A BILL FOR

1 An Act relating to matters involving the state board and
department of education to reflect current practices, delete
redundancies and inaccuracies, and resolve inconsistencies.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 85.20, subsection 3, Code 2018, is amended to read as follows:

3. For a student participating in a work-based learning opportunity as provided in section 85.61, against the student’s school district of residence, receiving school district if the student is participating in open enrollment under section 282.18, accredited nonpublic school, community college, and directors, officers, authorities, and employees of the applicable school district corporation.

Sec. 2. Section 256.7, subsection 21, paragraph b, unnumbered paragraph 1, Code 2018, is amended to read as follows:

A set of core academic indicators in mathematics and reading in grades four, eight, and eleven, a set of core academic indicators in science in grades eight and eleven ten, and another set of core indicators that includes but is not limited to graduation rate, postsecondary education, and successful employment in Iowa. Annually, the department shall report state data for each indicator in the condition of education report.

Sec. 3. Section 256.7, subsection 21, paragraph c, Code 2018, is amended by striking the paragraph.

Sec. 4. Section 256.7, subsection 28, Code 2018, is amended to read as follows:

28. Adopt a set of core content standards applicable to all students in kindergarten through grade twelve in every school district and accredited nonpublic school. For purposes of this subsection, “core content standards” includes reading, mathematics, and science. The core content standards shall be identical to the core content standards included in Iowa’s approved 2006 standards and assessment system under Tit. I of the federal Elementary and Secondary Education Act of 1965, 20 U.S.C. §6301 et seq., as amended by the federal No Child Left Behind Act of 2001, Pub. L. No. 107-110. School districts and accredited nonpublic schools shall include, at a
minimum, the core content standards adopted pursuant to this subsection in any set of locally developed content standards. School districts and accredited nonpublic schools are strongly encouraged to set higher expectations in local standards. As changes in federal law or regulation occur, the state board is authorized to amend the core content standards as appropriate.

Sec. 5. Section 256.9, subsection 49, paragraph a, Code 2018, is amended to read as follows:

a. Develop and distribute, in collaboration with the area education agencies, core curriculum technical assistance and implementation strategies that school districts and accredited nonpublic schools shall utilize, including but not limited to the development and delivery of formative and end-of-course model assessments classroom teachers may use to measure student progress on the core curriculum adopted pursuant to section 256.7, subsection 26. The department shall, in collaboration with the advisory group convened in accordance with paragraph "b" and educational assessment providers, identify and make available to school districts end-of-course and additional model end-of-course and additional assessments to align with the expectations included in the Iowa core curriculum. The model assessments shall be suitable to meet the multiple assessment measures requirement specified in section 256.7, subsection 21, paragraph "c".

Sec. 6. Section 256.9, subsection 55, Code 2018, is amended by striking the subsection.

Sec. 7. Section 256.16, subsection 1, Code 2018, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. Require that each student admitted to an approved practitioner preparation program participate in field experiences that include both observation and participation in teaching activities in a variety of school settings. These field experiences shall comprise a total of at least fifty hours in duration, at least ten hours of which shall occur prior to a student’s acceptance in an approved practitioner
preparation program. The student teaching experience shall be a minimum of fourteen weeks in duration during the student's final year of the practitioner preparation program. The program shall make every reasonable effort to offer the student teaching experience prior to a student's last semester, or equivalent, in the program, and to expand the student's student teaching opportunities beyond one semester or the equivalent. **NEW PARAGRAPH. e.** Require that faculty members in professional education maintain an ongoing involvement in activities in elementary, middle, or secondary schools. The activities shall include at least forty hours of team teaching during a period not exceeding five years in duration at the elementary, middle, or secondary level. **NEW PARAGRAPH. f.** Include instruction in skills and strategies to be used in classroom management of individuals, and of small and large groups, under varying conditions; skills for communicating and working constructively with pupils, teachers, administrators, and parents; preparation in reading theory, knowledge, strategies, and approaches, and for integrating literacy instruction into content areas in accordance with this section; and skills for understanding the role of the state board and the functions of other education agencies in the state. Rules adopted in accordance with this paragraph shall be based upon recommendations of the department after consultation with teacher education faculty members in colleges and universities. **NEW PARAGRAPH. g.** Prescribe minimum experiences and responsibilities to be accomplished during the student teaching experience by the student teacher and by the cooperating teacher based upon recommendations of the department after consultation with teacher education faculty members in colleges and universities. The student teaching experience shall include opportunities for the student teacher to become knowledgeable about the Iowa teaching standards, including but not limited to a mock evaluation performed by the
cooperating teacher. The mock evaluation shall not be used as an assessment tool by the practitioner preparation program. The student teaching experience shall consist of interactive experiences involving the college or university personnel, the student teacher, the cooperating teacher, and administrative personnel from the cooperating teacher's school district.

NEW PARAGRAPH. h. Offer annually a workshop of at least one day in duration for prospective cooperating teachers. The workshop shall define the objectives of the student teaching experience, review the responsibilities of the cooperating teacher, and provide the cooperating teacher with other information and assistance the institution deems necessary.

