

EDUCATION DEPARTMENT[281]

Adopted and Filed

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

Chapter 15 was promulgated to implement 2012 Iowa Acts, chapter 1119, sections 13 through 17, and became effective January 16, 2013. 2012 Iowa Acts, chapter 1119, section 15, 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 is contained in Iowa Code section 256.7, subsection 32, paragraph “c,” which applies exclusively to the CAM Community School District and the Clayton Ridge Community School District. Pursuant to 2015 Iowa Acts, Senate File 510, section 99, Iowa Code section 256.7, subsection 32, paragraph “c,” is amended to provide exceptions to prior enrollment limitations and to provide additional reporting requirements for the school districts. This amendment implements those changes.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the September 2, 2015, Iowa Administrative Bulletin as **ARC 2118C**. Public comments were allowed until 4:30 p.m. on September 22, 2015. A public hearing was held on that date. No one attended the public hearing and no written comments were received. This amendment is identical to that published under Notice of Intended Action.

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

This amendment is intended to implement Iowa Code section 256.7(32)“c” as amended by 2015 Iowa Acts, Senate File 510, section 99.

This rule will become effective January 13, 2016.

The following amendment is adopted.

Rescind rule 281—15.8(256) and adopt the following new rule in lieu thereof:

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, pursuant to Iowa Code section 256.7(32) “c” as amended by 2015 Iowa Acts, Senate File 510, section 99. In implementing any numerical limitation required by Iowa Code section 256.7(32) “c” as amended by 2015 Iowa Acts, Senate File 510, section 99, priority shall be given to students who are documented victims of bullying and harassment, as defined in Iowa Code section 280.28.