

Senate File 2114 - Introduced

SENATE FILE 2114
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3029)

A BILL FOR

1 An Act relating to matters involving the state board and
2 department of education to reflect current practices, delete
3 redundancies and inaccuracies, and resolve inconsistencies.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.7, subsection 21, paragraph b,
2 unnumbered paragraph 1, Code 2018, is amended to read as
3 follows:

4 A set of core academic indicators in mathematics and reading
5 in grades four, eight, and eleven, a set of core academic
6 indicators in science in grades eight and eleven ten, and
7 another set of core indicators that includes but is not limited
8 to graduation rate, postsecondary education, and successful
9 employment in Iowa. Annually, the department shall report
10 state data for each indicator in the condition of education
11 report.

12 Sec. 2. Section 256.7, subsection 21, paragraph c, Code
13 2018, is amended by striking the paragraph.

14 Sec. 3. Section 256.7, subsection 28, Code 2018, is amended
15 to read as follows:

16 28. Adopt a set of core content standards applicable to
17 all students in kindergarten through grade twelve in every
18 school district and accredited nonpublic school. For purposes
19 of [this subsection](#), "*core content standards*" includes reading,
20 mathematics, and science. ~~The core content standards shall~~
21 ~~be identical to the core content standards included in Iowa's~~
22 ~~approved 2006 standards and assessment system under Tit. I~~
23 ~~of the federal Elementary and Secondary Education Act of~~
24 ~~1965, 20 U.S.C. §6301 et seq., as amended by the federal No~~
25 ~~Child Left Behind Act of 2001, Pub. L. No. 107-110.~~ School
26 districts and accredited nonpublic schools shall include, at a
27 minimum, the core content standards adopted pursuant to this
28 subsection in any set of locally developed content standards.
29 School districts and accredited nonpublic schools are strongly
30 encouraged to set higher expectations in local standards. As
31 changes in federal law or regulation occur, the state board is
32 authorized to amend the core content standards as appropriate.

33 Sec. 4. Section 256.9, subsection 49, paragraph a, Code
34 2018, is amended to read as follows:

35 a. Develop and distribute, in collaboration with the area

1 education agencies, core curriculum technical assistance and
2 implementation strategies that school districts and accredited
3 nonpublic schools shall utilize, including but not limited to
4 the development and delivery of formative and end-of-course
5 model assessments classroom teachers may use to measure student
6 progress on the core curriculum adopted pursuant to section
7 256.7, subsection 26. The department shall, in collaboration
8 with the advisory group convened in accordance with paragraph
9 "b" and educational assessment providers, identify and make
10 available to school districts end-of-course and additional
11 model end-of-course and additional assessments to align with
12 the expectations included in the Iowa core curriculum. ~~The~~
13 ~~model assessments shall be suitable to meet the multiple~~
14 ~~assessment measures requirement specified in section 256.7,~~
15 ~~subsection 21, paragraph "c".~~

16 Sec. 5. Section 256.9, subsection 55, Code 2018, is amended
17 by striking the subsection.

18 Sec. 6. Section 256.16, subsection 1, Code 2018, is amended
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. *d.* Require that each student admitted to an
21 approved practitioner preparation program participate in field
22 experiences that include both observation and participation in
23 teaching activities in a variety of school settings. These
24 field experiences shall comprise a total of at least fifty
25 hours in duration, at least ten hours of which shall occur
26 prior to a student's acceptance in an approved practitioner
27 preparation program. The student teaching experience shall be
28 a minimum of fourteen weeks in duration during the student's
29 final year of the practitioner preparation program. The
30 program shall make every reasonable effort to offer the student
31 teaching experience prior to a student's last semester, or
32 equivalent, in the program, and to expand the student's student
33 teaching opportunities beyond one semester or the equivalent.

34 NEW PARAGRAPH. *e.* Require that faculty members in
35 professional education maintain an ongoing involvement in

1 activities in elementary, middle, or secondary schools. The
2 activities shall include at least forty hours of team teaching
3 during a period not exceeding five years in duration at the
4 elementary, middle, or secondary level.

