

## CHAPTER 161

### STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

S.F. 476

**AN ACT** relating to the establishment of a student achievement and teacher quality program and providing for contingent effectiveness.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **INTENT.** It is the intent of the general assembly to create a student achievement and teacher quality program that acknowledges that outstanding teachers are a key component in student success. The program's goals are to enhance student achievement and to redesign compensation strategies and teachers' professional development. Such compensation strategies are designed to attract and retain high performing teachers, to reward teachers for improving their skills and knowledge in a manner that translates into better student learning, and to reward the staff of school attendance centers for improvement in student achievement.

Sec. 2. **NEW SECTION. 284.1 STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM.**

A student achievement and teacher quality program is established to promote high student achievement. The program shall consist of the following four major elements:

1. Mentoring and induction programs that provide support for beginning teachers in accordance with section 284.5.
2. Career paths with compensation levels that strengthen Iowa's ability to recruit and retain teachers.
3. Professional development designed to directly support best teaching practices.
4. Team-based variable pay that provides additional compensation when student performance improves.

Sec. 3. **NEW SECTION. 284.2 DEFINITIONS.**

As used in this chapter, unless the context otherwise requires:

1. "Beginning teacher" means an individual serving under an initial provisional license, issued by the board of educational examiners under chapter 272, who is assuming a position as a classroom teacher.
2. "Classroom teacher" means an individual who holds a valid practitioner's license and who is employed under a teaching contract with a school district or area education agency in this state to provide classroom instruction to students.
3. "Comprehensive evaluation" means a summative evaluation of a teacher conducted by an evaluator for purposes of performance review, or recommendation for licensure based upon models developed pursuant to section 256.9, subsection 51, and to determine whether the teacher's practice meets the school district expectations for a career, career II, or advanced level.
4. "Department" means the department of education.
5. "Director" means the director of the department of education.
6. "Evaluator" means an administrator or other practitioner who successfully completes an evaluator training program pursuant to section 284.10.
7. "Mentor" means an individual employed by a school district or area education agency as a classroom teacher or a retired teacher who holds a valid license issued under chapter 272. The individual must have a record of four years of successful teaching practice, must be employed as a classroom teacher on a nonprobationary basis, and must demonstrate professional commitment to both the improvement of teaching and learning and the development of beginning teachers.
8. "School board" means the board of directors of a school district or a collaboration of boards of directors of school districts.

9. "State board" means the state board of education.

10. "Teacher" means an individual holding a practitioner's license issued under chapter 272, who is employed as a teacher, librarian, media specialist, or counselor in a nonadministrative position by a school district or area education agency pursuant to a contract issued by a board of directors under section 279.13. A teacher may be employed in both an administrative and a nonadministrative position by a board of directors and shall be considered a part-time teacher for the portion of time that the teacher is employed in a nonadministrative position. "Teacher" includes a licensed individual employed on a less than full-time basis by a school district through a contract between the school district and an institution of higher education with a practitioner preparation program in which the licensed teacher is enrolled.

Sec. 4. NEW SECTION. 284.3 IOWA TEACHING STANDARDS.

1. For purposes of this chapter and for developing teacher evaluation criteria under chapter 279, the Iowa teaching standards are as follows:

- a. Demonstrates ability to enhance academic performance and support for and implementation of the school district's student achievement goals.
- b. Demonstrates competence in content knowledge appropriate to the teaching position.
- c. Demonstrates competence in planning and preparing for instruction.
- d. Uses strategies to deliver instruction that meets the multiple learning needs of students.
- e. Uses a variety of methods to monitor student learning.
- f. Demonstrates competence in classroom management.
- g. Engages in professional growth.
- h. Fulfills professional responsibilities established by the school district.

2. The school board and faculty shall collaborate to further define good teaching by enhancing the Iowa teaching standards in the following manner:

a. For purposes of comprehensive evaluations for beginning teachers, including the comprehensive evaluation required for the beginning teacher to progress to career teacher, the criteria shall be based upon the models developed pursuant to section 256.9, subsection 51, and established pursuant to chapter 20.

b. For purposes of comprehensive evaluations for teachers other than beginning teachers, the school board shall convene the members of the school board and representatives of the faculty, elected by the faculty, to establish criteria based upon the models developed pursuant to section 256.9, subsection 51. If the parties are unable to reach agreement by July 1, immediately after the school year in which a contract period ends, the model criteria shall become the school district's criteria.

