

Frequently Asked Questions

General

1. What is competent private instruction?

Competent private instruction (CPI) is private instruction provided to a child in Iowa. "Private instruction" means instruction using a plan and course of study in a setting other than a public school district or accredited nonpublic school. The CPI category includes both home schooled children and those in non-accredited nonpublic "schools." Iowa Code section 299A.1; 281-IAC chapter 31.

2. May any child receive CPI?

Generally, yes. The parent, guardian, or legal or actual custodian simply completes the Report of Competent Private Instruction (Form A – available from district of residence) and returns it to the resident district by **August 26** or within 14 days of commencing CPI.

NOTE, however, if a child has been identified as requiring special education programs or services, prior written approval must be obtained from the special education director of the Area Education Agency (AEA) in which the child resides before the child may be home schooled or enrolled in a non-accredited nonpublic "school." This consent is not required if the parent, guardian, legal, or actual custodian does not consent to initial evaluation or to reevaluation of the child for receipt of special education services or programs. Iowa Code sections 299.4, 299A.9; 281-IAC rules 31.5(f), 31.10.

3. Does Form A have to be filed for a child who attends a non-accredited "school"?

Yes. Form A must be filed for each child of **compulsory attendance age** who is either home schooled or enrolled in a non-accredited nonpublic "school." Iowa Code section 299.4. (See question #23 regarding students enrolled in a Home School Assistance Program (HSAP)).

4. Does Form A have to be filed for a child who is younger or older than compulsory attendance age?

No. However, the fact that Form A does not have to be filed for a child younger or older than compulsory attendance age does not mean that the child cannot receive CPI. Any child who is 5 years of age by September 15 and under 21 years of age who has not completed the equivalency of graduation requirements may receive CPI. Iowa Code section 299.4; 281-IAC 31.2.

5. Is Form A (the Report of CPI) a public document?

Yes. It is a document required to be maintained by a school district and by the appropriate AEA; therefore, it is a public document. That does not mean that all of the information on the form is public information. A district may not release information to unauthorized persons about the child's immunization records, special education status, curriculum, or assessment/portfolio information without parental consent or statutory authorization. Also, a parent, guardian, or legal or actual custodian has the right to instruct the district not to release to unauthorized persons any information that is usually regarded as public information, including the child's name.

Iowa Code section 22.7(1); 20 U.S.C. section 1232g (FERPA – Family Educational Rights and Privacy Act).

6. What is compulsory attendance age?

For children who receive CPI, compulsory attendance age includes children who are 6 years old by September 15 and younger than 16. Form A (the Report of CPI) must be filed for a child of compulsory attendance age, but may be filed for a child who is 5 years old by September 15, as well as for a child who is 16 years of age or older. Iowa Code sections 299.1A, 299.4.

7. Is there a particular curriculum that must be used to provide CPI?

No, the State of Iowa does not have a mandated curriculum for students who receive CPI. The type of curriculum and instructional materials is the decision of the parent, guardian, or legal or actual custodian.

8. Are diplomas available for children who are home schooled?

The Iowa Department of Education cannot issue diplomas, and the district of residence may not be compelled to issue a diploma. There are certain state-mandated graduation requirements that must be met before a school district may issue a diploma. Physical education, U.S. history and U.S. government are current requirements, and as of the 2010-2011 school year, anyone receiving a diploma must have four credits in English/language arts, and three credits each in science, mathematics, and social studies. Families desiring a district diploma for their children are urged to contact their resident high school administrators during their child's 8th grade year to coordinate these credits.

9. May a parent, guardian, or legal or actual custodian provide CPI via a correspondence school? Yes. The curriculum can come from any source including a correspondence school. The students whose curriculum is provided by a correspondence school must be still annually assessed unless the school is accredited or the teacher providing instruction or supervision is an Iowa licensed teacher. 31.8(4), 31.9(4)

10. Are children who receive CPI exempt from the immunization requirements?

Only to the same extent that a regularly enrolled child is exempt, by filing a medical or religious exemption. To obtain the exemption form, call 888-398-9696 (toll-free) or 515-281-4938. 641. IAC 7.3

11. Are children who receive CPI exempt from the new health screening requirements?

Legislation enacted by the 2007 Iowa General Assembly requires all children under the age of 6 to have a blood lead test. Compliance with this requirement will be verified for children enrolling in kindergarten and children under the age of 6 for whom a Competent Private Instruction report form is filed. This will be done by matching the names of these children with the Iowa Department of Health's blood lead database. **The new dental screening and vision examinations do not apply to children who receive CPI.**

12. May a child who has been identified as requiring special education programs or services receive CPI?

Yes, if the special education director of the AEA in which the child resides gives prior written approval to the parent, guardian, or legal or actual custodian. Iowa Code section 299A.9; 281-IAC 31.10. **(see NOTE on page 4, FAQ #2)**

Dual Enrollment; Home School Assistance Programs (HSAP)

13. What is dual enrollment?

Dual enrollment is enrollment with a public school district of a child who is receiving CPI for the purpose of attending one or more courses or participating in extracurricular activities offered by the district. Iowa Code section 299A.8; 281-IAC 31.6.