5 NEW PARAGRAPH. *f.* Include instruction in skills and
6 strategies to be used in classroom management of individuals,
7 and of small and large groups, under varying conditions;
8 skills for communicating and working constructively with
9 pupils, teachers, administrators, and parents; preparation in
10 reading theory, knowledge, strategies, and approaches, and
11 for integrating literacy instruction into content areas in
12 accordance with this section; and skills for understanding the
13 role of the state board and the functions of other education
14 agencies in the state. Rules adopted in accordance with this
15 paragraph shall be based upon recommendations of the department
16 after consultation with teacher education faculty members in
17 colleges and universities.

18 NEW PARAGRAPH. *g.* Prescribe minimum experiences and
19 responsibilities to be accomplished during the student teaching
20 experience by the student teacher and by the cooperating
21 teacher based upon recommendations of the department after
22 consultation with teacher education faculty members in
23 colleges and universities. The student teaching experience
24 shall include opportunities for the student teacher to become
25 knowledgeable about the Iowa teaching standards, including
26 but not limited to a mock evaluation performed by the
27 cooperating teacher. The mock evaluation shall not be used as
28 an assessment tool by the practitioner preparation program.
29 The student teaching experience shall consist of interactive
30 experiences involving the college or university personnel, the
31 student teacher, the cooperating teacher, and administrative
32 personnel from the cooperating teacher's school district.

33 NEW PARAGRAPH. *h.* Offer annually a workshop of at least
34 one day in duration for prospective cooperating teachers. The
35 workshop shall define the objectives of the student teaching

1 experience, review the responsibilities of the cooperating
2 teacher, and provide the cooperating teacher with other
3 information and assistance the institution deems necessary.

4 NEW PARAGRAPH. *i.* Provide practitioner preparation students
5 with instruction in the use of electronic technology for
6 classroom and instructional purposes.

7 NEW PARAGRAPH. *j.* Annually solicit the views of the
8 education community regarding the institution's practitioner
9 preparation programs.

10 NEW PARAGRAPH. *k.* Submit evidence that the college or
11 department of education in the institution is communicating
12 with other colleges or departments in the institution so that
13 practitioner preparation students may integrate teaching
14 methodology with subject matter areas of specialization.

15 NEW PARAGRAPH. *l.* Submit evidence that the performance
16 evaluation of a student teacher is a cooperative process that
17 involves both the faculty member supervising the student
18 teacher and the cooperating teacher. The rules shall require
19 that each institution develop a written evaluation procedure
20 for use by the cooperating teacher and a form for evaluating
21 student teachers, and require that a copy of the completed form
22 be included in the student teacher's permanent record.

23 NEW PARAGRAPH. *m.* If the rules adopted by the board of
24 educational examiners for issuance of any type or class of
25 license require an applicant to complete work in student
26 teaching, pre-student teaching experiences, field experiences,
27 practicums, clinicals, or internships, enter into a written
28 contract with any school district, accredited nonpublic school,
29 preschool registered or licensed by the department of human
30 services, or area education agency in Iowa, to provide for
31 such work under terms and conditions as agreed upon by the
32 contracting parties. The terms and conditions of a written
33 contract entered into with a preschool pursuant to this
34 paragraph shall require that a student teacher be under the
35 direct supervision of an appropriately licensed cooperating

1 teacher who is employed to teach at the preschool. Students
2 actually teaching or engaged in preservice licensure activities
3 in a school district under the terms of such a contract are
4 entitled to the same protection under section 670.8 as is
5 afforded by that section to officers and employees of the
6 school district, during the time such students are so assigned.

7 Sec. 7. Section 256F.3, subsection 1, Code 2018, is amended
8 to read as follows:

9 1. ~~The state board of education shall apply for a federal~~
10 ~~grant under Pub. L. No. 107-110, cited as the federal No Child~~
11 ~~Left Behind Act of 2001, Tit. V, pt. B, subpt. 1, for purposes~~
12 ~~of providing financial assistance for the planning, program~~
13 ~~design, and initial implementation of public charter schools.~~
14 The department shall monitor the effectiveness of charter
15 schools and innovation zone schools and shall implement the
16 applicable provisions of [this chapter](#).

