

281—12.9(256) Flexible student and school support program.

12.9(1) *General.* The state board shall establish a flexible student and school support program to be administered by the director. Under the program, upon request of the board of directors of a public school district or the authorities in charge of an accredited nonpublic school, the director may, for a period not to exceed three years, grant the applicable board of directors or the authority in charge of the nonpublic school the ability to use the flexible student and school support program to implement evidence-based practices in innovative ways to enhance student learning, well-being, and postsecondary success.

12.9(2) *Exemptions available.* Approval to participate in the flexible student and school support program shall exempt the school district or nonpublic school from one or more of the requirements of the educational program specified in subrule 12.5(3), 12.5(4), 12.5(5), 12.5(12), 12.5(13), 12.5(19), or 12.5(20), or the minimum school calendar requirements in subrule 12.1(7). An exemption shall be granted only if the director deems that the request made is an essential part of an educational program to support student learning, well-being, and postsecondary success; is necessary for the success of the program; and is broadly consistent with the intent of the requirements of the educational program specified in subrule 12.5(3), 12.5(4), 12.5(5), 12.5(12), 12.5(13), 12.5(19), or 12.5(20), or the minimum school calendar requirements in subrule 12.1(7).

12.9(3) *Use of funds.* Approval to participate in the flexible student and school support program shall include authority for a school district to use funds from the school district's flexibility account under Iowa Code section 298A.2(2) to implement all or part of the flexible student and school support program.

12.9(4) *Application.* The application for the flexible student and school support program shall include all of the following and be submitted on forms and in a format prescribed by the department:

a. A description of the proposed educational program, including evidence used to design the program and evidence of involvement of board members, parents, students, community members, and staff in development of the program.

b. Program goals and measures of program effectiveness and success, including student success and performance.

c. A plan for program administration, including the use of personnel, facilities, and funding.

d. A plan for evaluation of the proposed program on at least an annual basis, including a plan for program revisions, if necessary.

e. The estimated financial impact of the program on the school district or nonpublic school.

12.9(5) *Exemptions not available.* Approval to participate in the program does not exempt the school district or nonpublic school from federal law or any other requirements of state law that are not specifically exempted by the director.

12.9(6) *Annual report to the department.* Each school district or nonpublic school approved to participate in the flexible student and school support program shall file an annual report with the department on the status of the program on forms and in a format prescribed by the department.

12.9(7) *Renewal.* Participation in the flexible student and school support program may be renewed for additional periods of years, each not to exceed three years. The director may revoke approval of all or part of any application or approved education program if the annual report or any other information available to the department indicates that conditions no longer warrant use of an exemption or funding from the school district's flexibility account under Iowa Code section 298A.2(2). Notice of revocation must be provided by the director to the school district or nonpublic school prior to the beginning of the school year for which participation is revoked.

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