

**Senate File 2310 - Introduced**

SENATE FILE 2310  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2004)

**A BILL FOR**

1 An Act relating to the Iowa learning online initiative and  
2 to standards, requirements, and rules relating to online  
3 learning programs and coursework provided at the secondary  
4 school level.

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

1 Section 1. Section 256.7, subsection 21, paragraph a, Code  
2 2020, is amended to read as follows:

3 a. Requirements that all school districts and accredited  
4 nonpublic schools develop, implement, and file with the  
5 department a comprehensive school improvement plan that  
6 includes, but is not limited to, demonstrated school, parental,  
7 and community involvement in assessing educational needs,  
8 establishing local education standards and student achievement  
9 levels, and, as applicable, the consolidation of federal and  
10 state planning, goal-setting, and reporting requirements.  
11 Each school district and accredited nonpublic school shall  
12 include in its comprehensive school improvement plan a list  
13 and description of the online coursework offered by the school  
14 district or accredited nonpublic school to which the student  
15 is enrolled.

16 Sec. 2. Section 256.7, subsection 32, paragraph a, Code  
17 2020, is amended to read as follows:

18 a. Adopt rules for online learning in accordance with  
19 ~~sections 256.42~~ section 256.11, subsection 17, and section  
20 256.43, and criteria for waivers granted pursuant to section  
21 ~~256.42~~ 256.11, subsection 17.

22 Sec. 3. Section 256.7, subsection 32, Code 2020, is amended  
23 by adding the following new paragraph:

24 NEW PARAGRAPH. c. Rules adopted pursuant to this subsection  
25 shall require that online learning coursework offered by school  
26 districts, accredited nonpublic schools, and area education  
27 agencies be rigorous, high-quality, aligned with the Iowa  
28 core and core content requirements and standards and the  
29 national standards of quality for online courses issued by  
30 an internationally recognized association for kindergarten  
31 through grade twelve online learning, and taught by a teacher  
32 licensed under chapter 272 who has specialized training or  
33 experience in online learning, including but not limited to an  
34 online-learning-for-Iowa-educators-professional-development  
35 project offered by area education agencies, a teacher

1 preservice program, or comparable coursework.

2 Sec. 4. Section 256.9, subsection 55, Code 2020, is amended  
3 to read as follows:

4 55. a. ~~Develop and establish an online learning~~  
5 ~~program model in accordance with rules adopted pursuant~~  
6 ~~to section 256.7, subsection 32, and in accordance with~~  
7 ~~section 256.43.~~ The director shall maintain a list of  
8 approved online providers that meet the standards of  
9 ~~section 256.42, subsection 6,~~ and provide course content  
10 through an online learning platform taught by a teacher  
11 licensed under chapter 272 who has specialized training or  
12 experience in online learning including but not limited to an  
13 online-learning-for-Iowa-educators-professional-development  
14 project offered by area education agencies, a teacher  
15 preservice program, or comparable coursework, and whose online  
16 learning coursework meets the requirements established by  
17 rule pursuant to section 256.7, subsection 32, paragraph "c".  
18 Providers shall apply for approval annually or as determined  
19 by the department.

20 b. Each school district and accredited nonpublic school  
21 providing online learning coursework not purchased or accessed  
22 through an approved provider shall submit its online curricula  
23 to the department for review. The department shall evaluate  
24 alignment of the courses with the Iowa core and core content  
25 requirements and standards, as well as national standards  
26 of quality for online courses issued by an internationally  
27 recognized association for kindergarten through grade twelve  
28 online learning.

29 Sec. 5. Section 256.11, Code 2020, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 17. a. The provisions of subsection 5  
32 shall not apply for up to two specified subjects at a school  
33 district or accredited nonpublic school if any of the following  
34 apply:

35 (1) The school district or accredited nonpublic school

1 makes every reasonable and good faith effort to employ a  
2 teacher licensed under chapter 272 for the specified subject  
3 and is unable to employ such a teacher.

4 (2) Fewer than ten students typically register for  
5 instruction in the specified subject at the school district or  
6 accredited nonpublic school.

7 *b.* The department may waive for one school year the  
8 applicability of subsection 5, at its discretion, two  
9 additional specified subjects for a school district or  
10 accredited nonpublic school that proves to the satisfaction of  
11 the department that the school district or accredited nonpublic  
12 school has made every reasonable effort, but is unable to  
13 meet the requirements of subsection 5. A school district or  
14 accredited nonpublic school may apply for an annual waiver each  
15 year.

