

**House File 2380 - Reprinted**

HOUSE FILE 2380  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 517)

(As Amended and Passed by the House March 13, 2012)

**A BILL FOR**

1 An Act relating to programs and activities under the purview of  
2 the department of education, the state board of education,  
3 the board of educational examiners, the department of  
4 management, school districts, and accredited nonpublic  
5 schools; providing for the retention of certain fees and  
6 for the use of certain funds; and including effective date  
7 provisions.

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

DIVISION I

COMPETENCY-BASED INSTRUCTION

1  
2  
3 Section 1. Section 256.7, subsection 26, paragraph a,  
4 Code Supplement 2011, is amended by adding the following new  
5 subparagraph:

6 NEW SUBPARAGRAPH. (02) The rules shall allow a school  
7 district or accredited nonpublic school to award high school  
8 credit to a student upon the demonstration of required  
9 competencies for a course or content area, as approved by  
10 an appropriately licensed teacher. The school district or  
11 accredited nonpublic school shall determine the assessment  
12 methods by which a student demonstrates sufficient evidence of  
13 the required competencies.

14 Sec. 2. COMPETENCY-BASED INSTRUCTION TASK FORCE.

15 1. The superintendents of the school districts that have  
16 been approved by the department of education to implement  
17 competency-based instruction shall appoint a task force  
18 to conduct a study regarding competency-based instruction  
19 standards and options and the integration of competency-based  
20 instruction with the Iowa core curriculum, and to develop  
21 related assessment models and professional development focused  
22 on competency-based instruction.

23 2. At a minimum, the task force shall do all of the  
24 following:

- 25 a. Redefine the Carnegie unit into competencies.  
26 b. Construct personal learning plans and templates.  
27 c. Develop student-centered accountability and assessment  
28 models.  
29 d. Empower learning through technology.  
30 e. Develop supports and professional development for  
31 educators to transition to a competency-based system.

32 3. a. The task force shall be comprised of at least sixteen  
33 members, nine of whom shall represent education stakeholders  
34 and practitioners knowledgeable about the Iowa core curriculum;  
35 one of whom shall be the deputy director and administrator

1 of the division of learning and results of the department  
2 of education or the deputy director's designee; one of whom  
3 shall represent the area education agencies; one of whom shall  
4 represent the Iowa state education association; and four of  
5 whom shall represent the general assembly.

6     b. The four members of the general assembly shall serve as  
7 ex officio, nonvoting members. One representative shall be  
8 appointed by the speaker of the house of representatives, one  
9 representative shall be appointed by the minority leader of the  
10 house of representatives, one senator shall be appointed by  
11 the majority leader of the senate after consultation with the  
12 president of the senate, and one senator shall be appointed by  
13 the minority leader of the senate.

14     4. The person representing the area education agency shall  
15 convene the initial meeting. The task force shall elect one  
16 of its members as chairperson. After the initial meeting, the  
17 task force shall meet at the time and place specified by call  
18 of the chairperson. The department of education shall provide  
19 staffing services for the task force.

20     5. a. The task force shall submit a preliminary report that  
21 includes but is not limited to its findings and recommendations  
22 relating to subsection 2, paragraphs "b", "d", and "e", by  
23 January 15, 2013.

24     b. The task force shall submit its plan, findings, models,  
25 and recommendations in a final report to the state board of  
26 education, the governor, and the general assembly by November  
27 15, 2013.

28     Sec. 3. EFFECTIVE UPON ENACTMENT. This division of this  
29 Act, being deemed of immediate importance, takes effect upon  
30 enactment.

31                                   DIVISION II

32                                   CORE CURRICULUM MATTERS

33     Sec. 4. Section 256.7, subsection 26, paragraph a, Code  
34 Supplement 2011, is amended by adding the following new  
35 subparagraph:

1     NEW SUBPARAGRAPH. (3) Notwithstanding any provision to  
2 the contrary, an accredited nonpublic school is not required  
3 to meet the core curriculum and core content standards  
4 requirements of this chapter that are in conflict with tenets  
5 and practices of the bona fide religious institution in charge  
6 of the school.

7     Sec. 5. Section 256.7, subsection 26, paragraph a, Code  
8 Supplement 2011, is amended by adding the following new  
9 subparagraph:

10    NEW SUBPARAGRAPH. (4) The provisions of section 256.18  
11 shall be considered by the state board in developing the core  
12 curriculum requirements.

13    Sec. 6. Section 256.9, Code Supplement 2011, is amended by  
14 adding the following new subsections:

15    NEW SUBSECTION. 62. Appoint members to the core curriculum  
16 framework and core content standards advisory council  
17 established in section 256.41. The director may establish  
18 objectives for the council in accordance with section 256.41.

19    NEW SUBSECTION. 63. a. Create and disseminate to school  
20 districts, charter schools, and accredited nonpublic schools  
21 a model curriculum that is directly tied to the goals,  
22 outcomes, and assessment strategies identified in the core  
23 content standards. The model curriculum shall identify a  
24 developmentally appropriate scope and sequence of instruction  
25 applicable to the core content standards, instructional  
26 material resources, and teaching and assessment strategies.  
27 The model curriculum shall provide guidance to school districts  
28 and schools and expand on the core content standards. The  
29 model curriculum shall be modified as necessary to incorporate  
30 the core curriculum framework developed pursuant to paragraph  
31 "b".

32    b. Develop by July 1, 2015, a core curriculum framework  
33 aligned to the core curriculum standards established pursuant  
34 to section 256.7, subsection 26.

35    Sec. 7. NEW SECTION. 256.27 Remediation council.

1 1. A remediation council is established consisting of eight  
2 members appointed as follows:

3 a. One member representing the community colleges appointed  
4 by the president of the Iowa association of community college  
5 presidents.

6 b. One member representing the accredited private  
7 institutions appointed by the president of the Iowa association  
8 of independent colleges and universities.

9 c. One member representing the institutions of higher  
10 education governed by the state board of regents appointed by  
11 the president of the state board of regents.

12 d. One member representing the practitioner preparation  
13 programs at institutions of higher education governed by the  
14 state board of regents appointed by the president of the state  
15 board of regents.

16 e. One member representing school districts appointed by the  
17 president of the Iowa association of school boards.

18 f. One member representing accredited nonpublic schools  
19 appointed by the director of the department of education.

20 g. One member representing the department of education  
21 appointed by the director of the department of education.

22 h. One member representing the area education agencies  
23 appointed by the area education agency administrators.

24 2. Council members shall serve three-year terms beginning  
25 and ending as provided in section 69.19, and appointments  
26 shall comply with sections 69.16 and 69.16A. Vacancies on the  
27 council shall be filled in the same manner as the original  
28 appointment. A person appointed to fill a vacancy shall serve  
29 only for the unexpired portion of the term.

30 3. The member representing the department of education  
31 shall convene the initial meeting. The council shall elect one  
32 of its members as chairperson. The council shall meet at least  
33 quarterly, and at any time on the call of the chairperson.

34 4. a. The department shall provide staffing services for  
35 the council.

1     *b.* Notwithstanding section 257.16, subsection 5, the  
2 administrative costs of the council shall be paid from the  
3 appropriation made pursuant to section 257.16, subsection 5.

4     5. *a.* Prior to the initial meeting of the council, the  
5 member representing the community colleges shall convene  
6 a meeting of members appointed pursuant to subsection 1,  
7 paragraphs "a" through "d" to define "remediation" for purposes  
8 of the council and outline the skills and expectations for  
9 postsecondary level attendance. The definitions and outline  
10 shall be distributed and discussed at the initial council  
11 meeting.

12     *b.* The council shall identify measures to help students  
13 transition from the secondary to the postsecondary level,  
14 limit the cost of remediation, define and standardize the  
15 skill sets that determine the need for remediation, and create  
16 effective partnerships between secondary schools and higher  
17 education institutions. The council shall review activities  
18 and services designed to align school district curricula with  
19 core postsecondary level requirements and decrease the need  
20 for remedial coursework at the secondary school grade level  
21 through grade sixteen. The council shall develop strategies  
22 to strengthen grade nine through grade sixteen standards,  
23 competencies, assessment systems, and the professional  
24 development of teachers. For the fiscal year beginning July  
25 1, 2012, the council shall focus on mathematics and English  
26 remediation measures.

27     6. The council shall submit its findings and  
28 recommendations in a report to the state board of education  
29 and the general assembly by November 15 annually. The state  
30 board and department of education shall use the findings and  
31 recommendations to strengthen the common core curriculum and  
32 core content standards.

33     Sec. 8. Section 256.18, subsection 1, Code 2011, is amended  
34 by adding the following new paragraph:

35     NEW PARAGRAPH. *0b.* Implementation of the core curriculum

1 requirements established pursuant to section 256.7, subsection  
2 26, on-going professional development, and assessment in the  
3 areas of student performance and educator performance shall  
4 include high expectations, fair and reliable measures of  
5 student achievement and teacher performance, and building  
6 capacities that address research-based and data-driven  
7 intentional cultures of safety and engagement, competencies  
8 for positive behaviors, competencies for deeper learning, and  
9 college, career, and citizenship readiness.

10     Sec. 9. NEW SECTION. **256.41 Core curriculum framework and**  
11 **core content standards advisory council.**

12     1. A core curriculum framework and core content standards  
13 advisory council is established under the department.

14     2. The advisory council shall consist of no less than seven  
15 members appointed by the director in accordance with sections  
16 69.16, 69.16A, and 69.16C. Members shall serve at the pleasure  
17 of the director.

18     3. The department is the primary agency responsible for  
19 providing administrative personnel and services for the  
20 advisory council.

21     4. Members shall elect a chair annually and other officers  
22 as the members determine. Members shall establish rules of  
23 procedure for the advisory council.

24     5. The advisory council shall meet at least quarterly and at  
25 the call of the chair.

26     6. Members of the advisory council shall serve without  
27 compensation but may be reimbursed for actual expenses incurred  
28 in the performance of their duties.

29     7. The advisory council shall review the core curriculum,  
30 the core content standards, and the model curriculum adopted  
31 pursuant to section 256.7, subsections 26, 28, and 63 upon  
32 request of the director and make recommendations to the  
33 director regarding a core curriculum framework and any  
34 necessary changes to the core curriculum content standards and  
35 model curriculum. In making recommendations, the advisory



1 local and state educational goals. Upon receiving approval  
2 from the department, the charter school or accredited nonpublic  
3 school may adopt and implement the approved alternative teacher  
4 evaluation system in lieu of the statewide teacher evaluation  
5 system.

6 *b.* The components of the statewide teacher evaluation system  
7 shall include but not be limited to the following:

8 (1) Direct observation of classroom teaching behaviors.

9 (2) Strong consideration of student outcome measures, when  
10 available for tested subjects and grades, to validate direct  
11 observation of classroom teaching behaviors.

12 (3) Integration of the Iowa teaching standards.

13 (4) System applicability to teachers in all content areas  
14 taught in a school.

15 Sec. 13. Section 284.3, Code 2011, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. 4. This section is repealed July 1, 2013.

18 Sec. 14. Section 284.4, subsection 1, paragraph e, Code  
19 2011, is amended to read as follows:

20 *e.* (1) Adopt a teacher evaluation plan that, at minimum,  
21 requires a an annual performance review of teachers in the  
22 district ~~at least once every three years~~ based upon the Iowa  
23 teaching standards and individual professional development  
24 plans in accordance with section 284.8, and requires  
25 administrators to complete evaluator training in accordance  
26 with section 284.10.

