



Virtual/Online Education Guidance

Introduction

Over the last several years, there have been a number of changes to Iowa law related to online learning. Most recently, Governor Reynolds signed Senate File 2310 into law in June 2020. The law builds on the 2018 Iowa Code modifications related to online learning in Iowa.

Purpose

The purpose of this document is to:

- Define key online learning terms,
- Provide an overview of the changes to Iowa Code since the 2018 legislative session,
- Answer frequently asked questions, and
- Provide additional guidance and relevant contact information.

Definitions

Online Learning and Online Coursework

Iowa Code section 256.2(3) defines “online learning” and “online coursework” as “educational instruction and content which are delivered primarily over the internet. ‘Online learning’ and ‘online coursework’ do not include print-based correspondence education, broadcast television or radio, video cassettes, or stand-alone educational software schools that do not have a significant internet based instructional component.”

Related Terms

- Delivered primarily over the internet: Any amount over 50% (281—Iowa Administrative Code (IAC) 15.2).
- Co-curricular activities: Activities that are outside of but usually complementing the regular curriculum.
- Extracurricular activities: School-based activities that are not tied to the curriculum.
- General fund: Chief operating fund of the school district that is used to account for all financial resources of the school district except for those required to be accounted for in another fund. A district may have only one general fund (Uniform Financial Accounting, 2009).

Online Learning and Senate File 2310: Required and Repealed Actions

Online Learning: Repealed Actions

Table 1 provides an overview of online learning requirements that were repealed during the 2018 legislative session.

Table 1. Repealed online learning requirements in Iowa Code.

Citation	Repealed Action
Iowa Code § 256.42	Repeals Iowa Learning Online (ILO) initiative.
Iowa Code § 256.7(32)	Repeals limitation on open enrollment for education provided primarily online.

Online Learning: Required Actions

Table 2 provides an overview of actions required per Iowa Code for online learning.

Table 2. Iowa Code changes related to online learning from Iowa's 2018 legislative session.

Citation	Required Action
Iowa Code § 256.41(1)	Requires a district providing educational instruction and course content delivered primarily over the internet (over 50%) to: <ul style="list-style-type: none"> • Monitor and verify full-time student enrollment, timely completion of graduation requirements, course credit accrual, and course completion; • Monitor and verify student progress and performance in each course through a school-based assessment plan that includes submission of coursework and security and validity of testing components; • Conduct parent-teacher conferences; and • Administer assessments required by the state to all students in a proctored setting and pursuant to state law.
Iowa Code § 256.41(2)	Requires a district to provide online curricula only when such curricula are provided and supervised by a teacher licensed under chapter 272.
Iowa Code § 256.43(2)	Requires a receiving district to inform the resident district if a student stops participating in online education.
Iowa Code § 256.43(5)	Prohibits schools and private providers from providing incentives or rebates for parents to enroll in online education.
Iowa Code § 256.9(55)	Requires the Department of Education's director to maintain a list of approved private providers.
Iowa Code § 282.18(11A)	Allows students open enrolled to virtual schools to elect to participate in up to two extracurricular activities per year. Resident districts may deduct up to \$200 per activity, for up to two activities per year, from the payment made to receiving districts. Students may be charged the same fees associated with chosen activities that are charged to other resident students.

Senate File 2310: Required Actions

Table 3 provides an overview of actions required by Senate File 2310, which was passed during the 2020 legislative session.

Table 3. Senate File 2310 guidance.

Citation	Action	Additional Information/ Interpretation
Iowa Code § 256.7(32)	Online coursework offered by districts, nonpublic schools, and area education agencies (AEAs) must be rigorous, high quality, aligned with the Iowa Core, aligned with national standards of quality for online coursework, and taught by an Iowa licensed teacher with specialized training in online delivery of instruction.	<ul style="list-style-type: none"> • The State Board of Education (State Board) will make rules on these requirements, including providing an opportunity for public comment. • Specialized training in online delivery of instruction may include AEA PD Online, a supervised online teaching experience, pre-service coursework, or comparable coursework.
Iowa Code § 256.9(55)	The Department must maintain a list of approved online providers whose coursework meets the requirements of the rules passed by the State Board (see above) and content is delivered by Iowa licensed teachers with specialized training in online delivery of instruction.	<ul style="list-style-type: none"> • The Department's current list of approved providers will be reviewed, and the application process will be adjusted as needed. • Providers must apply annually or as determined by the Department. • A district or nonpublic school that is also an approved provider of online coursework may not unilaterally decide to move to online-only instruction in the absence of a proclamation by the governor for the 2020-2021 school year.
Iowa Code § 256.11(17)(a)(1)	<p>The offer and teach requirements (Iowa Code § 256.11(5)) for high school do not apply, for up to two courses, if a district or nonpublic school has either:</p> <ul style="list-style-type: none"> • Made every reasonable and good faith effort to hire a licensed teacher to teach the course, but is unable to, or • Demonstrates that fewer than 10 students typically enroll in the course. <p>This applies to all offer and teach subjects except world languages, personal finance literacy, and computer science.</p>	<ul style="list-style-type: none"> • Districts and nonpublic schools must continue to notify the Department when they use these two exceptions in the Consolidated Accountability and Support Application (CASA) system. • "Good faith effort" is defined in the last row of Table 3 (p. 5).

