

256.7 Duties of state board.

Except for the college student aid commission, the commission of libraries and division of library services, and the public broadcasting board and division, the state board shall:

1. Adopt and establish policy for programs and services of the department pursuant to law.

2. Constitute the state board for career and technical education under [chapter 258](#).

3. Prescribe standards and procedures for the approval of practitioner preparation programs and professional development programs offered in this state by practitioner preparation institutions located within or outside this state and by area education agencies. Procedures provided for approval of programs shall include procedures for enforcement of the prescribed standards and shall not include a procedure for the waiving of any of the standards prescribed. The board may establish by rule and collect from practitioner preparation institutions located outside this state an amount equivalent to the department's necessary travel and actual expenses incurred while engaged in the program approval process for the institution located outside this state. Amounts collected under [this subsection](#) shall be deposited in the general fund of the state.

4. Adopt, and update annually, a five-year plan for the achievement of educational goals in Iowa.

5. Adopt rules under [chapter 17A](#) for carrying out the responsibilities of the department.

6. Hear appeals of persons aggrieved by decisions of boards of directors of school corporations under [chapter 290](#) and other appeals prescribed by law. The state board may review the record and shall review the decision of the director of the department of education or the administrative law judge designated for any appeals heard and decided by the director under [chapter 290](#), and may affirm, modify, or vacate the decision, or may direct a rehearing before the director.

7. Adopt rules under [chapter 17A](#) for the use of telecommunications as an instructional tool for students enrolled in kindergarten through grade twelve and served by local school districts, accredited or approved nonpublic schools, area education agencies, community colleges, institutions of higher education under the state board of regents, and independent colleges and universities in elementary and secondary school classes and courses. The rules shall include but need not be limited to rules relating to programs, educational policy, instructional practices, staff development, use of pilot projects, curriculum monitoring, and the accessibility of licensed teachers.

a. When curriculum is provided by means of telecommunications, it shall be taught by an appropriately licensed teacher. The teacher shall either be present in the classroom, or be present at the location at which the curriculum delivered by means of telecommunications originates.

b. The rules shall provide that when the curriculum is taught by an appropriately licensed teacher at the location at which the telecommunications originates, the curriculum received at a remote site shall be under the supervision of a licensed teacher. The licensed teacher at the originating site may provide supervision of students at a remote site or the school district in which the remote site is located may provide for supervision at the remote site if the school district deems it necessary or if requested to do so by the licensed teacher at the originating site. For the purposes of [this subsection](#), "supervision" means that the curriculum is monitored by a licensed teacher and the teacher is accessible to the students receiving the curriculum by means of telecommunications.

c. The state board shall establish an advisory committee to make recommendations for rules required under [this subsection](#) on the use of telecommunications as an instructional tool. The committee shall be composed of representatives from community colleges, area education agencies, accredited or approved nonpublic schools, and local school districts from various enrollment categories. The representatives shall include board members, school administrators, teachers, parents, students, and associations interested in education.

8. Rules adopted under [this section](#) shall provide that telecommunications shall not be used by school districts as the exclusive means to provide any course which is required by the minimum educational standards for accreditation.

9. Develop evaluation procedures that will measure the effects of instruction by means of

telecommunications on student achievement, socialization, intellectual growth, motivation, and other related factors deemed relevant by the state board, for the development of an educational database. The state board shall consult with the state board of regents and the practitioner preparation departments at its institutions, other practitioner preparation departments located within private colleges and universities, educational research agencies or facilities, and other agencies deemed appropriate by the state board, in developing these procedures.

10. Adopt rules pursuant to [chapter 17A](#) relating to educational programs and budget limitations for educational programs pursuant to [sections 282.29, 282.30, 282.31, and 282.33](#).

11. Prescribe guidelines for facility standards, maximum class sizes, and maximum in classroom pupil-teacher and teacher-aide ratios for grades kindergarten through three and before and after school and summer child care programs provided under the direction of the school district. The department also shall indicate modifications to such guidelines necessary to address the needs of at-risk children.

12. Elect to a two-year term, from its members in each even-numbered year, a president of the state board, who shall serve until a successor is elected and qualified.

13. Adopt rules and a procedure for accrediting all apprenticeship programs in the state which receive state or federal funding. In developing the rules, the state board shall consult with schools and labor or trade organizations affected by or currently operating apprenticeship or training programs. Rules adopted shall be the same or similar to criteria established for the operation of apprenticeship programs at community colleges.

14. Require each community college which establishes a new jobs training project or projects and receives funds derived from or associated with the project or projects to establish a separate account to act as a repository for any funds received.

