

MAR 10 1999

LABOR & INDUSTRIAL RELATIONS

HOUSE FILE 591
BY CONNORS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to collective bargaining by public sector
2 employees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 to the board of the new district on the third Tuesday of
2 January prior to the school year the reorganization is
3 effective.

4 Sec. 3. Section 279.13, Code 1999, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 4. If a teacher is represented by an
7 employee organization and covered by a collective bargaining
8 agreement negotiated under chapter 20 which includes
9 procedures for discipline and discharge, sections 279.15
10 through 279.19 shall not apply to the teacher.

11 Sec. 4. Section 279.14, Code 1999, is amended by striking
12 the section and inserting in lieu thereof the following:

13 279.14 EVALUATION CRITERIA.

14 The board of educational examiners shall develop summative
15 evaluation criteria which shall be used by local school
16 districts to evaluate teachers licensed under chapter 272,
17 unless the parties to the collective bargaining agreement
18 mutually agree to alternate evaluation criteria.

19 Sec. 5. Section 279.27, Code 1999, is amended to read as
20 follows:

21 279.27 DISCHARGE OF TEACHER.

22 A teacher may be discharged at any time during the contract
23 year for just cause. The superintendent or the
24 superintendent's designee, shall notify the teacher
25 immediately that the superintendent will recommend in writing
26 to the board at a regular or special meeting of the board held
27 not more than fifteen days after notification has been given
28 to the teacher that the teacher's continuing contract be
29 terminated effective immediately following a decision of the
30 board. The procedure for dismissal shall be as provided in
31 sections 279.15(2) and 279.16 to 279.19, to the extent those
32 procedures are applicable, or under the terms of the base
33 bargaining agreement. The superintendent may suspend a
34 teacher under this section pending hearing and determination
35 by the board.

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32 procedures are applicable, or under the terms of the base
33 bargaining agreement. The superintendent may suspend a
34 teacher under this section pending hearing and determination
35 by the board.

1 Sec. 6. Section 400.18, Code 1999, is amended to read as
2 follows:

3 400.18 REMOVAL, DEMOTION, OR SUSPENSION.

4 No person holding civil service rights as provided in this
5 chapter shall be removed, demoted, or suspended arbitrarily,
6 except as otherwise provided in this chapter, but may be
7 removed, demoted, or suspended after a hearing by a majority
8 vote of the civil service commission, for neglect of duty,
9 disobedience, misconduct, or failure to properly perform the
10 person's duties. However, if a person holding civil service
11 rights as provided in this chapter is represented by an
12 employee organization and covered by a collective bargaining
13 agreement negotiated under chapter 20 which includes removal,
14 demotion, or suspension procedures, the procedures provided in
15 this chapter for removal, demotion, or suspension shall not
16 apply to the person.

17 EXPLANATION

18 Section 1 of the bill adds discipline and discharge to the
19 list of mandatory subjects of collective bargaining
20 agreements.

21 Section 2 provides that a teacher whose collective
22 bargaining agreement includes procedures for discipline and
23 discharge cannot use Code chapter 279 provisions for appeal of
24 a discharge.

25 Section 3 requires the board of educational examiners to
26 develop summative evaluation criteria which shall be used by
27 local school districts to evaluate teachers, unless the
28 parties to a collective bargaining agreement mutually agree to
29 alternate evaluation criteria.

30 Section 4 provides that the procedures in a collective
31 bargaining agreement covering removal, demotion, or suspension
32 apply to a person under city civil service procedures who is
33 covered by the collective bargaining agreement rather than the
34 procedures specified in Code chapter 400.

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