Sec. 5. NEW SECTION. 284.4 PARTICIPATION.

1. A school district is eligible to receive moneys appropriated for purposes specified in this chapter if the school board applies to the department to participate in the student achievement and teacher quality program and submits a written statement declaring the school district's willingness to do all of the following:

- a. Commit and expend local moneys to improve student achievement and teacher quality.
- b. Implement a beginning teacher mentoring and induction program as provided in this chapter.

c. Provide, beginning in the second year of participation, the equivalent of two or more additional contract days, outside of instruction time, than were provided in the school year preceding the first year of participation, to provide additional time for teacher career development that aligns with student learning and teacher development needs, including the integration of technology into curriculum development, in order to achieve attendance center and districtwide student achievement goals outlined in the district comprehensive school improvement plan. School districts are encouraged to develop strategies for restructuring the school calendar to provide for the most effective professional development. A school district that provides the equivalent of ten or more contract days for career development is exempt from this paragraph.

- d. Adopt a teacher career development program in accordance with this chapter.
  - e. Adopt a teacher evaluation plan that, at minimum, requires a comprehensive evaluation of teachers in the participating district at least every five years based upon the Iowa teaching standards and requires administrators to complete evaluator training in accordance with section 284.10.
  - f. Adopt teacher career paths based upon demonstrated knowledge and skills in accordance with this chapter.
  - g. Adopt a team-based variable pay plan that rewards attendance center success upon the implementation of a statewide variable pay plan.
2. By July 1, 2003, each school district shall participate in the student achievement and teacher quality program.<sup>1</sup>

Sec. 6. NEW SECTION. 284.5 BEGINNING TEACHER MENTORING AND INDUCTION PROGRAM.

1. A beginning teacher mentoring and induction program is created to promote excellence in teaching, enhance student achievement, build a supportive environment within school districts, increase the retention of promising beginning teachers, and promote the personal and professional well-being of classroom teachers. Prior to the completion of the 2001-2002 school year, a school district shall, at a minimum, provide an approved beginning teacher mentoring and induction program for all classroom teachers who are beginning teachers.

2. The state board shall adopt rules to administer this section.

3. Notwithstanding subsection 1, a school district may provide a beginning teacher mentoring and induction program for all classroom teachers who are beginning teachers in the school years beginning July 1, 2001, and July 1, 2002.<sup>2</sup>

4. Each participating school district shall develop an initial beginning teacher mentoring and induction plan. The plan shall be included in the school district's comprehensive school improvement plan submitted pursuant to section 256.7, subsection 21. The beginning teacher mentoring and induction plan shall, at a minimum, provide for a two-year sequence of induction program content and activities to support the Iowa teaching standards and beginning teacher professional and personal needs; mentor training that includes, at a minimum, skills of classroom demonstration and coaching, and district expectations for beginning teacher competence on Iowa teaching standards; placement of mentors and beginning teachers; the process for dissolving mentor and beginning teacher partnerships; district organizational support for released time for mentors and beginning teachers to plan, provide demonstration of classroom practices, observe teaching, and provide feedback; structure for mentor selection and assignment of mentors to beginning teachers; a district facilitator; and program evaluation.

5. A beginning teacher shall be informed by the school district, prior to the beginning teacher's participation in a mentoring and induction program, of the criteria upon which the beginning teacher shall be evaluated and of the evaluation process utilized by the school district.

6. Upon completion of the program, the beginning teacher shall be comprehensively evaluated to determine if the teacher meets expectations to move to the career level. The school district shall recommend a beginning teacher who has successfully completed the program for an educational license. A school district may offer a teacher a third year of participation in the program if, after conducting a comprehensive evaluation, the school district determines that the teacher is likely to successfully complete the mentoring and induction program by the end of the third year of eligibility. A teacher granted a third year of eligibility shall develop a teacher's mentoring and induction program plan in accordance with this chapter and shall undergo a comprehensive evaluation at the end of the third year. The board of educational examiners shall grant a one-year extension of the beginning teacher's provisional license upon notification by the school district that the teacher will participate in a third year of the school district's program.