16 *c.* If the provisions of subsection 5 are made inapplicable  
17 under paragraph "a", or are waived under paragraph "b", the  
18 specified subject shall be provided by an area education agency  
19 under section 273.16, or by the school district or accredited  
20 nonpublic school if an online alternative satisfying the  
21 requirements of subparagraph (1) or (2) can be made available  
22 by the school district or accredited nonpublic school. Any  
23 course not required under subsection 5 may also be provided by  
24 an area education agency under section 273.16 or by the school  
25 district or accredited nonpublic school. However, in either  
26 case, if offered by the school district or accredited nonpublic  
27 school, the specified subject or course shall be offered  
28 through either of the following means:

29 (1) An online learning platform if the course is developed  
30 by the school district or accredited nonpublic school itself  
31 or is developed by a partnership or consortium of schools  
32 that have developed the course individually or cooperatively,  
33 provided the course is taught and supervised by a teacher  
34 licensed under chapter 272 who has online learning experience  
35 and the course content meets the requirements established by

1 rule pursuant to section 256.7, subsection 32, paragraph "c".  
2 A partnership or consortium of schools may include two or  
3 more school districts or accredited nonpublic schools, or any  
4 combination thereof.

5 (2) A private provider utilized to provide the course  
6 that meets the standards of this section and is approved in  
7 accordance with section 256.9, subsection 55.

8 d. For purposes of this subsection, "good faith effort"  
9 means the same as defined in section 279.19A, subsection 9.

10 Sec. 6. Section 256.43, subsection 2, paragraph c, Code  
11 2020, is amended to read as follows:

12 c. Private providers utilized to provide courses by a school  
13 district or accredited nonpublic school in accordance with  
14 this section shall meet the ~~standards of section 256.42~~ Iowa  
15 core and core content requirements and standards, as well as  
16 national standards of quality for online courses issued by an  
17 internationally recognized association for kindergarten through  
18 grade twelve online learning, and be approved in accordance  
19 with section 256.9, subsection 55.

20 Sec. 7. Section 261E.1, subsection 1, paragraph e, Code  
21 2020, is amended to read as follows:

22 e. ~~Internet-based courses offered for college credit,~~  
23 ~~including but not limited to courses within the Iowa learning~~  
24 ~~online initiative.~~

25 Sec. 8. NEW SECTION. 273.16 Online learning program.

26 1. Subject to an appropriation of funds by the general  
27 assembly for this purpose, the area education agencies may  
28 offer, separately or in collaboration or other area education  
29 agencies, or in partnership with school districts and  
30 accredited nonpublic schools, to provide an online learning  
31 program to deliver distance education to Iowa's secondary  
32 students, including students receiving independent private  
33 instruction as defined in section 299A.1, subsection 2,  
34 paragraph "b", competent private instruction under section  
35 299A.2, or private instruction by a nonlicensed person under

1 section 299A.3.

2 2. Coursework offered under this section must meet the  
3 requirements established by rule pursuant to section 256.7,  
4 subsection 32, paragraph "c".

5 3. To participate in an online learning program offered  
6 by an area education agency, a student must be enrolled  
7 in a participating school district or accredited nonpublic  
8 school or be receiving private instruction under chapter  
9 299A as described in subsection 1. The school district or  
10 accredited nonpublic school in which the student is enrolled  
11 is responsible for recording a student's program coursework  
12 grades in the student's permanent record, awarding high school  
13 credit for program coursework, and issuing a high school  
14 diploma to a student enrolled in the district or school who  
15 participates and completes coursework under the program. Each  
16 school that participates in the program shall identify a site  
17 coordinator to serve as a student advocate and as a liaison  
18 between the program staff and teachers and the school district  
19 or accredited nonpublic school. The individual providing  
20 instruction to a student under chapter 299A as described in  
21 subsection 1 shall receive the student's score for completed  
22 program coursework.

23 4. School districts and accredited nonpublic schools shall  
24 pay to area education agencies the cost of providing coursework  
25 under an online learning program offered in accordance with  
26 this section.