15. Reserved.

16. Adopt rules that set standards for approval of family support preservice and in-service training programs, offered by area education agencies and practitioner preparation institutions, and family support programs offered by or through local school districts.

17. Receive and review the budget and unified plan of service submitted by the division of library services.

18. Adopt rules that include children who retain some sight but who have a medically diagnosed expectation of visual deterioration within the definition of children requiring special education pursuant to [section 256B.2, subsection 1](#). Rules adopted pursuant to [this subsection](#) shall provide for or include, but are not limited to, the following:

a. A presumption that proficiency in braille reading and writing is essential for satisfactory educational progress for a visually impaired student who is not able to communicate in print with the same level of proficiency as a student of otherwise comparable ability at the same grade level. This presumption includes a student as defined in paragraph “b”. A student for whom braille services are appropriate, as defined in [this subsection](#), is entitled to instruction in braille reading and writing that is sufficient to enable the pupil to communicate with the same level of proficiency as a pupil of otherwise comparable ability at the same grade level.

b. A pupil who retains some sight but who has a medically diagnosed expectation of visual deterioration in adolescence or early adulthood may qualify for instruction in braille reading and writing.

c. Instruction in braille reading and writing may be used in combination with other special education services appropriate to a pupil’s educational needs.

d. The annual review of a pupil’s individual education plan shall include discussion of instruction in braille reading and writing and a written explanation of the reasons why the pupil is using a given reading and writing medium or media. If the reasons have not changed since the previous year, the written explanation for the current year may refer to the fuller explanation from the previous year.

e. A pupil as defined in paragraph “b” whose primary learning medium is expected to change may begin instruction in the new medium before it is the only medium the pupil can effectively use.

f. A pupil who receives instruction in braille reading and writing pursuant to [this subsection](#) shall be taught by a teacher licensed to teach students with visual impairments.

19. For a school or school district with a school calendar measuring instructional time in days pursuant to [section 279.10, subsection 1](#), define the minimum school day as a day consisting of six hours of instructional time for grades one through twelve. The minimum hours shall be exclusive of the lunch period, but may include passing time between classes. Time spent on parent-teacher conferences shall be considered instructional time. A school or school district may record a day of school with less than the minimum instructional hours as a minimum school day if any of the following apply:

a. If emergency health or safety factors require the late arrival or early dismissal of students on a specific day.

b. If the total hours of instructional school time for grades one through twelve for any five consecutive school days equal a minimum of thirty hours, even though any one day of school is less than the minimum instructional hours because of a staff development opportunity provided for the professional instructional staff or because parent-teacher conferences have been scheduled beyond the regular school day. Furthermore, if the total hours of instructional time for the first four consecutive days equal at least thirty hours because parent-teacher conferences have been scheduled beyond the regular school day, a school or school district may record zero hours of instructional time on the fifth consecutive school day as a minimum school day.

20. Adopt rules that require the board of directors of a school district to waive school fees for indigent families.

21. Develop and adopt rules incorporating accountability for, and reporting of, student achievement into the standards and accreditation process described in [section 256.11](#). The rules shall provide for all of the following:

a. Requirements that all school districts and accredited nonpublic schools develop, implement, and file with the department a comprehensive school improvement plan that includes, but is not limited to, demonstrated school, parental, and community involvement in assessing educational needs, establishing local education standards and student achievement levels, and, as applicable, the consolidation of federal and state planning, goal-setting, and reporting requirements.

b. A set of core academic indicators in mathematics and reading in grades four, eight, and eleven, a set of core academic indicators in science in grades eight and ten, and another set of core indicators that includes but is not limited to graduation rate, postsecondary education, and successful employment in Iowa. Annually, the department shall report state data for each indicator in the condition of education report.

(1) Rules adopted pursuant to [this subsection](#) shall specify that the statewide summative assessment of student progress administered by school districts for purposes of the core academic indicators shall be the summative assessment developed by the Iowa testing program within the university of Iowa college of education and administered by the Iowa testing program's designee.

(2) For the school year beginning July 1, 2018, and each succeeding school year, the rules shall also require all of the following:

(a) That all students enrolled in school districts in grades three through eleven be administered an assessment in mathematics and English language arts, including reading and writing, during the last quarter of the school year and all students enrolled in school districts in grades five, eight, and ten be administered an assessment in science during the last quarter of the school year.

