Virtual/Online Education Information

Introduction

Over the past several years, Iowa has experienced legislative and regulatory changes related to virtual and online learning. These changes have expanded opportunities for students while also establishing updated requirements and expectations for school districts, accredited nonpublic schools, and online learning providers. This document is intended to serve as a resource for educators, administrators, and stakeholders by summarizing key information regarding Iowa's online learning laws, administrative rules, and implementation requirements.

Purpose

The purpose of this document is to:

- Provide definitions of key terms related to online and virtual learning;
- Summarize current Iowa Code and administrative rules governing online education;
- Highlight recent legislative and rule updates; and
- Clarify responsibilities and expectations for school districts, accredited nonpublic schools, and approved online learning providers.

Definitions

Online Learning and Online Coursework

Iowa Code 256.2(3) defines "online learning" and "online coursework" as "educational instruction and content which are delivered primarily over the internet. 'Online learning' and 'online coursework' do not include print-based correspondence education, broadcast television or radio, video cassettes, or stand-alone educational software schools that do not have a significant internet-based instructional component."

Related Terms

- **Delivered primarily over the internet:** Any amount over 50% (Iowa Administrative Code 281-15.2).
- **Co-curricular activities:** Activities that are outside of but usually complementing the regular curriculum.
- **Extracurricular activities:** School-based activities that are not tied to the curriculum.
- **General fund:** Chief operating fund of the school district that is used to account for all financial resources of the school district except for those required to be accounted for in another fund. A district may have only one general fund (Uniform Financial Accounting, 2009).
- **Resident district:** The district of residence for school purposes of the parent/guardian and the district in which an open enrollment pupil will be counted for the purpose of generating state aid regardless of the district in which the pupil is enrolled.
- **Receiving district:** The public school district in which a parent/guardian desires to have the pupil enrolled or the district accepting the application for enrollment of a pupil under the provisions of Iowa Code section 282.18, open enrollment.

Updated Iowa Administrative Code for Virtual and Online Learning

Updated in April 2024, Iowa Administrative Code 281-15 – Online and Virtual Learning addresses definitions relating to online and virtual learning and the use of telecommunications for instruction; online learning provided by public schools, accredited non-public schools and Area Education Agencies; access by students receiving competent private instruction and students with disabilities; as well as the use of private providers of content, open enrollment processes, and general supervision by the Department of Education.

Online Learning: Required Actions

Table 1 provides an overview of **required actions** for online learning from Iowa's 2018 legislative session.

Table 1able 1.

Citation	Required Action
Iowa Code 256.41(1)	Requires a district providing educational instruction and course content delivered primarily over the internet (over 50%) to: ● Monitor and verify full-time student enrollment, timely completion of graduation requirements, course credit accrual, and course completion; ● Monitor and verify student progress and performance in each course through a school-based assessment plan that includes submission of coursework and security and validity of testing components; ● Conduct parent-teacher conferences; and Administer assessments required by the state to all students in a proctored setting and pursuant to state law.
Iowa Code 256.41(2)	Requires a district to provide online curricula only when such curricula are provided and supervised by a teacher licensed under chapter 272.
Iowa Code 256.43(2)	Requires a receiving district to inform the resident district if a student stops participating in online education.
Iowa Code 256.43(5)	Prohibits schools and private providers from providing incentives or rebates for parents to enroll in online education.
Iowa Code 282.18(12) as amended by Senate File 176	Allows students open enrolled to online schools to participate in up to two extracurricular or cocurricular activities *per academic term* in the resident school district if the online school in the receiving district does not sponsor the extracurricular or cocurricular activity.
Iowa Code 256.7(32)	Requires online coursework offered by district, nonpublic schools, and area education agencies (AEAs) to be rigorous, high quality, aligned with national standards of quality for online coursework, and aligned with Iowa's Academic Standards. Requires online coursework to be instructed by an Iowa-licensed teacher with specialized training in online course delivery. Training may include AEA PD Online, a supervised online teaching experience, pre-service coursework, or comparable coursework. Charges the State Board of Education (State Board) to make rules on the above requirements.
Iowa Code 256.9(55)	Charges to the Department to maintain a list of approved providers whose coursework meets the criteria set forth by the State Board. Providers must apply annually or as determined by the Department.
Iowa Code 256.11(17)(a)(1), (2), &(17)(b)	Allows districts and accredited nonpublic schools to utilize up to seven online courses to meet offer and teach requirements as outlined in Iowa Code 256.11(5) if the district or nonpublic school has either: ● Made every reasonable and good faith effort to hire a licensed teacher to teach the course, but is unable to, or ● Demonstrates that fewer than 10 students typically enroll in the course. Districts and nonpublic schools must apply for waivers for offer and teach requirements in the CASA system.
Iowa Code 256.11(17)(c)	If a district or nonpublic school provides a course through an online alternative, the course must be offered in one of the following ways: ● On an online platform developed by a district, school, or consortium of schools that meets all State Board rules; ● By a private provider approved by the Department; or On an online platform offered by the Department in collaboration with the AEAs and/or districts or nonpublic schools.