27 (2) Adopt, by July 1, 2013, the statewide teacher evaluation  
28 system developed pursuant to section 256.9, subsection 64.  
29 However, the school district may develop and submit to the  
30 department for approval an alternative teacher evaluation  
31 system that meets local and state educational goals. In lieu  
32 of the statewide teacher evaluation system, the school district  
33 may adopt and implement the alternative teacher evaluation  
34 system upon receiving approval from the department.

35 Sec. 15. Section 284.8, subsections 1 and 2, Code 2011, are

1 amended to read as follows:

2 1. A school district shall provide for an annual  
3 review a of each teacher's performance at least once every  
4 ~~three years~~ for purposes of assisting teachers in making  
5 continuous improvement, documenting continued competence in  
6 the Iowa teaching standards, identifying teachers in need of  
7 improvement, or to determine whether the teacher's practice  
8 meets school district expectations for career advancement in  
9 accordance with section 284.7. The review shall be conducted  
10 by at least one evaluator certified in accordance with section  
11 284.10, and shall include, at minimum, classroom observation  
12 of the teacher, the teacher's progress, and implementation of  
13 the teacher's individual professional development plan, subject  
14 to the level of resources provided to implement the plan; and  
15 shall include supporting documentation from parents, students,  
16 and other teachers.

17 2. If, as a result of a review conducted pursuant to  
18 subsection 1, a supervisor or an evaluator determines, at any  
19 time, as a result of a teacher's performance that the a teacher  
20 is not meeting district expectations under the Iowa teaching  
21 standards specified in section 284.3, subsection 1, paragraphs  
22 "a" through "h" established by the state board by rule, the  
23 criteria for the Iowa teaching standards developed by the  
24 department in accordance with section 256.9, subsection 46, and  
25 any other standards or criteria established in the collective  
26 bargaining agreement, the evaluator shall, at the direction of  
27 the teacher's supervisor, recommend to the district that the  
28 teacher participate in an intensive assistance program. The  
29 intensive assistance program and its implementation are subject  
30 to negotiation and grievance procedures established pursuant to  
31 chapter 20. All school districts shall be prepared to offer an  
32 intensive assistance program.

33 Sec. 16. Section 284A.7, Code 2011, is amended to read as  
34 follows:

35 **284A.7 Evaluation requirements for administrators.**

1     1. A school district shall conduct an annual evaluation  
 2 of an administrator who holds a professional administrator  
 3 license issued under chapter 272 ~~at least once every three~~  
 4 ~~years~~ for purposes of assisting the administrator in making  
 5 continuous improvement, documenting continued competence in  
 6 the Iowa standards for school administrators adopted pursuant  
 7 to section 256.7, subsection 27, or to determine whether the  
 8 administrator's practice meets school district expectations.  
 9 The review shall include, at a minimum, an assessment of the  
 10 administrator's competence in meeting the Iowa standards for  
 11 school administrators and the goals of the administrator's  
 12 individual professional development plan, including supporting  
 13 documentation or artifacts aligned to the Iowa standards for  
 14 school administrators and the individual administrator's  
 15 professional development plan.

16     2. Adopt the statewide administrator evaluation system  
 17 developed pursuant to section 256.9, subsection 64. However,  
 18 the school district may develop and submit to the department  
 19 for approval an alternative administrator evaluation system  
 20 that meets local and state educational goals. In lieu of  
 21 the statewide administrator evaluation system, the school  
 22 district may adopt and implement the alternative administrator  
 23 evaluation system upon receiving approval from the department.

24     Sec. 17. STATEWIDE EDUCATOR EVALUATION SYSTEM TASK  
 25 FORCE. The director of the department of education shall  
 26 appoint, and provide staffing services for, a task force to  
 27 conduct a study regarding a statewide teacher evaluation  
 28 system and a statewide administrator evaluation system. The  
 29 study of a statewide teacher evaluation system shall include a  
 30 review of student outcome measures described in section 256.9,  
 31 subsection 64, paragraph "b", subparagraph (2). To the extent  
 32 possible, appointments shall be made to provide geographical  
 33 area representation and to comply with sections 69.16, 69.16A,  
 34 and 69.16C. The task force, at a minimum, shall include in its  
 35 recommendations and proposal a tiered evaluation system that

1 differentiates ineffective, minimally effective, effective, and  
2 highly effective performance by teachers and administrators.  
3 The task force shall submit its findings, recommendations, and  
4 a proposal for each system to the state board of education and  
5 the general assembly by October 15, 2012. By November 26,  
6 2012, the department of education shall submit a departmental  
7 bill drafting request to the legislative services agency  
8 in bill draft format making specific and detailed proposed  
9 amendments to the Code of Iowa necessary to advance the  
10 proposed task force recommendations as approved by the state  
11 board of education.

12     Sec. 18. TEACHER PERFORMANCE, COMPENSATION, AND CAREER  
13 DEVELOPMENT TASK FORCE.

14     1. The director of the department of education shall  
15 appoint, and provide staffing services for, a teacher  
16 performance, compensation, and career development task force  
17 to develop recommendations for a new teacher compensation  
18 system to replace the current teacher compensation system which  
19 addresses, at a minimum, the following:

20     a. The duties and responsibilities of apprentice, career,  
21 mentor, and master teachers.

22     b. Utilizing retired teachers as mentors.

23     c. Strategic and meaningful uses of finite resources and the  
24 realignment of resources currently available.

25     d. Mechanisms to substantially increase the average salary  
26 of teachers who assume leadership roles within the profession.

27     e. Standardizing implementation of task force  
28 recommendations in all of Iowa's school districts and public  
29 charter schools.

30     2. The director of the department of education shall appoint  
31 and provide staffing services for a task force whose members  
32 shall represent teachers, parents, school administrators,  
33 and business and community leaders. Insofar as practicable,  
34 appointments shall be made to provide geographical area  
35 representation and to comply with sections 69.16, 69.16A, and

1 69.16C.

2 3. The state board of education shall consider the findings  
3 and recommendations of the task force when adopting rules  
4 establishing Iowa teaching standards pursuant to this Act.

5 4. The task force shall submit its findings and  
6 recommendations in a report to the state board of education,  
7 the governor, and the general assembly by October 15, 2012.

8 Sec. 19. REPEAL. Section 284.14A, Code 2011, is repealed.

9 Sec. 20. EFFECTIVE UPON ENACTMENT. The sections of  
10 this division of this Act providing for the appointment of  
11 the statewide educator evaluation system task force and the  
12 appointment of the teacher performance, compensation, and  
13 career development task force, being deemed of immediate  
14 importance, take effect upon enactment.

15 Sec. 21. FUTURE CONTINGENT REPEAL AND USE OF EVALUATION  
16 SYSTEMS.

17 1. Section 256.7, subsection 31, and section 256.9,  
18 subsection 64, as enacted in this division of this Act, are  
19 repealed effective July 1, 2013, if the general assembly fails  
20 to enact legislation during the 2013 Regular Session of the  
21 Eighty-fifth General Assembly advancing the proposed statewide  
22 evaluator evaluation system task force recommendations, as  
23 approved by the state board of education, relating to the  
24 establishment of a statewide teacher evaluation system and a  
25 statewide administrator evaluation system.

26 2. Notwithstanding the sections of this division of this  
27 Act amending sections 284.3, 284.8, and 284A.7, if the general  
28 assembly fails to enact legislation during the 2013 Regular  
29 Session of the Eighty-fifth General Assembly advancing the  
30 proposed statewide evaluator evaluation system task force  
31 recommendations, as approved by the state board of education,  
32 relating to the establishment of a statewide teacher evaluation  
33 system and a statewide administrator evaluation system,  
34 effective July 1, 2013, all school districts shall continue to  
35 use the teacher and administrator evaluation systems in place

1 on June 30, 2013.

2 DIVISION IV

3 INNOVATION ACCELERATION PROGRAM — FUND

4 Sec. 22. NEW SECTION. 256.65 Innovation acceleration  
5 program — fund.

6 1. An innovation acceleration program is established  
7 in the department to be administered by the department to  
8 provide competitive grants to applicants with a record of  
9 improving student achievement and educational attainment in  
10 order to expand the implementation of, and investment in,  
11 innovative practices that are demonstrated to have an impact  
12 on improving student achievement or student growth, closing  
13 achievement gaps, decreasing dropout rates, increasing parental  
14 involvement, increasing attendance rates, increasing high  
15 school graduation rates, or increasing college and career  
16 program enrollment and completion rates. The state board shall  
17 adopt rules relating to applicant eligibility, application  
18 procedures, and awarding of grants.

19 2. The program shall be designed to enable grantees to  
20 accomplish all of the following:

21 a. Expand and develop innovative practices that can serve as  
22 models of best practices.

23 b. Work in partnership with the private sector,  
24 community-based organizations, and the philanthropic community.

25 c. Identify and document best practices that can be shared  
26 and expanded based on demonstrated success.

27 3. An innovation acceleration fund is created in the  
28 state treasury under the control of the department. Except  
29 as otherwise provided in this subsection, the fund shall be  
30 administered by the director and shall consist of all moneys  
31 deposited in the fund, including any moneys appropriated by the  
32 general assembly and any other moneys available to and obtained  
33 or accepted by the department from local, state, federal, or  
34 private sources for purposes of the innovation acceleration  
35 program. Moneys in the fund shall not be disbursed for a grant

1 award under this section without the approval of the state  
2 board. Notwithstanding section 8.33, moneys in the fund at  
3 the end of a fiscal year shall not revert to the general fund  
4 of the state. Notwithstanding section 12C.7, subsection 2,  
5 interest or earnings on moneys in the fund shall be credited  
6 to the fund.

7 DIVISION V

8 ONLINE LEARNING

9 Sec. 23. Section 256.7, subsection 8, Code Supplement 2011,  
10 is amended by striking the subsection and inserting in lieu  
11 thereof the following:

12 8. Adopt rules providing for the establishment of an online  
13 learning program model.

14 a. The rules shall limit the statewide enrollment of  
15 pupils in educational instruction and course content that is  
16 delivered primarily over the internet to not more than eighteen  
17 one-hundredths of one percent of the statewide enrollment of  
18 all pupils, and shall limit a school district's enrollment of  
19 pupils in educational instruction and course content that is  
20 delivered over the internet to not more than one percent of the  
21 school district's enrollment.

22 b. For purposes of this section and sections 256.9 and  
23 256.27, "*online learning*" means educational instruction and  
24 content which is delivered primarily over the internet.  
25 "*Online learning*" does not include printed-based correspondence  
26 education, broadcast television or radio, videocassettes, or  
27 stand-alone educational software programs that do not have a  
28 significant internet-based instructional component.

29 Sec. 24. Section 256.9, Code Supplement 2011, is amended by  
30 adding the following new subsection:

31 NEW SUBSECTION. 65. a. Develop and establish an online  
32 learning program model in accordance with rules adopted  
33 pursuant to section 256.7, subsection 8.

34 b. Grant a waiver to school districts, charter schools,  
35 and accredited nonpublic schools that implement an online

1 learning program aligned with the program model developed and  
2 established pursuant to this subsection. A school district or  
3 school seeking a waiver pursuant to this paragraph shall submit  
4 a plan for an online learning program to the director for  
5 approval. A school district or school whose online learning  
6 program plan is approved by the director may be granted a  
7 waiver only for purposes of implementing the approved online  
8 learning program. The standards that may be waived pursuant to  
9 this paragraph are as follows:

10 (1) The minimum number of instructional days required  
11 pursuant to section 279.10, subsection 1, and the minimum  
12 number of instructional hours required pursuant to section  
13 256.7, subsection 19. Notwithstanding any provision to the  
14 contrary, the waiver may exempt school districts and schools  
15 from any statutory requirement that students be physically  
16 present in a school building and under the guidance and  
17 instruction of the instructional professional staff employed by  
18 the school district or the school except as necessary under the  
19 rules adopted pursuant to section 256.7, subsection 8.

