

Senate File 2310

S-5149

1 Amend the amendment, S-5135, to Senate File 2310, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 3, through page 10, line 15, and
4 inserting:

5 <1. Page 1, before line 1 by inserting:

6 <DIVISION I
7 ONLINE LEARNING PROGRAM AND COURSEWORK REQUIREMENTS>

8 2. Page 2, line 4, by striking <a.>

9 3. Page 2, by striking lines 20 through 28.

10 4. Page 2, line 31, by striking <The provisions of
11 subsection 5> and inserting:

12 <(1) The offer and teach requirements of subsection 5,
13 paragraphs "a" through "e" and "g" through "j",>

14 5. Page 2, line 35, by striking <(1)> and inserting <(a)>

15 6. Page 3, line 4, by striking <(2)> and inserting <(b)>

16 7. Page 3, after line 6 by inserting:

17 <(2) Notwithstanding subparagraph (1), unnumbered paragraph
18 1, if either subparagraph (1), subparagraph division (a) or (b)
19 apply, a school district or accredited nonpublic school may
20 exceed the limitation specified in subparagraph (1), unnumbered
21 paragraph 1, to provide world language, personal finance
22 literacy, and computer science coursework online in accordance
23 with paragraph "c" and the offer and teach requirements of
24 subsection 5, paragraphs "f" and "k", and any such requirement
25 as may be established under subsection 5 for computer science,
26 shall not apply.>

27 8. Page 3, line 8, by striking <5> and inserting <5,
28 paragraphs "a" through "e" and "g" through "j",>

29 9. Page 3, line 12, by striking <the requirements of
30 subsection 5> and inserting <such requirements>

31 10. Page 3, line 15, by striking <5> and inserting <5,
32 paragraphs "a" through "e" and "g" through "j",>

33 11. Page 3, line 20, by striking <(1) or (2)> and inserting
34 <(1), (2), or (3)>

35 12. Page 3, line 27, by striking <either> and inserting

1 <any>

2 13. Page 4, after line 6 by inserting:

3 <(3) An online learning platform offered, subject to the
4 initial availability of federal funds, by the department in
5 collaboration with one or more area education agencies or in
6 partnership with school districts and accredited nonpublic
7 schools. The online learning platform may deliver distance
8 education to students, including students receiving independent
9 private instruction as defined in section 299A.1, subsection
10 2, paragraph "b", competent private instruction under section
11 299A.2, or private instruction by a nonlicensed person under
12 section 299A.3, provided such students register with the
13 school district of residence and the coursework offered by the
14 online learning platform is taught and supervised by a teacher
15 licensed under chapter 272 who has online learning experience
16 and the course content meets the requirements established by
17 rule pursuant to section 256.7, subsection 32, paragraph "c".
18 The department and the area education agencies operating online
19 learning programs pursuant to section 273.16 shall coordinate
20 to ensure the most effective use of resources and delivery
21 of services. Federal funds, if available, may be used to
22 offset what would otherwise be costs to school districts for
23 participation in the program.>

24 14. Page 4, by striking line 11 and inserting:

25 <c. ~~Private providers utilized to provide courses by~~ Courses
26 provided by private providers to a school>

27 15. Page 5, after line 25 by inserting:

28 <Sec. _____. Section 279.10, Code 2020, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 3. a. For the school year beginning July
31 1, 2020, and ending June 30, 2021, any instruction provided in
32 accordance with a return-to-learn plan submitted by a school
33 district or accredited nonpublic school to the department of
34 education in response to a proclamation of a public health
35 disaster emergency, issued by the governor pursuant to section

1 29C.6 and related to COVID-19, shall be deemed to meet the
2 requirements of subsection 1, regardless of the nature,
3 location, or medium of instruction if the return-to-learn
4 plan contains the minimum number of days or hours as required
5 by subsection 1. Any return-to-learn plan submitted by a
6 school district or accredited nonpublic school must contain
7 provisions for in-person instruction and provide that in-person
8 instruction is the presumed method of instruction.