<sup>1</sup> See chapter 177, §3 herein

<sup>2</sup> See chapter 177, §4 herein

Sec. 7. NEW SECTION. 284.6 TEACHER CAREER DEVELOPMENT.

1. The department shall coordinate a statewide network of career development for Iowa teachers. A participating school district or career development provider that offers a career development program in accordance with section 256.9, subsection 51, shall demonstrate that the program contains the following:

a. Support that meets the career development needs of individual teachers and is aligned with the Iowa teaching standards.

b. Research-based instructional strategies aligned with the school district's student achievement needs and the long-range improvement goals established by the district.

c. Instructional improvement components including student achievement data, analysis, theory, classroom demonstration and practice, technology integration, observation, reflection, and peer coaching.

d. An evaluation component that documents the improvement in instructional practice and the effect on student learning.

2. The department shall identify models of career development practices that produce evidence of the link between teacher training and improved student learning.

3. A participating school district shall incorporate a district career development plan into the district's comprehensive school improvement plan submitted to the department in accordance with section 256.7, subsection 21. The district career development plan shall include a description of the means by which the school district will provide access to all teachers in the district to career development programs or offerings that meet the requirements of subsection 1. The plan shall align all career development with the school district's long-range student learning goals and the Iowa teaching standards. The plan shall indicate the school district's approved career development provider or providers.

4. In cooperation with the teacher's supervisor, the teacher employed by a participating school district shall develop an individual teacher career development plan. The individual plan shall be based, at minimum, on the needs of the teacher, the Iowa teaching standards, and the student achievement goals of the attendance center and the school district as outlined in the comprehensive school improvement plan. The individual plan shall be reviewed by the teacher and the teacher's supervisor at the teacher's annual review, and shall be modified as necessary to reflect the individual teacher's and the school district's needs and the individual's progress in the plan.

5. School districts, a consortium of school districts, area education agencies, higher education institutions, and other public or private entities including professional associations may be approved by the state board to provide teacher career development. The career development program or offering shall, at minimum, meet the requirements of subsection 1. The state board shall adopt rules for the approval of career development providers and standards for the district career development plan.

Sec. 8. NEW SECTION. 284.7 IOWA TEACHER CAREER PATH.

To promote continuous improvement in Iowa's quality teaching workforce and to give Iowa teachers the opportunity for career recognition that reflects the various roles teachers play as educational leaders, an Iowa teacher career path is established for teachers employed by participating school districts. A participating school district shall raise teacher salaries to meet the requirements of this section.<sup>3</sup> The Iowa teacher career path and salary minimums are as follows:

1. Effective July 1, 2001, the following career path levels are established and shall be implemented in accordance with this chapter:

a. **BEGINNING TEACHER.**

(1) A beginning teacher is a teacher who meets the following requirements:

(a) Has successfully completed an approved practitioner preparation program as defined in section 272.1.

(b) Holds a provisional teacher license issued by the board of educational examiners.

<sup>3</sup> See chapter 177, §5 herein

(c) Participates in the beginning teacher mentoring and induction program as provided in this chapter.

(2) The participating district shall increase the district's minimum salary for a first-year beginning teacher by at least one thousand five hundred dollars per year above the minimum salary paid to a first-year beginning teacher in the previous year unless the minimum salary for a first-year beginning teacher exceeds twenty-eight thousand dollars.

b. CAREER TEACHER.

(1) A career teacher is a teacher who meets the following requirements:

(a) Has successfully completed the beginning teacher mentoring and induction program and has successfully completed a comprehensive evaluation as provided in this chapter.

(b) Is reviewed by the school district as demonstrating the competencies of a career teacher.

(c) Holds a valid license issued by the board of educational examiners.