20 (2) Any statutory requirement that a subject being studied  
21 by a student enrolled in an approved online learning program be  
22 a subject that is offered and taught by the professional staff  
23 of the school district or school.

24 *c.* Require that the school district or school granted a  
25 waiver pursuant to paragraph "b" implement and incorporate  
26 into its comprehensive school improvement plan required under  
27 section 256.7, subsection 21, accountability measures designed  
28 to demonstrate that academic credit is awarded based upon  
29 successful completion of content or achievement of competencies  
30 by students enrolled in the approved online learning program.

31 *d.* Establish criteria for school districts or schools to  
32 use when choosing providers of online learning to meet the  
33 online learning program requirements specified in rules adopted  
34 pursuant to section 256.7, subsection 8.

35 Sec. 25. NEW SECTION. 256.27 Online learning program model.

- 1     1. *Online learning program model established.* The director,  
2 pursuant to section 256.9, subsection 65, shall establish an  
3 online learning program model that provides for the following:
- 4     *a.* Online access to high-quality content, instructional  
5 materials, and blended learning.
- 6     *b.* Coursework customized to the needs of the student using  
7 online content.
- 8     *c.* A means for a student to demonstrate competency in  
9 completed online coursework.
- 10    *d.* High-quality online instruction taught by appropriately  
11 licensed teachers.
- 12    *e.* Online content and instruction evaluated on the basis of  
13 student learning outcomes.
- 14    *f.* Use of funds available for online learning for program  
15 development, implementation, and innovation.
- 16    *g.* Infrastructure that supports online learning.
- 17    *h.* Online administration of online course assessments.
- 18    2. *Online learning program waiver application.* A school  
19 district, charter school, or accredited nonpublic school may  
20 apply to the department for a waiver to implement an online  
21 learning program pursuant to section 256.9, subsection 65.
- 22    3. *Private providers.* At the discretion of the school board  
23 or authorities in charge of an accredited nonpublic school,  
24 after consideration of circumstances created by necessity,  
25 convenience, and cost-effectiveness, courses developed by  
26 private providers may be utilized by the school district or  
27 school in implementing a high-quality online learning program.  
28 Courses obtained from private providers shall be taught by  
29 teachers licensed under this chapter.
- 30    4. *Grading.* Grades in online courses shall be based,  
31 at a minimum, on whether a student mastered the subject,  
32 demonstrated competency, and met the standards established  
33 by the school district. Grades shall be conferred by  
34 appropriately licensed teachers only.
- 35    5. *Accreditation criteria.* All online courses and programs

1 shall meet existing accreditation standards.

2     Sec. 26. NEW SECTION. 256.28 Iowa learning online  
3 initiative.

4     1. An Iowa learning online initiative is established  
5 within the department of education to partner with school  
6 districts and accredited nonpublic schools to provide distance  
7 education to high school students statewide. The department  
8 shall utilize a variety of content repositories, including  
9 those maintained by the area education agencies and the public  
10 broadcasting division, in administering the initiative.

11     2. Coursework offered under the initiative shall  
12 meet the requirements of section 256.7, subsections  
13 7, 8, and 9, and shall be taught by an appropriately  
14 licensed teacher who has completed an online-learning  
15 -for-Iowa-educators-professional-development project offered  
16 by area education agencies, a teacher preservice program, or  
17 comparable coursework.

18     3. Under the initiative, students must be enrolled in a  
19 participating school district or school, which is responsible  
20 for recording grades received for initiative coursework in a  
21 student's permanent record, awarding high school credit for  
22 initiative coursework, and issuing high school diplomas to  
23 students enrolled in the district or school who participate and  
24 complete coursework under the initiative. Each participating  
25 school district or school shall identify a site coordinator  
26 to serve as a student advocate and as a liaison between the  
27 initiative staff and teachers and the school district or  
28 school.

29     4. Coursework offered under the initiative shall be  
30 rigorous and high quality, and the department shall annually  
31 evaluate the quality of the courses, ensure that coursework  
32 is aligned with the state's core curriculum and core content  
33 requirements and standards, as well as national standards  
34 of quality for online courses issued by an internationally  
35 recognized association for kindergarten through grade twelve

1 online learning.

2 5. The department may waive any requirement that a subject  
3 being studied under the initiative by a student enrolled in a  
4 school district or school participating in the initiative be a  
5 subject that is offered and taught by the professional staff of  
6 the participating school district or school.

7 Sec. 27. Section 256.33, subsection 1, Code 2011, is amended  
8 to read as follows:

9 1. The department shall consort with school districts,  
10 area education agencies, community colleges, and colleges  
11 and universities ~~to provide assistance to them~~ in the use  
12 of educational technology for instruction purposes. The  
13 department shall consult with the advisory committee on  
14 telecommunications, established in section 256.7, subsection 7,  
15 and other users of educational technology on the development  
16 and operation of programs under this section, section 256.9,  
17 subsection 65, and section 256.27.

18 Sec. 28. CENTER OF EXCELLENCE FOR ONLINE LEARNING —  
19 LEGISLATIVE INTENT. It is the intent of the general assembly  
20 to encourage and support the establishment of a center for  
21 excellence for online learning at the university of northern  
22 Iowa.

23 DIVISION VI

24 EDUCATIONAL STANDARDS EXEMPTIONS

25 Sec. 29. Section 256.11, subsection 8, Code 2011, is amended  
26 to read as follows:

27 8. a. Upon request of the ~~board of directors of a~~  
28 ~~public school district or the~~ authorities in charge of a  
29 nonpublic school, the director may, for a number of years to  
30 be specified by the director, grant the ~~district board or the~~  
31 authorities in charge of the nonpublic school exemption from  
32 one or more of the requirements of the educational program  
33 specified in ~~subsection 5~~ this section. The exemption may be  
34 renewed. Exemptions shall be granted only if the director  
35 deems that the request made is an essential part of a planned

1 innovative curriculum project which the director determines  
2 will adequately meet the educational needs and interests of  
3 the pupils and be broadly consistent with the intent of the  
4 educational program as defined in ~~subsection 5~~ this section.

5 The request for exemption shall include all of the following:

6 ~~a.~~ (1) Rationale of the project to include supportive  
7 research evidence.

8 ~~b.~~ (2) Objectives of the project.

9 ~~c.~~ (3) Provisions for administration and conduct of the  
10 project, including the use of personnel, facilities, time,  
11 techniques, and activities.

12 ~~d.~~ (4) Plans for evaluation of the project by testing  
13 and observational measures of pupil progress in reaching the  
14 objectives.

15 ~~e.~~ (5) Plans for revisions of the project based on  
16 evaluation measures.

17 ~~f.~~ (6) Plans for periodic reports to the department.

18 ~~g.~~ (7) The estimated cost of the project.

19 b. Upon request of the board of directors of a public  
20 school district, the director may, for a number of years to be  
21 specified by the director, grant the district board exemption  
22 from one or more of the requirements of the educational program  
23 specified in this section if the school district complies with  
24 the requirements set forth in section 256F.4, subsection 2,  
25 paragraphs "a" through "m", the request for exemption includes  
26 the components specified in paragraph "a", subparagraphs (1)  
27 through (7), and the director deems that the request made is an  
28 essential part of a planned innovative curriculum project which  
29 the director determines will adequately meet the educational  
30 needs and interests of the pupils and be broadly consistent  
31 with the intent of the educational program as defined in this  
32 section.

33 c. The director shall submit a report by February 1,  
34 annually, to the state board, the governor, and the general  
35 assembly that lists all of the exemptions granted pursuant to

1 this subsection and the reasons for which each exemption was  
2 granted by the director.

3 DIVISION VII

4 EDUCATION JOB OPENINGS POSTING

5 Sec. 30. Section 256.9, Code Supplement 2011, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 70. Maintain, on the department's internet  
8 site, education job openings which shall be submitted for  
9 posting by school districts, area education agencies, and  
10 charter schools; and may be submitted by accredited nonpublic  
11 schools.

12 DIVISION VIII

13 CLASS SHARING AGREEMENTS

14 Sec. 31. Section 257.11, subsection 3, Code 2011, is amended  
15 by adding the following new paragraph:

16 NEW PARAGRAPH. c. A school district that collaborates with  
17 a community college to provide a college-level class that uses  
18 an activities-based, project-based, and problem-based learning  
19 approach and that is offered through a partnership with a  
20 nationally recognized provider of rigorous and innovative  
21 science, technology, engineering, and mathematics curriculum  
22 for schools, which provider is exempt from taxation under  
23 section 501(c)(3) of the Internal Revenue Code, is eligible to  
24 receive additional weighting under a supplementary weighting  
25 plan adopted pursuant to this subsection.

26 Sec. 32. Section 257.11, subsection 7, Code 2011, is amended  
27 to read as follows:

28 *7. Shared classes delivered over the Iowa communications*  
29 *network.*

30 a. A school district that provides a virtual class to  
31 a pupil in another school district and the school district  
32 receiving that virtual class for a pupil shall each receive  
33 a supplemental weighting of one-twentieth of the percentage  
34 of the pupil's school day during which the pupil attends the  
35 virtual class.

1     **b.** Fifty percent of the funding the school district  
2 providing the virtual class receives as a result of this  
3 subsection shall be reserved as additional pay for the virtual  
4 classroom instructor. If an instructor's contract provides  
5 additional pay for teaching a virtual class, the instructor  
6 shall receive the greater amount of either the amount provided  
7 for in this paragraph or the amount provided for in the  
8 instructor's contract.

9     **c.** A school district receiving a virtual class for a  
10 pupil from a community college, which class meets the sharing  
11 agreement requirements in subsection 3, shall receive a  
12 supplemental funding weighting of one-twentieth of the  
13 percentage of the pupil's school day during which the pupil  
14 attends the virtual class.

15     **d.** For the purposes of this subsection, "*virtual class*"  
16 means ~~either~~ any of the following:

17         (1) A class provided by a school district to a pupil in  
18 another school district via the Iowa communications network's  
19 video services.

20         (2) A class provided by a community college to a pupil in  
21 a school district via the Iowa communications network's video  
22 services.

23         (3) An advanced placement course provided to a pupil in  
24 a school district under an agreement with the Iowa online  
25 advanced placement academy science, technology, engineering,  
26 and mathematics initiative under section 263.8A, subsection 2.

27         (4) A course provided by the Iowa learning online initiative  
28 of the department of education to a pupil in a school district  
29 under an agreement with the department.

30     Sec. 33. Section 261E.8, Code Supplement 2011, is amended by  
31 adding the following new subsection:

32     NEW SUBSECTION. 6A. A student enrolled in a career and  
33 technical course made available pursuant to subsection 1 is  
34 exempt from the proficiency requirements of section 261E.3,  
35 subsection 1, paragraph "e". However, a community college

1 may require a student who applies for enrollment under a  
2 district-to-community college sharing or concurrent enrollment  
3 program to complete an initial assessment administered by  
4 the community college receiving the application to determine  
5 the applicant's readiness to enroll in career and technical  
6 coursework, and the community college may deny the enrollment.

