Iowa State Board of Education

Executive Summary

January 23, 2014

Agenda Item: Work Session - Approval Process for Out-of-State Online Educator Preparation Programs

Iowa Goal: All PK-12 students will achieve at a high level.

State Board Role/Authority: Iowa Code section 256.7(3) and Iowa Administrative Code 281—79.5 grants authority to the State Board of Education to set standards and approve practitioner preparation programs based on those standards.

Presenter: Lawrence R. Bice, Administrative Consultant Bureau of Educator Quality

Attachments: 1

Recommendation: It is recommended that the State Board develop a clear understanding of the requirements for approval of out-of-state based online educator preparation programs offered to Iowa students.

Background: New federal Department of Education regulations (34 CFR § 600.9) require an institution that offers online courses and programs, including educator preparation programs, to be registered with each state in which students of the programs reside, if the state requires that the institution be registered in that state. Iowa Code Chapter 261B, as modified effective July 1, 2009, requires an institution that maintains or conducts a course of instruction in Iowa, including through distance education, to register with the Iowa College Student Aid Commission.
Information about statutes and rules that apply for approval of out-of-state online programs.

**34 Code of Federal Regulations §600.9(c):**
If an institution is offering postsecondary education through distance or correspondence education to students in a State in which it is not physically located or in which it is otherwise subject to State jurisdiction as determined by the State, the institution must meet any State requirements for it to be legally offering postsecondary distance or correspondence education in that State. An institution must be able to document to the Secretary the State’s approval upon request.

**Iowa Code 261B**

**§261B.3 Registration.**
1. Except as provided in section 261B.11, a school shall register with the commission if a person compensated by the school conducts any portion of a course of instruction in this state or if the school otherwise has a presence in this state.
   
   *(Note: There are no applicable exceptions in IC 261B.11)*

**§261B.2 Definitions:**
“Course of instruction” means a postsecondary educational program that a school offers through in-person instruction, distance delivery, correspondence study methods, or any combination thereof.

**§261B.3A Requirements — Provisional Registration.**
1. In order to register, a school shall be accredited by an agency or organization approved or recognized by the United States department of education or a successor agency, be approved by any other state agency authorized to approve the school in this state, and, subsequently, be approved for operation by the commission.

2. A practitioner preparation program, as defined in section 272.1, operated by a school that applies to register the program in accordance with this chapter shall, in order to register, be accredited by an agency or organization approved or recognized by the United States department of education or a successor agency, be approved by the state board of education pursuant to section 256.7, subsection 3, and, subsequently, be approved for operation by the commission.

**Iowa Code §272.1, Definitions:** “Practitioner preparation program” means a program approved by the state board of education which prepares a person to obtain a license as a practitioner.

For this reason, we only consider licensure programs, not endorsement programs.