

House Amendment 1975

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1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 25, by inserting after line 14 the
1 4 following:
1 5 <Sec. _____. Section 256.9, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 55. Establish and maintain a
1 8 process and a procedure, in cooperation with the board
1 9 of educational examiners, to compare a practitioner's
1 10 teaching assignment with the license and endorsements
1 11 held by the practitioner. The director may report
1 12 noncompliance issues identified by this process to the
1 13 board of educational examiners pursuant to section
1 14 272.15, subsection 3.>
1 15 #2. Page 39, by inserting after line 4 the
1 16 following:
1 17 <Sec. _____. Section 272.15, Code 2007, is amended
1 18 to read as follows:
1 19 272.15 ~~SCHOOL REPORTING REQUIREMENT REQUIREMENTS~~
1 20 == COMPLAINTS.
1 21 1. The board of directors of a school district or
1 22 area education agency, the superintendent of a school
1 23 district or the chief administrator of an area
1 24 education agency, and the authorities in charge of a
1 25 nonpublic school shall report to the board the
1 26 nonrenewal or termination, for reasons of alleged or
1 27 actual misconduct, of a person's contract executed
1 28 under sections 279.12, 279.13, 279.15 through 279.21,
1 29 279.23, and 279.24, and the resignation of a person
1 30 who holds a license, certificate, or authorization
1 31 issued by the board as a result of or following an
1 32 incident or allegation of misconduct that, if proven,
1 33 would constitute a violation of the rules adopted by
1 34 the board to implement section 272.2, subsection 14,
1 35 paragraph "b", subparagraph (1), when the board or
1 36 reporting official has a good faith belief that the
1 37 incident occurred or the allegation is true.
1 38 Information reported to the board in accordance with
1 39 this section is privileged and confidential, and
1 40 except as provided in section 272.13, is not subject
1 41 to discovery, subpoena, or other means of legal
1 42 compulsion for its release to a person other than the
1 43 respondent and the board and its employees and agents
1 44 involved in licensee discipline, and is not admissible
1 45 in evidence in a judicial or administrative proceeding
1 46 other than the proceeding involving licensee
1 47 discipline. The board shall review the information
1 48 reported to determine whether a complaint should be
1 49 initiated. In making that determination, the board
1 50 shall consider the factors enumerated in section
2 1 272.2, subsection 14, paragraph "a". For purposes of
2 2 this section, unless the context otherwise requires,
2 3 "misconduct" means an action disqualifying an
2 4 applicant for a license or causing the license of a
2 5 person to be revoked or suspended in accordance with
2 6 the rules adopted by the board to implement section
2 7 272.2, subsection 14, paragraph "b", subparagraph (1).
2 8 2. If, in the course of performing official
2 9 duties, an employee of the department becomes aware of
2 10 any alleged misconduct by an individual licensed under
2 11 this chapter, the employee shall report the alleged
2 12 misconduct to the board of educational examiners under
2 13 rules adopted pursuant to subsection 1.
2 14 3. If the executive director of the board verifies
2 15 through a review of official records that a teacher
2 16 who holds a practitioner's license under this chapter
2 17 is assigned instructional duties for which the teacher
2 18 does not hold the appropriate license or endorsement,
2 19 either by grade level or subject area, by a school
2 20 district or accredited nonpublic school, the executive
2 21 director may initiate a complaint against the teacher
2 22 and the administrator responsible for the
2 23 inappropriate assignment of instructional duties.>
2 24 #3. Page 39, by inserting after line 18 the

2 25 following:
2 26 <Sec. _____. NEW SECTION. 279.43 REPORTING
2 27 INAPPROPRIATE TEACHING ASSIGNMENTS.
2 28 An employee licensed by the board of educational
2 29 examiners and holding a contract as described in
2 30 section 279.13 shall disclose any occurrence of a
2 31 teaching assignment for which that employee is not
2 32 properly licensed to the school official responsible
2 33 for determining teaching assignments. Failure of the
2 34 employee to disclose this occurrence or failure of the
2 35 school official responsible for determining teaching
2 36 assignments to make appropriate adjustments to the
2 37 employee's teaching assignment once the employee
2 38 discloses the occurrence shall constitute an incident
2 39 of misconduct as provided in section 272.2, subsection
2 40 14, and is actionable by the board. If the school
2 41 official fails to make appropriate adjustments to the
2 42 teaching assignment once disclosure by the employee is
2 43 made, the employee shall report this occurrence to the
2 44 department or to the board for further action.>
2 45 #4. Page 41, by inserting after line 30 the
2 46 following:
2 47 <Sec. _____. NEW SECTION. 279.66 DISCIPLINE AND
2 48 PERSONAL CONDUCT STANDARDS.
2 49 The board of directors of a school district shall
2 50 review and modify existing policies related to student
3 1 discipline and student conduct that are designed to
3 2 promote responsible behavior on school property and at
3 3 school functions in order that the policy shall govern
3 4 the conduct of students, teachers and other school
3 5 personnel, and visitors; provide opportunities for
3 6 students to exercise self-discipline and practice
3 7 cooperative classroom behavior; and encourage students
3 8 and practitioners to model fairness, equity, and
3 9 respect. The policy shall specify the
3 10 responsibilities of students, parents and guardians,
3 11 and practitioners in creating an atmosphere where all
3 12 individuals feel a sense of respect, safety, and
3 13 belonging, and shall set forth the consequences for
3 14 unacceptable behavior. The policy shall be published
3 15 in the student handbook.>
3 16 #5. By renumbering as necessary.
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3 20 FORRISTALL of Pottawattamie
3 21 SF 588.708 82
3 22 kh/gg/6349