

EDUCATIONAL EXAMINERS BOARD[282]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 272.2, the Board of Educational Examiners hereby gives Notice of Intended Action to amend Chapter 24, “Paraeducator Certificates,” Iowa Administrative Code.

The proposed amendments are based on a review of current national standards and expectations in the field. Changes are based on input from Iowa’s paraeducator preparation programs, Iowa Department of Education staff, teachers, administrators, and practicing paraeducators. In addition to updating the paraeducator rules to reflect current needs in the field, the proposed amendments strike redundant language regarding reasons for which applicants may be disqualified. These disqualifiers are found elsewhere in the Board’s rules.

Any interested party or persons may present their views either orally or in writing at the public hearing that will be held Wednesday, January 8, 2014, at 1 p.m. in Room 3 Southwest, Third Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa.

At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments. Persons who wish to make oral presentations at the public hearing may contact the Executive Director, Board of Educational Examiners, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa 50319-0147, or at (515)281-5849, prior to the date of the public hearing.

Any person who intends to attend the public hearing and requires special accommodations for specific needs, such as a sign language interpreter, should contact the office of the Executive Director at (515)281-5849.

Any interested person may make written comments or suggestions on the proposed amendments before 4 p.m. on Friday, January 10, 2014. Written comments and suggestions should be addressed to Kim Cunningham, Board Secretary, Board of Educational Examiners, at the above address, or sent by e-mail to kim.cunningham@iowa.gov, or by fax to (515)281-7669.

The amendments are subject to waiver pursuant to 282—Chapter 6.

After analysis and review of this rule making, there is no anticipated impact on jobs.

These amendments are intended to implement Iowa Code section 272.2(1)“a.”

The following amendments are proposed.

ITEM 1. Amend rule 282—24.3(272) as follows:

282—24.3(272) Prekindergarten through grade 12 paraeducator generalist certificate.

24.3(1) Applicants must possess a minimum of a high school diploma or a graduate equivalent diploma.

24.3(2) Applicants shall be disqualified for any of the following reasons:

a.—~~The applicant is less than 18 years of age.~~

b.—~~The applicant has been convicted of child abuse or sexual abuse of a child.~~

c.—~~The applicant has been convicted of a felony.~~

d.—~~The applicant’s application is fraudulent.~~

e.—~~The applicant’s certification from another state is suspended or revoked.~~

f.—~~The applicant fails to meet board standards for application for an initial or renewed certificate.~~

~~24.3(3)~~ **24.3(2)** Qualifications or criteria for the granting or revocation of a certificate or the determination of an individual's professional standing shall not include membership or nonmembership in any teacher or paraeducator organization.

~~24.3(4)~~ **24.3(3)** Applicants shall have successfully completed at least 90 clock hours of training in the areas of behavior management, exceptional child and at-risk child behavior, collaboration skills, interpersonal relations skills, child and youth development, technology, and ethical responsibilities and behavior.

~~24.3(5)~~ **24.3(4)** Applicants shall have successfully completed the following list of competencies, so that, under the direction and supervision of a qualified classroom teacher, the paraeducator will be able to:

a. *Foundations.* ~~Support a safe, positive teaching and learning environment including the following competencies:~~ Under the supervision of a licensed education professional, the paraeducator will:

(1) ~~Follow prescribed health, safety, and emergency school and classroom policy and procedures.~~ Recognize the different developmental stages of students.

(2) ~~As directed, prepare and organize materials to support teaching and learning.~~ Believe every student can learn.

(3) ~~Use strategies and techniques for facilitating the integration of individuals with diverse learning needs in various settings.~~ Recognize that each learner has unique learning needs that may require accommodations.

(4) ~~Assist with special health services.~~ Demonstrate knowledge of the common core, including competence in reading, writing and math.

(5) ~~Assist in adapting instructional strategies and materials according to the needs of the learner in content areas including, but not limited to, reading, writing and mathematics.~~ Function in a manner that demonstrates a positive regard for the distinction between roles and responsibilities of paraeducators and other professionals, including respecting the teacher as supervisor and seeing the teacher as ultimately responsible for the education and behavior of the students.

