

Senate File 392 - Introduced

SENATE FILE 392
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1049)

A BILL FOR

1 An Act relating to education, including eligibility for grants
2 under the teach Iowa scholar program, licenses issued by the
3 board of educational examiners, and the use of revenues from
4 the district management levy, and including applicability
5 provisions.

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

1 Section 1. Section 256.16, subsection 1, Code 2023, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *m.* If a higher education institution
4 providing practitioner preparation offers a program that is
5 designed to assist students in attaining a teacher intern
6 license from the board of educational examiners, the program
7 shall require participants to satisfy all of the following
8 requirements before completing the program:

9 (1) A participant in the program must have graduated from
10 an accredited or state-approved college or university and must
11 meet the requirements for an endorsement area approved by the
12 board of educational examiners for a teacher intern license.

13 (2) A participant in the program must submit with the
14 application to the program a copy of an offer of employment
15 from a school.

16 (3) A participant in the program must complete the required
17 pedagogy training.

18 (4) A participant in the program must work under the
19 supervision of a teacher leader assigned by the school district
20 or accredited nonpublic school, including during co-teaching
21 and planning time.

22 Sec. 2. Section 261.110, subsection 3, Code 2023, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *d.* The total value of grants awarded under
25 this section each year to applicants who are preparing to
26 teach in a school district, charter school, or an accredited
27 nonpublic school shall be as follows:

28 (1) Fifty percent shall be awarded to applicants preparing
29 to teach in a school district with less than or equal to one
30 thousand two hundred students, a charter school with less than
31 or equal to one thousand two hundred students, or an accredited
32 nonpublic school with less than or equal to one thousand
33 two hundred students. However, if the amount requested by
34 applicants pursuant to subparagraph (2) is less than the amount
35 reserved for applicants under subparagraph (2), the commission

1 may award the difference to applicants under this subparagraph.
2 (2) Fifty percent shall be awarded to applicants preparing
3 to teach in a school district with greater than one thousand
4 two hundred students, a charter school with greater than one
5 thousand two hundred students, or an accredited nonpublic
6 school with greater than one thousand two hundred students.
7 However, if the amount requested by applicants pursuant
8 to subparagraph (1) is less than the amount reserved for
9 applicants under subparagraph (1), the commission may award the
10 difference to applicants under this subparagraph.

11 Sec. 3. Section 272.2, subsection 1, Code 2023, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. *d.* Rules adopted pursuant to this subsection
14 establishing criteria for applicants for licenses who have
15 completed an accredited or state-approved teacher preparation
16 program and who are applying for the applicant's first Iowa
17 teaching license shall not require the applicant to be an Iowa
18 resident if the applicant provides the board with a copy of an
19 offer of employment as a teacher from a school located in this
20 state.

21 Sec. 4. Section 272.2, subsection 13, Code 2023, is amended
22 to read as follows:

23 13. Adopt rules to provide for nontraditional preparation
24 options for licensing persons who hold a bachelor's degree
25 or higher from an accredited or state-approved college or
26 university, who do not meet other requirements for licensure.
27 The rules shall, at a minimum, require the board to do all of
28 the following:

29 a. Issue a teacher intern license to an applicant who has
30 enrolled in a program established pursuant to section 256.16,
31 subsection 1, paragraph "m".

32 b. Allow a licensee who has attained a teacher intern
33 license pursuant to paragraph "a" to apply for an initial
34 teaching license if the school that employed the licensee
35 during the licensee's completion of the program established

1 pursuant to section 256.16, subsection 1, paragraph "m", and
2 the higher education institution that operated the program,
3 recommend that the licensee be allowed to apply for an initial
4 teaching license.

5 Sec. 5. Section 272.2, Code 2023, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 26. Adopt rules pursuant to chapter
8 17A that allow an individual seeking a career and technical
9 secondary authorization to apply, and if eligible, be issued
10 the secondary authorization prior to accepting an offer of
11 employment with a school.