7 DIVISION IX

8 SCHOOL INSTRUCTIONAL TIME

9 Sec. 34. Section 256C.3, subsection 3, paragraph f, Code  
10 2011, is amended to read as follows:

11 f. A minimum of ~~ten~~ fifteen hours per week of instruction  
12 delivered on the skills and knowledge included in the student  
13 learning standards developed for the preschool program.

14 Sec. 35. SCHOOL INSTRUCTIONAL TIME TASK FORCE.

15 1. The director of the department of education shall  
16 appoint a school instructional time task force comprised of at  
17 least seven members to conduct a study regarding the minimum  
18 requirements of the school day and the school year. The study  
19 shall include but not be limited to an examination of the  
20 following:

21 a. Whether the minimum length of an instructional day should  
22 be extended and, if so, whether the instructional day should be  
23 extended for all students or for specific groups of students.

24 b. Whether the minimum number of instructional days or  
25 hours in a school year should be increased and, if so, whether  
26 the minimum number of days or hours in a school year should be  
27 increased for all students or for specific groups of students.

28 c. Whether the minimum number of instructional days or hours  
29 should be rearranged to result in a shorter summer break, with  
30 other days or weeks off throughout the school year.

31 d. Whether the minimum school year should be defined by a  
32 number of days or by a number of instructional hours.

33 e. Whether there should be a uniform, statewide start date  
34 for the school year that can only be waived for the purpose of  
35 implementing an innovative educational program.

1 f. Whether resources necessary to extend the minimum length  
2 of an instructional day or the minimum length of a school year  
3 are justified when compared to competing education priorities.

4 2. The appointment of members to the task force shall  
5 be made in a manner which provides geographical area  
6 representation and complies with sections 69.16, 69.16A, and  
7 69.16C.

8 3. The task force shall submit its findings and  
9 recommendations in a report to the state board of education,  
10 the governor, and the general assembly by October 15, 2012.

11 DIVISION X

12 ASSESSMENTS

13 Sec. 36. Section 256.7, subsection 21, paragraph c, Code  
14 Supplement 2011, is amended to read as follows:

15 ~~c. A requirement that all school districts and accredited~~  
16 ~~nonpublic schools annually report to the department and the~~  
17 ~~local community the district-wide progress made in attaining~~  
18 ~~student achievement goals on the academic and other core~~  
19 ~~indicators and the district-wide progress made in attaining~~  
20 ~~locally established student learning goals. The Use by school~~  
21 ~~districts and accredited nonpublic schools shall demonstrate~~  
22 ~~the use of multiple statewide assessment measures identified~~  
23 ~~and approved by the state board in determining student~~  
24 ~~achievement levels. The school districts and accredited~~  
25 ~~nonpublic schools shall also report the number of students~~  
26 ~~who graduate; the number of students who drop out of school;~~  
27 ~~the number of students who are tested and the percentage of~~  
28 ~~students who are so tested annually; and the percentage of~~  
29 ~~students who graduated during the prior school year and who~~  
30 ~~completed a core curriculum. The board shall develop and~~  
31 ~~adopt uniform definitions consistent with the federal No Child~~  
32 ~~Left Behind Act of 2001, Pub. L. No. 107-110 and any federal~~  
33 ~~regulations adopted pursuant to the federal Act. The school~~  
34 ~~districts and accredited nonpublic schools may report on other~~  
35 ~~locally determined factors influencing student achievement.~~

1 The school districts and accredited nonpublic schools shall  
2 also report to the local community their results by individual  
3 attendance center.

4 Sec. 37. Section 256.7, subsection 21, Code Supplement  
5 2011, is amended by adding the following new paragraph:

6 NEW PARAGRAPH. *d.* By July 1, 2014, establishment by the  
7 department of an accountability system designed to hold school  
8 districts and accredited nonpublic schools accountable for  
9 student achievement. The accountability system shall, at  
10 a minimum, define and measure student achievement, student  
11 growth, student achievement gaps, college and career readiness,  
12 student well-being, parent satisfaction, school staff working  
13 conditions, school fiscal responsibility, and graduation  
14 and attendance rates. The director may at the director's  
15 discretion, or shall as directed by the state board, convene  
16 a working group to develop recommendations for any of the  
17 following:

18 (1) The accountability system established pursuant to this  
19 paragraph.

20 (2) Redesigning the accreditation procedures implemented  
21 under section 256.11.

22 (3) A compliance monitoring process aligned with the  
23 accountability system.

24 (4) Targeting support for school districts identified as  
25 needing assistance under the accountability system.

26 (5) Identifying, studying, and commending high-performing  
27 districts.

28 (6) Developing strategies to take over the operation of  
29 school districts determined pursuant to section 256.11, or  
30 under the accountability system, as persistently failing to  
31 meet educational system or student achievement standards.

32 Sec. 38. Section 256.7, subsection 26, paragraph a,  
33 subparagraph (1), Code Supplement 2011, is amended to read as  
34 follows:

35 (1) The rules establishing high school graduation

1 requirements shall authorize a school district or  
2 accredited nonpublic school to consider that any student  
3 who satisfactorily completes a high school-level unit of  
4 English or language arts, mathematics, science, or social  
5 studies has satisfactorily completed a unit of the high school  
6 graduation requirements for that area as specified in this  
7 lettered paragraph, and shall authorize the school district  
8 or accredited nonpublic school to issue high school credit  
9 for the unit to the student. The rules shall also require  
10 administration of the college entrance and career readiness  
11 examinations in accordance with section 280.18.

12 Sec. 39. Section 256.7, subsection 26, Code Supplement  
13 2011, is amended by adding the following new paragraph:

14 NEW PARAGRAPH. *d.* Adopt by rule by July 1, 2014, a policy  
15 for the incorporation by school districts of end-of-course  
16 assessments into the district's high school graduation  
17 requirements.

18 Sec. 40. Section 256.7, subsection 28, Code Supplement  
19 2011, is amended to read as follows:

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

1 occur, the state board is authorized to amend the core content  
2 standards as appropriate.

3 Sec. 41. Section 256.9, Code Supplement 2011, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 68. Develop, by July 1, 2014, high school  
6 end-of-course assessments for subject areas included under the  
7 core content standards.

8 Sec. 42. NEW SECTION. **256.24 Value-added assessment**  
9 **system.**

10 1. For purposes of this section, unless the context  
11 otherwise requires, "*value-added assessment*" means a method  
12 to measure gains in student achievement by conducting a  
13 statistical analysis of achievement data that reveals academic  
14 growth over time for students and groups of students, such as  
15 those in a grade level or in a school.

16 2. A value-added assessment system shall be established and  
17 implemented by the department not later than January 31, 2013,  
18 to provide for multivariate longitudinal analysis of annual  
19 student test scores to determine the influence of a school  
20 district's educational program on student academic growth and  
21 to guide school district improvement efforts. The department  
22 shall select a value-added assessment system provider through a  
23 request for proposals process. The system provider selected  
24 by the department shall offer a value-added assessment system  
25 to calculate annually the academic growth of students, as  
26 determined by the director, and tested in accordance with this  
27 section. The system provider shall, at a minimum, meet all of  
28 the following criteria:

29 a. Use a mixed-model statistical analysis that has the  
30 ability to use all achievement test data for each student,  
31 including the data for students with missing test scores, that  
32 does not adjust downward expectations for student progress  
33 based on race, poverty, or gender, and that will provide the  
34 best linear unbiased predictions of school or other educational  
35 entity effects to minimize the impact of random errors.

1     *b.* Have the ability to work with test data from a variety of  
2 sources, including data that are not vertically scaled, and to  
3 provide support for school districts utilizing the system.

4     *c.* Have the capacity to receive and report results  
5 electronically and provide support for districts utilizing the  
6 system.

7     3. The system provider shall create a mechanism to collect  
8 and evaluate data in a manner that reliably aligns the  
9 performance of the teacher with the achievement levels of and  
10 progress of the teacher's students. School districts shall  
11 report teacher-to-student alignment data to the system provider  
12 as directed by the department.

13     4. The system provider shall provide analysis to school  
14 districts and to the department of education. The analysis  
15 shall include but not be limited to attendance-center-level  
16 test results for an assessment aligned with the core content  
17 standards in the areas of reading and mathematics and other  
18 core academic areas when possible. The analysis shall also  
19 include but not be limited to the number of students tested,  
20 the number of test results used to compute the averages,  
21 the average standard score, and the corresponding grade  
22 equivalent-score, as well as measures of student progress. The  
23 system provider shall create a chart for each school district.

24     5. A school district shall have complete access to and  
25 full utilization of its own value-added assessment reports and  
26 charts generated by the system provider at the student level  
27 for the purpose of measuring student achievement at different  
28 educational entity levels.

29     6. Where student outcomes measures are available, for  
30 tested subjects and grades, student outcomes measures  
31 shall be considered by the district to validate a teacher's  
32 observational evaluation. Student outcomes measures which are  
33 a component of a teacher's evaluation are not public records  
34 for the purposes of chapter 22.

35     7. Information about student academic growth shall be

1 used by the school district, including school board members,  
2 administration, and staff, for defining student and district  
3 learning goals and professional development related to student  
4 learning goals across the school district. A school district  
5 shall submit its academic growth measures in the annual report  
6 submitted pursuant to section 256.7, subsection 21, and may  
7 reference in the report state level norms for purposes of  
8 demonstrating school district performance.

9 8. The department shall use student academic growth data to  
10 determine school improvement and technical assistance needs of  
11 school districts, and to identify school districts achieving  
12 exceptional gains. Beginning January 15, 2013, and by January  
13 15 of each succeeding year, the department shall submit an  
14 annual progress report regarding the use of student academic  
15 growth information in the school improvement processes to the  
16 general assembly and shall publish the progress report on its  
17 internet site.

18 9. A school district shall use the value-added assessment  
19 system established by the department pursuant to subsection 1  
20 not later than the school year beginning July 1, 2013.

21 Sec. 43. Section 279.60, Code 2011, is amended to read as  
22 follows:

23 **279.60 Kindergarten assessment Assessments — access to data**  
24 **— reports.**

25 1. a. Each school district shall administer a kindergarten  
26 readiness assessment prescribed by the department of education  
27 to every resident prekindergarten or four-year-old child whose  
28 parent or guardian enrolls the child in the district.

29 b. Each school district shall administer the dynamic  
30 indicators of basic early literacy skills kindergarten  
31 benchmark assessment or other kindergarten benchmark assessment  
32 adopted by the department of education in consultation with  
33 the early childhood Iowa state board to every kindergarten  
34 student enrolled in the district not later than the date  
35 specified in section 257.6, subsection 1. The school district

1 shall also collect information from each parent, guardian,  
2 or legal custodian of a kindergarten student enrolled in the  
3 district, including but not limited to whether the student  
4 attended preschool, factors identified by the early childhood  
5 Iowa office pursuant to section 256I.5, and other demographic  
6 factors. Each school district shall report the results of  
7 the assessment and the preschool information collected to  
8 the department of education in the manner prescribed by the  
9 department not later than January 1 of that school year. The  
10 early childhood Iowa office in the department of management  
11 shall have access to the raw data. The department shall review  
12 the information submitted pursuant to this section and shall  
13 submit its findings and recommendations annually in a report to  
14 the governor, the general assembly, the early childhood Iowa  
15 state board, and the early childhood Iowa area boards.

16 2. a. Each school district shall administer the Iowa  
17 assessments, created by the state university of Iowa, to all  
18 students enrolled in grade ten in the school years beginning  
19 July 1, 2012, and July 1, 2013.

