § 280.17B.

Accredited non-public schools are required to comply with the federal Gun-Free School Act, which requires a one year expulsion of a student who possesses a weapon at school (can be modified on a case-by-case basis upon recommendation of superintendent). Iowa Code § 280.21B.

Accredited non-public schools must have procedures to report to law enforcement any violation of law or school policy with respect to drugs or alcohol. Iowa Code § 280.24.

Accredited non-public schools must have policy providing that school may share certain information with juvenile authorities. (This section is very involved; school should consult its attorney.) Iowa Code § 280.25.

Accredited non-public schools must file with the district within which it is located an annual report of students' names, ages, grade levels, truancy information, dropout, and transfer data. Iowa Code § 299.3.

The authorities in charge of an accredited non-public school must prescribe reasonable rules for the punishment of truants pursuant to Iowa Code § 299.9.

Meeting the requirements of health and fire authorities is mandatory in all localities. Check with the State Fire Marshall for all current codes and requirements. All state and building codes must be observed.

All public and private, nonprofit K-12 elementary and secondary schools are required to comply with federal regulations related to asbestos.

In an attempt to prevent exposure to occupants of schools, Congress enacted the Asbestos Hazard Emergency Response Act of 1986 (AHEARA), 15 U.S.C. 2641, et seq. AHERA required EPA to promulgate regulations that provide for the inspection of school buildings for asbestos-containing building materials and for local education agencies (LEAs) to plan, manage, and respond to these potential health hazards.

The Asbestos-Containing Materials in Schools Rule requires Local Education Agencies (LEAs) to inspect each school building under their authority, identify the locations of all building materials suspected of containing asbestos, either

sample or analyze the material or assume that it contains asbestos, and develop a plan for properly managing all known or assumed asbestos-containing material. Inspection and development of a management plan must be conducted by persons who have taken federally recognized and approved training and hold a valid certificate documenting this training (40 C.F.R. part 763, subpart E, appendix C).

The regulation requires that management plans be submitted to the Governor of the state, or his designee, by October 12, 1988. It further requires that any building leased or acquired on or after October 12, 1988, that is to be used as a school building, shall be inspected and a management plan submitted to the Governor prior to its use as a school building. The Iowa Department of Education has been designated by the Governor to receive the asbestos management plans.

If you have questions concerning asbestos or buildings and safety, please feel free to contact this person:
Gary Schwartz, Consultant for School Facilities, at the Iowa Department of Education at (515) 281-4743 or email him at Gary.Schwartz@iowa.gov

**Additional Details**

If a student participates in school-to-work, accredited non-public schools is an "employee" for purposes of workers' compensation law. Iowa Code § 85.20, 85.61.

Non-public schools may obtain licenses to conduct games of skill, games of chance, bingo and raffles at bona fide school functions, such as carnivals, fall festivals, bazaars and similar events. Iowa Code § 99B.7(2). One or more game nights can be held using play money for student participation without a license if the accredited non-public school approved. Iowa Code § 99B.8(4).

It is a misdemeanor to possess or consume alcoholic liquors, wine, or beer while attending a private school-related function. Iowa Code § 123.46, 123.47B.

Laws regarding notification of schools by peace officers of arrests of students who commit substance abuse crimes apply to non-public schools. Iowa Code § 124.415.

Certain juvenile court records may be disclosed to authorities in charge of an accredited non-public school. Iowa Code § 232.29, 232.147.

Describes access by accredited non-public school authorities to founded child abuse information with respect to employees or volunteers background checks. Iowa Code § 235A.15.

"Operation Recognition" (awarding of diplomas to veterans of both World Wars, Vietnam, and Korea) applies to accredited non-public schools that wish to do so. Iowa Code § 256.9(49).

The County Auditor, upon request, will make voting machines or sample ballots used within the county available for instruction in the schools. Iowa Code § 256.11(5)(b).

Accredited non-public school students may enroll in public schools for courses not offered at the private school. Private schools may comply with state standards for required courses in this manner. Iowa Code § 256.12(1); 281 IAC 12.5(6).

Eligible students attending Iowa's accredited non-public schools may enroll in post-secondary institutions for courses not offered at the non-public school or at the public school district in which the non-public school is located and receive credit towards their high school diploma. The non-public school determines the number of high school credits to be granted upon successful completion of the course. Iowa Code § 261C.3-5.

School districts and area education agency boards must provide public school services (e.g., health services, special education services, diagnostic services for speech, hearing, and psychological purposes; remedial education programs; guidance services; and school testing to children attending accredited non-public schools in the same manner and to the same extent provided to public school students). Iowa Code § 256.12(2).