NEW PARAGRAPH. i. Provide practitioner preparation students with instruction in the use of electronic technology for classroom and instructional purposes.

NEW PARAGRAPH. j. Annually solicit the views of the education community regarding the institution's practitioner preparation programs.

NEW PARAGRAPH. k. Submit evidence that the college or department of education in the institution is communicating with other colleges or departments in the institution so that practitioner preparation students may integrate teaching methodology with subject matter areas of specialization.

NEW PARAGRAPH. l. Submit evidence that the performance evaluation of a student teacher is a cooperative process that involves both the faculty member supervising the student and the cooperating teacher. The rules shall require that each institution develop a written evaluation procedure for use by the cooperating teacher and a form for evaluating student teachers, and require that a copy of the completed form be included in the student teacher's permanent record.

NEW PARAGRAPH. m. If the rules adopted by the board of educational examiners for issuance of any type or class of license require an applicant to complete work in student teaching, pre-student teaching experiences, field experiences,
practicums, clinicals, or internships, enter into a written
contract with any school district, accredited nonpublic school,
preschool registered or licensed by the department of human
services, or area education agency in Iowa, to provide for
such work under terms and conditions as agreed upon by the
contracting parties. The terms and conditions of a written
contract entered into with a preschool pursuant to this
paragraph shall require that a student teacher be under the
direct supervision of an appropriately licensed cooperating
teacher who is employed to teach at the preschool. Students
actually teaching or engaged in preservice licensure activities
in a school district under the terms of such a contract are
entitled to the same protection under section 670.8 as is
afforded by that section to officers and employees of the
school district, during the time such students are so assigned.
Sec. 8. Section 256F.3, subsection 1, Code 2018, is amended
to read as follows:
1. The state board of education shall apply for a federal
grant under Pub. L. No. 107-110, cited as the federal No Child
Left Behind Act of 2001, Tit. V, pt. B, subpt. 1, for purposes
of providing financial assistance for the planning, program
design, and initial implementation of public charter schools.
The department shall monitor the effectiveness of charter
schools and innovation zone schools and shall implement the
applicable provisions of this chapter.
Sec. 9. Section 257.50, Code 2018, is amended to read as
follows:
257.50 Federal assistance — school district
responsibilities.
The director of the department of education, in accepting
and administering federal funds in accordance with section
256.9, subsection 7, shall upon receiving federal grant moneys
under the federal 21st Century Community Learning Center
Grant, Tit. IV, pt. B of the federal No Child Left Behind
No. 107-110 as amended by the federal Every Student Succeeds Act, as amended, 20 U.S.C., §7171-7176, designate that a school district be the fiscal agent for an eligible local grant. Whenever possible, the grant applicant school district shall collaborate with a community-based organization, a public or private entity, or a consortium of two or more of such organizations or entities in establishing a community learning center. The department shall give priority to applications for programs serving students determined through research-based methods to be in the greatest need of eligible services. Notwithstanding the provisions of this section, if federal rules or regulations relating to the 21st Century Community Learning Center Grant are adopted that are inconsistent with the provisions of this section, the department of education shall comply with the requirements of the federal rules or regulations.

Sec. 10. Section 280.19, Code 2018, is amended to read as follows:

280.19 Plans for at-risk children.

The board of directors of each public school district shall incorporate, into the kindergarten admissions program, criteria and procedures for identification and integration of at-risk children and their developmental needs. This incorporation shall be part of the comprehensive school improvement plan developed and implemented in accordance with section 256.7, subsection 21, paragraphs paragraph “a” and “e”.

Sec. 11. Section 280.21, subsection 1, Code 2018, is amended to read as follows:

1. An employee of an accredited public school district, accredited nonpublic school, or area education agency shall not inflict, or cause to be inflicted, corporal punishment upon a student. For purposes of this section, "corporal punishment" means the intentional physical punishment of a student. An employee's physical contact with the body of a student shall not be considered corporal punishment if it is reasonable
1 and necessary under the circumstances and is not designed or
2 intended to cause pain or if the employee uses reasonable
3 force, as defined under section 704.1, for the protection of
4 the employee, the student, or other students; to obtain the
5 possession of a weapon or other dangerous object within a
6 student's control; or for the protection of property. The
7 department of education shall adopt rules to implement this
8 section.
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10 Sec. 12. Section 280.26, Code 2018, is amended to read as
11 follows:
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13 280.26 Intervention in altercations.
14 1. An employee of an accredited public school district, accredit
15 ed nonpublic school, or area education agency may
16 intervene in a fight or physical struggle occurring among
17 students or between students and nonstudents that takes place
18 in the presence of the school employee in a school building, on
19 school premises, or at any school function or school-sponsored
20 activity regardless of its location. The degree and force of
21 the intervention may be as reasonably necessary, in the opinion
22 of the school employee, to restore order and protect the safety
23 of the individuals involved in the altercation and others in
24 the vicinity of the altercation.
25 2. A person who is not an employee of an accredited
26 public school district, accredited nonpublic school, or area
27 education agency may intervene in a fight or physical struggle
28 occurring among students, or between students and nonstudents,
29 that takes place in the presence of the nonemployee in a school
30 building, on school premises, or at any school function or
31 school-sponsored activity regardless of its location. The
32 intervention may occur in the absence of an employee of an
33 accredited public school district, accredited nonpublic
34 school, or area education agency, or at the request of such
35 an employee, utilizing the degree and force of intervention
36 reasonably necessary to restore order and protect the safety of
37 the individuals involved in the altercation and others in the
vicinity of the altercation. However, a person who intervenes in the absence of an employee of an accredited public school district, accredited nonpublic school, or area education agency shall report the intervention and all relevant information regarding the situation as soon as reasonably possible to such an employee.

