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SENATE FILE

304

BY KREIMAN

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the delivery of curriculum via the internet by  
 2 instructional personnel employed by an accredited  
 3 postsecondary educational institution under a contract with a  
 4 school district.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 304  
 EDUCATION

1 Section 1. Section 256.7, subsection 7, Code 2003, is  
2 amended to read as follows:

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

15 b. When curriculum is provided by means of  
16 telecommunications, except as provided in paragraph "c", it  
17 shall be taught by an appropriately licensed teacher. The  
18 teacher shall either be present in the classroom, or be  
19 present at the location at which the curriculum delivered by  
20 means of telecommunications originates.

21 The rules shall provide that when the curriculum is taught  
22 by an appropriately licensed teacher at the location at which  
23 the telecommunications originates, the curriculum received at  
24 a remote site shall be under the supervision of a licensed  
25 teacher. The licensed teacher at the originating site may  
26 provide supervision of students at a remote site or the school  
27 district in which the remote site is located may provide for  
28 supervision at the remote site if the school district deems it  
29 necessary or if requested to do so by the licensed teacher at  
30 the originating site. For the purposes of this subsection,  
31 "supervision" means that the curriculum is monitored by a  
32 licensed teacher and the teacher is accessible to the students  
33 receiving the curriculum by means of telecommunications.

34 c. Notwithstanding paragraph "b", if a school district  
35 fails to employ a licensed teacher for a course after making

1 every reasonable effort to employ a licensed teacher, the  
2 school district may enter into a contract with an accredited  
3 postsecondary educational institution located in this state  
4 for delivery of the course via the internet to students  
5 enrolled in the school district. Curriculum delivered via the  
6 internet in accordance with this paragraph shall be taught by  
7 instructional personnel licensed as provided in section 272.2,  
8 subsection 17. The school district shall provide adequate  
9 supervision for students receiving the curriculum at an  
10 attendance center in the school district. Standards for  
11 quality assurance of faculty and ongoing quality professional  
12 development for instructional personnel employed to deliver  
13 curriculum via the internet to students enrolled in  
14 kindergarten through grade twelve at a school district shall  
15 be the accreditation standards of the north central  
16 association of colleges and schools and the faculty standards  
17 required under specific programs offered by the institution  
18 that are accredited by other accrediting agencies, or shall be  
19 standards agreed to by the institution and the board of  
20 educational examiners in accordance with section 272.2,  
21 subsection 17.

22 d. The state board shall establish an advisory committee  
23 to make recommendations for rules required under this  
24 subsection on the use of telecommunications as an  
25 instructional tool. The committee shall be composed of  
26 representatives from community colleges, area education  
27 agencies, accredited or approved nonpublic schools, and local  
28 school districts from various enrollment categories. The  
29 representatives shall include board members, school  
30 administrators, teachers, parents, students, and associations  
31 interested in education.

32 e. For the purpose of the rules adopted by the state  
33 board, telecommunications means narrowcast communications  
34 through systems that are directed toward a narrowly defined  
35 audience and includes interactive live communications.

3 7. "Practitioner" means an administrator, teacher, or  
4 other licensed professional who does not hold or receive a  
5 license from a professional licensing board other than the  
6 board of educational examiners and who provides educational  
7 assistance to students. "Practitioner" may mean an online  
8 teacher employed by an accredited postsecondary educational  
9 institution to provide educational assistance under a contract  
10 with a school district in accordance with section 256.7,  
11 subsection 7.

14     NEW SUBSECTION. 17. License instructional personnel for  
15 delivery of courses via the internet to students in accordance  
16 with section 256.7, subsection 7, paragraph "c", if an  
17 accredited postsecondary educational institution certifies to  
18 the board that the applicant for an online teaching license  
19 meets the institution's academic standards. The board may  
20 collaborate with an institution wishing to deliver curriculum  
21 via the internet in accordance with section 256.7, subsection  
22 7, to develop competencies for online teacher licensure.  
23 Applicants shall be disqualified for any reason specified in  
24 section 272.2, subsection 14. Nothing in this subsection  
25 shall be construed to allow a person who holds an online  
26 teaching license to perform services as a practitioner  
27 anywhere other than online as provided in section 256.7,  
28 subsection 7, paragraph "c", unless the person also holds an  
29 initial, standard, professional teacher, master educator, two-  
30 year exchange, or permanent professional license.

32 This bill permits a school district that fails to employ a  
33 qualified teacher, after making every reasonable effort to  
34 employ such a teacher, to enter into a contract with an  
35 accredited postsecondary educational institution located in

1 the state for delivery of curriculum via the internet. The  
2 bill authorizes the board of educational examiners to issue an  
3 online teaching license to a person certified by the  
4 institution as meeting the institution's academic standards.

5 Faculty and professional development standards for online  
6 teachers shall be those currently adhered to by the  
7 institution, or standards agreed to by an institution and the  
8 board of educational examiners. Applicants shall be  
9 disqualified if the board finds that the person has been  
10 convicted of a crime or that there has been a founded report  
11 of child abuse against the person. The bill prohibits a  
12 person who holds only an online teaching license from teaching  
13 that would otherwise require a regular teaching license.

14 If the online curriculum is delivered to students at a  
15 school district attendance center, the district must provide  
16 adequate supervision by a licensed teacher.

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