Citation	Action	Additional Information/ Interpretation
Iowa Code § 256.11(17)(a)(2)	<p>Offer and teach requirements do not apply for world languages, personal finance literacy, or computer science if a district or nonpublic school has either:</p> <ul style="list-style-type: none"> • Made every reasonable and good faith effort to hire a licensed teacher to teach the course, but is unable to, or • Demonstrates that fewer than 10 students typically enroll in the course. 	<ul style="list-style-type: none"> • This is in addition to the two exceptions allowed in the previous row. • Districts and nonpublic schools must notify the Department when they use these exceptions in the CASA system. • “Good faith effort” is defined in the last row of Table 3 (p. 5).
Iowa Code § 256.11(17)(b)	The Department may waive offer and teach requirements for up to two additional courses.	<ul style="list-style-type: none"> • This is in addition to all of the exceptions mentioned previously. • Each year, the maximum number of exceptions is seven per district or accredited nonpublic school. • Districts and nonpublic schools must continue to apply for waivers of offer and teach requirements in the CASA system.
Iowa Code § 256.11(17)(c)	If any of the offer and teach exceptions are used, the course must be taught by an AEA, district, or nonpublic school through an online alternative.	This information will be collected in the CASA system.
Iowa Code § 256.11(17)(c)	Any course not part of the offer and teach requirements may be provided by an AEA, district, or nonpublic school through an online alternative.	Courses not offered as part of offer and teach must be listed in the Comprehensive School Improvement Plan (CSIP).
Iowa Code § 256.11(17)(c)	<p>If a district or nonpublic school provides a course through an online alternative, the course must be offered in one of the following ways:</p> <ul style="list-style-type: none"> • On an online platform developed by a district, school, or consortium of schools that meets all State Board rules; • By a private provider approved by the Department; or • On an online platform offered by the Department in collaboration with the AEAs and/or districts or nonpublic schools. 	This information will be collected in the CASA system for courses that are part of offer and teach requirements.

Citation	Action	Additional Information/ Interpretation
Iowa Code § 256.11(17)(c)(3)	The online learning platform offered by the Department may deliver services to students receiving independent private instruction, competent private instruction, or private instruction.	<ul style="list-style-type: none"> Students must register with their resident district to receive services. The Department will provide additional information for homeschool families and schools regarding access to the online learning platform when available.
Iowa Code § 256.11(17)(d)	“Good faith effort” for the purposes of the offer and teach exceptions in 256.11(17) “includes advertising for the position in an appropriate publication, interviewing applicants, and giving serious consideration to those licensed or authorized, and otherwise qualified, applicants who apply” (Iowa Code § 279.19A(9)).	Evidence of “good faith effort” typically includes advertising efforts and summaries of the number of candidates who applied and who were interviewed.

Frequently Asked Questions

Question	Answer
1. How does a district become an approved online provider?	See the Department’s website for process and procedures.
2. In what circumstance should a district apply to be an approved online provider?	The district should apply to be an approved online provider if the intent is to operate a fully online school and accept open enrollment for the purpose of attending the fully online school.
3. What happens if a private provider or district developed online school is not approved?	Reviewer comments will be provided. The private provider or the district may reapply after comments have been addressed.
4. Which districts have approved online schools for students to open enroll into?	A list of districts that provide courses through an approved provider or have developed an online school is available on the Department’s website .
5. What are the requirements for a school district providing online educational instruction and course content?	The requirements (Iowa Code §§ 256.7(32)(c) and 256.41) include: <ul style="list-style-type: none"> Monitoring and verifying full-time student enrollment, timely completion of graduation requirements, course credit accrual, and course completion. Monitoring and verifying student progress and performance in each course through a school-based assessment plan that includes submission of coursework and security and validity of testing components. Conducting parent-teacher conferences.

