

House File 670 - Introduced

HOUSE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 88)

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

A BILL FOR

1 An Act relating to efforts to improve the educational environment
2 in the classrooms operated by Iowa's school districts and
3 making an appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1937HV 82
6 kh/gg/14

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1 1 Section 1. Section 256.9, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 55. Establish and maintain a process and
1 4 a procedure, in cooperation with the board of educational
1 5 examiners, to compare a practitioner's teaching assignment
1 6 with the license and endorsements held by the practitioner.
1 7 The director may report noncompliance issues identified by
1 8 this process to the board of educational examiners pursuant to
1 9 section 272.15, subsection 3.

1 10 Sec. 2. Section 272.15, Code 2007, is amended to read as
1 11 follows:

1 12 272.15 ~~SCHOOL REPORTING REQUIREMENT~~ REQUIREMENTS ==
1 13 COMPLAINTS.

1 14 1. The board of directors of a school district or area
1 15 education agency, the superintendent of a school district or
1 16 the chief administrator of an area education agency, and the
1 17 authorities in charge of a nonpublic school shall report to
1 18 the board the nonrenewal or termination, for reasons of
1 19 alleged or actual misconduct, of a person's contract executed
1 20 under sections 279.12, 279.13, 279.15 through 279.21, 279.23,
1 21 and 279.24, and the resignation of a person who holds a
1 22 license, certificate, or authorization issued by the board as
1 23 a result of or following an incident or allegation of
1 24 misconduct that, if proven, would constitute a violation of
1 25 the rules adopted by the board to implement section 272.2,
1 26 subsection 14, paragraph "b", subparagraph (1), when the board
1 27 or reporting official has a good faith belief that the
1 28 incident occurred or the allegation is true. Information
1 29 reported to the board in accordance with this section is
1 30 privileged and confidential, and except as provided in section
1 31 272.13, is not subject to discovery, subpoena, or other means
1 32 of legal compulsion for its release to a person other than the
1 33 respondent and the board and its employees and agents involved
1 34 in licensee discipline, and is not admissible in evidence in a
1 35 judicial or administrative proceeding other than the
2 1 proceeding involving licensee discipline. The board shall
2 2 review the information reported to determine whether a
2 3 complaint should be initiated. In making that determination,
2 4 the board shall consider the factors enumerated in section
2 5 272.2, subsection 14, paragraph "a". For purposes of this
2 6 section, unless the context otherwise requires, "misconduct"
2 7 means an action disqualifying an applicant for a license or
2 8 causing the license of a person to be revoked or suspended in
2 9 accordance with the rules adopted by the board to implement
2 10 section 272.2, subsection 14, paragraph "b", subparagraph (1).

2 11 2. If, in the course of performing official duties, an
2 12 employee of the department becomes aware of any alleged
2 13 misconduct by an individual licensed under this chapter, the
2 14 employee shall report the alleged misconduct to the board of
2 15 educational examiners under rules adopted pursuant to
2 16 subsection 1.

2 17 3. If the executive director of the board verifies through

2 18 a review of official records that a teacher who holds a
2 19 practitioner's license under this chapter is assigned
2 20 instructional duties for which the teacher does not hold the
2 21 appropriate license or endorsement, either by grade level or
2 22 subject area, by a school district or accredited nonpublic
2 23 school, the executive director may initiate a complaint
2 24 against the teacher and the administrator responsible for the
2 25 inappropriate assignment of instructional duties.

2 26 Sec. 3. NEW SECTION. 279.43 REPORTING INAPPROPRIATE
2 27 TEACHING ASSIGNMENTS.

2 28 An employee licensed by the board of educational examiners
2 29 and holding a contract as described in section 279.13 shall
2 30 disclose any occurrence of a teaching assignment for which
2 31 that employee is not properly licensed to the school official
2 32 responsible for determining teaching assignments. Failure of
2 33 the employee to disclose this occurrence or failure of the
2 34 school official responsible for determining teaching
2 35 assignments to make appropriate adjustments to the employee's
3 1 teaching assignment once the employee discloses the occurrence
3 2 shall constitute an incident of misconduct as provided in
3 3 section 272.2, subsection 14, and is actionable by the board.
3 4 If the school official fails to make appropriate adjustments
3 5 to the teaching assignment once disclosure by the employee is
3 6 made, the employee shall report this occurrence to the
3 7 department or to the board for further action.

3 8 Sec. 4. NEW SECTION. 279.65 DISCIPLINE AND PERSONAL
3 9 CONDUCT STANDARDS.

3 10 The board of directors of a school district shall review
3 11 and modify existing policies related to student discipline and
3 12 student conduct that are designed to promote responsible
3 13 behavior on school property and at school functions in order
3 14 that the policy shall govern the conduct of students, teachers
3 15 and other school personnel, and visitors; provide
3 16 opportunities for students to exercise self-discipline and
3 17 practice cooperative classroom behavior; and encourage
3 18 students and practitioners to model fairness, equity, and
3 19 respect. The policy shall specify the responsibilities of
3 20 students, parents and guardians, and practitioners in creating
3 21 an atmosphere where all individuals feel a sense of respect,
3 22 safety, and belonging, and shall set forth the consequences
3 23 for unacceptable behavior. The policy shall be published in
3 24 the student handbook.

