

Senate File 2310 - Reprinted

SENATE FILE 2310
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2004)

(As Amended and Passed by the Senate February 27, 2020)

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 the applicability of subsection
8 5 for up to two additional specified subject areas for a school
9 district or accredited nonpublic school that proves to the
10 satisfaction of the department that the school district or
11 accredited nonpublic school has made every reasonable effort,
12 but is unable to meet the requirements of subsection 5. A
13 school district or accredited nonpublic school may apply for an
14 annual waiver each year.

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

28 (1) An online learning platform if the course is developed
29 by the school district or accredited nonpublic school itself
30 or is developed by a partnership or consortium of schools
31 that have developed the course individually or cooperatively,
32 provided the course is taught and supervised by a teacher
33 licensed under chapter 272 who has online learning experience
34 and the course content meets the requirements established by
35 rule pursuant to section 256.7, subsection 32, paragraph "*c*".

1 A partnership or consortium of schools may include two or
2 more school districts or accredited nonpublic schools, or any
3 combination thereof.

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

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

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

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

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

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

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

25 1. Subject to an appropriation of funds by the general
26 assembly for this purpose, the area education agencies
27 may offer, separately or in collaboration with other area
28 education agencies, or in partnership with school districts and
29 accredited nonpublic schools, to provide an online learning
30 program to deliver distance education to Iowa's secondary
31 students, including students receiving independent private
32 instruction as defined in section 299A.1, subsection 2,
33 paragraph "b", competent private instruction under section
34 299A.2, or private instruction by a nonlicensed person under
35 section 299A.3.

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

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

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

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