(d) Participates in teacher career development as set forth in this chapter and demonstrates continuous improvement in teaching.

(2) The participating district shall provide a two thousand dollar difference between the average beginning teacher salary and the minimum career teacher salary, unless the school district has a minimum career teacher salary that exceeds thirty thousand dollars.

2. It is the intent of the general assembly to establish and require the implementation of and provide for the implementation of the following additional career path levels by July 1, 2003:

a. CAREER II TEACHER.

(1) A career II teacher is a teacher who meets the requirements of subsection 1, paragraph "b", has met the requirements established by the school district that employs the teacher, and is evaluated by the school district as demonstrating the competencies of a career II teacher. The teacher shall have successfully completed a comprehensive evaluation in order to be classified as a career II teacher.

(2) It is the intent of the general assembly that the participating district shall establish a minimum salary for a career II teacher that is at least five thousand dollars greater than the minimum career teacher salary. It is further intended that the district shall adopt a plan that facilitates the transition of a career teacher to a career II level.

b. ADVANCED TEACHER.

(1) An advanced teacher is a teacher who meets the following requirements:

(a) Receives the recommendation of the review panel that the teacher possesses superior teaching skills and that the teacher should be classified as an advanced teacher.

(b) Holds a valid license from the board of educational examiners.

(c) Participates in teacher career development as outlined in this chapter and demonstrates continuous improvement in teaching.

(d) Possesses the skills and qualifications to assume leadership roles.

(2) It is the intent of the general assembly that the participating district shall establish a minimum salary for an advanced teacher that is at least thirteen thousand five hundred dollars greater than the minimum career teacher salary. In conjunction with the development of the review panel pursuant to section 284.9, the department shall make recommendations to the general assembly by January 1, 2002, regarding the appropriate district-to-district recognition for advanced teachers and methods that facilitate the transition of a teacher to the advanced level.

3. A teacher shall be promoted one level at a time and a teacher promoted to the next career level shall remain at that level for at least one year before requesting promotion to the next career level.

4. If a comprehensive evaluation for a teacher is conducted in the fifth year of the teacher's status at the career level, and indicates that the teacher's practice no longer meets the standards for that level, a comprehensive evaluation shall be conducted in the next following school year. If the comprehensive evaluation establishes that the teacher's practice fails to meet the standards for that level, the teacher shall be ineligible for any additional pay increase other than a cost of living increase.<sup>4</sup>

<sup>4</sup> See chapter 177, §6 herein

5. A teacher employed in a participating district shall not receive less compensation in that participating district than the teacher received in the school year, preceding participation, as set forth in section 284.4 due to implementation of this chapter. A teacher who achieves national board for professional teaching standards certification and meets the requirements of section 256.44 shall continue to receive the award as specified in section 256.44 in addition to the compensation set forth in this section.

Sec. 9. NEW SECTION. 284.8 EVALUATION REQUIREMENTS FOR CAREER, CAREER II, AND ADVANCED TEACHERS.

1. Notwithstanding section 284.4, subsection 2, effective July 1, 2004, teacher performance shall be reviewed annually for purposes of assisting the teacher in making continuous improvement. The annual review shall be conducted by a certified evaluator who shall be selected by an administrator after consultation with the teacher. School districts are encouraged to make available time for and to utilize peer review and peer coaching techniques when conducting the annual review. The annual review need not be conducted if the teacher has been comprehensively reviewed during the same school year. The review shall include classroom observation of the teacher and should include supporting documentation from other supervisors, parents, and students.

2. In addition to evaluations agreed upon under chapter 20, a teacher shall be comprehensively evaluated based on the provisions of section 284.3 at least once every five years. Comprehensive evaluations shall be conducted by an administrator or the administrator's designee certified pursuant to section 284.10. The evaluation shall include, at minimum, classroom observation of the teacher, the teacher's progress and implementation of the teacher's individual career development plan; should include supporting documentation from other supervisors, teachers, parents, and students; and may include video portfolios as evidence of teaching practices. A teacher may be comprehensively evaluated for purposes of performance review or recommendation for licensure, and shall be comprehensively evaluated for advancement in the career path established pursuant to section 284.7.