(6) ~~Assist in gathering and recording data about the performance and behavior of individuals.~~

(7) ~~Assist in maintaining a motivational environment.~~

(8) ~~Assist in various instructional arrangements (e.g., large group, small group, tutoring).~~

(9) ~~Demonstrate knowledge in the content areas of reading, writing and mathematics.~~

b. *Learning environment.* ~~Assist in the development of physical and intellectual development including the following competencies:~~ Under the supervision of a licensed education professional, the paraeducator will:

(1) ~~Assist with the activities and opportunities that encourage curiosity, exploration, and problem solving that are appropriate to the development levels and needs of all children.~~ Follow the prescribed health, safety, and emergency school and classroom policy and procedures.

(2) ~~Actively communicate with children and provide opportunities and support for children to understand, acquire, and use verbal and nonverbal means of communicating thoughts and feelings.~~ Organize materials to support teaching and learning.

(3) ~~Actively communicate and support high expectations that are shared, clearly defined and appropriate.~~ Facilitate the integration of students with diverse needs in various settings.

(4) ~~Make and document observations appropriate to the individual with specific learning needs.~~ Assist with special health services.

(5) ~~Use strategies that promote the learner's independence.~~ Promote a safe and positive learning environment.

(6) ~~Assist in monitoring progress and providing feedback to the appropriate person.~~ Function in various instructional settings (e.g., large group, small group, tutoring).

c. *Content and instruction.* ~~Support social, emotional, and behavioral development including the following competencies:~~ Under the supervision of a licensed education professional, the paraeducator will:

(1) ~~Provide a supportive environment in which all children, including children with disabilities and children at risk of school failure, can begin to learn and practice appropriate and acceptable behaviors as individuals and groups. Assist with learning activities and opportunities to accomplish instructional objectives.~~

(2) ~~Assist in developing and teaching specific behaviors and procedures that facilitate safety and learning in each unique school setting. Support high expectations that are shared, clearly defined and appropriate.~~

(3) ~~Assist in the implementation of individualized behavior management plans, including behavior intervention plans for students with disabilities. Monitor progress and document and report objective observations that inform instructional decisions.~~

(4) ~~Model and assist in teaching appropriate behaviors as a response to inappropriate behaviors. Effectively use verbal and nonverbal forms of communication with students.~~

(5) ~~Use appropriate strategies and techniques in a variety of settings to assist in the development of social skills. Assist with the implementation and use of instructional and assistive technology.~~

(6) ~~Assist in modifying the learning environment to manage behavior.~~

d. *Emotional and behavioral.* ~~Establish positive and productive relations including the following competencies: Under the supervision of a licensed education professional, the paraeducator will:~~

(1) ~~Demonstrate a commitment to a team approach to interventions. Assist in modeling and teaching specific appropriate behaviors, social skills, and procedures that facilitate safety and learning in various environments.~~

(2) ~~Maintain an open, friendly, and cooperative relationship with each child's family, sharing information in a positive and productive manner. Assist in the implementation of individualized behavior management plans.~~

(3) ~~Communicate with colleagues, follow instructions and use problem-solving skills that will facilitate working as an effective member of the school team. Document and report objective observations on student behaviors.~~

(4) ~~Foster respectful and beneficial relationships between families and other school and community personnel. Assist in modifying the learning environment to manage behavior and social skills.~~

(5) ~~Function in a manner that demonstrates a positive regard for the distinctions among roles and responsibilities of paraprofessionals, professionals, and other support personnel. Recognize that there is a cause or reason for misbehavior and assist in determining the cause or reason.~~

(6) ~~Recognize, address, and report bullying.~~

(7) ~~Recognize and report atypical emotional behavior.~~

e. *Professional relationships.* ~~Integrate effectively the technology to support student learning including the following competencies: Under the supervision of a licensed education professional, the paraeducator will:~~

(1) ~~Establish an environment for the successful use of educational technology. Demonstrate a commitment to work as an effective team member.~~