9 b. This subsection is repealed on July 1, 2021.>

10 16. Page 5, after line 26 by inserting:

11 <DIVISION ____
12 TEMPORARY FLEXIBILITY FOR USE OF CERTAIN MONEYS BY SCHOOL
13 DISTRICTS TO PROVIDE ADDITIONAL INSTRUCTIONAL TIME
14 Sec. ____ . PROFESSIONAL DEVELOPMENT MONEYS AND HOURS
15 REQUIREMENTS FOR ADDITIONAL INSTRUCTIONAL TIME FOR THE
16 2020-2021 SCHOOL YEAR. Notwithstanding section 257.10,
17 subsection 10, and the professional development requirements
18 of chapter 284, for the school year beginning July 1, 2020,
19 and ending June 30, 2021, the moneys calculated and paid to
20 the school district for professional development pursuant to
21 section 257.10, subsection 10, or section 257.37A, subsection
22 2, to provide thirty-six hours of professional development
23 opportunities held outside of the minimum school day, may
24 instead be used by a school district to provide instructional
25 time to the school calendar in addition to the amount of
26 instructional time required under section 279.10, subsection 1,
27 and the thirty-six-hour professional development requirement
28 of chapter 284 shall be reduced by such number of hours of
29 additional instructional time.

30 DIVISION ____
31 TEMPORARY FLEXIBILITY FOR CERTAIN EDUCATIONAL INSTRUCTIONAL AND
32 POLICY REQUIREMENTS
33 Sec. ____ . OPEN ENROLLMENT — EXTENSION OF NOTIFICATION
34 DEADLINE FOR THE 2020-2021 SCHOOL YEAR. Notwithstanding
35 section 282.18, subsection 2, paragraph "a", for the school

1 year commencing July 1, 2020, a parent or guardian shall have
2 until July 15, 2020, to notify to the district of residence and
3 the receiving district, on forms prescribed by the department
4 of education, that the parent or guardian intends to enroll
5 the parent's or guardian's child in an online public school
6 in another school district, if the child, another resident of
7 the child's residence, or a regular caretaker of the child
8 has a significant health condition that increases the risk
9 of COVID-19. The notification shall include the name of the
10 person with the health condition, specify the person's health
11 condition, include written verification of the health condition
12 from the person's physician or licensed health care provider
13 and, for persons other than the child, whether the person with
14 the health condition is a resident of the child's residence
15 or the child's regular caretaker. Section 282.18, subsection
16 3, shall not apply to a notification submitted in accordance
17 with this section. Notwithstanding section 282.18, subsection
18 2, paragraph "b", the superintendent of the receiving school
19 district is authorized to approve a notification received
20 under this section. Within fourteen days of receipt of such
21 notification, the superintendent shall notify the parent or
22 guardian and the school district of residence that the request
23 has been approved or denied. If the notification has been
24 denied or if further review is required, the superintendent
25 shall provide the parent or guardian with an explanation of
26 the approval process and expected timeline for the review. A
27 decision to deny a request submitted under this section is
28 subject to appeal under section 290.1. The state board shall
29 exercise broad discretion to achieve just and equitable results
30 that are in the best interest of the affected child. This
31 section is not intended to extend the provisions of section
32 282.18, subsection 2, paragraph "a", for enrollment in a
33 physical school district.

34 Sec. _____. SCHOOL DISTRICT DUTIES RELATING TO COMPETENT
35 PRIVATE INSTRUCTION FOR THE 2020-2021 SCHOOL YEAR. For

1 the school year beginning July 1, 2020, and ending June 30,
2 2021, upon request of a parent, guardian, or legal or actual
3 custodian, each school district shall provide to children
4 receiving competent private instruction available texts or
5 supplementary materials on the same basis as they are provided
6 to regularly enrolled students when a child is under dual
7 enrollment or in a home school assistance program. This
8 section shall only apply to children who are enrolled in their
9 school district's home school assistance program by the child's
10 parent, guardian, or legal or actual custodian.

11 Sec. _____. SCHOOL DISTRICT CLOSURES DURING THE 2020-2021
12 SCHOOL YEAR. For the school year beginning July 1, 2020, and
13 ending June 30, 2021, if the governor proclaims a public health
14 disaster pursuant to section 29C.6, the board of directors of a
15 school district may authorize closure of the school district
16 or any school district attendance center due to an outbreak
17 of COVID-19 in the school district or any school district
18 attendance center. School districts are encouraged to follow
19 guidelines issued by the centers for disease control and
20 prevention of the United States department of health and human
21 services and the Iowa department of public health, and may
22 consult with the local board of health when determining social
23 distancing measures or authorizing a school closure.

