

EDUCATION DEPARTMENT[281]

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 sections 256.7(5) and 256.7(22), the State Board of Education hereby proposes to rescind Chapter 80, “Standards for Paraeducator Preparation Programs,” Iowa Administrative Code, and to adopt a new Chapter 80 with the same title.

Chapter 80 outlines the standards and program requirements that all paraeducator preparation programs must meet in order to be approved to prepare paraeducators in Iowa. Compliance with these standards is required and is evaluated during each paraeducator preparation program’s initial and periodic reviews.

The current standards must be updated to reflect research in student achievement, accountability, and continuous program improvement. The standards in this proposed chapter more closely align with rules from the Iowa Board of Educational Examiners on the issuance of paraeducator certificates. (See Iowa Administrative Code 282—Chapter 24.)

A team of 12 Iowa educators, paraeducators, Department of Education staff, and Board of Educational Examiners staff developed the proposed rules. The proposed rules were subsequently vetted by educators and policy experts in Iowa.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed rules on or before March 10, 2015, at 4:30 p.m. Comments on the proposed rules should be directed to Marietta Rives, Iowa Department of Education, Second Floor, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa 50319-0146; telephone (515)281-6038; e-mail marietta.rives@iowa.gov.

A public hearing will be held on March 10, 2015, from 11 a.m. to 12 noon in the State Board Room, Second Floor, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact and advise the Department of Education of specific needs by calling (515)281-5295.

After analysis and review of this rule making, no impact on jobs has been found.

These rules are intended to implement Iowa Code section 256.7.

The following amendment is proposed.

Rescind 281—Chapter 80 and adopt the following **new** chapter in lieu thereof:

CHAPTER 80

STANDARDS FOR PARAEDUCATOR PREPARATION PROGRAMS

281—80.1(272) General statement. Programs of preparation leading to certification of paraeducators in Iowa are subject to approval by the state board of education.

281—80.2(272) Definitions. The following definitions are used throughout this chapter:

“*Authorized official*” means an individual with the authority within the institution and the unit to monitor and ensure compliance with this chapter.

1. If the unit is within a community college, an institution of higher education under the state board of regents, or an accredited private institution of higher education, the official must maintain an administrative position within the unit.

2. If the unit is within an Iowa public school district or area education agency, the official must have one or more of the following credentials issued by the board of educational examiners: a teacher license (with the exception of a substitute teaching license), an administrator license, a professional services license, an elementary professional school counselor endorsement, a secondary professional school counselor endorsement, a school nurse endorsement, a special education support personnel authorization, or a statement of professional recognition. Other authorizations or certificates issued by the board of educational examiners shall not satisfy the requirements of this paragraph.

“Department” means the department of education.

“Director” means director of the department of education.

“Diverse groups” means one or more groups of individuals possessing certain traits or characteristics, including but not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

“Institution” means an Iowa public school district, area education agency, community college, institution of higher education under the state board of regents or an accredited private institution as defined in Iowa Code section 261.9(1) offering a paraeducator preparation program(s).

“Paraeducator candidate” means an individual who is enrolled in a paraeducator preparation program leading to certification as a generalist, generalist with area(s) of concentration, or advanced paraeducator.

“Paraeducator preparation program” means the program of paraeducator preparation leading to certification of paraeducators.

“State board” means Iowa state board of education.

“Unit” means the organizational entity within an institution with the responsibility of administering the paraeducator preparation program(s).

281—80.3(272) Institutions affected. All institutions engaged in preparation of paraeducators and seeking state board approval of the institutions’ paraeducator preparation program(s) shall meet the standards contained in this chapter.

281—80.4(272) Criteria for Iowa paraeducator preparation programs. Each institution seeking approval of its paraeducator preparation program(s) shall submit to the board evidence of the extent to which the program meets the standards contained in this chapter. After the state board has approved an institution’s paraeducator preparation program(s), students who complete the program(s) may be recommended by the authorized official of that institution for issuance of the appropriate certificate.

281—80.5(272) Application; approval of programs. Approval of paraeducator preparation programs by the state board shall be based on the recommendation of the director after study of the factual and evaluative evidence of record about each program in terms of the standards contained in this chapter. Approval, if granted, shall be for a term of five years; however, approval for a shorter term may be granted by the state board if it determines conditions so warrant. If approval is not granted, the applicant institution will be advised concerning the areas in which improvement or changes appear to be essential for approval. In this case, the institution shall be given the opportunity to present factual information concerning its programs at the next regularly scheduled meeting of the state board. The institution may also reapply at its discretion to provide evidence of the actions taken toward suggested improvement. Any application submitted under this rule shall be submitted by the authorized official.

281—80.6(272) Periodic reports. In addition to reports required by this chapter, the department may ask institutions placed on the approved programs list to make periodic reports necessary to keep records of each paraeducator preparation program up-to-date, to provide information necessary to carry out research studies relating to paraeducator preparation, and for any other purpose the department deems advisable. Any reports submitted under this rule shall be submitted by the authorized official.

281—80.7(272) Reevaluation of paraeducator preparation programs. Each paraeducator preparation program shall be reviewed and reevaluated at least once every five years, at a shorter interval specified pursuant to rule 281—80.5(272), or at any time deemed necessary by the director. Recommendations as to whether to grant continued approval shall be governed by rule 281—80.5(272).

