

Senate File 383

SENATE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 304)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act authorizing the establishment of an Iowa virtual academy,
2 authorizing the board of educational examiners to license
3 instructors of internet courses, and providing an effective
4 date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 1 Section 1. Section 256.7, Code 2003, is amended by adding
1 2 the following new subsections:
1 3 NEW SUBSECTION. 26. Adopt rules setting forth the
1 4 academic policies and operational procedures for the Iowa
1 5 virtual academy established pursuant to section 256.24 and
1 6 identifying the responsibilities of the school districts that
1 7 utilize the academy.
1 8 NEW SUBSECTION. 27. Adopt rules and establish a policy
1 9 for students enrolled in kindergarten through grade six
1 10 relating to the use of instructional technology in meeting the
1 11 minimum educational standards for accreditation.
1 12 Sec. 2. NEW SECTION. 256.24 IOWA VIRTUAL ACADEMY.
1 13 1. If funds are sufficient from a source other than the
1 14 general fund of the state, an Iowa virtual academy is
1 15 established within the department of education to provide
1 16 secondary students with access to quality courses delivered
1 17 through instructional technology including, but not limited
1 18 to, web-based and Iowa communications network applications.
1 19 The academy shall serve as a central resource, clearinghouse,
1 20 and provider of on-line and interactive video learning
1 21 opportunities for students, educators, school districts, and
1 22 accredited nonpublic schools. The department is responsible
1 23 for the development, regulation, and improvement of the
1 24 academy. The academy shall collaborate with school districts,
1 25 accredited nonpublic schools, area education agencies, and
1 26 Iowa accredited higher education institutions in order to
1 27 provide quality learning opportunities for secondary students
1 28 who are located anywhere in the state, and who have a variety
1 29 of educational needs, to prepare them for postsecondary
1 30 academic or vocational-technical pursuits. For purposes of
1 31 this section, "secondary students" means students in grades
1 32 seven through twelve.
1 33 2. The director shall appoint the administrator of the
1 34 academy in accordance with section 256.9, subsection 4. The
1 35 administrator, subject to approval by the director, may do the
2 1 following:
2 2 a. Establish a review process for approval of academy
2 3 courseware providers. The state board shall approve and
2 4 prescribe by administrative rule the process by which
2 5 courseware and providers may be obtained.
2 6 b. Secure services through a variety of education
2 7 providers to provide teachers and curriculum for academy
2 8 courses. The administrator may also secure services through
2 9 an area education agency for staff development opportunities
2 10 for academy teachers.
2 11 c. Develop evaluation procedures that will measure the
2 12 effects of instruction provided by means of the academy on
2 13 student achievement.
2 14 d. Except as authorized in section 261C.4 and section
2 15 257.11, subsection 3, establish enrollment fees school
2 16 districts and accredited nonpublic schools are responsible for
2 17 paying on behalf of their students. The administrator may
2 18 waive all or part of the enrollment fee for school districts
2 19 and accredited nonpublic schools that offer courses through
2 20 the academy.

2 21 e. Provide for determination of student grade percentages
2 22 and grades and award credits and grades to students
2 23 participating in the academy. The provider shall cooperate
2 24 with the resident school district or accredited nonpublic
2 25 school of enrollment to provide or assign the appropriate
2 26 credit or grade to participating students. This paragraph
2 27 shall apply only to those courses for which a student may earn
2 28 credit toward high school graduation.

2 29 3. Curriculum authorized for credit or grades through the
2 30 academy shall be taught by a teacher licensed under chapter
2 31 272 who is responsible for teaching, assignments, and assuring
2 32 all coursework is completed.

2 33 4. A school district or accredited nonpublic school may
2 34 access courses delivered through the use of instructional
2 35 technology to meet up to twenty percent of the course
3 1 offerings required to meet the educational standards for
3 2 secondary schools as provided in section 256.11. Except as
3 3 otherwise specified under a contract entered into in
3 4 accordance with subsection 2, the school district, or the
3 5 accredited nonpublic school, as appropriate, is responsible
3 6 for, at a minimum, supervising students enrolled in the school
3 7 district, or in the accredited nonpublic school, who
3 8 participate in a course offered through the academy, providing
3 9 a student receiving courseware through the academy with access
3 10 to student services the school district or accredited
3 11 nonpublic school provides to its general student population,
3 12 and providing a student with access to a computer with
3 13 internet connectivity during the school day or with access to
3 14 other electronic equipment as the academy deems necessary.

3 15 5. Accredited higher education institutions located in
3 16 Iowa offering courses authorized under section 261C.4, or
3 17 classes offered through a sharing agreement between a school
3 18 district and a community college pursuant to section 257.11,
3 19 subsection 3, may be listed in the academy course catalog at
3 20 no cost to the institution. Nothing in this section shall be
3 21 construed to prohibit a school district or accredited
3 22 nonpublic school from using telecommunications as an
3 23 instructional tool in accordance with section 256.7,
3 24 subsection 7, or delivering its own web-based courses to
3 25 students or schools located within or without this state.

3 26 6. Academy courseware utilized by a school district or
3 27 accredited nonpublic school shall be included in the
3 28 district's or school's comprehensive school improvement plans
3 29 and meet the district's or school's school improvement goals
3 30 developed in accordance with section 256.7, subsection 21.

3 31 7. The state board shall set enrollment fees by rule, in
3 32 accordance with section 256.7, subsection 26. The department
3 33 may retain fees collected to administer the Iowa virtual
3 34 academy and the fees retained are appropriated to the
3 35 department for the purposes of administering this section.
4 1 Notwithstanding section 8.33, fees that remain unexpended at
4 2 the end of the fiscal year shall not revert to the general
4 3 fund of the state but shall be available for use for the
4 4 following fiscal year to administer the academy.

4 5 8. Not later than January 15, annually, the department
4 6 shall submit to the chairpersons and ranking members of the
4 7 senate and house committees on education a report of academy
4 8 activities, fees collected and funds expended for the
4 9 operation of the academy, and budget projections for the
4 10 anticipated activities of the academy in subsequent years.
4 11 The department shall investigate expansion of the activities
4 12 of the academy to other state agencies and institutions,
4 13 including, but not limited to, the department of corrections
4 14 for purposes of meeting the requirements of section 904.516.
4 15 Recommendations for expansion of the academy's activities
4 16 shall be included in the annual report submitted pursuant to
4 17 this subsection.

4 18 Sec. 3. Section 272.2, Code 2003, is amended by adding the
4 19 following new subsection:

4 20 NEW SUBSECTION. 17. License individuals from Iowa, or
4 21 another state, territory, federal district, or country, to
4 22 teach courses delivered using instructional technology
4 23 including, but not limited to, web-based and Iowa
4 24 communications network applications.

4 25 Sec. 4. EMERGENCY RULES. The state board of education may
4 26 adopt emergency rules under section 17A.4, subsection 2, and
4 27 section 17A.5, subsection 2, paragraph "b", to implement the
4 28 provisions of this Act and the rules shall be effective
4 29 immediately upon filing unless a later date is specified in
4 30 the rules. Any rules adopted in accordance with this section
4 31 shall also be published as a notice of intended action as

4 32 provided in section 17A.4.

4 33 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
4 34 immediate importance, takes effect upon enactment.

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