Regulatory Analysis

Notice of Intended Action to be published: 281—Chapter 79
"Standards for Practitioner and Administrator Preparation Programs"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 256.7(3)
State or federal law(s) implemented by the rulemaking: Iowa Code section 256.16

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 19, 2024 8 to 9:30 a.m.	Room B100 Grimes State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Education no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Des Moines, Iowa 50319
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Purpose and Summary

This proposed rulemaking implements four statutes from the last legislative session related to practitioner preparation: 2024 Iowa Acts, House Files 255, 2545, and 2618, and Senate File 2411.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Practitioner preparation programs will bear the cost of compliance with this rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Schools, practitioner preparation programs, and practitioner candidates will benefit from the clarity about these rules.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There is no known quantitative impact.

- **Qualitative description of impact:**

The clarity that the proposed rulemaking provides is anticipated to have a qualitative benefit of unknown magnitude.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Department will bear routine enforcement costs as part of accreditation and support of practitioner preparation programs.

- **Anticipated effect on state revenues:**

None were noted.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The statute requires rules, so no comparison is necessary.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The statute requires rules, so no determination is necessary.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The statute requires rules, so no alternatives were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The statute requires rules, so no alternatives were considered.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no known impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend subrules 79.13(4) to 79.13(5) as follows:

79.13(4) Individual candidate assessment includes all of the following:

a. Measures used for candidate assessment are fair, reliable and valid.

b. Candidates are assessed on their demonstration/attainment of unit standards.

c. Multiple measures are used for assessment of the candidate on each unit standard.

d. Candidates are assessed on unit standards at different developmental stages.

e. Candidates within designated endorsement areas, as determined on the department website (educate.iowa.gov), complete the foundations of reading assessment.

~~*e.*~~ *f.* Candidates are provided with formative feedback and opportunities to utilize the feedback to reflect upon and guide their development and growth toward attainment of unit standards.

79.13(5) The unit will document regular reviews, evaluation and revision to the system of assessment.

a. No change.

b. Comprehensive unit assessment includes all of the following:

(1) Individual candidate assessment data on unit standards, as described in subrule 79.13(4), are analyzed.

(2) Individual candidate assessment data from the foundations of reading assessment as described in subrule 79.13(4) are analyzed, support is provided, and analysis is reported to the department.

If the pass rates for the foundation of reading assessment is below 90 percent, for the candidates recommended for licensure, without evidence of opportunity for retaking the test, the department may require a self-evaluation and institutional report with evidence of scientifically based literacy preparation followed by a site visit.

~~(2)~~ (3) The aggregated assessment data are analyzed to evaluate programs.

~~(3)~~ (4) Findings from the evaluation of aggregated assessment data are shared with stakeholders and utilized for program improvement decisions.

ITEM 2. Amend subrule 79.13(7) as follows:

79.13(7) For teacher intern preparation programs, candidate assessment includes clear criteria for the following:

a. Acceptance requirements, including:

(1) Completion of a baccalaureate degree from ~~a regionally accredited institution~~ a college or university accredited by an institutional accrediting agency as recognized by the United States Department of Education that meets program-established required grade point criteria for the baccalaureate degree and content area;

(2) and (3) No change.

b. ~~Continuation in the program with clearly defined checkpoints/gates, including~~ Prior to teacher intern licensure, verification of an offer of employment as an intern from a school or district administrator.

c. No change.

d. If a candidate who was recommended for a teacher intern license exits the program or stops attending, the program is required to immediately report this change of status to the board of educational examiners.

ITEM 3. Amend paragraph **79.14(6)"a"** as follows:

a. ~~Includes a full-time experience for~~ Shall be a minimum of 14 weeks in duration during the teacher candidate's final year of the teacher preparation program.

ITEM 4. Adopt the following **new** subrule 79.14(9):

79.14(9) For teacher candidates with prior experience as a substitute teacher or a para-educator, the terms of Iowa Code section 256.16(1)*"c"* as amended by 2024 Iowa Acts, House File 2411, apply. The unit will record evidence of prior experiences accepted under this subrule toward the student teaching experience.

ITEM 5. Amend subrule 79.15(3) as follows:

79.15(3) Literacy instruction and practical application include all of the following:

a. ~~Each~~ All teacher ~~candidate demonstrates~~ candidates demonstrate competency in literacy, including reading theory, knowledge, evidence-based reading strategies and approaches~~,~~; and integrating literacy instruction into content areas. The teacher candidate demonstrates competency in responsive teaching and making appropriate accommodations for students who struggle with literacy. Demonstrated competency shall address the needs of all students, including students with disabilities; students who are at risk of academic failure; students who have been identified as gifted and talented or English learners; and students with dyslexia, whether or not such students have been identified as children requiring special education under Iowa Code chapter 256B. Literacy ~~instruction~~ curriculum shall include evidence-based ~~best practices~~ reading instruction, determined by research, including those practices identified ~~by the Iowa reading research center~~ within the statewide

literacy plan and institutions ensure the preparation shall not include instruction or practical application on teaching foundational reading that incorporates the three-cueing system.

b. Each teacher candidate in specified endorsement areas listed on the department website (educate.iowa.gov), determined by the department, demonstrates competency in direct and explicit strategies; systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension. Literacy instruction and practical application shall include evidence-based reading instruction and shall not include instruction or practical application on teaching foundational reading that incorporates the three-cueing system.

ITEM 6. Amend subrules 79.24(3) and 79.24(4) as follows:

79.24(3) Coursework and competencies to be completed ~~prior to the beginning of the candidate's initial employment as an intern~~ will include but not be limited to:

a. to *e.* No change.

79.24(4) Additional coursework and competencies to be completed ~~prior to~~ upon the recommendation for an initial teaching license will include:

a. to *d.* No change.

ITEM 7. Amend subrules 79.24(9) to 79.24(11) as follows:

79.24(9) Each teacher intern candidate will be engaged in field experiences that include opportunities for both observation of exemplary instruction and involvement in co-planning and co-teaching. Each teacher intern candidate will complete at least 50 hours of field experience ~~prior to the candidate's initial employment as an intern~~. The institution will enter into a written contract with the cooperating school or district providing ~~preinternship~~ field experiences.

79.24(10) The teacher intern preparation program will provide a teacher intern seminar during the ~~teacher internship~~ year leading to post-intern licensure to support and extend coursework from the teacher intern content and facilitate teacher intern reflection.

79.24(11) In accordance with 281—Chapter 83, all teacher interns will be provided with a district-level mentor in addition to the program supervisor. The teacher intern will work under the teacher leader's supervision, including during co-teaching and planning time. The purpose of this district-level mentor is to provide coaching feedback dependent on the teacher intern's classroom experience. This district-level mentor shall not serve in an evaluative role. The district-level mentor shall complete specialized training for serving as a mentor as required in rule 281—83.3(284). The program will coordinate support between the teacher intern candidate's local district mentor and program supervisor.