(b) That the assessment, at a minimum, assess the core academic indicators identified in this paragraph "b"; be aligned with the Iowa common core standards in both content and rigor; accurately describe student achievement and growth for purposes of the school, the school district, and state accountability systems; provide valid, reliable, and fair measures of student progress toward college or career readiness; and meet the summative assessment requirements of the federal Every Student Succeeds Act, Pub. L. No. 114-95.

(c) That the assessment be available for administration in both paper-and-pencil and computer-based formats and include assessments in mathematics, science, and English language arts, including reading and writing.

(d) That the assessment be peer-reviewed by an independent, third-party evaluator to

determine that the assessment is aligned with the Iowa core academic standards, provides a measurement of student growth and student proficiency, and meets the summative assessment requirements of the federal Every Student Succeeds Act, Pub. L. No. 114-95. The assessment developed by the Iowa testing program within the university of Iowa college of education shall be adjusted as necessary to meet the requirements of this subparagraph (2) as determined by the peer review.

22. Adopt rules and a procedure for the approval of para-educator preparation programs offered by a public school district, area education agency, community college, institution of higher education under the state board of regents, or an accredited private institution as defined in [section 261.9, subsection 1](#). The programs shall train and recommend individuals for para-educator certification under [section 272.12](#).

23. Adopt rules directing the community colleges to annually and uniformly submit data from the most recent fiscal year to the division of community colleges and workforce preparation, using criteria determined and prescribed by the division via the management information system.

a. Financial data submitted to the division by a community college shall be broken down by fund.

b. Community colleges shall provide data to the division by a deadline set by the division. The deadline shall be set for a date that permits the division to include the data in a report submitted for state board approval and for review by December 15 of each year by the house and senate standing education committees and the joint subcommittee on education appropriations.

c. The department shall include a statewide summary of the financial data submitted in accordance with paragraph “a” in the annual condition of community colleges report, which upon approval of the state board, shall be submitted to the general assembly on or before February 1 of each year.

24. Adopt rules on or before January 1, 2001, to require school districts and accredited nonpublic schools to adopt local policies relating to health services, media services programs, and guidance programs, as part of the general accreditation standards applicable to school districts pursuant to [section 256.11](#). [This subsection](#) shall be applicable strictly for reporting purposes and shall not be interpreted to require school districts and accredited nonpublic schools to provide or offer health services, media services programs, or guidance programs.

25. Adopt rules establishing standards for school district and area education agency professional development programs and for individual teacher professional development plans in accordance with [section 284.6](#).

26. a. Adopt rules that establish a core curriculum and high school graduation requirements for all students in school districts and accredited nonpublic schools that include at a minimum satisfactory completion of four years of English and language arts, three years of mathematics, three years of science, and three years of social studies.

(1) The rules establishing high school graduation requirements shall provide that any student, at any grade level, who satisfactorily completes a high school-level unit of instruction at a school accredited under [section 256.11](#) has satisfactorily completed a unit of the high school graduation requirements for that area of instruction and the school district or accredited nonpublic school of enrollment shall issue high school credit for the unit to the student unless the student is unable to demonstrate proficiency or the school district or accredited nonpublic school determines that the course unit completed by the student does not meet the school district’s or accredited nonpublic school’s standards, as appropriate. If a student is denied credit under this subparagraph, the school district or accredited nonpublic school denying credit shall provide to the student’s parent or guardian in writing the reason for the denial.

(2) The rules shall allow a school district or accredited nonpublic school to award high school credit to an enrolled student upon the demonstration of required competencies for a course or content area, as approved by a teacher licensed under [chapter 272](#). The school district or accredited nonpublic school shall determine the assessment methods by which a student demonstrates sufficient evidence of the required competencies.

(3) The rules establishing a core curriculum shall address the core content standards in

[subsection 28](#) and the skills and knowledge students need to be successful in the twenty-first century. The core curriculum shall include social studies and twenty-first century learning skills which include but are not limited to civic literacy, health literacy, technology literacy, financial literacy, family life and consumer sciences, and employability skills; and shall address the curricular needs of students in kindergarten through grade twelve in those areas. The state board shall further define the twenty-first century learning skills components by rule.

