

**281—31.1(299,299A) Purpose and definitions.**

**31.1(1) Purpose.** It is the purpose of this chapter to give guidance concerning the provision, assistance, and supervision of private instruction to children of compulsory attendance age outside the traditional school setting. This chapter also establishes responsibilities related to dual enrollment.

**31.1(2) Definitions.** The following definitions apply to this chapter:

*a. "Competent private instruction" means either of the following:*

(1) Private instruction provided on a daily basis for at least 148 days during a school year, to be met by attendance for at least 37 days each school quarter, by or under the supervision of a licensed practitioner in the manner provided under Iowa Code section 299A.2 and this chapter, which results in the student about whom a report of private instruction has been filed making adequate progress.

(2) Private instruction provided by a parent, guardian, or legal custodian pursuant to Iowa Code section 299A.3.

*b. "Independent private instruction" means private instruction that meets the following criteria:*

(1) Is not accredited.

(2) Enrolls not more than four unrelated students.

(3) Does not charge tuition, fees, or other remuneration for instruction.

(4) Provides private or religious-based instruction as its primary purpose.

(5) Provides enrolled students with instruction in mathematics, reading and language arts, science, and social studies.

(6) Provides, upon written request from the superintendent of the school district in which the independent private instruction is provided, or from the director of the department of education, a report identifying the primary instructor, name and location of the authority responsible for the independent private instruction, and the names of the students enrolled.

(7) Is not a nonpublic school and does not provide competent private instruction as defined in Iowa Code section 299A.1 and these rules.

(8) Is exempt from all state statutes and administrative rules applicable to a school, a school board, or a school district, except as otherwise provided in Iowa Code chapters 299 and 299A.

*c. "Private instruction" means instruction using a plan and a course of study in a setting other than a public or organized accredited nonpublic school.*

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