12 Sec. 6. Section 279.46, Code 2023, is amended to read as
13 follows:

14 **279.46 Retirement incentives and teacher recruitment and**
15 **retention incentives — tax.**

16 1. The board of directors of a school district may adopt
17 a program for payment of a monetary bonus, continuation of
18 health or medical insurance coverage, or other incentives
19 for encouraging its employees to retire before the normal
20 retirement date as defined in [chapter 97B](#). The program is
21 available only to employees who notify the board of directors
22 prior to April 1 of the fiscal year that they intend to retire
23 not later than the start of the next following school calendar.
24 The age at which employees shall be designated eligible for
25 the program shall be at the discretion of the board. An
26 employee retiring under [this section subsection](#) may apply for
27 a retirement allowance under [chapter 97B](#) or [chapter 294](#). The
28 board may include in the district management levy an amount to
29 pay the total estimated accumulated cost to the school district
30 of the health or medical insurance coverage, bonus, or other
31 incentives for employees fifty-five years of age or older who
32 retire under [this section subsection](#).

33 2. a. The board of directors of a school district may
34 adopt a program for teacher recruitment incentives to recruit
35 new teachers and a program for teacher retention incentives

1 to retain teachers currently employed by the board. If the
2 board does adopt a program for teacher recruitment or retention
3 incentives, the board shall adopt a policy to implement the
4 program. Under the program, the board of directors of a school
5 district shall not do any of the following:

6 (1) Pay a teacher a teacher recruitment or retention
7 incentive that annually exceeds ten percent of the amount of
8 the salary for an initial teacher established pursuant to
9 section 284.15, subsection 2, paragraph "a", subparagraph (1).

10 (2) Pay a teacher a teacher recruitment or retention
11 incentive in more than five school budget years.

12 b. The board may include in the district management levy
13 an amount to pay the total estimated accumulated cost to
14 the school district of the teacher recruitment or retention
15 incentives adopted under this subsection.

16 3. The board may adopt either the program for early
17 retirement benefits provided in subsection 1, or the programs
18 for teacher recruitment or retention incentives provided in
19 subsection 2, but the board shall not adopt the program for
20 early retirement benefits concurrently with a program for
21 teacher recruitment or retention incentives.

22 4. The board of directors of a school district shall
23 discuss the adoption of the program for early retirement
24 benefits provided in subsection 1 or the programs for teacher
25 recruitment or retention incentives provided in subsection
26 2, if applicable, at a regular or special meeting prior to
27 adopting the program. The board of directors of the school
28 district shall provide sufficient time to receive public
29 comment on the program. The board shall allow each interested
30 member of the public to speak at the meeting regarding the
31 program, but may impose a time limit on the amount of time a
32 member of the public is allowed to speak if the time limit is
33 the same for each speaker and necessary due to the amount of
34 people wishing to speak.

35 Sec. 7. Section 298.4, subsection 1, paragraph e, Code 2023,

1 is amended to read as follows:

2 e. To pay the cost of early retirement benefits to employees
3 under section 279.46, subsection 1, or teacher recruitment or
4 retention incentives under section 279.46, subsection 2. A
5 board of directors of a school district shall not expend the
6 district management levy on the costs of early retirement
7 benefits to employees under section 279.46, subsection 1, in
8 the same fiscal year as the costs of teacher recruitment or
9 retention incentives under section 279.46, subsection 2.

10 Sec. 8. APPLICABILITY. The following applies to grants
11 awarded by the college student aid commission on or after July
12 1, 2023, to initial applicants under the teach Iowa scholar
13 program established pursuant to section 261.110:

14 The section of this Act amending section 261.110.

15 Sec. 9. APPLICABILITY. The following apply to school budget
16 years beginning July 1, 2024:

17 1. The section of this Act amending section 279.46.

18 2. The section of this Act amending section 298.4.

19 EXPLANATION

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

22 This bill relates to education, including eligibility for
23 grants under the teach Iowa scholar program, licenses issued
24 by the board of educational examiners (BOEE), and the use of
25 revenues from the district management levy.

26 The bill provides that if a higher education institution
27 providing practitioner preparation offers a program that is
28 designed to assist students in attaining a teacher intern
29 license from the BOEE, the program shall require participants
30 to satisfy certain specified requirements.