3. If a teacher is denied advancement based upon a comprehensive evaluation, the teacher may appeal the decision to an adjudicator under the process established under section 279.17. However, the decision of the adjudicator is final. If a district does not recommend a teacher for continued employment or licensure based upon a comprehensive evaluation, the provisions of sections 279.14, 279.17, and 279.18 shall apply. A teacher may file one cause of action objecting to the contents or procedures of a comprehensive evaluation and the objections shall not be subject to the grievance procedures negotiated in accordance with chapter 20.

4. This section applies only to career, career II, and advanced teachers.

Sec. 10. NEW SECTION. 284.9 REVIEW PANEL.

1. A career II teacher seeking to receive an advanced designation shall submit a portfolio of work evidence aligned with the Iowa teaching standards to a review panel established in accordance with subsection 2. A majority of the evidence in the portfolio shall be classroom-based. The review panel shall evaluate the career II teacher's portfolio to determine whether the teacher demonstrates superior teaching skills and shall make a recommendation to the board of educational examiners whether or not the teacher shall receive an advanced designation. The standards for recommendation include, but are not limited to, meeting the Iowa teaching standards at an advanced level.

2. The department shall establish up to five regional review panels consisting of five members per panel. Each panel shall include, at a minimum, a nationally board-certified teacher and a school district administrator. Panel members shall be appointed by the director and shall possess the knowledge necessary to determine the quality of the evidence submitted in an applicant's portfolio. Panel members shall serve a staggered three-year term and may be reappointed to a second term. The department shall provide support and evaluation training for panel members and convene panels as needed.<sup>5</sup>

<sup>5</sup> See chapter 177, §7 herein

3. To assure fairness and consistency in the evaluation process, the review panels may perform random audits of the comprehensive evaluations conducted by evaluators throughout the state, and may randomly review performance-based evaluation models developed by school districts in accordance with section 284.3, subsection 2. The review of the evaluation models shall ensure that the model is at least equivalent to the state models developed pursuant to section 256.9, subsection 51.

4. A teacher who does not receive a recommendation from a review panel may appeal that denial to an administrative law judge located in the department of inspections and appeals. The state shall not be liable for a teacher's attorney fees, costs, or damages that may result from an appeal of a review panel's decision. The state board shall adopt rules to administer this section.

Sec. 11. NEW SECTION. 284.10 EVALUATOR TRAINING PROGRAM.

1. The department shall establish an evaluator training program to improve the skills of school district evaluators in making employment decisions, making recommendations for licensure, and moving teachers through a career path as established under this chapter. The department shall consult with persons representing teachers, national board-certified teachers, administrators, school boards, higher education institutions with approved practitioner and administrator preparation programs, and with persons from the private sector knowledgeable in employment evaluation and evaluator training in order to develop standards and requirements for the program. Evaluator training programs offered pursuant to this chapter may be provided by a public or private entity. The department shall distribute a list of evaluator training program providers to each school district.

2. a. An administrator licensed under chapter 272 who conducts evaluations of teachers for purposes of this chapter shall complete the evaluator training program. A practitioner licensed under chapter 272 who is not an administrator may enroll in the evaluator training program. Enrollment preference shall be given to administrators. Upon successful completion, the provider shall certify that the administrator or other practitioner is qualified to conduct evaluations for employment, make recommendations for licensure, and make recommendations that a teacher is qualified to advance from one career path level to the next career path level pursuant to this chapter. Certification is for a period of five years and may be renewed.

b. However, an administrator licensed in accordance with section 272.2, subsection 13, paragraph "a", shall not be eligible to enroll in the evaluator training program.<sup>6</sup>

3. Effective until July 1, 2004, a school district shall pay the amount of one thousand dollars for each individual who is licensed as a practitioner under chapter 272 on or after July 1, 2001, and who has been certified in accordance with this section.<sup>7</sup> By October 1 annually, the school district shall notify the department of education of the number of individuals who have achieved certification in accordance with this section, and shall submit any documentation requested by the department.

