

FEB 27 2003
Place On Calendar

HOUSE FILE 341
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 140)

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

A BILL FOR

1 An Act relating to personnel and instructors employed by
2 community colleges.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

HF 341

1 Section 1. Section 279.13, Code 2003, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. For purposes of this section, sections
4 279.14, 279.15 through 279.17, 279.19, and 279.27, unless the
5 context otherwise requires, "teacher" includes the following
6 individuals employed by a community college:

7 a. An instructor, but does not include an adjunct
8 instructor.

9 b. A librarian, including those denoted as being a
10 learning resource specialist or a media specialist.

11 c. A counselor.

12 Sec. 2. Section 279.19B, Code 2003, is amended by adding
13 the following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. The licensure and coaching
15 authorization requirements of this section shall not apply to
16 community colleges. An individual employed as a coach of a
17 community college interscholastic athletic activity that is
18 not issued a teaching contract under section 279.13 serves at
19 the pleasure of the board of directors of the community
20 college and is not subject to sections 279.13 through 279.19,
21 and 279.27.

22 Sec. 3. Section 279.23, unnumbered paragraph 3, Code 2003,
23 is amended to read as follows:

24 Except as otherwise specifically provided, an
25 administrator's contract shall be governed by the provisions
26 of this section and sections 279.23A, 279.24, and 279.25, and
27 not by section 279.13.

28 PARAGRAPH DIVIDED. For purposes of this section and
29 sections 279.23A, 279.24, and 279.25, the term "administrator"
30 includes school superintendents, assistant superintendents,
31 educational directors employed by school districts for grades
32 kindergarten through twelve, educational directors employed by
33 area education agencies under chapter 273, principals,
34 assistant principals, other certified school supervisors
35 employed by school districts for grades kindergarten through

1 twelve as defined under section 20.4, and other certified
2 school supervisors employed by area education agencies under
3 chapter 273. For purposes of this section and sections
4 279.23A, 279.24, and 279.25, with regard to community college
5 employees, "administrator" includes the administrator of an
6 instructional division or an area of instructional
7 responsibility, and the administrator of an instructional
8 unit, department, or section.

9 Sec. 4. 2002 Iowa Acts, chapter 1047, sections 14 and 17,
10 are repealed.

11 Sec. 5. 2002 Iowa Acts, chapter 1047, section 20, is
12 amended to read as follows:

13 SEC. 20. EFFECTIVE DATE. Sections 1 through 4, and
14 sections 6 through 13, sections 15 and 16, and section 18 of
15 this Act take effect July 1, 2003.

16 EXPLANATION

17 This bill provides that Code provisions regulating
18 elementary and secondary education teaching and administrator
19 contracts, teacher probationary periods, evaluation criteria
20 and procedures, and procedures for the discharge of teachers
21 and administrators, also cover community college instructors
22 other than adjunct instructors; librarians, including learning
23 resource specialists and media specialists; counselors; and
24 instructional administrators.

25 The 2002 Session of the General Assembly enacted H.F. 2394,
26 which eliminates effective July 1, 2003, licensure of
27 community college faculty from the responsibilities of the
28 board of educational examiners. While a provision in the Code
29 chapter governing community colleges provides the board of
30 directors of a community college with the same duties and
31 responsibilities provided to the board of directors of a
32 school district under Code chapter 279, including those
33 involving contracts with teachers and administrators, this
34 bill specifies that permanent, full-time instructional
35 personnel employed by a community college are subject to the

HOUSE FILE 341
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 140)

(As Amended and Passed by the House March 5, 2003)

Passed House, Date Passed 3/5/03 Passed Senate, Date Passed 4/2/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 4/9/03

A BILL FOR

1 An Act relating to personnel and instructors employed by
2 community colleges.

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

4

5

House Amendments _____

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

1 Section 1. Section 279.13, Code 2003, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. For purposes of this section, sections
4 279.14, 279.15 through 279.17, 279.19, and 279.27, unless the
5 context otherwise requires, "teacher" includes the following
6 individuals employed by a community college:

7 a. An instructor, but does not include an adjunct
8 instructor.