17 Sec. 8. Section 257.50, Code 2018, is amended to read as
18 follows:

19 **257.50 Federal assistance — school district**
20 **responsibilities.**

21 The director of the department of education, in accepting
22 and administering federal funds in accordance with section
23 256.9, subsection 7, shall upon receiving federal grant moneys
24 under the federal 21st Century Community Learning Center
25 Grant, Tit. IV, pt. B of the federal ~~No Child Left Behind~~
26 Elementary and Secondary Education Act of 2001 1965, Pub. L.
27 ~~No. 107-110~~ as amended by the federal Every Student Succeeds
28 Act, as amended, 20 U.S.C., §7171-7176, designate that a school
29 district be the fiscal agent for an eligible local grant.
30 Whenever possible, the grant applicant school district shall
31 collaborate with a community-based organization, a public
32 or private entity, or a consortium of two or more of such
33 organizations or entities in establishing a community learning
34 center. The department shall give priority to applications for
35 programs serving students determined through research-based

1 methods to be in the greatest need of eligible services.
2 Notwithstanding the provisions of [this section](#), if federal
3 rules or regulations relating to the 21st Century Community
4 Learning Center Grant are adopted that are inconsistent with
5 the provisions of [this section](#), the department of education
6 shall comply with the requirements of the federal rules or
7 regulations.

8 Sec. 9. Section 280.19, Code 2018, is amended to read as
9 follows:

10 **280.19 Plans for at-risk children.**

11 The board of directors of each public school district shall
12 incorporate, into the kindergarten admissions program, criteria
13 and procedures for identification and integration of at-risk
14 children and their developmental needs. This incorporation
15 shall be part of the comprehensive school improvement plan
16 developed and implemented in accordance with section 256.7,
17 subsection 21, ~~paragraphs~~ paragraph "a" and ~~"e"~~.

18 Sec. 10. Section 280.21, subsection 1, Code 2018, is amended
19 to read as follows:

20 1. An employee of an ~~accredited~~ a public school district,
21 accredited nonpublic school, or area education agency shall not
22 inflict, or cause to be inflicted, corporal punishment upon a
23 student. For purposes of [this section](#), "*corporal punishment*"
24 means the intentional physical punishment of a student. An
25 employee's physical contact with the body of a student shall
26 not be considered corporal punishment if it is reasonable
27 and necessary under the circumstances and is not designed or
28 intended to cause pain or if the employee uses reasonable
29 force, as defined under [section 704.1](#), for the protection of
30 the employee, the student, or other students; to obtain the
31 possession of a weapon or other dangerous object within a
32 student's control; or for the protection of property. The
33 department of education shall adopt rules to implement this
34 section.

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

1 follows:

2 **280.26 Intervention in altercations.**

3 1. An employee of an ~~accredited~~ a public school district,
4 accredited nonpublic school, or area education agency may
5 intervene in a fight or physical struggle occurring among
6 students or between students and nonstudents that takes place
7 in the presence of the school employee in a school building, on
8 school premises, or at any school function or school-sponsored
9 activity regardless of its location. The degree and force of
10 the intervention may be as reasonably necessary, in the opinion
11 of the school employee, to restore order and protect the safety
12 of the individuals involved in the altercation and others in
13 the vicinity of the altercation.

14 2. A person who is not an employee of an ~~accredited~~ a
15 public school district, accredited nonpublic school, or area
16 education agency may intervene in a fight or physical struggle
17 occurring among students, or between students and nonstudents,
18 that takes place in the presence of the nonemployee in a school
19 building, on school premises, or at any school function or
20 school-sponsored activity regardless of its location. The
21 intervention may occur in the absence of an employee of an
22 ~~accredited~~ a public school district, accredited nonpublic
23 school, or area education agency, or at the request of such
24 an employee, utilizing the degree and force of intervention
25 reasonably necessary to restore order and protect the safety of
26 the individuals involved in the altercation and others in the
27 vicinity of the altercation. However, a person who intervenes
28 in the absence of an employee of an ~~accredited~~ a public school
29 district, accredited nonpublic school, or area education agency
30 shall report the intervention and all relevant information
31 regarding the situation as soon as reasonably possible to such
32 an employee.