Approved non-public schools may participate in Iowa's Community-based Workplace Learning Program (Workstart). Workstart is a voluntary collaborative program between business and Iowa's secondary and postsecondary education system designed to provide high school students the academic and job-specific skills needed to enter the workforce. Iowa Code § 258.17.

Certain teachers at non-public schools are eligible for science and math loan repayment programs run by the College Student Aid Commission. Iowa Code § 261.54.

Certain teachers at non-public schools are eligible for teacher shortage forgivable loan repayment program fund by the College Student Aid Commission. Iowa Code § 261.111.

Area Education Agencies <u>shall</u> provide educational and special education services to accredited non-public schools and <u>may</u> provide other services, at the discretion of the AEA, and may charge a user fee for the non-mandatory services. Iowa Code § 273.2, 273.3(19), 257.37.

Authorities of a non-public school are authorized to give to or receive from other schools information about any suspension/expulsion of a student formerly, presently, or prospectively in attendance. Iowa Code § 279.9A.

Non-public accredited schools may operate child care programs. Iowa Code § 280.3A.

English as a Second Language (ESL) programs offered by a district must be made available to resident students who attend non-public schools. Iowa Code § 280.4.

A non-public school is authorized to share interscholastic activities with one or more other schools, public or non-public. (All must be members of the IHSAA and/or IGHSAU.) Iowa Code § 280.13A.

Accredited non-public schools may use one administrator as both superintendent and elementary principal (if properly licensed). Iowa Code § 280.14.

The ban on corporal punishment applies to accredited non-public schools. Iowa Code § 280.21.

Non-public schools cannot require non-administrative personnel to perform any special health services or intrusive non-emergency medical services for students unless the personnel are licensed or otherwise qualified and have consented to perform the services. Iowa Code § 280.23.

Accredited non-public school employees are granted immunity from civil and criminal liability for reporting violence or other inappropriate conduct when such reporting is in good faith; also, these employees may intervene in altercations on school premises when necessary with impunity. Iowa Code § 280.26, 280.27.

Iowa students attending accredited non-public schools are entitled to transportation on the same basis as provided public school students. Parents may be reimbursed for some transportation costs. Iowa Code § 285.1-3, .10(1), .16.

Accredited non-public schools may operate school lunch programs with appropriated state funds, but are not required to do so. Iowa Code § 283A.10.

Resident students attending accredited non-public school (whether or not school is inside district boundary) are entitled to transportation on same basis as resident public school students. Iowa Code § 285.1(14).

Students who attend non-public schools are subject to compulsory attendance laws (must be in school, if 6 by 9/15; cannot drop out unless attain age 16 by

9/15). (NOTE: Minimum age for starting Kindergarten or first grade in 282.3 does NOT apply to non-public schools, but they may have a policy similar or identical to 282.3). Iowa Code § 299.1A.

Accredited non-public schools may operate a home school assistance program for students who receive Competent Private Instruction (CPI). (Its own students, however, may not enroll in a HSAP, nor may they dual enroll per 299A.8). Iowa Code § 299A.2.

School districts may make textbooks available to pupils attending accredited non-public schools upon request of the pupil or the pupil's parent. Availability is comparable as to public schools, limited only to the extent funds are appropriated by the general assembly. (The Iowa General Assembly allocated $616,000 for this purpose in 1994-95 and set a limit of $20 per pupil.) Iowa Code § 301.1, .29-.30.

Non-public school buses are registered without charge upon application to the Department of Motor Vehicles. The Department issues a registration certificate and plates which are imprinted "Private School Bus" to be attached to the front and rear of each bus. Iowa Code § 321.18(7).

Non-public schools may offer driver education; but non-public school students are to be served by the district (at the request of the student) in which the student lives or in which the non-public school is located. Iowa Code § 321.178.

If the non-public school employs its own bus drivers and/or owns its buses, these regulations apply. Iowa Code § 321.372- .380.

School bus drivers must meet statutory qualifications (e.g., 18 years of age, physically, and mentally competent). Non-public schools may immediately suspend a driver, pending a hearing, for the use of nonprescription controlled substances or alcoholic beverages during work hours. (See statute for other grounds for immediate dismissal.) Iowa Code § 321.375.

If a non-public school student is arrested for OWI, the arresting officer is to attempt to notify the school. Iowa Code § 321J.2B.

Parents/guardians of students of accredited non-public schools are eligible for the tuition tax credit in this provision of up to $250 per dependent. Iowa Code § 422.12(2).

Accredited non-public schools quality for certain mandatory distances from large animal feeding operations. Iowa Code § 455B.161.

Excludes from the definition of criminal assault when person acting as an employee of an accredited non-public school who intervenes in a fight on school premises or at a school function. Iowa Code § 708.1.

The student search rules in this chapter apply to all non-public schools. Iowa Chapter § 808A.

For further questions:

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