9 b. A librarian, including those denoted as being a
10 learning resource specialist or a media specialist.

11 c. A counselor.

12 Sec. 2. Section 279.19B, Code 2003, is amended by adding
13 the following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. The licensure and coaching
15 authorization requirements of this section shall not apply to
16 community colleges. An individual employed as a coach of a
17 community college interscholastic athletic activity who is not
18 issued a teaching contract under section 279.13 serves at the
19 pleasure of the board of directors of the community college
20 and is not subject to sections 279.13 through 279.19, and
21 279.27.

22 Sec. 3. Section 279.23, unnumbered paragraph 3, Code 2003,
23 is amended to read as follows:

24 Except as otherwise specifically provided, an
25 administrator's contract shall be governed by the provisions
26 of this section and sections 279.23A, 279.24, and 279.25, and
27 not by section 279.13.

28 PARAGRAPH DIVIDED. For purposes of this section and
29 sections 279.23A, 279.24, and 279.25, the term "administrator"
30 includes school superintendents, assistant superintendents,
31 educational directors employed by school districts for grades
32 kindergarten through twelve, educational directors employed by
33 area education agencies under chapter 273, principals,
34 assistant principals, other certified school supervisors
35 employed by school districts for grades kindergarten through

1 twelve as defined under section 20.4, and other certified
2 school supervisors employed by area education agencies under
3 chapter 273. For purposes of this section and sections
4 279.23A, 279.24, and 279.25, with regard to community college
5 employees, "administrator" includes the administrator of an
6 instructional division or an area of instructional
7 responsibility, and the administrator of an instructional
8 unit, department, or section.

9 Sec. 4. 2002 Iowa Acts, chapter 1047, sections 14 and 17,
10 are repealed.

11 Sec. 5. 2002 Iowa Acts, chapter 1047, section 20, is
12 amended to read as follows:

13 SEC. 20. EFFECTIVE DATE. Sections 1 through 4, and
14 sections 6 through 13, sections 15 and 16, and section 18 of
15 this Act take effect July 1, 2003.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Chair - Dolecheck

*Schickel
Mascher*

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON TYMESON)

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

A BILL FOR

1 An Act relating to personnel and instructors employed by
2 community colleges.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. Section 279.13, Code 2003, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. For purposes of this section, sections
4 279.14, 279.15 through 279.17, 279.19, and 279.27, unless the
5 context otherwise requires, "teacher" includes the following
6 individuals employed by a community college:

7 a. An instructor, but does not include an adjunct
8 instructor.

9 b. A librarian, including those denoted as being a
10 learning resource specialist or a media specialist.

11 c. A counselor.

12 Sec. 2. Section 279.19B, Code 2003, is amended by adding
13 the following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. The licensure and coaching
15 authorization requirements of this section shall not apply to
16 community colleges. An individual employed as a coach of a
17 community college interscholastic athletic activity that is
18 not issued a teaching contract under section 279.13 serves at
19 the pleasure of the board of directors of the community
20 college and is not subject to sections 279.13 through 279.19,
21 and 279.27.

22 Sec. 3. Section 279.23, unnumbered paragraph 3, Code 2003,
23 is amended to read as follows:

24 Except as otherwise specifically provided, an
25 administrator's contract shall be governed by the provisions
26 of this section and sections 279.23A, 279.24, and 279.25, and
27 not by section 279.13.

28 PARAGRAPH DIVIDED. For purposes of this section and
29 sections 279.23A, 279.24, and 279.25, the term "administrator"
30 includes school superintendents, assistant superintendents,
31 educational directors employed by school districts for grades
32 kindergarten through twelve, educational directors employed by
33 area education agencies under chapter 273, principals,
34 assistant principals, other certified school supervisors
35 employed by school districts for grades kindergarten through

1 twelve as defined under section 20.4, and other certified
2 school supervisors employed by area education agencies under
3 chapter 273. For purposes of this section and sections
4 279.23A, 279.24, and 279.25, with regard to community college
5 employees, "administrator" includes the administrator of an
6 instructional division or an area of instructional
7 responsibility, and the administrator of an instructional
8 unit, department, or section.