3 25 Sec. 5. DEPARTMENT OF EDUCATION == SCHOOL ACCREDITATION
3 26 STANDARDS TASK FORCE. There is appropriated from the general
3 27 fund of the state to the department of education for the
3 28 fiscal year beginning July 1, 2007, and ending June 30, 2008,
3 29 the following amount, or so much thereof as is necessary, to
3 30 be used for the purpose designated:

3 31 To convene and administer a school accreditation standards
3 32 task force as provided in this section:

3 33 \$ 200,000

3 34 The director of the department of education shall convene a
3 35 school accreditation standards task force to review and make
4 1 recommendations to update the current school accreditation
4 2 standards as specified in section 256.11. The task force
4 3 shall review the existing minimum accreditation standards and
4 4 develop recommendations that will bring the current standards
4 5 up to the standards required for the 21st century and to
4 6 prepare all students to continue their education beyond grade
4 7 twelve. The nine-member task force shall consist of the
4 8 director of the department of education or the director's
4 9 designee, the president of the state board of education or the
4 10 president's designee, the executive director of the board of
4 11 educational examiners or the executive director's designee,
4 12 and the following members appointed by the named entity or
4 13 entities:

- 4 14 1. A member representing the Iowa school board
4 15 association.
- 4 16 2. A member representing the Iowa state education
4 17 association.
- 4 18 3. A member representing the school administrators of
4 19 Iowa.
- 4 20 4. A member representing Iowa parent teacher
4 21 organizations.
- 4 22 5. A member representing the area education agencies.
- 4 23 6. A member representing accredited nonpublic schools.

4 24 The task force shall submit its findings and
4 25 recommendations in a report to the general assembly by January
4 26 15, 2009.

4 27 Funds appropriated pursuant to this section shall be used
4 28 for administrative purposes by the department.

4 29 Notwithstanding section 8.33, moneys allocated for purposes of
4 30 this section which remain unobligated or unexpended at the end
4 31 of the fiscal year for which the moneys were appropriated
4 32 shall remain available for expenditure for the purpose for
4 33 which they were allocated in the subsequent fiscal year.

4 34 EXPLANATION

4 35 This bill provides reporting requirements, requires that
5 1 the director of the department of education establish and
5 2 maintain a process and procedure to compare a practitioner's
5 3 teaching assignment with the license and endorsements held by
5 4 the practitioner, directs the director of the department of
5 5 education to convene a school accreditation standards task
5 6 force, and requires school districts to review and modify
5 7 existing policies related to student discipline and conduct
5 8 designed to promote responsible behavior by persons on school
5 9 property and at school functions. The bill appropriates
5 10 \$200,000 from the general fund of the state to the department
5 11 of education to convene the task force.

5 12 REPORTING REQUIREMENTS. The bill provides that an employee
5 13 of the department of education, who in the course of
5 14 performing official duties becomes aware of any alleged
5 15 misconduct by an individual licensed by the board of
5 16 educational examiners, must report the alleged misconduct to
5 17 the board. The bill also provides that if the executive
5 18 director of the board verifies that a teacher is assigned
5 19 instructional duties inappropriately, either by grade level or
5 20 subject area, the executive director is authorized to initiate
5 21 a complaint against a teacher or the administrator responsible
5 22 for the inappropriate assignment.

5 23 If a practitioner employed by a school district is assigned
5 24 instructional duties for which the practitioner does not hold
5 25 the appropriate license or endorsement, the practitioner is
5 26 required to disclose the inappropriate assignment to the
5 27 school official responsible for determining teaching
5 28 assignments. Failure to disclose this occurrence and failure
5 29 by the official to adjust the practitioner's assignment
5 30 constitutes an incident of misconduct and is actionable by the
5 31 board. If the official fails to adjust the assignment, the
5 32 practitioner is further directed to report the inappropriate
5 33 assignment to the department and to the board.

5 34 DISCIPLINE AND PERSONAL CONDUCT STANDARDS. The bill
5 35 directs school boards to establish and adopt a student
6 1 discipline and conduct policy designed to promote responsible
6 2 behavior on school property and at school functions and which
6 3 shall govern the conduct of students, teachers and other
6 4 school personnel, and visitors. The policy must be published
6 5 in the student handbook.

6 6 SCHOOL ACCREDITATION STANDARDS TASK FORCE. The bill
6 7 charges the director of the department of education with
6 8 convening a task force to review and make recommendations to
6 9 update the current school accreditation standards. The nine=
6 10 member task force is directed to submit its findings and
6 11 recommendations in a report to the general assembly by January
6 12 15, 2009.

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