Citation	Required Action
Iowa Code 256.11(17)(c)(3)	Allows the Department, in collaboration with AEA(s), and/or districts or nonpublic schools to house an online learning platform (Iowa E-Learning Central) to deliver services to students, including students receiving competent private instruction under 299A. Students must register with their resident district to provide services.
Iowa Code 256.11(17)(d)	"Good faith effort" for the purposes of the offer and teach exceptions in 256.11(17) "includes advertising for the position in an appropriate publication, interviewing applicants, and giving serious consideration to those licensed or authorized, and otherwise qualified, applicants who apply" (Iowa Code 279.19A(9)). Evidence of "good faith effort" typically includes advertising efforts and summaries of the number of candidates who applied and who were interviewed.

Frequently Asked Questions

Table 2 provides answers to frequently asked questions.

Table 2.

Questions	Answer
1. How does a district become an approved online provider?	See the Department's Online Learning webpage for process and procedures.
2. In what circumstance should a district apply to be an approved online provider?	The district should apply to be an approved online provider if the intent is to operate a fully online school and accept open enrollment for the purpose of attending the fully online school.
3. What happens if a private provider or district-developed online school is not approved?	Reviewer comments will be provided. The private provider or the district may reapply after comments have been addressed.
4. Which districts have approved online schools for students to open enroll into?	A list of districts that provide courses through an approved provider or have developed an online school is available on the Department's Online Learning webpage.
5. What are the requirements for a school district providing online educational instruction and course content?	The requirements (Iowa Code 256.7(32)(c) and 256.41) include: Monitoring and verifying full-time student enrollment, timely completion of graduation requirements, course credit accrual, and course completion. Monitoring and verifying student progress and performance in each course through a school- based assessment plan that includes submission of coursework and security and validity of testing components. Conducting parent-teacher conferences. Administering required state assessments to all students in a proctored setting and pursuant to state law. Providing online learning that is provided and supervised by a teacher licensed under chapter 272. Completing reporting requirements on an annual basis.
6. Is there a limit on the number of students that can open enroll to a school district to receive their education provided primarily online?	No. However, a district with a diversity plan may deny an open enrollment out if the request adversely affects the district's diversity plan (Iowa Code 282.18(3)).
7. If a district offers approved online course content to its resident students, may it offer that course content to students that are open enrolled into the district?	Yes, the district may offer online course content to students open enrolled into the district.