14. May a student who is not of compulsory attendance age be dual enrolled?

Yes. A student receiving competent private instruction, who is 5 years of age by September 15 or who is under age 21 years and has not graduated from CPI, or the equivalent thereof, may be dual enrolled. Iowa Code section 257.6(1) (f).

15. In what school district activities may a dual enrolled child participate?

A child under dual enrollment may participate in academic programs or extracurricular activities on the same basis as any regularly enrolled student. A child under dual enrollment is also eligible to receive AEA services on the same basis as a regularly enrolled child. Iowa Code section 299A.8; 281-IAC 31.6.

16. May a child be dual enrolled in any school district?

No. A child may dual enroll only in his or her district of residence. However, a student may open enroll to another district and then dual enroll in the receiving district. 281-IAC rules 17.10(2), 31.6.

17. How does a child use open enrollment to dual enroll in a district other than the child's district of residence?

The parent, guardian, or legal or actual custodian just needs to follow the usual procedures of the open enrollment law – file the application with the resident district before March 1 of the preceding school year. See Open Enrollment Handbook at our web site:

http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=649&Itemid=1336

18. May a dual enrolled child take post-secondary enrollment option (PSEO) courses?

Yes, if the child is an 11th or 12th grader or is a 9th or 10th grader who is identified as Talented and Gifted by the resident district and meets all other eligibility requirements specified in rule 281-22.2.

In re Meggan Stone, 19 D.o.E. App. Dec. 104; Iowa Code section 299A.8.

19. How many courses (PSEO or those offered by the district) may a dual enrolled child take?

Declaratory Ruling #44, 5 D.o.E. App. Dec. 33, states that a parent, guardian, or legal or actual custodian may not use dual enrollment to enroll a child in all courses but one. (e.g., a child could take 5 of 7 classes via dual enrollment). Also, The PSEO program provides that a student may not enroll on a full-time basis in a post-secondary institution under PSEO. 261E7 (2).

20. What are other advantages of dual enrollment?

In addition to participation in academics and/or extracurricular activities, there are two primary advantages.

- a. The parent, guardian, or legal or actual custodian of a child who is dual enrolled shall not be required to pay the costs of the child's annual assessment. Iowa Code section 299A.8; 281-IAC 31.5(2).
- b. The district must provide available instructional materials, if the parent, guardian, or legal or actual custodian so requests, on the same basis these materials are provided to regularly enrolled children. 281- IAC 31.5(4).

21. Does dual enrollment cost a child or the child's family any money?

No. However, a district may charge a fee to a dual enrolled child if a fee also is charged for the same item or service to a regularly enrolled child. (e.g., if a district charges a school supplies fee under Iowa Code 301.1 to regularly enrolled students, that same fee may be charged to a dual enrolled student who also participates in the course or activity). Iowa Code section 299A.8.

22. What public funds does a district receive for a dual enrolled child?

If a child is dual enrolled solely to participate in extracurricular activities, the district receives one-tenth the amount of state aid it receives for a regularly enrolled child. A child dual enrolled in grades 9 – 12 for purposes other than or in addition to participation in extracurricular activities is counted by the district as a shared-time student. Iowa Code sections 299A.8, 257.6(1).

23. What is a home school assistance program (HSAP), and is a district required to have such a program?

Districts are not required to have a HSAP. If a district does have such a program, the district must employ one or more properly licensed instructors to provide instruction or instructional supervision of CPI. The instructor is required to have contact with the child and the child's parent, guardian or legal or actual custodian at least 4 times per quarter, half of which contacts must be face-to-face with the child. The instructor is also to advise the parent, guardian, or legal or actual custodian about lesson plans, instructional materials, teaching/learning techniques, evaluation of student learning, planning, etc.

REMINDER: Parents, guardian, or legal or actual custodian of children enrolled in a HSAP must also fill out Form A for each student enrolled in the Program. At a minimum, questions 1, 3 and 5 must be filled out. However, per rule 31.4(5), a district may condition participation in its HSAP on having the entire form A filled out. Iowa Code section 299.4(2); 281-IAC rules and 31.5(5).

24. What are the other benefits of enrollment in a HSAP?

Because a district that has a HSAP is employing a licensed instructor to provide or supervise CPI, a child in a HSAP is not required to be assessed annually to determine whether the child is making adequate educational progress. Also, the district must provide appropriate instructional materials, if the parent, guardian, or legal or actual guardian so requests, on the same basis these materials are provided to regularly enrolled children. 281-IAC rules 31.5(4) and 31.5(5).

