

EDUCATION DEPARTMENT [281]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 15, “Use of Online Learning and Telecommunications for Instruction by Schools,” Iowa Administrative Code.

This rulemaking implements Iowa Code section 256.42, subsection 7, as amended by Senate File 2131 (2018). The amendments allow distance education to be provided to students receiving independent private instruction, competent private instruction, or private instruction under Iowa Code 299A, provide a fee structure for school districts, and addresses fiscal matters borne by the Department.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendment on or before June 26, 2018, at 4:30 p.m. Comments on the proposed amendment should be directed to Nicole Proesch, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-8661; e-mail Nicole.proesch@iowa.gov; or fax (515)242-5988.

A public hearing will be held on June 26, 2018, from 10:00 a.m. to 11:00 a.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of their specific needs by calling (515)281-5295.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 256.42, subsection 7, as amended by Senate File 2131 (2018).

The following amendment is proposed.

Item 1. Amend rule 281—15.10(256) as follows.

281—15.10 (256) Appropriate applications of ILO coursework. ILO courses are intended to help Iowa school districts expand learning opportunities by providing opportunities for individual students to take one or more courses offered “at a distance” using technologies such as the Internet and interactive videoconferencing. Participating school districts and accredited nonpublic schools may also enroll students in ILO courses if online learning is more suited to a specific student’s circumstances. ILO may also provide distance education to a student receiving independent private instruction as defined in Iowa code section 299A.1, subsection 2, paragraph “b”, competent private instruction under Iowa code section 299A.2, or private instruction by a nonlicensed person under Iowa code section 299A.3.

Item 2. Amend rule 281—15.12(256) as follows.

281—15.12 (256) School and school district responsibilities. Each participating school district and accredited nonpublic school shall submit its online curricula, excluding coursework provided by ILO, to the department for review. Each participating school district and accredited nonpublic school shall include in its comprehensive school improvement plan submitted pursuant to Iowa Code section 256.7, subsection 21, a list and description of the online coursework offered by the school or school district, excluding coursework provided by ILO. Each participating school district and accredited nonpublic school is responsible for recording grades received for ILO

coursework in a student's permanent record and for awarding graduation credit for ILO coursework. Each participating school district and accredited nonpublic school shall identify a site coordinator to serve as a student advocate and as a liaison between the initiative staff and teachers and the school district or accredited nonpublic school. Each participating school district and school shall pay the fees prescribed by subrule 281—15.13(2).

Item 3. Amend rule 281—15.13(256) as follows.

281—15.13 (256) Department responsibilities.

15.13(1) Course quality. The department shall annually evaluate the quality of courses offered under ILO to ensure that coursework is rigorous and of high quality and is aligned with Iowa's core curriculum and core content requirements and standards as well as with national standards of quality for online courses issued by an internationally recognized association for elementary and secondary online learning. The department shall ensure that all ILO coursework is taught by a teacher who is appropriately licensed and endorsed for the educational level and content area being taught and who has completed an online-learning-for-Iowa-educators professional development course offered by an area education agency, a teacher preservice program, or comparable coursework.

15.13(2) Fiscal matters. The department shall establish fees payable by school districts, accredited nonpublic schools, and individuals providing instruction to students under chapter 299A as described in rule 281—15.10(256), for ILO coursework. Fees collected pursuant to this subsection are appropriated to the department to be used only for the purpose of administering ILO and shall be established so as not to exceed the cost of administering ILO. Providing

professional development necessary to prepare teachers to participate in the initiative shall be considered a cost of ILO administration. Notwithstanding section 8.33, fees collected by the department that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purpose of expanding ILO coursework offered in subsequent fiscal years.

Item 3. Repeal rule 281—15.14(256) and replace it with the following new rule.

281—15.14(256) Responsibilities of individuals providing private instruction under Iowa code chapter 299A. The individual providing instruction to a student under rule 281—15.10(256) shall pay the fees prescribed by subrule 281—15.13(2). The individual providing instruction to a student under rule 281—15.10(256) shall receive the student’s score for completed ILO coursework.

Item 4. Add the following new rule 281—15.15.

281—15.15(256) Enrollment in an ILO course. Under ILO, a student must be enrolled in a participating school district or accredited nonpublic school, or be receiving private instruction under Iowa code chapter 299A as described rule 281—15.10(256).