

Senate File 2114 - Enrolled

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AN ACT

RELATING TO MATTERS INVOLVING THE STATE BOARD AND DEPARTMENT OF EDUCATION TO REFLECT CURRENT PRACTICES, DELETE REDUNDANCIES AND INACCURACIES, AND RESOLVE INCONSISTENCIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. 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. 2. Section 256.7, subsection 21, paragraph c, Code 2018, is amended by striking the paragraph.

Sec. 3. 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. 4. 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. 5. Section 256.9, subsection 55, Code 2018, is amended by striking the subsection.

Sec. 6. 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 teacher 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. 7. 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. 8. 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 Elementary and Secondary Education Act of 2001~~ 1965, Pub. L. 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. 9. 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. 10. Section 280.21, subsection 1, Code 2018, is amended to read as follows:

1. An employee of an ~~accredited~~ a 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 and necessary under the circumstances and is not designed or intended to cause pain or if the employee uses reasonable force, as defined under [section 704.1](#), for the protection of the employee, the student, or other students; to obtain the possession of a weapon or other dangerous object within a student's control; or for the protection of property. The department of education shall adopt rules to implement this section.

Sec. 11. Section 280.26, Code 2018, is amended to read as follows:

**280.26 Intervention in altercations.**

1. An employee of an ~~accredited~~ a public school district, accredited nonpublic school, or area education agency may intervene in a fight or physical struggle occurring among students or between students and nonstudents that takes place

in the presence of the school employee in a school building, on school premises, or at any school function or school-sponsored activity regardless of its location. The degree and force of the intervention may be as reasonably necessary, in the opinion of the school employee, to restore order and protect the safety of the individuals involved in the altercation and others in the vicinity of the altercation.

2. A person who is not an employee of ~~an accredited~~ a public school district, accredited nonpublic school, or area education agency may intervene in a fight or physical struggle occurring among students, or between students and nonstudents, that takes place in the presence of the nonemployee in a school building, on school premises, or at any school function or school-sponsored activity regardless of its location. The intervention may occur in the absence of an employee of an ~~accredited~~ a public school district, accredited nonpublic school, or area education agency, or at the request of such an employee, utilizing the degree and force of intervention reasonably necessary to restore order and protect the safety of 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~~ a 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~~ a 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~~ a 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. 12. Section 613.21, Code 2018, is amended to read as follows:

**613.21 Immunity from civil suit.**

An employee of an ~~accredited~~ a 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. 13. REPEAL. Sections 256.26, 272.25, and 272.27, Code 2018, are repealed.

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CHARLES SCHNEIDER  
President of the Senate

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LINDA UPMEYER  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2114, Eighty-seventh General Assembly.

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W. CHARLES SMITHSON  
Secretary of the Senate

Approved \_\_\_\_\_, 2018

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KIM REYNOLDS  
Governor