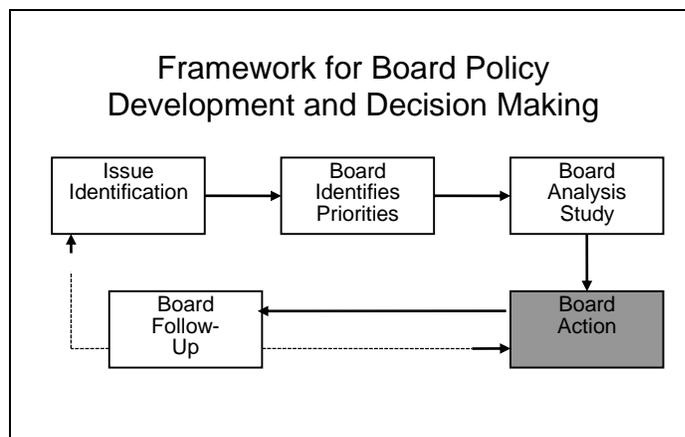


Iowa State Board of Education

Executive Summary

August 6, 2015



- Agenda Item:** Rules: 281 IAC Chapter 15 - Use of Online Learning and Telecommunications for Instruction by Schools (Notice)
- Iowa Goal:** All PK-12 students will achieve at a high level.
- State Board Role/Authority:** Iowa Code section 256.7(5) gives the State Board of Education the statutory authority to adopt rules under chapter 17A.
- Presenter:** Nicole Proesch, Legal Counsel
- Attachments:** 1
- Recommendation:** It is recommended that the State Board give public notice of its intent to amend Chapter 15.
- Background:** 281 Iowa Administrative Code (IAC) chapter 15 outlines the use of online learning and telecommunications for instruction by schools. The amendment to this chapter is to reflect legislative changes pursuant to Senate File 510, section 99, enacted by the 86th General Assembly in 2015, which amended Iowa Code section 256.7, subsection 32, paragraph c, to provide exceptions to prior enrollment limitations and to provide additional reporting requirements for the school districts.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 15, “Use of Online Learning and Telecommunications for Instruction by Schools,” Iowa Administrative Code.

This chapter, “Use of Online Learning and Telecommunications for Instruction by Schools,” became effective on January 16, 2013, to implement Chapter 1119 of 2012 Iowa Acts, sections 13 through 17. Section 15 of Chapter 1119 of 2012 Iowa Acts amended Iowa Code section 256.7 by adding a new subsection in which the State Board of Education was required to adopt rules “prohibiting the open enrollment of students whose educational instruction and course content are delivered primarily over the internet.” An exception to that prohibition was contained in section 256.7, subsection 32(b), paragraph c, which applied exclusively to the CAM Community School District and the Clayton Ridge Community School District. Pursuant to Senate File 510, section 99, enacted by the 86th General Assembly in 2015, Iowa Code section 256.7, subsection 32, paragraph c, was amended to provide exceptions to prior enrollment limitations and to provide additional reporting requirements for the school districts. The following changes to the rule adopt those changes.

An agency-wide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments on or before September 22, 2015, at 4:30 p.m. Comments on the proposed amendments should be directed to Phil Wise, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515) 281-4835; E-mail

phil.wise@iowa.gov; or fax (515) 242-5988.

A public hearing will be held on September 22, 2015, from 9 to 10 a.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of their specific needs by calling (515)281-5295.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Senate File 510, section 99, 86th General Assembly, first session (2015).

The following amendments are proposed.

ITEM 1. Rescind subrule 15.8 and replace with:

281—15.8(256) Prohibition regarding open enrollment. Open enrollment of students to a school district that offers online coursework is limited to open enrollment to the receiving school districts of Cumberland-Anita-Massena (CAM) and Clayton Ridge. Refer to Iowa Code section 256.7(32)(c) for implementation. In implementing any numerical limitation required by section 256.7(32)(c), as amended, priority shall be given to students who are documented victims of bullying and harassment, as defined in Iowa Code section 280.28.

ITEM 2. These amendments are intended to implement Senate File 510, section 99, 86th General Assembly, first session (2015), and Iowa Code section 256.7, subsection 32, paragraph c.