31 The teach Iowa scholar program, administered by the
32 college student aid commission, provides grants to certain
33 high-caliber, full-time teachers in Iowa in amounts not to
34 exceed \$4,000 annually or \$20,000 over five years. The bill
35 provides that the total value of grants awarded under the

1 program to applicants who are preparing to teach in a school
2 district, charter school, or an accredited nonpublic school
3 shall be equally divided between applicants preparing to
4 teach in a school district, charter school, or an accredited
5 nonpublic school with less than or equal to 1,200 students and
6 applicants preparing to teach in a school district, charter
7 school, or accredited nonpublic school with greater than
8 1,200 students. The bill authorizes the commission to award
9 different amounts to each group of applicants if the amount
10 requested by applicants of either group is less than the amount
11 reserved for that group. The bill establishes that this
12 provision applies to grants awarded by the commission on or
13 after July 1, 2023, to initial applicants under the program.

14 Current law authorizes the BOEE to issue a regional exchange
15 teaching license to an applicant who has completed a teacher
16 preparation program outside of the state and who is applying
17 for the applicant's first Iowa teaching license if, among
18 other requirements, the applicant is a resident of the state.
19 The bill removes the requirement that such an applicant be a
20 resident of this state if the applicant provides the BOEE with
21 a copy of an offer of employment as a teacher from a school
22 located in this state.

23 Current law requires the BOEE to adopt rules to provide
24 for nontraditional preparation options for licensing persons
25 who hold a bachelor's degree from an accredited college
26 or university and who do not meet other requirements for
27 licensure. The bill provides that the rules shall require
28 the BOEE to issue a teacher intern license to an applicant
29 who has completed a program offered by a higher education
30 institution providing practitioner preparation that is designed
31 to assist students in attaining a teacher intern license. The
32 bill requires the BOEE to allow a licensee who has attained
33 a teacher intern license under such a program to apply for
34 an initial teaching license if the school that employed
35 the licensee during the program and the higher education

1 institution recommend that the licensee be allowed to apply.

2 The bill requires the BOEE to adopt rules that allow
3 an individual seeking a career and technical secondary
4 authorization to apply, and if eligible, be issued the
5 secondary authorization prior to accepting an offer of
6 employment with a school.

7 Currently, Code section 279.46 authorizes the board of
8 directors of a school district to adopt a program for early
9 retirement benefits to encourage its employees to retire
10 before the normal retirement date. The bill modifies Code
11 section 279.46 to also authorize the board of directors to
12 adopt a program for teacher recruitment incentives to recruit
13 new teachers and a program for teacher retention incentives
14 to retain current teachers. The bill requires the board of
15 directors to discuss the adoption of the program for early
16 retirement benefits or the program for teacher recruitment or
17 retention incentives, if applicable, at a regular or special
18 meeting prior to adopting the program and allow for public
19 comment. The bill prohibits the board of directors from paying
20 a teacher recruitment or retention incentive that annually
21 exceeds 10 percent of the amount of the salary for an initial
22 teacher established under Code section 284.15. Additionally,
23 the bill prohibits the board of directors from paying a
24 teacher recruitment or retention incentive in more than five
25 school budget years. The bill also prohibits the board of
26 directors from adopting the program for early retirement
27 benefits concurrently with the program for teacher recruitment
28 or retention incentives. In addition, the bill prohibits the
29 board of directors from adopting either the program for early
30 retirement benefits or the program for teacher recruitment
31 or retention incentives within five years after adopting the
32 other program. These provisions apply to school budget years
33 beginning July 1, 2024.

34 The bill authorizes the board of directors to expend the
35 district management levy to pay the costs of either the program

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1 for early retirement benefits or the program for teacher
2 recruitment or retention incentives. The bill prohibits the
3 board of directors from expending the district management
4 levy on the costs of early retirement benefits in the same
5 fiscal year as the costs of teacher recruitment or retention
6 incentives. These provisions apply to school budget years
7 beginning July 1, 2024.