20 b. This subsection is repealed July 1, 2014.

21 3. By July 1, 2014, each school district shall administer  
22 end-of-course assessments developed pursuant to section 256.9,  
23 subsection 68, as an integral component of each course of study  
24 under the core content standards.

25 **Sec. 44. NEW SECTION. 280.18 Assessment requirements.**

26 1. The board of directors of a school district and the  
27 authorities in charge of a nonpublic school shall offer to each  
28 student enrolled in grade eleven a choice of taking either  
29 a college entrance examination produced to assess English,  
30 reading, mathematics, and science; or an assessment to assess  
31 reading for information, locating information, and applied  
32 mathematics.

33 2. a. The cost of the examinations and assessments  
34 administered pursuant to subsection 1 shall be paid by the  
35 department.

1     *b.* The costs of a college entrance examination taken by a  
2 student in addition to those specified in subsection 1 shall be  
3 the responsibility of the student.

4     3. If funds are available to the department for such  
5 purpose, the department shall make a preparation program for  
6 the college entrance examination available to all students in  
7 grade eleven. The department may contract for the necessary  
8 assessment services.

9     4. *a.* The school district or school shall counsel a student  
10 whose scores on the college entrance examination administered  
11 in grade eleven indicate a high degree of readiness for college  
12 to enroll in accelerated courses, with an emphasis on advanced  
13 placement and other college-level classes.

14     *b.* The school district or school shall provide intervention  
15 strategies for accelerated learning in the following  
16 circumstances:

17         (1) To a student whose scores on the career readiness  
18 assessments indicate that additional assistance is required  
19 in reading for information, locating information, or applied  
20 mathematics.

21         (2) To a student whose scores on the college entrance  
22 examination administered in grade eleven indicate that  
23 additional assistance is required in English, reading,  
24 mathematics, and science.

25     5. Accommodations provided by the college entrance  
26 examination provider to a student with a disability taking  
27 the college entrance examination under subsection 1 shall be  
28 provided in the following manner:

29         *a.* In the manner allowed by the college entrance examination  
30 provider, when results in test scores are reportable to  
31 a postsecondary institution for admissions and placement  
32 purposes, except as provided in paragraph "*b*".

33         *b.* In a manner allowed by an individualized education  
34 program developed for the student if the student is a student  
35 requiring special education under chapter 256B and the

1 student's disability precludes valid assessment of academic  
2 ability using the accommodations provided under paragraph "a"  
3 when the student's scores are not reportable to a postsecondary  
4 institution for admissions and placement purposes.

5 6. A student's scores on the examinations administered  
6 under subsection 1 shall be recorded by the school district or  
7 school in the student's official education record.

8

DIVISION XI

9 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS AWARDS

10 Sec. 45. Section 256.44, subsection 1, paragraph a, Code  
11 2011, is amended to read as follows:

12 a. If a teacher registers for national board for  
13 professional teaching standards certification ~~by~~ after December  
14 31, 2007, a one-time initial reimbursement award in the amount  
15 of up to one-half of the registration fee paid by the teacher  
16 for registration for certification by the national board for  
17 professional teaching standards. The teacher shall apply to  
18 the department ~~within one year of registration~~ in a manner and  
19 according to procedures required by the department, submitting  
20 to the department any documentation the department requires.  
21 A teacher who receives an initial reimbursement award shall  
22 receive a one-time final registration award in the amount of  
23 the remaining national board registration fee paid by the  
24 teacher if the teacher notifies the department of the teacher's  
25 certification achievement and submits any documentation  
26 requested by the department.

27 Sec. 46. Section 256.44, subsection 1, paragraph b,  
28 subparagraph (1), subparagraph division (b), Code 2011, is  
29 amended to read as follows:

30 (b) If the teacher registers for national board for  
31 professional teaching standards certification ~~between January~~  
32 ~~1, 1999, and December 31, 2007,~~ and achieves certification  
33 within the timelines and policies established by the national  
34 board for professional teaching standards, an annual award in  
35 the amount of two thousand five hundred dollars upon achieving

1 certification by the national board of professional teaching  
2 standards.

3

DIVISION XII

4

EDUCATOR EMPLOYMENT AND PROFESSIONAL DEVELOPMENT MATTERS

5

Sec. 47. Section 256.7, Code Supplement 2011, is amended by

6

adding the following new subsection:

7

NEW SUBSECTION. 32. Adopt rules providing for the

8 establishment of a statewide plan for professional development

9 for practitioners employed in Iowa's school districts. The

10 statewide plan shall be designed to make every reasonable

11 effort to utilize best practices, current technologies, and

12 social media, and shall be implemented by the area education

13 agencies pursuant to section 273.2.

14

Sec. 48. Section 256.9, Code Supplement 2011, is amended by

15

adding the following new subsection:

16

NEW SUBSECTION. 69. Approve, amend and approve, or reject

17 each professional development plan submitted pursuant to

18 section 273.2, in accordance with the rules adopted pursuant to

19 section 256.7, subsection 32, providing for the establishment

20 of a statewide professional development plan for practitioners,

21 the services of which a school district may request pursuant

22 to section 273.2.

23

Sec. 49. Section 257.10, subsection 10, paragraph d, Code

24

2011, is amended to read as follows:

25

*d.* The use of the funds calculated under this subsection

26 shall comply with the requirements of section 256.7, subsection

27 32, and chapter 284.

28

Sec. 50. Section 257.37A, subsection 2, paragraph d, Code

29

2011, is amended to read as follows:

30

*d.* The use of the funds calculated under this subsection

31 shall comply with requirements of section 256.7, subsection 32,

32 and chapter 284.

33

Sec. 51. Section 273.2, Code Supplement 2011, is amended by

34

adding the following new subsection:

35

NEW SUBSECTION. 10. The area education agency boards shall

1 each annually submit to the department of education a plan  
2 for a professional development program, to be implemented in  
3 the following fiscal year, which combines the professional  
4 development priorities of the state board of education,  
5 in accordance with section 256.7, subsection 32, with the  
6 professional development needs of the schools and school  
7 districts in the area. The area education agency board shall  
8 provide professional development services under the approved  
9 program to local school districts in the area upon request.

10 Sec. 52. Section 279.13, Code 2011, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 6. Notwithstanding the other provisions  
13 of this section and any contrary provision of the Code, if  
14 the board of directors of a school district or charter school  
15 institutes, by majority vote of the membership of the board,  
16 a reduction in force, a decision by the board not to renew a  
17 teacher contract shall be based upon the following:

18 a. The teacher's effectiveness as demonstrated in  
19 evaluations conducted under the teacher evaluation plan adopted  
20 pursuant to section 284.4, and the teacher's performance review  
21 conducted pursuant to section 284.8.

22 b. The teacher's licensure and endorsements and the needs of  
23 the school district or school, and the needs of the students.

24 c. The teacher's hiring date may be taken into consideration  
25 only if the bases existing under paragraphs "a" and "b" are  
26 substantially equal to the bases existing under paragraphs "a"  
27 and "b" for another teacher.

28 Sec. 53. Section 284.6, subsection 1, unnumbered paragraph  
29 1, Code Supplement 2011, is amended to read as follows:

30 The department shall ~~coordinate~~ implement the statewide  
31 ~~network of plan for~~ professional development for Iowa teachers  
32 practitioners established pursuant to section 256.7, subsection  
33 32. A In addition, a school district or professional  
34 development provider that offers a career and professional  
35 development ~~program~~ programs in accordance with section 256.9,

1 ~~subsection~~ subsections 46, and 69 shall demonstrate that the  
2 ~~program contains~~ programs contain the following:

3 Sec. 54. Section 284.6, Code Supplement 2011, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 5A. The director may waive the requirements  
6 relating to the development and review of an individual teacher  
7 professional development plan for a school district that  
8 utilizes a peer review teacher evaluation system in which  
9 consulting teachers, in conjunction with school administrators,  
10 make formal evaluations of the school district's teachers,  
11 including but not limited to each teacher's professional  
12 growth and employment status. Notwithstanding section 284.8,  
13 subsection 1, if the school district is granted a waiver  
14 pursuant to this subsection, the review conducted pursuant to  
15 section 284.8, subsection 1, shall include a teacher's review  
16 conducted utilizing the peer review teacher evaluation system.

17 DIVISION XIII

18 CHARTER SCHOOL CHANGES

19 Sec. 55. Section 256F.1, subsections 1 and 2, Code 2011, are  
20 amended by striking the subsections.

21 Sec. 56. Section 256F.1, subsection 3, unnumbered paragraph  
22 1, Code 2011, is amended to read as follows:

23 The purpose of a charter school ~~or an innovation zone school~~  
24 established pursuant to this chapter shall be to accomplish the  
25 following:

26 Sec. 57. Section 256F.1, subsection 4, Code 2011, is amended  
27 by striking the subsection and inserting in lieu thereof the  
28 following:

29 4. This section shall not be construed to provide a means  
30 to keep open a school that the board of directors of a school  
31 district closes. However, a school board may endorse or  
32 authorize the establishing of a charter school to replace the  
33 school the board closes. Applicants seeking a charter under  
34 this circumstance shall demonstrate to the state board that  
35 the charter sought is substantially different in purpose and

1 program from the school the board closes and that the proposed  
2 charter satisfies the requirements of this section. The state  
3 board shall not approve an application submitted under section  
4 256F.5 if the application does not comply with this subsection.

5 Sec. 58. Section 256F.2, subsections 1 and 6, Code 2011,  
6 are amended by striking the subsections and inserting in lieu  
7 thereof the following:

- 8 1. "*Applicant*" means an entity eligible to submit to the  
9 state board an application to charter a school in accordance  
10 with this chapter. "*Applicant*" includes any of the following:
- 11 a. The board of directors of a school district.
  - 12 b. A consortium consisting of the boards of directors of two  
13 or more school districts.
  - 14 c. An area education agency board.
  - 15 d. A consortium consisting of the boards of directors of  
16 an area education agency and one or more school districts, at  
17 least one of which is located within the boundaries of the area  
18 education agency.
  - 19 e. The board of directors of a community college.
  - 20 f. A consortium consisting of the boards of directors of a  
21 community college and one or more school districts, at least  
22 one of which is located within the boundaries of the community  
23 college.
  - 24 g. An institution of higher education governed by the state  
25 board of regents.
  - 26 h. A consortium consisting of an institution of higher  
27 education governed by the state board of regents and the board  
28 of directors of one or more school districts.
  - 29 i. A consortium consisting of one or more accredited private  
30 institutions as defined in section 261.9, all of which shall be  
31 exempt from taxation under section 501(c)(3) of the Internal  
32 Revenue Code, and the board of directors of one or more school  
33 districts.
  - 34 j. A consortium consisting of the governing body of a city  
35 or county with a population over ninety-five thousand and the

1 board of directors of one or more school districts located, at  
2 least in part, within the boundaries of the city or county.

3 *k.* A nonsectarian, nonreligious charitable organization that  
4 is exempt from taxation under section 501(c)(3) of the Internal  
5 Revenue Code.

6 6. "Operator" means an applicant approved by the state board  
7 to charter a school under this chapter.