4. By July 1, 2002, a higher education institution approved by the state board to provide an administrator preparation program shall incorporate the evaluator training program into the program offered by the institution.

5. Beginning July 1, 2002, the board of educational examiners shall require certification as a condition of issuing or renewing an administrator's license.

6. By July 1, 2004, the director shall develop and implement an evaluator training certification renewal program for administrators and other practitioners who need to renew a certificate issued pursuant to this section.

Sec. 12. NEW SECTION. 284.11 PILOT PROGRAM FOR TEAM-BASED VARIABLE PAY FOR STUDENT ACHIEVEMENT.

1. It is the intent of the general assembly to create a statewide team-based variable pay program to reward individual attendance centers for improvement in student achievement. A pilot program is established to give Iowa school districts with one or more participating

<sup>6</sup> See this chapter, §25 herein

<sup>7</sup> See chapter 177, §8 herein

attendance centers the opportunity to explore and demonstrate successful methods to implement team-based variable pay. The department shall develop and administer the pilot program. Each school district approved by the department to participate in the pilot program shall administer valid and reliable standardized assessments at the beginning and end of the school year to demonstrate growth in student achievement.

2. All licensed practitioners employed at a participating attendance center that has demonstrated improvement in student achievement shall share in a cash award.<sup>8</sup> However, the school district is encouraged to extend cash awards to other staff employed at the attendance center.

3. The principal, with the participation of a team of licensed practitioners appointed by the principal, at each participating attendance center within a school district shall annually submit district attendance center student performance goals to the school board for approval. The attendance center goals must be aligned with the school improvement goals for the district developed in accordance with section 256.7, subsection 21. The district shall determine the designation of an attendance center for purposes of this section. The attendance center student performance goals may differ from attendance center to attendance center and may contain goals and indicators in addition to the comprehensive school improvement plan. An attendance center shall demonstrate student achievement through the use of multiple measures that are valid and reliable.

4. Each participating district shall create its own design for a team-based pay plan linked to the district's comprehensive school improvement plan. The plan must include attendance center student performance goals, student performance levels, multiple indicators to determine progress toward attendance center goals, and a system for providing financial rewards. The team-based pay plan shall be approved by the local board.

5. Each district team-based pay plan shall be reviewed by the department. The department shall include a review of the locally established goals, targeted levels of improvement, assessment strategies, and financial reward system.<sup>9</sup>

6. A district electing to initiate a team-based variable pay plan according to this section during the school year beginning July 1, 2001, shall notify the department of its election in writing no later than August 1, 2001. The department shall certify the school district plan by October 1, 2001.

Sec. 13. NEW SECTION. 284.12 REPORT.

1. The department shall annually report the statewide progress on the following:

a. Student achievement scores in mathematics and reading at the fourth and eighth grade levels on a district-by-district basis as reported to the local communities pursuant to section 256.7, subsection 21, paragraph "c".

b. Evaluator training program.

c. Team-based variable pay for student achievement.

d. Changes and improvements in the evaluation of teachers under the Iowa teaching standards.

2. The report shall be made available to the chairpersons and ranking members of the senate and house committees on education, the legislative education accountability and oversight committee, the deans of the colleges of education at approved practitioner preparation institutions in this state, the state board, the governor, and school districts by January 1. School districts shall provide information as required by the department for the compilation of the report and for accounting and auditing purposes.

3. The<sup>10</sup> department shall provide for a comprehensive independent evaluation of all components of the student achievement and teacher quality program and shall submit the results of the evaluation in the report submitted pursuant to subsection 2 by January 1, 2007.

4. The board of educational examiners shall compile statistical information from the results of the examinations administered pursuant to section 272.2, subsection 17. The

<sup>8</sup> See chapter 177, §9 herein

<sup>9</sup> See chapter 177, §10 herein

<sup>10</sup> See chapter 177, §11 herein



information compiled shall identify the practitioner preparation programs from which the applicants graduated, but shall not identify applicants individually. The statistical information compiled by the board pursuant to this subsection is a public record. The board shall submit a review of the statistical information to the chairpersons and ranking members of the senate and house committees on education and the state board by December 1, 2003.