24 Sec. _____. INSTRUCTIONAL TIME PROVISIONS FOR SCHOOL
25 DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS FOR THE 2020-2021
26 SCHOOL YEAR.

27 1. Notwithstanding any other provision of law to the
28 contrary, the instructional time requirements of section
29 279.10, subsection 1, and the minimum school day requirements
30 of section 256.7, subsection 19, shall not be waived any
31 time during the school year beginning July 1, 2020, and
32 ending June 30, 2021, for school closure due to the COVID-19
33 pandemic unless the school district or the authorities in
34 charge of the accredited nonpublic school, as appropriate,
35 provide compulsory remote learning, including online learning,

1 electronic learning, distance learning, or virtual learning.
2 Unless explicitly authorized in a proclamation of a public
3 health disaster emergency issued by the governor pursuant to
4 section 29C.6 and related to COVID-19, a brick-and-mortar
5 school district or accredited nonpublic school shall not take
6 action to provide instruction primarily through remote-learning
7 opportunities.

8 2. If the board of directors of a school district or
9 the authorities in charge of an accredited nonpublic school
10 determines any time during the school year beginning July 1,
11 2020, and ending June 30, 2021, that a remote-learning period
12 is necessary, the school board or the authorities in charge of
13 an accredited nonpublic school, as appropriate, shall ensure
14 that teachers and other necessary school staff are available
15 during the remote-learning period to support students, to
16 participate in professional development opportunities, and
17 to perform other job-related functions during the regular,
18 required contract hours, even if the accessibility to or by the
19 teachers and other necessary school staff is offered remotely.

20 Sec. ____ . TRUANCY REQUIREMENTS FOR THE 2020-2021 SCHOOL
21 YEAR. In addition to the provisions of chapter 299, a
22 child who is enrolled in a school district or accredited
23 nonpublic school but who does not participate in compulsory
24 remote-learning opportunities, including online learning,
25 electronic learning, distance learning, or virtual learning,
26 offered by the school district or accredited nonpublic school
27 of enrollment during a period of school closure implemented
28 any time during the school year beginning July 1, 2020, and
29 ending June 30, 2021, due to the COVID-19 pandemic shall be
30 considered truant. This section is not applicable to a child
31 who was receiving competent private instruction or independent
32 private instruction in accordance with the requirements of
33 chapter 299A prior to July 1, 2019. Any child who was enrolled
34 in a public school or accredited nonpublic school prior to July
35 1, 2019, may be subject to the provisions of chapter 299 if

1 the child's parent, guardian, or legal custodian did not, for
2 the school year beginning July 1, 2020, complete and send the
3 report required under section 299.4 to the school district of
4 residence of the child in a timely manner.

5 Sec. _____. TEACHER ENDORSEMENT WAIVER FOR THE 2020-2021
6 SCHOOL YEAR. For the school year beginning July 1, 2020, and
7 ending June 30, 2021, notwithstanding any provision to the
8 contrary, if a school district or accredited nonpublic school
9 has made every reasonable and good-faith effort to employ a
10 teacher licensed under chapter 272 who holds an endorsement for
11 a specified grade level or subject area and is unable to employ
12 a teacher with the appropriate endorsement, and the school
13 district or accredited nonpublic school is also unable to
14 develop, or use a private provider to provide, an online course
15 that meets the requirements of chapter 256, the director of
16 the department of education may waive the teacher-endorsement
17 requirements for the specified grade level or subject area for
18 the school district or accredited nonpublic school, and the
19 provisions of section 256.9, subsection 48, and section 272.15,
20 subsection 4, shall not apply.