9 Sec. 4. 2002 Iowa Acts, chapter 1047, sections 14 and 17,
10 are repealed.

11 Sec. 5. 2002 Iowa Acts, chapter 1047, section 20, is
12 amended to read as follows:

13 SEC. 20. EFFECTIVE DATE. Sections 1 through 4, and
14 sections 6 through 13, sections 15 and 16, and section 18 of
15 this Act take effect July 1, 2003.

16 EXPLANATION

17 This bill provides that Code provisions regulating
18 elementary and secondary education teaching and administrator
19 contracts, teacher probationary periods, evaluation criteria
20 and procedures, and procedures for the discharge of teachers
21 and administrators, also cover community college instructors
22 other than adjunct instructors; librarians, including learning
23 resource specialists and media specialists; counselors; and
24 instructional administrators.

25 The 2002 Session of the General Assembly enacted H.F. 2394,
26 which eliminates effective July 1, 2003, licensure of
27 community college faculty from the responsibilities of the
28 board of educational examiners. While a provision in the Code
29 chapter governing community colleges provides the board of
30 directors of a community college with the same duties and
31 responsibilities provided to the board of directors of a
32 school district under Code chapter 279, including those
33 involving contracts with teachers and administrators, this
34 bill specifies that permanent, full-time instructional
35 personnel employed by a community college are subject to the

1 procedures and protections of Code chapter 279.

2 However, the bill exempts coaches employed by community
3 colleges from the licensure and coaching authorization
4 requirements of the Code. A coach employed by, but not issued
5 a teaching contract by, a community college serves at the
6 pleasure of the board of directors of the community college.

7 The bill strikes related provisions enacted by the 2002
8 Session of the General Assembly that would otherwise take
9 effect July 1, 2003.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 341

AN ACT
RELATING TO PERSONNEL AND INSTRUCTORS EMPLOYED BY
COMMUNITY COLLEGES.

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

Section 1. Section 279.13, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 4. For purposes of this section, sections 279.14, 279.15 through 279.17, 279.19, and 279.27, unless the context otherwise requires, "teacher" includes the following individuals employed by a community college:

- a. An instructor, but does not include an adjunct instructor.
- b. A librarian, including those denoted as being a learning resource specialist or a media specialist.
- c. A counselor.

Sec. 2. Section 279.19B, Code 2003, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The licensure and coaching authorization requirements of this section shall not apply to community colleges. An individual employed as a coach of a community college interscholastic athletic activity who is not issued a teaching contract under section 279.13 serves at the pleasure of the board of directors of the community college and is not subject to sections 279.13 through 279.19, and 279.27.

Sec. 3. Section 279.23, unnumbered paragraph 3, Code 2003, is amended to read as follows:

Except as otherwise specifically provided, an administrator's contract shall be governed by the provisions of this section and sections 279.23A, 279.24, and 279.25, and not by section 279.13.

PARAGRAPH DIVIDED. For purposes of this section and sections 279.23A, 279.24, and 279.25, the term "administrator" includes school superintendents, assistant superintendents, educational directors employed by school districts for grades kindergarten through twelve, educational directors employed by area education agencies under chapter 273, principals, assistant principals, other certified school supervisors employed by school districts for grades kindergarten through twelve as defined under section 20.4, and other certified school supervisors employed by area education agencies under chapter 273. For purposes of this section and sections 279.23A, 279.24, and 279.25, with regard to community college employees, "administrator" includes the administrator of an instructional division or an area of instructional responsibility, and the administrator of an instructional unit, department, or section.

Sec. 4. 2002 Iowa Acts, chapter 1047, sections 14 and 17, are repealed.

Sec. 5. 2002 Iowa Acts, chapter 1047, section 20, is amended to read as follows:

SEC. 20. EFFECTIVE DATE. Sections 1 through 4, and sections 6 through 13, sections 15 and 16, and section 18 of this Act take effect July 1, 2003.

CHRISTOPHER C. RANTS
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 341, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2003

THOMAS J. VILSACK
Governor