5. In developing administrative rules for consideration by the state board, the department shall consult with persons representing teachers, administrators, school boards, approved practitioner preparation institutions, other appropriate education stakeholders, and the legislative education accountability and oversight committee.

Sec. 14. Section 256.9, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 51. Develop core knowledge and skill criteria models, based upon the Iowa teaching standards, for the evaluation, the advancement, and for teacher career development purposes pursuant to chapter 284. The model criteria shall further define the characteristics of quality teaching as established by the Iowa teaching standards.

Sec. 15. Section 272.2, subsection 1, Code 2001, is amended to read as follows:

1. a. License practitioners; who do not hold or receive a license from another professional licensing board, ~~and professional development programs, except for programs developed and offered by practitioner preparation institutions or area education agencies and approved by the state board of education.~~ Licensing authority includes the authority to establish criteria for the licenses, ~~including but not limited to, establish~~ issuance and renewal requirements, ~~creation of~~ create application and renewal forms, ~~creation of~~ create licenses that authorize different instructional functions or specialties, ~~development of~~ develop a code of professional rights and responsibilities, practice, and ethics, and ~~the authority to~~ develop any other classifications, distinctions, and procedures which may be necessary to exercise licensing duties. A code of professional rights and responsibilities, practice, and ethics shall address but not be limited to the habitual failure of a practitioner to fulfill contractual obligations under section 279.13.

b. Notwithstanding section 272.28, subsection 1, a teacher shall be licensed in accordance with rules adopted pursuant to chapter 272, Code 2001, if the teacher successfully completes a beginning teacher mentoring program approved pursuant to chapter 256E<sup>11</sup> on or before June 30, 2002, or is employed by a school district that does not offer a beginning teacher mentoring and induction program approved in accordance with this chapter during the school year beginning July 1, 2001.

Sec. 16. Section 272.2, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 17. a. Administer the Praxis II examination for knowledge of pedagogies and for not more than one content area to each individual who is applying for a provisional license prior to issuance of the license.

b. Examination fees for the examination required under this subsection shall be paid by the board.<sup>12</sup> Costs incurred for additional content area examinations shall be paid by the applicant.

c. This subsection is repealed effective June 30, 2003.

Sec. 17. NEW SECTION. 272.28 MENTORING AND INDUCTION REQUIREMENT.

1. Effective July 1, 2003, requirements for teacher licensure beyond a provisional license shall include successful completion of a beginning teacher mentoring and induction program approved by the state board of education.

2. A teacher from an accredited nonpublic school or another state or country is exempt from the requirement of subsection 1 if the teacher can document three years of successful

<sup>11</sup> Chapter 256E, "Code 2001," probably intended; see this chapter, §20 herein

<sup>12</sup> See chapter 177, §13 herein

teaching experience within the past five years and meet or exceed the requirements contained in rules adopted under this chapter for endorsement and licensure.

Sec. 18. Section 279.19, unnumbered paragraph 2, Code 2001, is amended to read as follows:

In the case of the termination of a probationary teacher's contract, the provisions of sections 279.15 and 279.16 shall apply. However, if the probationary teacher is a beginning teacher who fails to successfully complete a beginning teacher mentoring and induction program in accordance with chapter 284, the provisions of sections 279.17 and 279.18 shall also apply.

Sec. 19. Section 294A.14, unnumbered paragraphs 3 and 4, Code 2001, are amended to read as follows:

A plan shall be developed using the procedure specified under section 294A.15. The plan shall provide for the establishment of a performance-based pay plan, a supplemental pay plan, a combination of the two pay plans, or comprehensive school transformation programs, and shall include a budget for the cost of implementing the plan. In addition to the costs of providing additional salary for teachers and the amount required to pay the employers' share of the federal social security and Iowa public employees' retirement system, or a pension and annuity retirement system established under chapter 294, and payments on the additional salary, the budget may include costs associated with providing specialized or general training. Moneys received under phase III shall not be used to employ additional employees of a school district, except that phase III moneys may be used to employ substitute teachers, part-time teachers, and other employees needed to implement plans that provide innovative staffing patterns, ~~or that~~ require that a teacher employed on a full-time basis be absent from the classroom for specified periods for fulfilling other instructional duties or to participate on a peer review team or in peer coaching efforts. However, all teachers employed are eligible to receive additional salary under an approved plan.