(2) ~~Support and strengthen technology planning and integration. Foster a professional and caring relationship with each student's family.~~

(3) ~~Improve support systems for technical integration. Develop and maintain positive and professional relationships with students.~~

(4) ~~Operate computers and use technology effectively.~~

f. *Ethical and professional practice.* ~~Practice ethical and professional standards of conduct on an ongoing basis including the following competencies: Under the supervision of a licensed education professional, the paraeducator will:~~

(1) ~~Demonstrate a commitment to share information in a confidential manner. Follow ethical practices for confidential information.~~

(2) ~~Demonstrate a willingness to participate in ongoing staff development and self-evaluation, and apply constructive feedback. Participate in ongoing professional development.~~

(3) ~~Abide by the criteria of professional practice and rules of the board of educational examiners. Accept and apply constructive feedback.~~

- (4) Abide by the Iowa code of ethics and professional practice rules of the board of educational examiners and rules of the Iowa department of education.
- (5) Demonstrate the ability to separate personal issues from one's responsibilities in the workplace.
- (6) Maintain a high level of competency and integrity.
- (7) Share information regarding students' performance, behavior, or program with students' parents or guardians only as directed by the supervising teacher or educator.
- (8) Be aware of personal biases and beliefs and refrain from discriminatory practices based on a student's disability, race, creed, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
- (9) Demonstrate ethical behavior when supporting students with graded activities, quizzes, and tests.
- (10) Abide by Iowa law regarding the use of restraint and seclusion.
- (11) Recognize that the paraeducator may not be given primary responsibility for the education of an individual student(s).
- (12) Recognize that instructional decisions are made by the individualized education program (IEP) team for students with disabilities and that any changes to instruction, accommodations, supports, and services cannot be made outside the IEP team.

24.3(6) 24.3(5) An applicant for a certificate under these rules shall demonstrate that the requirements of the certificate have been met, and the burden of proof shall be on the applicant.

ITEM 2. Amend subrule 24.4(2) as follows:

24.4(2) *Special needs—prekindergarten through grade 12.* The paraeducator shall successfully complete the following list of competencies so that, ~~under the direction and supervision of a qualified classroom teacher,~~ the paraeducator will be able to:

a. Foundations. ~~Understand and implement the goals and objectives in an individualized education plan (IEP). Under the supervision of a licensed education professional, the paraeducator will demonstrate an understanding of an IEP.~~

b. Learning environment. ~~Demonstrate an understanding of the value of serving children and youth with disabilities and special needs in inclusive settings. Under the supervision of a licensed education professional, the paraeducator will demonstrate an understanding of the value of serving children and youth with disabilities and special needs in inclusive settings.~~

c. Content and instruction. ~~Assist in academic subjects using lesson plans and instructional strategies developed by teachers and other professional support staff. Under the supervision of a licensed education professional, the paraeducator will:~~

- (1) Implement the activities assigned by a teacher to meet the goals and objectives in an IEP.
- (2) Assist in academic subjects through use of lesson plans and instructional strategies developed by teachers and other professional support staff.
- (3) Gather and maintain data about the performance of individual students and confer with special and general education practitioners about student schedules, instructional goals, progress, and performance.

(4) Operate computers and use assistive technology and adaptive equipment that will enable students with special needs to participate more fully in general education.

d. Emotional and behavioral. ~~Gather and maintain data about the performance and behavior of individual students and confer with special and general education practitioners about student schedules, instructional goals, progress, and performance. Under the supervision of a licensed education professional, the paraeducator will:~~

- (1) Gather and maintain data about the behavior of individual students and confer with special and general education practitioners about student schedules, instructional goals, progress, and performance.
- (2) Use appropriate instructional procedures and reinforcement techniques as specified in the IEP or by the behavior team.

e. Professional relationships. ~~Use appropriate instructional procedures and reinforcement techniques. Under the supervision of a licensed education professional, the paraeducator will, if asked,~~

participate as a member of the IEP team responsible for developing service plans and educational objectives.

~~f. Operate computers and use assistive technology and adaptive equipment that will enable students with special needs to participate more fully in general education.~~