33 3. An employee of an ~~accredited~~ a public school district,
34 accredited nonpublic school, or area education agency who
35 intervenes in a fight or physical struggle pursuant to

1 subsection 1 shall be awarded reasonable monetary damages
2 against a party bringing a civil action alleging a violation
3 of **this section**, if it is determined in the action that the
4 employee has been wrongfully accused. A nonemployee of an
5 ~~accredited~~ a public school district, accredited nonpublic
6 school, or area education agency who intervenes in a fight or
7 physical struggle pursuant to **subsection 2** shall be limited to
8 the recovery of reasonable attorney fees and court costs, if it
9 is determined in a civil action alleging a violation of this
10 section that the nonemployee has been wrongfully accused.

11 Sec. 12. Section 613.21, Code 2018, is amended to read as
12 follows:

13 **613.21 Immunity from civil suit.**

14 An employee of an ~~accredited~~ a public school district,
15 accredited nonpublic school, or area education agency shall
16 be immune from civil suit for reasonable acts undertaken in
17 good faith relating to participation in the making of a report
18 and any resulting investigation or administrative or judicial
19 proceedings regarding violence, threats of violence, or other
20 inappropriate activity against a school employee or student,
21 pursuant to the provisions of **section 280.27**.

22 Sec. 13. REPEAL. Sections 256.26, 272.25, and 272.27, Code
23 2018, are repealed.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill transfers statutory provisions relating to
28 practitioner preparation programs from Code sections 272.25 and
29 272.27 to Code section 256.16, eliminates obsolete language
30 relating to the federal No Child Left Behind (NCLB) Act of
31 2001, strikes an unnecessary modifier used when referring to a
32 public school district, and repeals the before and after school
33 grant program.

34 CORE ACADEMIC INDICATORS IN SCIENCE. To correspond with
35 a change in the assessment requirements enacted in 2017, the

1 bill requires that the state board's rules provide a set of
2 core academic indicators in science in grade 10, rather than
3 the current requirement for core academic indicators in science
4 in grade 11.

5 OBSOLETE NCLB-RELATED PROVISIONS. The bill strikes
6 language providing for a requirement that school districts and
7 accredited nonpublic schools annually report to the department
8 and to the local community the district-wide progress made
9 in attaining student achievement goals, demonstrate the
10 use of multiple assessment measures in determining student
11 achievement, and submit to the department related student
12 data. The requirement included the use of uniform definitions
13 consistent with the federal NCLB Act. The bill makes
14 corresponding changes. The bill strikes provisions requiring
15 that the core content standards adopted by the state board
16 be identical to the 2006 standards and assessment system
17 approved by the federal department of education; requiring
18 a school district with a low-achieving attendance center to
19 implement one or more of the interventions mandated by the
20 federal department of education under the federal NCLB Act, and
21 requiring that such a school district meet with the employee
22 organization representing the school district's teachers to
23 negotiate a memorandum of understanding relating to the terms
24 of any collective bargaining agreement between the parties; and
25 a provision requiring the state board to apply for a federal
26 grant under the federal NCLB Act.

27 PRACTITIONER PREPARATION PROGRAMS — STATE BOARD RULES. The
28 state board of education has a statutory duty to prescribe
29 standards and procedures for the approval of practitioner
30 preparation programs and professional development programs
31 offered in this state by postsecondary institutions located
32 within or outside this state and by area education agencies.
33 Currently, statutory provisions relating to the state board's
34 responsibility to adopt rules relating to institutions that
35 offer practitioner preparation programs and professional

1 development programs are located in Code chapters 256
2 (department of education) and 272 (educational examiners
3 board). The bill transfers such statutory language from
4 Code chapter 272 to Code section 256.16 (specific criteria
5 for teacher preparation and certain educators), eliminates a
6 reference to "professional development institution" that was
7 not defined or used elsewhere in Iowa Code or rule, and removes
8 resulting redundancies by repealing Code sections 272.25 and
9 272.27.

10 BEFORE AND AFTER SCHOOL GRANT PROGRAM — REPEALED. The bill
11 repeals the before and after school grant program, which was
12 established to provide competitive grants to school districts
13 and other public and private organizations to expand the
14 availability of before and after school programs and summer
15 schools. The program has not received state funding since the
16 2008-2009 fiscal year.