8 Sec. 59. Section 256F.2, subsection 7, Code 2011, is amended  
9 by striking the subsection.

10 Sec. 60. Section 256F.3, Code 2011, is amended by striking  
11 the section and inserting in lieu thereof the following:

12 **256F.3 Duties of the department.**

13 The department shall do the following:

14 1. Develop and implement an orientation program for  
15 operators. An operator shall successfully complete the  
16 orientation program prior to chartering a school pursuant to  
17 this chapter. The program shall include but not be limited  
18 to accountability requirements, reporting requirements, and  
19 financial management. If the operator does not successfully  
20 complete the orientation program in the time specified by the  
21 department, the state board shall reevaluate the operator's  
22 application and may deny the application. If the state board  
23 denies an application under this subsection, the decision of  
24 the state board is final agency action under chapter 17A.

25 2. Develop and implement or approve orientation programs  
26 for members of the boards of directors of charter schools,  
27 including but not limited to orientation on the charter school  
28 board's role and responsibilities, employment policies and  
29 practices, and financial management.

30 3. Monitor and evaluate the fiscal, operational, and  
31 student performance of the charter school annually and provide  
32 a written annual performance evaluation to the charter school  
33 board and the state board.

34 4. Provide, every fifth year in which a charter school is  
35 in operation and before the state board considers renewing

1 a charter school's contract, a formal written review of the  
2 annual evaluations conducted pursuant to subsection 3.

3 Sec. 61. Section 256F.4, subsections 1, 5, and 7, Code 2011,  
4 are amended by striking the subsections.

5 Sec. 62. Section 256F.4, subsections 2, 6, and 8, Code 2011,  
6 are amended to read as follows:

7 2. Although a charter school ~~or innovation zone school~~  
8 may elect to comply with one or more provisions of statute or  
9 administrative rule, a charter school ~~or innovation zone school~~  
10 is exempt from all statutes and administrative rules applicable  
11 to a school, a school board, or a school district, except that  
12 the charter school ~~or innovation zone school~~ shall meet the  
13 requirements of this chapter and shall do all of the following:

14 a. Meet all applicable federal, state, and local health and  
15 safety requirements and laws prohibiting discrimination on the  
16 basis of race, creed, color, sex, sexual orientation, gender  
17 identity, national origin, religion, ancestry, or disability.  
18 A charter school ~~or innovation zone school~~ shall be subject to  
19 any court-ordered desegregation plan in effect for the school  
20 district at the time the charter school ~~or innovation zone~~  
21 ~~school~~ application is approved.

22 b. Operate as a nonsectarian, nonreligious public school.

23 c. Be free of tuition and application fees to Iowa resident  
24 students between the ages of five and twenty-one years.

25 d. Be subject to and comply with chapters 216 and 216A  
26 relating to civil and human rights.

27 e. ~~Provide~~ Make special education programs and services  
28 available to students requiring special education in accordance  
29 with chapter 256B.

30 f. Be subject to the same financial audits, audit  
31 procedures, and audit requirements as a school district. The  
32 audit shall be consistent with the requirements of sections  
33 11.6, 11.14, 11.19, 256.9, subsection 20, section 256F.8, and  
34 section 279.29, except to the extent deviations are necessary  
35 because of the program at the charter school. The department,

1 the auditor of state, or the legislative services agency may  
2 conduct financial, program, or compliance audits.

3 *g.* ~~Be subject eligible to and comply with participate in~~  
4 the student achievement and teacher quality program under  
5 ~~chapter 284 relating to the student achievement and teacher~~  
6 ~~quality program.~~ A charter school ~~or innovation zone school~~  
7 ~~that complies with chapter 284 shall receive state moneys or~~  
8 be eligible to receive state moneys calculated as provided in  
9 section 257.10, subsections 9 and 10, and section 257.37A ~~as if~~  
10 ~~it did not operate under a charter school or innovation zone~~  
11 ~~school contract.~~

12 *h.* Be subject to and comply with ~~chapters~~ chapter 20 and  
13 ~~279~~ relating to contracts with and discharge of teachers and  
14 administrators.

15 *i.* Be subject to and comply with the provisions of chapter  
16 285 relating to the transportation of students, except that the  
17 provisions of section 285.1, subsections 14, 15, 16, and 17,  
18 shall not apply.

19 ~~*j.* Meetings and records of the advisory council are subject~~  
20 ~~to the provisions of chapters 21 and 22.~~

21 *j.* Comply with sections 279.9, 280.17A, 280.17B, 280.21B,  
22 280.24, and 280.28, and may suspend or expel a student only  
23 as provided in section 282.4. A decision made as provided in  
24 section 282.4 is subject to appeal under section 290.1.

25 *k.* Comply with all statutes and administrative rules  
26 relating to student records, including but not limited to  
27 section 22.7, subsection 1, and sections 256H.1, 280.19A,  
28 280.25, and 280.29, and shall submit data to the department  
29 for purposes of the department's comprehensive management  
30 information system.

31 *l.* Comply with the requirements of chapter 283A.

32 *m.* Comply with any statewide accountability requirements in  
33 statute or administrative rule governing high school graduation  
34 requirements, the core curriculum, core content standards,  
35 and assessments. The charter school shall issue high school

1 diplomas to students who successfully meet the graduation  
2 requirements of the charter school.

3 6. Notwithstanding subsection 2, a charter school ~~or~~  
4 ~~innovation zone school~~ shall meet the requirements of section  
5 256.7, subsection 21.

6 8. A charter school ~~or innovation zone consortium may~~ shall  
7 enter into contracts in accordance with chapter 26.

8 Sec. 63. Section 256F.4, subsections 3 and 4, Code 2011,  
9 are amended by striking the subsections and inserting in lieu  
10 thereof the following:

11 3. The primary focus of a charter school shall be to provide  
12 a comprehensive program of instruction for at least one grade  
13 or age group from five through twenty-one years of age.

14 4. A charter school is a municipality for the purposes of  
15 tort liability under chapter 670.

16 Sec. 64. Section 256F.5, Code Supplement 2011, is amended  
17 by striking the section and inserting in lieu thereof the  
18 following:

19 **256F.5 Application.**

20 1. An application to operate a charter school pursuant to  
21 this chapter shall include but not be limited to the following:

22 a. A business plan that documents the proposed charter  
23 school's mission statement; school purposes; program design;  
24 description of a graduation plan, where applicable; financial  
25 plan; governance and management structure; and background  
26 and experience of the applicants and the initial board and  
27 instructional staff, plus any other information the state board  
28 requests. An applicant shall file a separate application for  
29 each school the applicant intends to charter.

30 b. A statement of assurances of legal compliance prescribed  
31 by the state board.

32 c. The applicant's ability to implement the procedures  
33 and satisfy the criteria for chartering a school under this  
34 chapter.

35 d. The measures that will be implemented to provide for

1 oversight of the charter school's academic, financial, and  
2 operational performance, and to ensure compliance with the  
3 terms of any written contract entered into by the charter  
4 school board of directors and the state board.

5 *e.* A statement of support or nonsupport from the board of  
6 directors of the school district, in which the charter school  
7 would be located. The statement shall be submitted to the  
8 applicant in a timely manner by the school district board.

9 *f.* A statement demonstrating community support.

10 *g.* A statement of admission policies and procedures.

11 *h.* The types and amounts of insurance liability coverage to  
12 be obtained by the charter school.

13 *i.* How special instruction, programs, and services for  
14 children requiring special education and English language  
15 learners under chapter 256B and section 280.4 will be made  
16 available and a description of the financial parameters within  
17 which the special instruction, programs, and services will be  
18 made available.

19 2. If the applicant includes a school district pursuant  
20 to section 256F.2, subsection 1, paragraph "a", "b", "d", "f",  
21 "h", "i", or "j", that will, under the plan submitted, convert  
22 an existing attendance center operated by the school district  
23 into a charter school in accordance with this chapter, the  
24 application shall demonstrate the support of at least fifty  
25 percent of the teachers employed at the school on the date  
26 of the submission of the application and fifty percent of  
27 the parents or guardians voting whose children are enrolled  
28 at the school, provided that a majority of the parents or  
29 guardians eligible to vote participate in the ballot process,  
30 according to procedures established by rules of the state  
31 board. Conversion of an existing school to a charter school if  
32 approved pursuant to this chapter shall occur at the beginning  
33 of an academic year.

34 3. *a.* The state board shall approve or disapprove an  
35 application within ninety business days of receipt of the

1 application.

2 *b.* If the state board disapproves the application, the state  
3 board shall notify the applicant of the specific deficiencies  
4 in writing and the applicant shall have twenty business days to  
5 address the deficiencies to the state board's satisfaction.

6 (1) If the applicant addresses the deficiencies within the  
7 time specified, the state board shall at its next regularly  
8 scheduled meeting make a final decision to approve or  
9 disapprove the application.

10 (2) If the applicant fails to address the deficiencies in  
11 the time specified, the state board shall notify the applicant  
12 that the application is denied and the decision of the state  
13 board is final agency action under chapter 17A.

14 *c.* An applicant whose application is denied pursuant to the  
15 process specified in this subsection shall not submit another  
16 application until the expiration of at least one calendar year  
17 after notification of the denial of application.

18 4. The state board shall establish criteria for application  
19 approval that at a minimum consider the following:

20 *a.* A comprehensive review of the application.

21 *b.* The available capacity and infrastructure identified in  
22 the plan.

23 *c.* Contracting process specified in the plan.

24 *d.* Ongoing oversight and evaluation processes relating to  
25 administration and staffing.

26 *e.* Charter school contract and contract renewal criteria and  
27 processes.

28 5. Approval of an application and renewal of a charter by  
29 the state board shall not be conditioned upon the bargaining  
30 unit status of the employees of the school.

31 Sec. 65. Section 256F.6, Code 2011, is amended by striking  
32 the section and inserting in lieu thereof the following:

33 **256F.6 Formation of school — board.**

34 1. An operator who successfully completes the orientation  
35 program required pursuant to section 256F.3, subsection

1 1, before entering into a contract or other agreement for  
2 professional or other services, goods, or facilities, shall  
3 incorporate as a nonprofit corporation under chapter 504 and  
4 shall establish an initial board of directors composed of at  
5 least five voting members, who are not related parties, until a  
6 timely election for members of the ongoing charter school board  
7 of directors is held according to the school's articles and  
8 bylaws.

9 2. Members of the charter school board of directors  
10 established under the school's articles and bylaws shall  
11 be elected before the school completes its third year of  
12 operation. The articles and bylaws shall require that the  
13 board be composed of not less than five voting members. The  
14 articles and bylaws shall include clear policies regarding  
15 conflicts of interest, standards of responsibility, and  
16 obedience to law, fairness, and honesty.

17 3. Staff members employed at the school and all parents  
18 or guardians of children enrolled in the school are the  
19 voters eligible to elect the members of the school's board of  
20 directors.

21 4. A charter school shall notify eligible voters of the  
22 school board election dates at least thirty days before the  
23 election. Board elections shall be held during the school year  
24 but may not be conducted on days when the school is closed for  
25 holidays or vacations.

26 5. a. Any charter school board of directors shall be  
27 composed of the following:

28 (1) Notwithstanding section 279.7A, at least one licensed  
29 teacher employed at the school.

30 (2) At least one parent or legal guardian of a student  
31 enrolled in the charter school who is not an employee of the  
32 charter school.

33 (3) At least one interested community member who is not  
34 employed by the charter school and does not have a child  
35 enrolled in the school.

1     *b.* The majority of members on the board may be teachers,  
2 notwithstanding section 279.7A.

3     *c.* The chief financial officer and the chief administrator  
4 of the charter school, if elected, shall only serve as ex  
5 officio, nonvoting board members.

6     *d.* Charter school employees shall not serve on the board  
7 except as provided in this subsection.

