

Legislative Update 2020

Background:

The 2020 Iowa Legislature adjourned on Saturday. Much was accomplished in the last several days since the legislative session resumed following its suspension due to COVID-19.

SF 2310 – Iowa Learning Online (ILO) –

Repeals the Iowa Learning Online (ILO) code section. The bill establishes the foundation and structure for the online learning platform that the Department of Education (Department) and Area Education Agencies (AEAs) are making available when school resumes in the fall. School districts can use the online learning platform or choose to offer online learning using their own learning management systems. There are several provisions to the bill:

1. Requires school districts and accredited nonpublic schools to report to the Department in the Comprehensive School Improvement Plan (CSIP) all online coursework offered by the school district or accredited nonpublic school.
2. Requires rules be adopted that online learning coursework offered by school districts, accredited nonpublic schools and AEAs be rigorous, high-quality, aligned with Iowa core standards, aligned with national standards of quality for online courses, and taught by an Iowa licensed teacher with specialized training or experience in online learning.
3. Requires districts and accredited nonpublic schools that provide online coursework not purchased through a provider approved by the Department to submit online curricula to the Department for review. The Department must review curricula for alignment with Iowa core standards and national standards of quality for online courses.
4. Permits school districts or accredited nonpublic schools to offer world language, personal finance literacy, or computer science courses online without the requirement of an offer and teach waiver, if the school district or accredited nonpublic school makes every reasonable and good faith effort to employ a licensed teacher for the specified subject and is unable to employ such teacher or fewer than 10 students register for the specified subject.
5. Allows for two courses to be offered online without the requirement of an offer and teach waiver, if the school district or accredited nonpublic school makes every reasonable and good faith effort to employ a licensed teacher for the specified subject and is unable to employ such teacher or fewer than 10 students register for the specified subject.
6. Allows a school district or accredited nonpublic school to request an additional waiver of the offer and teach requirements from the Department for up to two additional courses annually.
7. Requires the online learning platform to deliver services to students who are receiving independent private instruction (IPI) and competent private instruction (CPI), or private instruction by a non-licensed person.
8. Provides for additional flexibility for use of professional development dollars for fiscal year 2021. During the 2020-2021 school year, school districts may use any portion of the 36 required hours for professional development to provide instructional time in addition to the amount of required instructional time.
9. Provides school calendar flexibility for school districts and accredited nonpublic schools that submit a Return-to-Learn Plan in response to school closures due to a Governor proclamation of a public health emergency related to COVID-19. Any Return-to-Learn Plan submitted by a school district or accredited nonpublic school must include provisions for in-person instruction and

provide that in-person instruction is the presumed method of instruction. This provision is repealed on July 1, 2021.

10. Allows until July 15, 2020, for a parent to apply to open-enroll a student for the 2020-2021 school year, in an online public school in another school district if the child, the child's caretaker, or another resident of the child's residence has a significant health condition that may increase the risk of COVID-19.
11. Requires school districts to submit a report to the Department that will include beginning fund balances for the budget year beginning July 1, 2020, and any savings to the school district resulting from the closure of schools due to COVID-19 for the budget year, July 1, 2019, through June 30, 2020. Specifies the information to be provided.

The bill also offers flexibility for the 2020-2021 school year for certain educational and instructional requirements. Those provisions are as follows:

12. Authorizes students receiving CPI be provided available texts or supplementary materials on the same basis as provided to enrolled students.
13. Authorizes school boards, if the Governor proclaims a public health disaster, to close a school district due to an outbreak of COVID-19 in the school district or any school district attendance center.
14. States the minimum school day requirements will not be waived for school closures due to COVID-19 unless the school district or accredited nonpublic school provides compulsory remote learning.
15. Requires school staff to be available during regular required contract hours, if a remote learning period is necessary.
16. Specifies if a student who is enrolled in a school district or accredited nonpublic school, but who does not participate in compulsory remote-learning opportunities that are implemented due to COVID-19, will be considered truant. There are exceptions outlined in the bill.
17. Permits the Department to waive certain teacher-endorsement requirements.
18. Requires when implementing social distancing policies included in a Return-to Learn Plan, school districts and accredited nonpublic schools to the extent possible, provide in-person instruction for core academic subjects.
19. Specifies that the implementation of statewide assessments will not be waived.
20. Allows a student to graduate who has not met the requirements of Cardiopulmonary Resuscitation Certification (CPR), if the school district or accredited nonpublic school was closed due to recommendation of a local board of health, the Iowa Department of Public Health, or because the Governor proclaims a public health disaster.
21. Outlines provisions and accommodations for students with individualized education programs (IEP) or who are in need of accommodations. The student's IEP and accommodation team will determine accommodations.
22. States a school district or accredited nonpublic school, in response to COVID-19, may primarily provide virtual instruction if such instruction is provided in accordance with the school's Return-to-Learn Plan submitted to the Department regardless of if the school is typically a virtual school.

Recommended Action:

I recommend the board move to