

Iowa Homeschool Administrative Rule Revisions Adopted

The Iowa State Board of Education voted unanimously at its December 11, 2008, meeting to adopt the revised Chapter 31 Competent Private Instruction [CPI] Administrative Rules. The newly adopted rules will become effective February 18, 2009.

Administrative rules are promulgated by executive branch departments to implement the Iowa Code, and they hold the full force and effect of law.

The official CPI rules revision process began in September of 2008 when the State Board of Education voted to provide notice that the Department of Education was revising the rules.

The Department's revisions were then published in the October 8, 2008, issue of the *Iowa Administrative Bulletin*, and public comments were received until October 28, 2008. A public hearing was held in the board meeting room of the Grimes State Office Building on October 28, 2008, and the Iowa Legislature's oversight committee, the Administrative Rules Review Committee, assessed the revision proposals and received public comment at its December 11, 2008, meeting at the Iowa Statehouse.

The final Chapter 31 CPI Rules will be printed in a January 2009 issue of the *Iowa Administrative Bulletin* and will be given a final review by the Iowa Legislature's Administrative Rules Review Committee in February.

Overall, these rules revisions have a lot of positive changes for Iowa homeschoolers. The Department of Education adopted many of the suggested changes recommended back in 2005 by the NICHE board after it held a weekend retreat to review the existing rules. In addition, Department Legal Counselor Carol Greta implemented a number of additional recommendations and suggestions into the Department's final draft.

What's new in these recently-adopted homeschool rules? Here is a brief summary [items marked with an asterisk were initially requested by NICHE]:

- A standard annual deadline for filing Competent Private Instruction Report Forms is established: August 26.*
- In order to conform to a new law passed during the last legislative session, wording is included to require parents who enroll their children in a Home School Assistance Program [HSAP] to file Competent Private Instruction Report Forms – albeit in abbreviated form.
- Parents who file a Competent Private Instruction Report Form in after the school year has commenced now have extended deadlines.*
- Supervising teachers are no longer subject to a restrictive – sometimes non-applicable – listing of requirements for consultations.*
- Persons with substitute authorizations are now legally recognized as eligible to provide privately-retained supervision of competent private instruction.*

(Persons with a substitute authorizations may not be employed by Home School Assistance Programs to supervise competent private instruction.)

- Reports from qualifying correspondence schools are now officially recognized as an option for compliance with the annual assessment requirement for families not utilizing the services of a supervising teacher.*
- Baseline evaluation for those choosing the annual assessment option is no longer restricted to standardized testing only. Now, parents may select either standardized testing, portfolio evaluation, or submittal of a report card from an accredited correspondence school for the purposes of fulfilling the baseline – or subsequent – evaluation.*
- The static listing of acceptable standardized tests in the rules will now be replaced by an annual posting of acceptable standardized tests on the Department of Education website.
- Wording is now included to officially recognize standardized testing provided by private testing services, such as Bob Jones University Testing Service.*
- Portfolio evaluator qualifications are updated in order to reflect current wording in the Iowa Code and Administrative Rules. However, a special provision is included to allow persons with substitute licenses to evaluate CPI student portfolios.*
- All annual assessment reports are now the responsibility of the parent – not the test administrator, portfolio evaluator, etc. – and they are no longer required to be sent to the State Department of Education, only the resident school district.
- Standardized testing results can now be sent as an accurate photocopy of the original form with non-required results redacted.*
- All annual assessment reports sent to the public school are now officially protected as confidential.*
- Instructional materials provided by a school district (via dual enrollment and/or HSAP enrollment) are officially defined as non-cash or non-cash-equivalent resources that remain in the ownership of the school district and are appropriate for use by regularly enrolled students. Earlier draft wording that restricted school-provided instructional materials to surplus materials that had been purchased originally for regularly enrolled students was removed from the final draft adopted by the State Board of Education.
- Exact proportional guidelines for dual enrollment are now included in the rules: parents must provide at least one-quarter of a child's instruction through competent private instruction and no more than three-quarters through dual enrollment via a school district's academic programs.
- Allowances are provided for parents of special needs students to deny consent for public school evaluation of their children for services provided under the Individuals with Disabilities Education Act [IDEA]. Specific wording clarifies that parents who choose this course are no longer required to seek the approval of the director of special education of their local area education agency in order to homeschool their special needs children.*

The complete text of the newly adopted Chapter 31 Competent Private Instruction Administrative Rules can be accessed via a link on the NICHE website:

www.homeschooliowa.org