8     *e.* Except as provided in section 279.7A, contractors  
9 providing facilities, goods, or services to a charter school  
10 shall not serve on the board.

11    *f.* Board articles and bylaws shall outline the process  
12 and procedures for changing the board's governance model,  
13 consistent with chapter 504.

14    6. A charter school board may change the governance model  
15 set forth in the application or in the articles and bylaws  
16 of the charter school only if the change conforms with this  
17 section and a majority of the board approves the change; the  
18 licensed teachers employed by the school approve the change;  
19 and the state board approves the change.

20    7. *a.* The state board may permit a charter school board  
21 to expand the operation of the charter school to additional  
22 sites or to add grades at the school beyond those described  
23 in the operator's approved application only after submitting  
24 a supplemental affidavit for approval to the state board  
25 in a form and manner prescribed by the state board. The  
26 supplemental affidavit shall include the following:

27    (1) A proposed expansion plan that demonstrates need and  
28 projected enrollment.

29    (2) Documentation that the expansion is warranted, at a  
30 minimum, by longitudinal data demonstrating students' improved  
31 academic performance and growth on student assessments.

32    (3) Documentation that the charter school is financially  
33 sound and the financing the charter school needs to implement  
34 the proposed expansion exists.

35    (4) Documentation that the charter school has the

1 governance structure and management capacity to carry out the  
2 expansion.

3     *b.* The state board shall have sixty business days to review  
4 and comment on the supplemental affidavit. The state board  
5 shall notify the charter school board of any deficiencies in  
6 the supplemental affidavit and the charter school board shall  
7 have twenty business days to address, to the state board's  
8 satisfaction, any deficiencies in the supplemental affidavit.  
9 The school shall not expand to additional sites or add grades  
10 until the state board approves the supplemental affidavit.  
11 The state board's approval or disapproval of a supplemental  
12 affidavit is final agency action.

13     8. The charter school board of directors is a government or  
14 governmental body for purposes of chapters 21 and 22.

15     9. Except as provided in subsection 5, members of the board  
16 are subject to section 279.7A.

17     Sec. 66. Section 256F.8, Code 2011, is amended by striking  
18 the section and inserting in lieu thereof the following:

19     **256F.8 Audit report.**

20     1. The charter school shall annually submit an audit report  
21 to the state board by December 31.

22     2. The charter school, with the assistance of the auditor  
23 conducting the audit, shall include with the report a copy  
24 of all charter school agreements for corporate management  
25 services. If the entity that provides the professional  
26 services to the charter school is exempt from taxation under  
27 section 501 of the Internal Revenue Code of 1986, that entity  
28 must file with the state board by February 15 a copy of the  
29 annual return required under section 6033 of the Internal  
30 Revenue Code of 1986.

31     3. If the audit report finds that a material weakness  
32 exists in the financial reporting systems of a charter school,  
33 the charter school shall submit a written report to the state  
34 board at its first annual meeting explaining how the material  
35 weakness will be resolved. An auditor conducting the audit

1 of the charter school, as a condition of providing financial  
2 services to a charter school, shall agree to make available  
3 information about a charter school's financial audit to the  
4 state board upon request.

5 Sec. 67. Section 256F.9, Code 2011, is amended by striking  
6 the section and inserting in lieu thereof the following:

7 **256F.9 Admission requirements.**

8 1. A charter school may limit admission to the following:

9 a. Students within an age group or grade level.

10 b. Students who are either at risk of dropping out or have  
11 dropped out of school.

12 c. Residents of a specific geographic area in which the  
13 school is located when the majority of students served by the  
14 school are eligible for free and reduced price meals under  
15 the federal National School Lunch Act and the federal Child  
16 Nutrition Act of 1966, 42 U.S.C. § 1751-1785.

17 2. A charter school shall enroll an eligible student who  
18 submits a timely application, unless the number of applications  
19 exceeds the capacity of a program, class, grade level, or  
20 building. In such case, students shall be accepted by lot.  
21 The charter school shall develop and publish a lottery policy  
22 and process for use when accepting students by lot.

23 3. A charter school shall give enrollment preference to  
24 a sibling of an enrolled student and to a foster child of  
25 that student's parents and may give preference for enrolling  
26 children of the school's staff before accepting other students  
27 by lot.

28 4. A charter school shall not limit admission to students  
29 on the basis of intellectual ability, measures of achievement  
30 or aptitude, or athletic ability and shall not establish any  
31 criteria or requirements for admission that are inconsistent  
32 with this section.

33 5. The charter school shall not distribute any services  
34 or goods of value to students, parents, or guardians as an  
35 inducement, term, or condition of enrolling a student in a

1 charter school.

2 Sec. 68. Section 256F.10, Code 2011, is amended by striking  
3 the section and inserting in lieu thereof the following:

4 **256F.10 Employment and other operating matters.**

5 A charter school shall employ or contract with necessary  
6 teachers and administrators, as defined by chapter 256, who  
7 hold valid licenses and endorsements to perform the particular  
8 service for which they are employed in the school. The school  
9 may employ necessary employees who are not required to hold  
10 teaching licenses to perform duties other than teaching and may  
11 contract for other services.

12 Sec. 69. NEW SECTION. **256F.11 Leased space.**

13 If space to be leased is constructed as a school facility,  
14 a charter school may lease such space from a school district  
15 or other public organization; private, nonprofit nonsectarian  
16 organization; private property owner; or a sectarian  
17 organization.

18 Sec. 70. NEW SECTION. **256F.12 Affiliated nonprofit building  
19 corporation.**

20 1. A charter school may organize an affiliated nonprofit  
21 building corporation to renovate or purchase an existing  
22 facility to serve as a school or to construct a new school  
23 facility as provided in subsection 4 or 5.

24 2. An affiliated nonprofit building corporation shall meet  
25 all of the following conditions:

26 a. Be incorporated under chapter 504 and comply with  
27 applicable internal revenue service regulations.

28 b. Submit annually to the state board a list of current  
29 board members and a copy of the corporation's annual audit.

30 3. An affiliated nonprofit building corporation shall not  
31 serve as the leasing agent for property or facilities it does  
32 not own. The state is immune from liability resulting from a  
33 contract between a charter school and an affiliated nonprofit  
34 building corporation.

35 4. A charter school may organize an affiliated nonprofit

1 building corporation to renovate or purchase an existing  
2 facility to serve as a school if the charter school meets the  
3 following criteria:

4     *a.* Has been operating for at least five consecutive school  
5 years.

6     *b.* Has had a net positive unreserved general fund balance as  
7 of June 30 in the preceding five fiscal years.

8     *c.* Has a long-range strategic and financial plan.

9     *d.* Completes a feasibility study of available buildings.

10    *e.* Documents enrollment projections and the need to use  
11 an affiliated nonprofit building corporation to renovate or  
12 purchase an existing facility to serve as a school.

13    5. A charter school may organize an affiliated nonprofit  
14 building corporation to construct a new school facility if the  
15 charter school meets the following conditions:

16     *a.* Lacks facilities available to serve as a school.

17     *b.* Has been operating for at least eight consecutive school  
18 years.

19     *c.* Has had a net positive unreserved general fund balance as  
20 of June 30 in the preceding eight fiscal years.

21     *d.* Completes a feasibility study of facility options.

22     *e.* Has a long-range strategic and financial plan that  
23 includes enrollment projections and demonstrates the need for  
24 constructing a new school facility.

25    Sec. 71. NEW SECTION. 256F.13 **Collective bargaining.**

26    Employees of the board of directors of a charter school may,  
27 if otherwise eligible, organize under chapter 20 and comply  
28 with its provisions. The board of directors of a charter  
29 school is a public employer, for the purposes of chapter 20,  
30 upon formation of one or more bargaining units at the school.  
31 Bargaining units at the school shall be separate from any other  
32 units within the school district in which the charter school  
33 is located, except that bargaining units may remain part of  
34 the appropriate bargaining unit of the school district within  
35 which the charter school is located if the employees of the

1 charter school, the board of directors of the charter school,  
2 the exclusive representative of the appropriate bargaining unit  
3 in the school district, and the board of the school district  
4 agree to include the employees in the appropriate bargaining  
5 unit of the school district.

6 Sec. 72. NEW SECTION. **256F.14 Teacher retirement.**

7 Teachers in a charter school are public school teachers for  
8 the purposes of chapter 97B.

9 Sec. 73. NEW SECTION. **256F.15 Causes for nonrenewal or**  
10 **termination of charter school contract.**

11 1. The state board may decline to renew a contract entered  
12 into with the board of directors of a charter school at the end  
13 of the contract term for any ground listed in subsection 3.

14 The state board may unilaterally terminate a contract during  
15 the term of the contract for any ground listed in subsection 3.

16 2. At least sixty business days before not renewing or  
17 terminating a contract, the state board shall notify the board  
18 of directors of the charter school of the proposed action in  
19 writing. The notice shall state the grounds for the proposed  
20 action in reasonable detail and that the charter school's  
21 board of directors may request in writing a hearing before the  
22 state board within fifteen business days of receiving notice  
23 of nonrenewal or termination of the contract. Failure by the  
24 board of directors to make a written request for a hearing  
25 within the time specified shall be treated as acquiescence to  
26 the proposed action. Upon receiving a timely written request  
27 for a hearing, the state board shall give ten business days'  
28 notice to the charter school's board of directors of the  
29 hearing date. The state board shall conduct the hearing before  
30 taking final action. The state board shall take final action  
31 to renew or not renew a contract no later than twenty business  
32 days before the proposed date for terminating the contract or  
33 the end date of the contract.

34 3. A charter school contract entered into with the state  
35 board may be terminated or not renewed by the state board upon

1 any of the following grounds:

2     *a.* Failure to meet the requirements for student performance  
3 contained in the contract.

4     *b.* Failure to meet generally accepted standards of fiscal  
5 management.

6     *c.* Violations of law.

7     *d.* Other good cause shown, including but not limited to  
8 the existence of one or more other grounds for revocation as  
9 specified in the contract.

10     4. If a contract is terminated or not renewed on grounds  
11 specified in subsection 3, the school shall be dissolved  
12 according to rules adopted by the state board, and the assets  
13 of the charter school shall be disposed of according to the  
14 applicable provisions of chapter 504.

15     5. The state board, after providing reasonable notice to the  
16 board of directors of a charter school, and after providing an  
17 opportunity for a public hearing, may terminate the existing  
18 contract with the charter school board if the charter school  
19 has a history of the following:

20     *a.* Failure to meet student performance requirements  
21 consistent with state law.

22     *b.* Financial mismanagement or gross failure to meet  
23 generally accepted standards of fiscal management.

24     *c.* Violations of the law.

25     Sec. 74. NEW SECTION. 256F.16 Student enrollment upon  
26 nonrenewal or termination of charter school contract.

27     If a contract is not renewed or is terminated according to  
28 section 256F.15, a student who attended the charter school  
29 may enroll in the district of residence or may submit an  
30 application to a nonresident district according to section  
31 282.18 at any time, and shall be determined to have shown "*good*  
32 *cause*" for purposes of section 282.18. Applications and notices  
33 required by section 282.18 shall be processed and provided  
34 in a prompt manner. The application and notice deadlines in  
35 section 282.18 do not apply under these circumstances. The

1 charter school shall transfer the student's educational records  
2 within ten business days of the charter school's closure to the  
3 student's school district of enrollment.

4 Sec. 75. NEW SECTION. **256F.17 Extent of specific legal**  
5 **authority.**

6 1. A charter school board may sue and be sued.