25. Does dual enrollment include participation in a HSAP and vice-versa?

No. A child who receives CPI may be both dual enrolled and enrolled in a HSAP, may be enrolled in either one, or may choose not to be enrolled in either. If a district has a HSAP and the parent, guardian, or legal or actual custodian wishes to

have a child enrolled in that program, the child must be specifically enrolled for that purpose. Dual enrollment alone does not automatically allow the child to participate in the HSAP.
Iowa Code section 299A.8.

26. What is the difference between dual enrollment and a HSAP?

If a child is dual enrolled, she/he may participate in all academic and extracurricular activities offered at the district on the same basis as a regularly enrolled child. A child enrolled in a HSAP must also dual enroll to be able to participate in academic and extracurricular activities. A child who is dual enrolled is required to complete an annual assessment (via standardized test, portfolio evaluation, or report card from accredited correspondence school) to show that s/he is making adequate progress, unless the child is working with a licensed instructor. A HSAP must provide a properly licensed instructor, so children enrolled in a HSAP are not required to be assessed annually. Iowa Code section 299A.8; 281-IAC 31.5(5).

27. May a child be enrolled in any school district's HSAP?

No. A child may enroll only in a home school assistance program, if available, through his or her district of residence. However, a student may open enroll to another district and then enroll in the receiving district's HSAP. 281-IAC rules 17.10(2), 31.7.

28. How does a child use open enrollment to enroll in a HSAP?

The parent, guardian, or legal or actual custodian should follow the usual procedures of the open enrollment law – file the application with the resident district before March 1 of the preceding school year. See Open Enrollment Handbook at our web site: http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=649&Itemid=1336

29. Is there any cost to a child or the child's family to participate in a HSAP?

No.

30. What public funds does a district receive for a child enrolled in a HSAP?

The district receives three-tenths the amount of state aid it receives for a regularly enrolled child.
Iowa Code section 257.6(1) (a) (5), as amended by 2008 Iowa Acts, HF 2700.

31. Is there a deadline for dual enrollment and enrollment in a HSAP?

To ensure a child's participation in dual enrollment or a HSAP, the district must be notified by the parent, guardian, or legal or actual custodian no later than September 15 of the current school year for which either or both types of enrollment are sought (a district may decide on its own to extend this deadline). If the parent, guardian, or legal or actual custodian moves into the district after September 15 or withdraws the child from the district or from an accredited nonpublic school after September 15, the deadline is no later than 14 days after either event. 281-IAC 31.6

32. May a child who is in attendance at an accredited nonpublic school be dual enrolled or enrolled in a HSAP?

No; these enrollments are available only to children who receive CPI without the involvement of a licensed Iowa teacher.
Iowa Code section 299A.8.

Assessments

33. What are the annual assessment requirements?

Every child who is between the ages of 7 and 15, inclusive, of the current school year who receives CPI and who is not working with an Iowa licensed instructor must be assessed annually to make sure that adequate progress is being made. The child must be appropriately evaluated to set a baseline evaluation for the first year of home schooling. This could include standardized testing, portfolio assessment, or submittal of a report card from an accredited correspondence school for purposes of fulfilling the baseline evaluation and annual assessment requirements of the law. After the first year, the child must continue to take a standardized test, develop a portfolio, or submit a report card from an accredited correspondence school to show annual adequate progress, unless the child works with an appropriately licensed Iowa instructor. Students through grade 5 must be assessed on reading, language arts, and mathematics. Students in grades 6 and higher must also be assessed in science and social studies. 31.8(1)

NOTE: Home-schooled children subject to the testing requirement must be tested annually in these subjects even if the school district does not test its own students. National percentile ranks and national grade equivalents must be included on the score report from the test scoring service.

If a child is tested prior to his or her 7th birthday, those results may not be used as the baseline evaluation.

If the child is working with an Iowa licensed teacher who has a certificate that is appropriate for the age and grade of the child, there is not an annual assessment requirement. The teacher is responsible to monitor the child's progress. This includes students enrolled in a HSAP. Iowa Code section 299A.4; 281-IAC 31.8

34. What is adequate progress?

For students working with an Iowa licensed teacher or developing a portfolio to be evaluated by an Iowa licensed teacher, the teacher determines whether adequate progress is being made.

For all other students, the child's score on a standardized test must be above the 30th percentile, nationally normed, in ALL areas tested. In addition, if the child's evaluation results do not show that the child is at or above his/her grade level, the child must show at least six months' progress from the previous evaluation results. Iowa Code section 299A.6.

35. If a parent, guardian, or legal or actual custodian chooses to work with an Iowa licensed teacher, where can they find a willing instructor?

