



Information

from  **homeschool iowa** and  **HSLDA**

about the new CPI Form A

The Department of Education released a new Competent Private Instruction (CPI) Form A in mid-August of 2022. After Homeschool Iowa communicated concerns about the form, the DE announced it was working on a revision.

A new proposed version of the CPI Form A was published on August 19th.

While the new version does have some good changes, Homeschool Iowa still does not view it as fully compliant with the Iowa Code or the Iowa Administrative Rules, and we are working toward further revision.

To enable homeschool families to move forward in the meantime, our Homeschool Iowa Lobbyist and Legal Counsel, Bill Gustoff, is sharing what he would do as a homeschool father and an attorney who happens to work on these kinds of issues, knowing that there is no perfect "right answer" on exactly how to proceed.

What follows, then, is not legal advice; rather, it is just one homeschool parent's opinion on options to proceed, and it has the support of the Homeschool Iowa organization.

For those who need to file Form A, I think your options are the following (in order of Homeschool Iowa's preference):

OPTION #1 Use a Prior Year's CPI Form A.

Iowa Code Section 299.4 says the report under CPI must be on "forms provided by the public school district." My argument is that a Form A from a prior year is a form provided by the school district (or the Department). It complies with the law in what it seeks, and using it, with the year corrected by the parent, complies with reporting under Iowa law for CPI. This is the option I would use.

In response to the Instructional Program item, I would use the Plan of Instruction template document from Homeschool Iowa and Home School Legal Defense Association that has been submitted and accepted for many years.

OPTION #2 Use the Latest Version of the Department's CPI Form A with Modifications.

One could use the Form A currently published by the Department, which we think is not compliant, while making changes or withholding information that we think makes it compliant.

This is a bit trickier than using the previous version of the Form A to know if you have covered all the proper exclusions. (That is why I would opt for a prior year's Form A.) *For more detailed guidance, see HSLDA's advice on the next page.*

As with Option #1 above, in response to instructional program item, I would use the Plan of Instruction template document from Homeschool Iowa and Home School Legal Defense Association that has worked for many years.

OPTION #3 Use the Department's Current Version of Form A as is.

We do not recommend doing this, but it is an option. Using a form from a government agency that is overreaching and that seeks information to which it is not entitled under the law sets a bad precedent for yourself and everyone else. But, although we urge against this option, it is one you may use.

Additional information is available on the Homeschool Iowa website, including details on the [Iowa Homeschool Legal Options](#) and which of them require the filing of CPI Form A.

Find the forms you need on our [Iowa Homeschool Forms](#) website page.



Bill Gustoff
HOMESCHOOL IOWA LOBBYIST





The Iowa Department of Education has created a revised Form A that does not fully comply with Iowa law. This creates a challenging situation for those homeschooling families who are home educating under three of Iowa's five homeschool options—(1) the supervising teacher option, (2) the year-end assessment option, or (3) the homeschool assistance program (HSAP) option—and must therefore file Form A.

If you wish to be protected from disclosing information you are not required to provide, here are our recommendations.

Item 1 on the form calls for “current school year.” Iowa law does not require parents to identify a school year. The date by your signature at the bottom of the form is sufficient.

Item 2 seeks your child's birth date and grade. Birth date is not required under Iowa statutes but is required by an Iowa regulation. HSLDA believes this regulation is not legitimate and that parents are not required to disclose birthdates. You are required to disclose your child's age, however. If you do not wish to disclose the birth date, an option would be to write in, “age ____ as of September 15” and insert your child's age as of September 15 in the blank space. Iowa statutes do not require families using the annual assessment option or HSAP option to provide their child's grade level.

Item 5 concludes with a confusing sentence: “Please note that further instructional plan detail must be provided within 30 days of filing Form A.” Just for clarification, no law or regulation requires families to submit a thing called an “instructional plan” with or without “additional details” within 30 days or ever. This sentence may be an attempt, though poorly worded, to refer to the fact that a family starting homeschooling using any of the options above after school opens locally must file at least a partial Form A within 14 days and complete the form within 30 days.

Item 6. Families operating under the year-end assessment option no longer need to provide 148 days of instruction. An appropriate response in that case is to write in, “NA—operating under Iowa Code 299A.1.2(a)(2).”

Item 7. Only families using the supervising teacher option need to fill out item 7. If so, draw a line through the word “enroll” and write “instruct” above it (the concept of “enrolling” does not apply). “Teacher signature” and “phone” are optional (no asterisk). If you wish to operate under the HSAP option, check “yes” on item 11, and the school will choose a teacher for you if a HSAP program is available.

Item 8 is optional (no asterisk by that item). If you do not desire the services mentioned there, leave the item blank. You are not required to check the “no” box. Item 8 gives a false instruction, however. If a family wants their child to dual enroll for classes or extracurriculars—and not special education services—they do not need to fill out item 9 (which asks if the student is “identified” as requiring special services).

Item 9 is optional, but the second question, 9.2, seeks information that cannot be lawfully obtained in this setting. Iowa Regulation 281-31.2(1) lists what questions are allowed on Form A. Asking whether a parent consents to an initial evaluation or reevaluation is not permitted. There is a proper way to seek consent, but it is not through Form A.

While the form mentions dual enrollment, it does not mention open enrollment (which means your family would be treated as if your student lived in a different school district). Formerly, a family seeking to open enroll was required to file a request by March 1 of the prior school year. That deadline was repealed recently and was not replaced by another general deadline.

Historically, the department's changes to Form A have generated some controversy. While this year's controversy is unwelcome, it is not unprecedented. Homeschool Iowa and HSLDA are in the process of working with the department in hopes of eventually having a Form A that is 100% compliant with Iowa law.


Scott Woodruff
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