3. An employee of an accredited public school district, accredited nonpublic school, or area education agency who intervenes in a fight or physical struggle pursuant to subsection 1 shall be awarded reasonable monetary damages against a party bringing a civil action alleging a violation of this section, if it is determined in the action that the employee has been wrongfully accused. A nonemployee of an accredited public school district, accredited nonpublic school, or area education agency who intervenes in a fight or physical struggle pursuant to subsection 2 shall be limited to the recovery of reasonable attorney fees and court costs, if it is determined in a civil action alleging a violation of this section that the nonemployee has been wrongfully accused.

Sec. 13. Section 613.21, Code 2018, is amended to read as follows:

613.21 Immunity from civil suit.

An employee of an accredited public school district, accredited nonpublic school, or area education agency shall be immune from civil suit for reasonable acts undertaken in good faith relating to participation in the making of a report and any resulting investigation or administrative or judicial proceedings regarding violence, threats of violence, or other inappropriate activity against a school employee or student, pursuant to the provisions of section 280.27.

Sec. 14. REPEAL. Sections 256.26, 272.25, and 272.27, Code 2018, are repealed.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation’s substance by the members of the general assembly.
This bill restores a word changed by legislation enacted in 2016, transfers statutory provisions relating to practitioner preparation programs from Code sections 272.25 and 272.27 to Code section 256.16, eliminates obsolete language relating to the federal No Child Left Behind (NCLB) Act of 2001, strikes an unnecessary modifier used when referring to a public school district, and repeals the before and after school grant program.

WORK-BASED LEARNING OPPORTUNITY — CORPORATION. 2016

Iowa Acts, ch. 1108(13), House File 2392, replaced the word "corporation" with "district" in Code section 85.20(3) but because the sentence refers to a school district, accredited nonpublic school, community college, and directors, officers, authorities, and the employees of such, this bill restores the more appropriate word, "corporation", to the sentence.

CORE ACADEMIC INDICATORS IN SCIENCE. To correspond with a change in the assessment requirements enacted in 2017, the bill requires that the state board's rules provide a set of core academic indicators in science in grade 10, rather than the current requirement for core academic indicators in science in grade 11.

OSBLETE NCLB-RELATED PROVISIONS. The bill strikes language providing for a requirement that school districts and accredited nonpublic schools annually report to the department and to the local community the district-wide progress made in attaining student achievement goals, demonstrate the use of multiple assessment measures in determining student achievement, and submit to the department related student data. The requirement included the use of uniform definitions consistent with the federal NCLB Act. The bill makes corresponding changes. The bill strikes provisions requiring that the core content standards adopted by the state board be identical to the 2006 standards and assessment system approved by the federal department of education; requiring a school district with a low-achieving attendance center to
implement one or more of the interventions mandated by the federal department of education under the federal NCLB Act, and requiring that such a school district meet with the employee organization representing the school district’s teachers to negotiate a memorandum of understanding relating to the terms of any collective bargaining agreement between the parties; and a provision requiring the state board to apply for a federal grant under the federal NCLB Act.

PRACTITIONER PREPARATION PROGRAMS — STATE BOARD RULES. The state board of education has a statutory duty to prescribe standards and procedures for the approval of practitioner preparation programs and professional development programs offered in this state by postsecondary institutions located within or outside this state and by area education agencies. Currently, statutory provisions relating to the state board’s responsibility to adopt rules relating to institutions that offer practitioner preparation programs and professional development programs are located in Code chapters 256 (department of education) and 272 (educational examiners board). The bill transfers such statutory language from Code chapter 272 to Code section 256.16 (specific criteria for teacher preparation and certain educators), eliminates a reference to “professional development institution” that was not defined or used elsewhere in Iowa Code or rule, and removes resulting redundancies by repealing Code sections 272.25 and 272.27.

BEFORE AND AFTER SCHOOL GRANT PROGRAM — REPEALED. The bill repeals the before and after school grant program, which was established to provide competitive grants to school districts and other public and private organizations to expand the availability of before and after school programs and summer schools. The program has not received state funding since the 2008-2009 fiscal year.