The parent, guardian, or legal or actual custodian should start with the local district, which may have a HSAP or know of teachers willing to work with CPI students. The parent, guardian, or legal or actual custodian may also contact www.homeschooliowa.org¹ or dial 1-800-723-0438 for assistance.

36. Who pays for the standardized test?

If the student is dual enrolled, there is no charge for the cost of the test. If the student is not dual enrolled, the parent, guardian, legal or actual custodian may be charged a fee. The fee may include the cost of the test materials, a prorated fee reflective of the personnel costs of administration based upon the number of students taking the test, and the cost of scoring. 281-IAC 31.5(2)

Generally, a parent, guardian, or legal or actual custodian may not administer the test to his or her own children. However, rule 31.5(2) "c" provides an exception as follows: If the parent, guardian, or legal or actual custodian purchases an approved assessment instrument from an accredited school such as Bob Jones University, and if the publisher of the test allows parent, guardian, or legal or actual custodian administration, it is ok.

37. What are the requirements of a portfolio assessment?

Contents of portfolio: The child's portfolio shall contain evidence of academic progress in the minimum curriculum areas of reading, language arts and mathematics if the child under private instruction is in grade levels 1-5. For children in grade levels 6-12, the portfolio shall contain evidence in the minimum curriculum areas of reading, language arts, mathematics, science, and social studies.

For each curriculum area, the portfolio shall include a book of lesson plans, a diary or other written record indicating the subject matter taught and activities in which the child has been engaged, and an outline of the curriculum used by the child. The portfolio may also include a list of, a reference to, or material from the textbooks and resource materials used by the student in each subject area.

The portfolio evaluator must have an Iowa-teaching certificate for the appropriate age level. The report shall be in narrative form and shall reflect the child's progress in reading, language arts, and mathematics for students in 5th grade and below. For students in grades 6 and higher, progress shall be shown in reading or literary materials, language or written expression, mathematics or qualitative thinking, science, and social studies. Iowa Code section 299A.4 (7); 281-IAC 31.8(3).

¹ The Iowa Department of Education does not endorse any single home schooling organization. We make this website known to families as a resource to families.

38. What happens if the child does not make adequate progress?

The parent, guardian, or legal or actual custodian of a child who fails to make adequate progress shall be notified that the child must be enrolled in an accredited nonpublic school or in the resident school district, unless the Iowa Department of Education grants permission to continue CPI under an approved remediation plan, or unless, before the beginning of the next school year, the child retakes a different form of the same evaluation or another evaluation form of a test approved by the department, and those results indicate that adequate progress has been made. Alternatively, a portfolio review complying with ##34 and 37 above and showing adequate progress could be submitted before the beginning of the next school year. Iowa Code sections 299 A.6 and 299 A.7.

39. If a child is beyond compulsory attendance age, is an annual assessment required?

No. The annual assessment is required of every child between the ages of 7 and 15, inclusive, unless also requested by a parent, guardian, or legal or actual custodian for a child who is beyond compulsory attendance age. If the child is dual enrolled or enrolled in a district's HSAP, there is no cost to the parent, guardian, or legal or actual custodian for the test itself. There may be a cost for administration and scoring if the test is not administered at the place and during the time set for testing of other students. Iowa Code section 299A.4; 281-IAC 31.8

Special Education

40. May a student who has been identified as requiring special education and whose parent, guardian, or legal or actual custodian has received written permission from the AEA special education director to provide competent private instruction (CPI) for the student receive special education services from the AEA and district of residence?

Yes, if the parent, guardian, or legal or actual custodian dually enrolls the student in the district of residence, the student shall receive special education services to the same extent that a regularly enrolled child does. Diagnostic evaluations are to be provided to all children, regardless of enrollment status. Iowa Code sections 256.12(2); 299A.8.

41. May a district require a child who has been identified as eligible for special education services who receives CPI and who is dual enrolled to come to the public school premises to receive such services?

Effective July 1, 2006, Iowa Code section 256.12(2) states as follows: "special education support, and related services provided by area education agencies for the purpose of identifying children with disabilities, assistance with physical and communication needs of students with physical disabilities, and services of an educational interpreter may be provided on nonpublic school premises with the permission of the lawful custodian of the property. Other special education services may be provided on nonpublic school premises at the discretion of the school district or area education agency provider of the service and with the permission of the lawful custodian of the property." Therefore, a district or AEA may provide special education services to such a child either at the public school or at an accredited nonpublic school. The choice belongs to the district or AEA.

42. Under what circumstances special education services to a student who receives CPI may be terminated?

As with any student, such services may be terminated in the event the IEP team determines that the services are no longer needed/appropriate. In addition, they may be terminated if the parent, guardian, or legal or actual custodian of the student refuses to continue to dually enroll the child. 281-IAC 41.303-305.