Questions	Answer
8. May online courses be used to meet high school offer and teacher requirements?	Yes. For additional guidance, contact your school improvement consultant.
9. Is there a minimum offer and teach requirement for an online school a district needs to meet in order to be approved?	Offer and teach applies to the district as a whole; however, offer-and-teach must be available to all students in the district.
10. If a student is enrolled in one of the existing virtual schools, can they enroll in one or more co-curricular activities at the resident district?	A student who is open enrolled to one of the existing online/virtual schools may participate in up to two extracurricular or cocurricular activities per academic term in the resident school district if the online school in the receiving district does not sponsor the extracurricular or cocurricular activity.
11. Does co-curricular music mean participation in band or music class scheduled during the school day?	Yes. Iowa Code 282.18(11A).
12. What activities at the resident district qualify?	Qualifying activities include interscholastic athletics, music, drama, and any other activity with a general fund expenditure exceeding $5,000 (Iowa Code 282.18(7)) if the online school does not sponsor the extracurricular or cocurricular activity.
13. If a student enrolls in music class and drops during the first quarter, may the student re- enroll during the second quarter?	This is a local district decision.
14. My child wants to participate in our resident district's vocal music program both semesters. How is this counted for the number of activities?	For co-curricular activities, one semester equals one activity. Participating in vocal music two semesters equals two activities. For extracurricular activities, one sport equals one activity (Iowa Code 281.18(7)).
15. Can any open enrolled out student participate in activities at their resident district?	No. Students open enrolled to districts with an online school for the purposes of receiving online instruction may participate in activities at their resident district if the activity is not sponsored by the online school in the receiving district (Iowa Code 282.18(12)). See the list of Approved Online Public and Nonpublic Schools in Iowa for districts offering online schools for open enrollment.
16. My child is open enrolled to an online school in a district that has multiple high schools. Can my child participate in speech and drama in the resident district if one of the other schools in the receiving district offers speech and drama?	Yes, if the online school does not sponsor speech and drama as an activity.
17. Do resident students open enrolled out for an online school need to meet the same eligibility requirements of resident students to participate?	Yes. Open enrolled out students must meet the same eligibility requirements as resident students to participate in activities (Iowa Code 282.18 (12)).
18. Can the resident district deny participation in activities if the open enrolled district does not provide grade reports as requested?	No. Districts are required to share grade reports, but students cannot be determined ineligible because a district does not provide such reports.
19. If a student who is open enrolled for an online school and participating in an activity at the resident district is found to be violating the resident district's rules (e.g., good conduct, bullying and/or harassing), may the resident district expel or suspend the student?	Yes. The student must comply with their resident district's established eligibility and conduct rules and other requirements relating to the activity (Iowa Code 282.18(12)).

Questions	Answer
20. Can a student represent two districts? For example, could the student be in one activity at the district of residence and one activity at the open enrolled district?	No. Students open enrolled to an online school may participate in activities in the receiving district OR the resident district if the activity is not sponsored by the online school in the receiving district. The student will be automatically eligible in the resident district. Ineligibility rules apply in the receiving district (Iowa Code 282.18).
21. Can the resident district decline the open enrolled out student a spot in a co-curricular class based on classroom space?	No. Iowa Code 282.18.
22. Is there a specific age requirement for open enrolled out students to participate in extracurricular activities?	No. A pupil participating in open enrollment for purposes of receiving online educational instruction and course content, in accordance with Iowa Code 256.7(32), may participate in any co-curricular or extracurricular activities offered to children in the pupil's grade or group and sponsored by the district of residence under the same conditions and requirements as the pupils enrolled in the district of residence if the activity is not sponsored by the online school (Iowa Code 282.18(12)).
23. May incentives or rebates be prepared for enrolling in an online education school?	No. Iowa Code 256.43(5)
24. Is there a cost to use online courses?	Yes. School districts and accredited nonpublic schools must cover the costs of the private provider or the district-developed courses (Iowa Administrative Code 28115.16(1)).
25. Is there a grant available for private vendors to lower the cost to districts?	No. There is, however, Iowa e-Learning Central, which provides free or low-cost online course content to Iowa school districts and accredited nonpublic schools.
26. If a school district uses a private provider, is the school district required to ensure the course is taught by an Iowa licensed teacher?	Yes. Iowa Code 256.9(55) and 272.
27. May an online provider operate in Iowa via independent accreditation without the umbrella of a district?	No. There must be a brick-and-mortar presence for a public or a nonpublic school.

Additional Information

For additional information, please see the Online Learning webpage.

For general online learning questions or online school approval, contact Stephanie Langstraat at stephanie.langstraat@iowa.gov or 515-402-8700 or Gwen Nagel at gwen.nagel@iowa.gov or 515-419-3275.