

Senate Study Bill 3002 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT
OF EDUCATION/BOARD OF
EDUCATIONAL EXAMINERS BILL)

A BILL FOR

1 An Act relating to mandatory reporting of school employee
2 misconduct to the board of educational examiners.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 272.15, subsection 1, paragraphs a and c,
2 Code Supplement 2011, are amended to read as follows:

3 a. (1) The board of directors of a school district or
4 area education agency, an administrator of a school district,
5 the chief administrator of an area education agency, and
6 the authorities in charge of an accredited nonpublic school
7 shall report to the board any instance of disciplinary action
8 taken against a licensed school employee by the board of
9 directors of the school district or area education agency, the
10 administrator of the school district, the chief administrator
11 of the area education agency, or the authorities in charge of
12 the accredited nonpublic school.

13 (2) The board of directors of a school district or area
14 education agency, ~~the superintendent~~ an administrator of
15 a school district ~~or,~~ the chief administrator of an area
16 education agency, and the authorities in charge of a an
17 accredited nonpublic school shall report to the board the
18 nonrenewal or termination, for reasons of alleged or actual
19 misconduct, of a person's contract executed under sections
20 279.12, 279.13, 279.15 through 279.21, 279.23, and 279.24, and
21 the resignation of a person who holds a license, certificate,
22 or authorization issued by the board as a result of or
23 following an incident or allegation of misconduct that, if
24 proven, would constitute a violation of the ~~rules~~ standards
25 of professional conduct and ethics adopted by the board
26 ~~to implement section 272.2, subsection 14, paragraph "b",~~
27 ~~subparagraph (1) in 282 IAC 25,~~ when the board or reporting
28 official has a good faith belief that the incident occurred
29 or the allegation is true. The board may deny a license or
30 revoke the license of an administrator if the board finds by
31 a preponderance of the evidence that the administrator failed
32 to report the termination or resignation of a school employee
33 holding a license, certificate, statement of professional
34 recognition, or coaching authorization, for reasons of alleged
35 or actual misconduct, as defined by this section.

1 c. For purposes of this section, unless the context
2 otherwise requires, "misconduct" means an action disqualifying
3 an applicant for a license or causing the license of a person
4 to be revoked or suspended in accordance with the ~~rules~~
5 standards of professional conduct and ethics adopted by the
6 board ~~to implement section 272.2, subsection 14, paragraph "b",~~
7 ~~subparagraph (1) in 282 IAC 25.~~

8 Sec. 2. Section 272.15, subsection 2, Code Supplement 2011,
9 is amended to read as follows:

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

16 EXPLANATION

17 This bill requires the board of directors of a school
18 district or area education agency, an administrator of a school
19 district, the chief administrator of an area education agency,
20 and the authorities in charge of an accredited nonpublic school
21 to report any instance of disciplinary action taken against a
22 licensed school employee to the board of educational examiners.

23 The bill also modifies the definition of misconduct for the
24 purposes of mandatory reporting of school employee misconduct
25 to the board of educational examiners to cite directly to the
26 standards of professional conduct and ethics set out in the
27 board's rules.