21 Sec. _____. MISCELLANEOUS POLICY PROVISIONS FOR SCHOOLS
22 FOR THE 2020-2021 SCHOOL YEAR. The following provisions are
23 applicable for the school year beginning July 1, 2020, and
24 ending June 30, 2021:

25 1. SOCIAL DISTANCING. In implementing social distancing
26 policies included in a return-to-learn plan, the board of
27 directors of each school district and the authorities in charge
28 of each accredited nonpublic school shall, to the extent
29 possible, provide in-person instruction for core academic
30 subjects.

31 2. STATEWIDE ASSESSMENTS. The provisions of section 256.7,
32 subsection 21, paragraph "b", relating to the administration
33 of statewide summative assessment of student progress, and the
34 assessments administered in accordance with sections 279.60
35 and 279.68, shall not be waived, and such assessments shall be

1 administered to students as required by those sections.

2 3. CPR CERTIFICATION — EXCEPTION FOR GRADUATION. If a
3 school district or accredited nonpublic school closes on the
4 advice of a local board of health, the department of public
5 health, or because the governor proclaims a public health
6 disaster pursuant to section 29C.6, a student who meets the
7 graduation requirements of section 256.7, subsection 26,
8 paragraph "a", the requirements of section 280.9A, and the
9 school district's or accredited nonpublic school's graduation
10 requirements may graduate without meeting the cardiopulmonary
11 resuscitation certification requirements of section 256.11,
12 section 6, paragraph "c".

13 4. NOTIFICATION OF SIGNIFICANT HEALTH CONDITION —
14 COMPULSORY REMOTE LEARNING. If a parent or guardian of a
15 student enrolled in a school district or accredited nonpublic
16 school notifies the school district or accredited nonpublic
17 school in writing that the student, another resident of the
18 student's residence, or a regular caretaker of the student
19 has a significant health condition that increases the risk of
20 COVID-19, the school district or accredited nonpublic school
21 shall make reasonable accommodations for the student, on a
22 case-by-case basis, to attend school through remote learning.
23 The provision of special education and accommodations for
24 students who have individualized education programs or
25 section 504 plans in compliance with the requirements of
26 section 504 of the Rehabilitation Act, 29 U.S.C. §794, and
27 with Tit. II of the Americans with Disabilities Act, 42
28 U.S.C. §12131-12165, will be determined by each respective
29 individualized education program team or section 504 team.
30 The notification shall include the name of the person with
31 the health condition, specify the person's health condition,
32 include written verification of the health condition from the
33 person's physician or licensed health care provider and, for
34 persons other than the student, whether the person with the
35 health condition is a resident of the student's residence

1 or the student's regular caretaker. A school district or
2 an accredited nonpublic school may collaborate with an area
3 education agency or another school district or accredited
4 nonpublic school to provide remote learning opportunities to a
5 student who meets the requirements of this section.

6 5. Notwithstanding section 256.7, subsection 32; section
7 256.9, subsection 55; section 256.43; or any other provision
8 to the contrary, a school district or accredited nonpublic
9 school may provide instruction primarily through continuous
10 remote-learning opportunities if such instruction is provided
11 in accordance with a return-to-learn plan submitted by
12 the school district or accredited nonpublic school to the
13 department of education in response to a proclamation of a
14 public health disaster emergency explicitly addressing school
15 closures, issued by the governor pursuant to section 29C.6 and
16 related to COVID-19, without regard to whether the accredited
17 nonpublic school or school district is approved to provide
18 instruction primarily through continuous remote-learning
19 opportunities. Instruction provided pursuant to this section
20 shall be provided by teachers licensed pursuant to chapter 272
21 and shall assure and maintain evidence of alignment of the
22 courses with the Iowa core and core content requirements and
23 standards.

24 DIVISION ____

25 SCHOOL DISTRICT IMPACT REPORT

26 Sec. ____ . SCHOOL DISTRICT COVID-19 IMPACT REPORT FOR BUDGET
27 YEAR 2019-2020. Each school district shall submit a report
28 to the department of education, in a format and by a date
29 as determined by the department, detailing any reduction in
30 expenditures to the school district resulting from the closure
31 of schools due to the COVID-19 pandemic during the school
32 budget year beginning July 1, 2019, and ending June 30, 2020,
33 including but not limited to reductions in expenditures for
34 transportation, the number of contract employees which include
35 certified and classified employees laid off by the school

