SENATE FILE 2310
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2004)

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

_____ = New Language by the Senate

A BILL FOR

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

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

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

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

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

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

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

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

preservice program, or comparable coursework.

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

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

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

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

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

(1) The school district or accredited nonpublic school

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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