(4) The rules shall provide for the establishment of high-quality standards for computer science education taught by elementary, middle, and high schools, in accordance with the goal established under [section 284.6A, subsection 1](#), setting a foundation for personal and professional success in a high-technology, knowledge-based Iowa economy. Such rules shall be applicable only to school districts and accredited nonpublic schools receiving moneys from the computer science professional development incentive fund under [section 284.6A](#), or from other funds administered by the department for the same purposes as specified in [section 284.6A, subsection 2](#).

b. Continue the inclusive process begun during the initial development of a core curriculum for grades nine through twelve including stakeholder involvement, including but not limited to representatives from the private sector and the business community, and alignment of the core curriculum to other recognized sets of national and international standards. The state board shall also recommend quality assessments to school districts and accredited nonpublic schools to measure the core curriculum.

c. Neither the state board nor the department shall require school districts or accredited nonpublic schools to adopt a specific textbook, textbook series, or specific instructional methodology, or acquire specific textbooks, curriculum materials, or educational products from a specific vendor in order to meet the core curriculum requirements of [this subsection](#) or the core content standards adopted pursuant to [subsection 28](#).

27. Adopt by rule the Iowa standards for school administrators, including the knowledge and skill criteria developed by the director in accordance with [section 256.9, subsection 47](#).

28. Adopt a set of core content standards applicable to all students in kindergarten through grade twelve in every school district and accredited nonpublic school. For purposes of [this subsection](#), “core content standards” includes reading, mathematics, and science. School districts and accredited nonpublic schools shall include, at a minimum, the core content standards adopted pursuant to [this subsection](#) in any set of locally developed content standards. School districts and accredited nonpublic schools are strongly encouraged to set higher expectations in local standards. As changes in federal law or regulation occur, the state board is authorized to amend the core content standards as appropriate.

29. Adopt rules establishing nutritional content standards for foods and beverages sold or provided on the school grounds of any school district or accredited nonpublic school during the school day exclusive of the food provided by any federal school food program or pursuant to an agreement with any agency of the federal government in accordance with the provisions of [chapter 283A](#), and exclusive of foods sold for fundraising purposes and foods and beverages sold at concession stands. The standards shall be consistent with the dietary guidelines for Americans issued by the United States department of agriculture food and nutrition service.

30. Set standards and procedures for the approval of training programs for individuals who seek an authorization issued by the board of educational examiners for the following:

a. Employment as a school business official responsible for the financial operations of a school district.

b. Employment as a school administration manager responsible for assisting a school principal in performing noninstructional duties.

31. a. Adopt by rule guidelines for school district implementation of [section 279.68](#), including but not limited to basic levels of reading proficiency on approved locally determined or statewide assessments and identification of tools that school districts may use in evaluating and reevaluating any student who may not be or who is determined not to be reading proficiently and is persistently at risk in reading, including but not limited to initial assessments and subsequent assessments, alternative assessments, and portfolio reviews.

The state board shall adopt standards that provide a reasonable expectation that a student's progress toward reading proficiency under [section 279.68](#) is sufficient to master appropriate grade four level reading skills prior to the student's promotion to grade four.

b. Adopt rules for the Iowa reading research center and for implementation of the intensive summer literacy program developed and administered pursuant to [section 256.9, subsection 49](#).

c. Adopt rules to establish standards for the identification, selection, and use of research-based educational and instructional models for students identified as limited English proficient, and standards for the professional development of the instructional staff responsible for implementation of those models.

32. a. Adopt rules for online learning in accordance with sections [256.42](#) and [256.43](#), and criteria for waivers granted pursuant to [section 256.42](#).

b. (1) Adopt rules which require that educational instruction and course content delivered primarily over the internet be aligned with the Iowa core standards as applicable. Under such rules, a school district may develop and offer to students enrolled in the district educational instruction and course content for delivery primarily over the internet. A school district providing educational instruction and course content that are delivered primarily over the internet shall annually submit to the department, in the manner prescribed by the department, data that includes but is not limited to the following:

- (a) Student achievement and demographic characteristics.
- (b) Retention rates.
- (c) The percentage of enrolled students' active participation in extracurricular activities.
- (d) Academic proficiency levels, consistent with requirements applicable to all school districts and accredited nonpublic schools in this state.
- (e) Academic growth measures, which shall include either of the following:
 - (i) Entry and exit assessments in, at a minimum, math and English for elementary and middle school students, and additional subjects, including science, for high school students.
 - (ii) State-required assessments that track year-over-year improvements in academic proficiency.

(f) Academic mobility. To facilitate the tracking of academic mobility, school districts shall request the following information from the parent or guardian of a student enrolled in educational instruction and course content that are delivered primarily over the internet:

- (i) For a student newly enrolling, the reasons for choosing such enrollment.
- (ii) For a student terminating enrollment, the reasons for terminating such enrollment.
- (g) Student progress toward graduation. Measurement of such progress shall account for specific characteristics of each enrolled student, including but not limited to age and course credit accrued prior to enrollment in educational instruction and course content that are delivered primarily over the internet, and shall be consistent with evidence-based best practices.