27 Sec. 9. REPEAL. Section 256.42, Code 2020, is repealed.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill repeals Code section 256.42, which establishes  
32 the Iowa learning online initiative in the department of  
33 education, maintains the current standards, requirements, and  
34 rules relating to online learning programs and coursework  
35 provided at the secondary school level, and authorizes the

1 area education agencies (AEAs) to offer, separately or in  
2 collaboration with other AEAs, or in partnership with school  
3 districts and accredited nonpublic schools, to provide an  
4 online learning program to deliver distance education to Iowa's  
5 secondary students, including students receiving independent  
6 private instruction, competent private instruction, or private  
7 instruction by a nonlicensed person. The bill makes conforming  
8 changes.

9 STATE BOARD OF EDUCATION. The bill moves from Code section  
10 256.42 to Code section 256.7(21)(a) a requirement that each  
11 school district and accredited nonpublic school include in its  
12 comprehensive school improvement plan a list and description  
13 of the online coursework offered by the school district or  
14 accredited nonpublic school to which the student is enrolled,  
15 and maintains requirements that the board adopt rules relating  
16 to online learning and that the online learning coursework  
17 offered by school districts, accredited nonpublic schools,  
18 and AEAs be rigorous, high-quality, aligned with the Iowa  
19 core and core content requirements and standards and the  
20 national standards of quality for online courses issued by  
21 an internationally recognized association for K-12 online  
22 learning, and taught by a licensed teacher who has specialized  
23 training or experience in online learning.

24 DIRECTOR OF THE DEPARTMENT OF EDUCATION. The bill  
25 eliminates a requirement that the director of the department  
26 of education develop and establish an online learning program  
27 model. However, the bill requires the director, in developing  
28 and maintaining the list of approved online providers, to  
29 require that the course content provided through an online  
30 learning platform be taught by a licensed teacher and meet  
31 other requirements relating to professional development,  
32 preservice, and online learning coursework. Each school  
33 district and accredited nonpublic school providing online  
34 learning coursework not purchased or accessed through an  
35 approved provider must submit its online curricula to the

1 department for review.

2 EDUCATIONAL STANDARDS. The bill moves to Code section  
3 256.11 the provisions of Code section 256.42 that provided  
4 that the education standards for high school courses shall not  
5 apply for up to two specified subjects at a school district or  
6 accredited nonpublic school if either every reasonable and good  
7 faith effort to employ a licensed teacher failed or fewer than  
8 10 students typically register for the subject.

9 Under the bill, the department continues to have the  
10 authority to grant renewable one-year waivers, at its  
11 discretion, for additional specified subjects under the  
12 educational standards if every reasonable effort was made but  
13 the school district or accredited nonpublic school is unable to  
14 meet high school educational standards for specified subjects.  
15 Under such circumstances, the specified subject shall be  
16 provided by an AEA or by the school district or accredited  
17 nonpublic school if an online alternative satisfying statutory  
18 requirements can be made available by the school district or  
19 accredited nonpublic school. Any course not required under the  
20 high school educational standards may also be provided by an  
21 AEA or by the school district or accredited nonpublic school.  
22 All such coursework, however, must meet the state board's  
23 requirements and be offered either by an approved private  
24 provider, or by using an online learning platform if the course  
25 is developed by the school district, a school, or a partnership  
26 or consortium of schools.

27 Private providers must continue to meet Iowa core and  
28 core content requirements and standards, as well as national  
29 standards of quality for online courses issued by an  
30 internationally recognized association for kindergarten through  
31 grade 12 online learning, and be approved by the director of  
32 the department.

33 ONLINE LEARNING PROGRAMS OFFERED BY AEAs. Coursework  
34 offered by AEAs must meet the requirements adopted by rule by  
35 the state board. Participating students must be enrolled in a



S.F. 2310

1 participating school district or accredited nonpublic school  
2 or be receiving private instruction. The school district or  
3 accredited nonpublic school is responsible for recording a  
4 student's grades in the student's permanent record, awarding  
5 high school credit for program coursework, and issuing a  
6 high school diploma to a participating student. However,  
7 for a student receiving private instruction, the individual  
8 providing the instruction shall receive the student's scores.  
9 Each participating school must identify a site coordinator.  
10 Participating school districts and accredited nonpublic schools  
11 must pay AEAs the cost of providing online learning program  
12 coursework.