Question	Answer
	<ul style="list-style-type: none"> Administering required state assessments to all students in a proctored setting and pursuant to state law. Providing online learning that is provided and supervised by a teacher licensed under chapter 272. <p>Completing reporting requirements on an annual basis.</p>
6. Is there a limit on the number of students that can open enroll to a school district to receive their education provided primarily online?	No. However, a district with a diversity plan may deny an open enrollment out if the request adversely affects the district's diversity plan (Iowa Code § 282.18(3)).
7. If a district offers approved online course content to its resident students, may it offer that course content to students that are open enrolled into the district?	Yes, the district may offer the online course content to students open enrolled into the district.
8. May online courses be used to meet high school offer and teach requirements?	Yes. Please see page 2 of Senate File 2310 guidance . For additional guidance, please contact your school improvement consultant .
9. Is there a minimum offer and teach requirement for an online school a district needs to meet in order to be approved?	Offer and teach applies to the district as a whole; however, offer-and-teach must be available to all students in the district.
10. If a student is enrolled in one of the existing virtual schools, can they enroll in one or more co-curricular activities at the resident district?	Yes. Students enrolled in one of the approved online schools may participate in co-curricular or extracurricular activities for up to two activities per school year. Additional activities are allowed at the discretion of the resident district (Iowa Code § 282.18(7)).
11. Does co-curricular music mean participation in band or music class scheduled during the school day?	Yes. Iowa Code § 282.18(11A).
12. What activities at the resident district qualify?	Qualifying activities include interscholastic athletics, music, drama, and any other activity with a general fund expenditure exceeding \$5,000 (Iowa Code § 282.18(7)).
13. If a student enrolls in music class and drops during the first quarter, may the student re-enroll during the second quarter?	This is a local district decision.
14. My child wants to participate in our resident district's vocal music program both semesters. How is this counted for the number of activities?	For co-curricular activities, one semester equals one activity. Participating in vocal music two semesters equals two activities. For extracurricular activities, one sport equals one activity (Iowa Code § 281.18(7)).

Question	Answer
15. Can any open enrolled out student participate in activities at their resident district?	No. Only students open enrolled to districts with an online school for the purposes of receiving online instruction and course content may participate in activities at their resident district (Iowa Code § 282.18(11A)). Here is a list of districts offering online schools for open enrollment.
16. Do resident students open enrolled out for an online school need to meet the same eligibility requirements of resident students to participate?	Yes. Open enrolled out students must meet the same eligibility requirements as resident students to participate in activities (Iowa Code § 282.18 (11A)).
17. Can the resident district deny participation in activities if the open enrolled district does not provide grade reports as requested?	No. Districts are required to share grade reports, but students cannot be determined ineligible because a district does not provide such reports.
18. If a student who is open enrolled for an online school and participating in an activity at the resident district is found to be violating the resident district's rules (e.g., good conduct, bullying and/or harassing), may the resident district expel or suspend the student?	Yes. The student must comply with their resident district's established eligibility and conduct rules and other requirements relating to the activity (Iowa Code § 282.18(11A)).
19. Can a student represent two districts? For example, could the student be in one activity at the district of residence and one activity at the open enrolled district?	Yes. Students open enrolled in a virtual school may participate in extracurricular activities in the receiving district and in up to two extracurricular activities in the resident district. The student will be automatically eligible in the resident district. Ineligibility rules apply in the receiving district (Iowa Code § 282.18).
20. Can the resident district decline the open enrolled out student a spot in a co-curricular class based on classroom space?	No. Iowa Code § 282.18.
21. Is there a specific age requirement for open enrolled out students to participate in extracurricular activities?	No. A pupil participating in open enrollment for purposes of receiving online educational instruction and course content, in accordance with Iowa Code § 256.7(32), may participate in any co-curricular or extracurricular activities offered to children in the pupil's grade or group and sponsored by the district of residence under the same conditions and requirements as the pupils enrolled in the district of residence (Iowa Code § 282.18(11A)).
22. May incentives or rebates be prepared for enrolling in an online education school?	No. Iowa Code § 256.43(5)
23. Is there a cost to use online courses?	Yes. School districts and accredited nonpublic schools must cover the costs of the private provider or the district-developed courses (281—IAC 15.16(1)).

Question	Answer
24. Is there a grant available for private vendors to lower the cost to districts?	No. There is, however, Iowa e-Learning Central, which provides free or low-cost online course content to Iowa school districts and accredited nonpublic schools.
25. If a school district uses a private provider, is the school district required to ensure the course is taught by an Iowa licensed teacher?	Yes. Iowa Code §§ 256.9(55) and 272.
26. May an online provider operate in Iowa via independent accreditation without the umbrella of a district?	No. There must be a brick-and-mortar presence for a public or a nonpublic school.

Additional Guidance

For additional guidance, visit educateiowa.gov or contact the following individuals.

AEA or Content Area	Consultant Name	Email Address
Iowa e-Learning Central	Gwen Nagel	gwen.nagel@iowa.gov
Open Enrollment	Sara Nickel	sara.nickel@iowa.gov
Private Instruction (Home Schooling)	Buffy Campbell	buffy.campbell@iowa.gov
Virtual Schools	Janet Boyd	janetboyd@iowa.gov
Central Rivers	Destiny Eldridge	destiny.eldridge@iowa.gov
Grant Wood	Marietta Rives	marietta.rives@iowa.gov
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