(2) The department shall compile and review the data collected pursuant to this paragraph "b" and shall submit its findings and recommendations for the continued delivery of educational instruction and course content by school districts delivered primarily over the internet, in a report to the general assembly by January 15 annually.

33. a. For purposes of [this subsection](#):

- (1) "Adverse childhood experience" means the same as defined in [section 279.70](#).
- (2) "Postvention" means the same as defined in [section 279.70](#).

b. Adopt rules to require school districts to adopt protocols for suicide prevention and postvention and the identification of adverse childhood experiences and strategies to mitigate toxic stress response. The protocols shall be based on nationally recognized best practices.

[86 Acts, ch 1245, §1407; 87 Acts, ch 224, §24, 25; 87 Acts, ch 207, §1; 87 Acts, ch 211, §2; 87 Acts, ch 233, §449; 88 Acts, ch 1266, §1; 89 Acts, ch 8, §1; 89 Acts, ch 206, §5; 89 Acts, ch 210, §1 – 3; 89 Acts, ch 265, §19 – 22; 90 Acts, ch 1249, §2, 3; 90 Acts, ch 1253, §5, 122; 90 Acts, ch 1272, §37; 91 Acts, ch 84, §1; 92 Acts, ch 1158, §2; 92 Acts, ch 1246, §26; 93 Acts, ch 48, §13; 93 Acts, ch 59, §1; 93 Acts, ch 82, §1; 94 Acts, ch 1043, §1; 94 Acts, ch 1091, §1 – 3; 94 Acts, ch 1193, §17; 96 Acts, ch 1007, §1; 96 Acts, ch 1127, §2; 98 Acts, ch 1176, §1; 98 Acts, ch 1202, §39, 46; 2000 Acts, ch 1098, §1; 2000 Acts, ch 1167, §1; 2000 Acts, ch 1170, §1; 2001 Acts, ch](#)

24, §66, 74; 2001 Acts, ch 26, §1; 2002 Acts, ch 1140, §4; 2002 Acts, ch 1152, §1; 2003 Acts, ch 178, §56; 2003 Acts, ch 180, §2; 2004 Acts, ch 1145, §1; 2005 Acts, ch 149, §1, 2; 2006 Acts, ch 1152, §3, 4; 2007 Acts, ch 108, §1, 2; 2007 Acts, ch 214, §16, 17; 2008 Acts, ch 1127, §1; 2008 Acts, ch 1187, §140; 2008 Acts, ch 1191, §155; 2009 Acts, ch 54, §1; 2010 Acts, ch 1099, §1; 2011 Acts, ch 20, §4, 5; 2011 Acts, ch 71, §1; 2011 Acts, ch 131, §58, 158; 2011 Acts, ch 132, §41, 42, 106; 2012 Acts, ch 1119, §1, 3, 4, 14, 15, 24, 31; 2013 Acts, ch 121, §47, 79, 85; 2014 Acts, ch 1003, §1; 2014 Acts, ch 1013, §1, 2; 2014 Acts, ch 1092, §56; 2014 Acts, ch 1135, §7; 2015 Acts, ch 30, §87; 2015 Acts, ch 138, §99 – 101; 2016 Acts, ch 1036, §1; 2016 Acts, ch 1108, §24, 25; 2016 Acts, ch 1123, §1; 2016 Acts, ch 1132, §6; 2016 Acts, ch 1138, §13; 2017 Acts, ch 106, §1; 2017 Acts, ch 128, §1, 2, 4; 2018 Acts, ch 1037, §1, 2; 2018 Acts, ch 1051, §1; 2018 Acts, ch 1057, §1 – 3; 2018 Acts, ch 1119, §1 – 3; 2018 Acts, ch 1121, §1; 2018 Acts, ch 1172, §22

Referred to in §256.9, 256.11, 256.16, 256.28, 256.33, 256.42, 256.43, 256F4, 256F5, 257.11, 257.31, 257.43, 260C.4, 261.110, 261B.3A, 261E.9, 272.31, 273.2, 279.47, 279.61, 279.68, 280.3, 280.9, 280.19, 280.28, 282.18, 282.31, 282.33, 284.5, 284.6, 284A.2, 284A.3, 284A.5, 284A.6, 284A.7, 290.5

Subsection 21, paragraph b amended

Subsection 21, paragraph c stricken

Subsection 26, paragraph a, subparagraph (1) amended

Subsection 28 amended

Subsection 32 amended

NEW subsection 33