For the purpose of this section, a performance-based pay plan shall provide for salary increases for teachers who demonstrate superior performance in completing assigned duties. The plan shall include the method used to determine superior performance of a teacher. For school districts, the plan may include assessments of ~~specific teaching behavior~~ performance, assessments of student performance, assessments of other characteristics associated with effective teaching, or a combination of these criteria.

Sec. 20. Chapter 256E, Code 2001, is repealed.

Sec. 21. Section 272.33, Code 2001, is repealed effective July 1, 2002.

Sec. 22. PRACTITIONER PREPARATION CREDIT TRANSFER STUDY. The state board of regents shall conduct a study of the transfer of credits between practitioner preparation institutions, both in-state and out-of-state, to determine whether the transfer of credits by practitioner preparation institutions is fair and consistent. The state board shall collect information relating to the transfer and acceptance of credits from a representative sample of in-state and out-of-state practitioner preparation institutions. The state board shall identify actions that may be taken to improve the ability of a student to transfer credits earned in one practitioner preparation institution to another. The state board shall submit its findings and recommendations in a report to the senate and house of representatives standing committees on education by December 1, 2001.

Sec. 23. LEGISLATIVE EDUCATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE. The legislative council is requested to establish a two-year legislative education accountability and oversight committee to conduct a comprehensive study of team-based variable pay and make recommendations for the implementation of a team-based variable pay plan component of the student achievement and teacher quality program.<sup>13</sup>

<sup>13</sup> See chapter 177, §14 herein

The committee shall recommend the manner in which standards of performance are to be determined, the level of expected growth, the development of a student academic database, the timeline and procedure for the collection of student achievement data, identification of the structures of a team for purposes of equitable operation of the plan, and a timeline for implementation of the plan. The committee shall recommend assessment models for use in accurately measuring student achievement. The committee may recommend additional measures and reviews for the purpose of strengthening comprehensive school improvement plans through the implementation of team-based variable pay plans. The committee shall monitor the progress of team-based variable pay pilot programs.

The committee shall recommend a means of evaluation designed to determine the effect of the student achievement and teacher quality plan on raising student achievement. The committee shall submit preliminary recommendations to the general assembly by December 15, 2001, and shall make its final recommendations to the general assembly by December 15, 2002.

The committee shall be composed of six voting members representing both political parties and both houses of the general assembly. Three members shall be appointed by the president of the senate, after consultation with the majority leader of the senate and the minority leader of the senate. The remaining three members shall be appointed by the speaker of the house of representatives after consultation with the majority and minority leaders of the house of representatives.

The committee shall also include the following ex officio, nonvoting members:

1. The director of the department of education or the director's designee.
2. One member who shall be appointed by the Iowa association of school boards.
3. One member who shall be appointed by the school administrators of Iowa.
4. Two members who shall be appointed independently by the state's two largest professional teachers associations.
5. One member who shall be appointed by the governor to represent the office of the governor.

It is the intent of the general assembly that the legislative education accountability and oversight committee oversee the policies established pursuant to this Act.

**Sec. 24. STATE MANDATE FUNDING SPECIFIED.** In accordance with section 25B.2, subsection 3, the state cost of requiring compliance with any state mandate included in this Act shall be paid by a school district from state school foundation aid received by the school district under section 257.16. This specification of the payment of the state cost shall be deemed to meet all the state funding-related requirements of section 25B.2, subsection 3, and no additional state funding shall be necessary for the full implementation of this Act by and enforcement of this Act against all affected school districts.

**Sec. 25. CONTINGENT EFFECTIVENESS.** Section 284.10, subsection 2, paragraph "b", as enacted in this Act, takes effect only if 2001 Iowa Acts, House File 670<sup>14</sup> is enacted.

Approved May 23, 2001

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<sup>14</sup> House File 670 vetoed