281—80.8(272) Approval of program changes. Upon application by an institution, the director is authorized to approve minor additions to, or changes within, the institution's approved paraeducator preparation program. When an institution proposes revisions that exceed the primary scope of its program, the revisions shall become operative only after approval by the state board.

281—80.9(272) Organizational and resource standards. Organization and resources shall adequately support the preparation of paraeducator candidates to enable them to meet state standards in accordance with the provisions of this rule.

80.9(1) The unit provides resources and support necessary for the delivery of a quality certification program, including:

- a. A commitment to a work culture, policies, and faculty/staff assignments that promote and support best practices in education;
- b. Resources to support a quality hands-on (clinical) experience;
- c. Resources to support professional development opportunities for certified paraeducators and unit faculty;
- d. Resources to support technological and instructional needs to enhance candidate learning; and
- e. A commitment of sufficient administrative, clerical, and technical staff to ensure implementation of a quality program.

80.9(2) The unit provides evidence of collaboration with members of the professional community, including the unit's advisory committee comprised of school administrators, classroom teachers, currently employed paraprofessionals and others, to design, deliver, and evaluate programs to prepare paraeducators.

80.9(3) When a unit is a part of a college or university, the unit maintains ongoing collaboration with the appropriate departments of the institution, especially regarding content knowledge.

80.9(4) The unit has primary responsibility for all paraeducator preparation programs offered through any delivery model.

80.9(5) The unit has a clearly articulated appeals process for decisions affecting candidates. This process is communicated to all candidates and staff. The unit may use an institutionwide appeals process to meet the requirements of this subrule.

80.9(6) The unit's use of staff in teaching roles is purposeful and managed to ensure integrity, quality, and continuity of the program(s).

80.9(7) The unit ensures that resources are equitable for all program components, regardless of delivery or location.

281—80.10(272) Diversity standards. The unit shall ensure that the paraeducator preparation program meets the following diversity standards.

80.10(1) The unit provides an environment and experiences to paraeducator candidates to support candidate growth in knowledge, skills and dispositions to help diverse groups of PK-12 students learn.

80.10(2) The unit establishes and maintains a climate that promotes and supports diversity.

80.10(3) The unit's plans, policies, and practices document its efforts in establishing and maintaining a diverse staff and paraeducator candidate pool that strives to represent the diverse makeup of the community at large.

80.10(4) In addition to the requirements of rule 281—80.12(272), the unit shall gather data about its implementation of this rule, use those data to make program improvements, and share those data and improvements with the schools and communities it serves.

281—80.11(272) Faculty standards. Unit staff qualifications and performance shall facilitate the unit's role in the preparation of a professional paraeducator in accordance with the provisions of this rule.

80.11(1) The unit documents the alignment of teaching duties for each faculty member with that member's preparation, knowledge, experiences and skills appropriate for training paraeducators to serve in a school setting.

80.11(2) The institution shall hold unit staff accountable for teaching the critical concepts and principles of the discipline.

80.11(3) For the purpose of implementing each of the requirements of this chapter, unit faculty shall maintain ongoing, actual involvement in settings where paraeducators are employed.

281—80.12(272) Program assessment and evaluation standards. The unit's assessment system shall appropriately monitor individual candidate performance and use that data in concert with other program information to improve the unit and its programs in accordance with the provisions of this rule.

80.12(1) Each paraeducator candidate's knowledge and skills shall be measured against state certification standards adopted by the board of educational examiners under Iowa Code section 272.12 and the unit's learning outcomes for any certificate for which the unit may recommend the candidate.

80.12(2) Programs shall submit curriculum exhibits for approval by the department.

80.12(3) The unit shall establish a standard of satisfactory performance of paraeducator candidates, which shall comply with the following requirements.

a. The unit uses measures for candidate assessment that are fair, reliable and valid.

b. The unit assesses candidates on their demonstration and attainment of unit standards.

c. The unit uses a variety of assessment measures for assessment of candidates on each unit standard.

d. The unit provides candidates with formative feedback on their progress toward attainment of unit standards.

e. The unit assesses content knowledge and its application as candidates work with students, teachers, parents, and other professional colleagues in school settings.

f. The unit assesses candidates at the same level of performance across programs, regardless of the place or manner in which the program is delivered.

80.12(4) The unit shall conduct a survey of graduates and their employers to ensure that its graduates are well prepared for their assigned roles.

80.12(5) The unit shall have a clearly defined, cohesive assessment system and regularly review, analyze and revise its assessment practices.

80.12(6) The unit shall collect and analyze aggregated candidate and program data, use those data to make program improvements, and share those data and improvements with stakeholders on a regular basis.

80.12(7) An annual report including a composite of evaluative data collected by the unit shall be submitted to the department by September 30 of each year.

80.12(8) When it publicly reports data, the unit shall comply with all applicable privacy laws, including the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.

281—80.13(272) Clinical practice standards. The unit and its school partners shall provide clinical experience opportunities that assist candidates in becoming successful paraeducators in accordance with the provisions of this rule.

80.13(1) Paraeducator clinical experiences support learning in the context in which paraeducators will practice.

80.13(2) Paraeducator clinical experiences include the following:

a. A minimum of ten hours of experience in a state-approved school or educational facility under the supervision of a licensed educator.

b. Opportunities for paraeducator candidates to observe and be observed by others in the application of skills and knowledge.

These rules are intended to implement Iowa Code section 256.7(22).