7 2. A charter school board shall not levy taxes or issue  
8 bonds.

9 3. A charter school is a municipality for purposes of  
10 chapter 670.

11 Sec. 76. NEW SECTION. **256F.18 Funding.**

12 A student enrolled in a charter school shall be counted,  
13 for state school foundation aid purposes, in the student's  
14 district of residence. A student's residence, for purposes  
15 of this section, means a residence under section 282.1. The  
16 board of directors of the district of residence shall pay to  
17 the charter school the district cost per pupil, the teacher  
18 salary supplement district cost per pupil, the professional  
19 development supplement district cost per pupil, and the early  
20 intervention supplement district cost per pupil under section  
21 257.10, plus any moneys received for the student as a result  
22 of the non-English speaking weighting under section 280.4,  
23 subsection 3, for the previous school year multiplied by the  
24 district cost per pupil for the previous year. In addition,  
25 the board of directors of the district of residence shall pay  
26 to the charter school any other per pupil moneys requested  
27 under the charter school application approved by the state  
28 board.

29 Sec. 77. NEW SECTION. **256F.19 Prior charter schools and**  
30 **innovation zones.**

31 1. A charter school or innovation zone school established  
32 prior to July 1, 2012, shall continue to be governed by chapter  
33 256F, Code 2011 and Code Supplement 2011, until the term of the  
34 contract entered into pursuant to section 256F.8, Code 2011,  
35 ends.

1 2. This section is repealed July 1, 2018.

2 Sec. 78. Section 282.18, subsection 4, paragraph b, Code  
3 2011, is amended to read as follows:

4 b. For purposes of this section, "good cause" means a change  
5 in a child's residence due to a change in family residence, a  
6 change in the state in which the family residence is located,  
7 a change in a child's parents' marital status, a guardianship  
8 or custody proceeding, placement in foster care, adoption,  
9 participation in a foreign exchange program, or participation  
10 in a substance abuse or mental health treatment program, a  
11 change in the status of a child's resident district such as  
12 removal of accreditation by the state board, surrender of  
13 accreditation, or permanent closure of a nonpublic school,  
14 ~~revocation~~ nonrenewal or termination of a charter school  
15 contract as provided in section ~~256F.8~~ 256F.15, the failure  
16 of negotiations for a whole grade sharing, reorganization,  
17 dissolution agreement or the rejection of a current whole grade  
18 sharing agreement, or reorganization plan. If the good cause  
19 relates to a change in status of a child's school district of  
20 residence, however, action by a parent or guardian must be  
21 taken to file the notification within forty-five days of the  
22 last board action or within thirty days of the certification of  
23 the election, whichever is applicable to the circumstances.

24 Sec. 79. Section 670.1, subsection 2, Code 2011, is amended  
25 to read as follows:

26 2. "*Municipality*" means city, county, township, school  
27 district, charter school, and any other unit of local  
28 government except soil and water conservation districts as  
29 defined in section 161A.3, subsection 6.

30 Sec. 80. REPEAL. Section 256F.7, Code 2011, is repealed.

31 DIVISION XIV

32 THIRD GRADE LITERACY

33 Sec. 81. Section 256.7, Code Supplement 2011, is amended by  
34 adding the following new subsection:

35 NEW SUBSECTION. 31. By July 1, 2013, adopt by rule

1 guidelines for school district implementation of section  
2 279.68, including but not limited to basic levels of reading  
3 proficiency on approved assessments and identification of tools  
4 that school districts may use in evaluating and reevaluating  
5 any student who may be or who is determined to be deficient in  
6 reading, including but not limited to initial assessments and  
7 subsequent assessments, alternative assessments, and portfolio  
8 reviews. The state board shall adopt standards that provide  
9 a reasonable expectation that a student's progress toward  
10 reading proficiency under section 279.68 is sufficient to  
11 master appropriate grade four level reading skills prior to the  
12 student's promotion to grade four.

13 Sec. 82. Section 256.9, subsection 53, paragraph a, Code  
14 Supplement 2011, is amended to read as follows:

15 a. Develop and distribute, or approve, in collaboration  
16 with the area education agencies, core curriculum technical  
17 assistance and implementation strategies that school districts  
18 and accredited nonpublic schools shall utilize, including but  
19 not limited to the development and delivery of formative and  
20 end-of-course model assessments classroom teachers may use  
21 to measure student progress on the core curriculum adopted  
22 pursuant to section 256.7, subsection 26. The department  
23 shall, in collaboration with the advisory group convened in  
24 accordance with paragraph "b" and educational assessment  
25 providers, identify and make available to school districts  
26 end-of-course and additional model end-of-course and additional  
27 assessments to align with the expectations included in the Iowa  
28 core curriculum. The model assessments shall be suitable to  
29 meet the multiple assessment measures requirement specified in  
30 section 256.7, subsection 21, paragraph "c".

31 Sec. 83. Section 256.9, subsection 53, Code Supplement  
32 2011, is amended by adding the following new paragraphs:

33 NEW PARAGRAPH. c. Identify the scoring levels on approved  
34 grade three reading assessments that require the retention of a  
35 student pursuant to section 279.68, and develop or identify and

1 approve alternative performance measures for students who are  
2 not proficient in reading in accordance with section 279.68,  
3 subsection 2. Alternative performance measures approved  
4 pursuant to this paragraph shall include but not be limited to  
5 a demonstration of reading mastery evidenced by portfolios of  
6 student work.

7 NEW PARAGRAPH. *d.* Establish, subject to an appropriation  
8 of sufficient funds by the general assembly, an Iowa reading  
9 research center to apply current research on literacy to  
10 provide for the development and dissemination of all of the  
11 following:

- 12 (1) Promising instructional strategies in reading.
- 13 (2) Reading assessments.
- 14 (3) Professional development strategies and materials  
15 aligned with current and emerging best practices for the  
16 teaching of reading.

17 Sec. 84. Section 256D.2A, Code 2011, is amended to read as  
18 follows:

19 **256D.2A Program funding.**

20 For the budget year beginning July 1, 2009, and each  
21 succeeding budget year, a school district shall expend funds  
22 received pursuant to section 257.10, subsection 11, at the  
23 kindergarten through grade three levels to reduce class sizes  
24 to the state goal of seventeen students for every one teacher  
25 and to achieve a higher level of student success in the  
26 basic skills, especially reading; and to establish a reading  
27 enhancement and acceleration development initiative pursuant  
28 to section 279.68, subsection 3, paragraph "f". In order to  
29 support these efforts, school districts shall expend funds  
30 received pursuant to section 257.10, subsection 11, as provided  
31 in section 279.68, subsection 3, paragraph "f", and may expend  
32 funds received pursuant to section 257.10, subsection 11,  
33 at the kindergarten through grade three level on programs,  
34 instructional support, and materials that include but are not  
35 limited to the following: additional licensed instructional

1 staff; additional support for students, such as before and  
 2 after school programs, tutoring, and intensive summer programs;  
 3 the acquisition and administration of diagnostic reading  
 4 assessments; the implementation of research-based instructional  
 5 intervention programs for students needing additional support;  
 6 the implementation of all-day, everyday kindergarten programs;  
 7 and the provision of classroom teachers with intensive training  
 8 programs to improve reading instruction and professional  
 9 development in best practices including but not limited to  
 10 training programs related to instruction to increase students'  
 11 phonemic awareness, reading abilities, and comprehension  
 12 skills.

13     Sec. 85. NEW SECTION. 279.68 Student progression and  
 14 retention — remedial instruction — reporting requirements.

15     1. *Reading deficiency and parental notification.*

16     a. A school district shall provide intensive reading  
 17 instruction to any student who exhibits a substantial  
 18 deficiency in reading, based upon locally determined or  
 19 statewide assessments conducted in kindergarten or grade one,  
 20 grade two, or grade three, or through teacher observations,  
 21 immediately following the identification of the reading  
 22 deficiency. The student's reading proficiency shall be  
 23 reassessed by locally determined and statewide assessments.  
 24 The student shall continue to be provided with intensive  
 25 reading instruction until the reading deficiency is remedied.

26     b. The parent or guardian of any student in kindergarten  
 27 through grade three who exhibits a substantial deficiency in  
 28 reading, as described in paragraph "a", shall be notified at  
 29 least annually in writing of the following:

30       (1) That the child has been identified as having a  
 31 substantial deficiency in reading.

32       (2) A description of the services currently provided to the  
 33 child.

34       (3) A description of the proposed supplemental  
 35 instructional services and supports that the school district

1 will provide to the child that are designed to remediate the  
2 identified area of reading deficiency.

3 (4) That if the child's reading deficiency is not remediated  
4 by the end of grade three, the child shall be retained unless  
5 the child is exempt from mandatory retention for good cause  
6 pursuant to subsection 2, paragraph "b". If the child is  
7 ineligible for a good cause exemption, the notification shall  
8 state why the child is ineligible.

9 (5) Strategies for parents and guardians to use in helping  
10 the child succeed in reading proficiency, including but not  
11 limited to the promotion of parent-guided home reading.

12 (6) That the assessment used pursuant to section 256.9,  
13 subsection 53, is not the sole determiner of promotion and  
14 that additional evaluations, portfolio reviews, performance  
15 measures, and assessments are available to the child to assist  
16 parents and the school district in knowing when a child is  
17 reading at or above grade level and ready for grade promotion.

18 (7) The district's specific criteria and policies for  
19 midyear promotion. For purposes of this section, "midyear  
20 promotion" means promotion to the next grade level of a retained  
21 student at any time during the year of retention once the  
22 student has demonstrated the ability to read at grade level.

23 c. If the student's reading deficiency, as identified in  
24 paragraph "a", is not remedied by the end of grade three,  
25 as demonstrated by scoring on an assessment approved by the  
26 department pursuant to section 256.9, subsection 53, the  
27 student shall be retained in grade three.

28 2. *Good cause exemption.*

29 a. The school district shall only exempt students from  
30 mandatory retention, as provided in subsection 1, paragraph  
31 "c", for good cause. Good cause exemptions shall be limited to  
32 the following:

33 (1) Limited English proficient students who have had  
34 less than two years of instruction in an English as a second  
35 language program.

1 (2) Students requiring special education whose  
2 individualized education program indicates that participation  
3 in the assessment approved pursuant to section 256.9,  
4 subsection 53, is not appropriate, consistent with the  
5 requirements of rules adopted by the state board of education  
6 for the administration of chapter 256B.

7 (3) Students who demonstrate an acceptable level of  
8 performance on an alternative performance measure approved by  
9 the director of the department of education pursuant to section  
10 256.9, subsection 53.

11 (4) Students who demonstrate mastery through a student  
12 portfolio under alternative performance measures approved  
13 pursuant to section 256.9, subsection 53.

14 (5) Students who have received intensive remediation  
15 in reading for two or more years but still demonstrate a  
16 deficiency in reading and who were previously retained in  
17 kindergarten, grade one, grade two, or grade three. Intensive  
18 reading instruction for students so promoted must include  
19 an altered instructional day that includes specialized  
20 diagnostic information and specific reading strategies for  
21 each student. The school district shall assist attendance  
22 centers and teachers to implement reading strategies that  
23 research has shown to be successful in improving reading among  
24 low-performing readers.

25 *b.* Requests for good cause exemptions from the mandatory  
26 retention requirement for students as described in paragraph  
27 "a", subparagraphs (3) and (4), shall be made consistent with  
28 the following:

29 (1) Documentation shall be submitted from the student's  
30 teacher to the school principal that indicates that the  
31 promotion of the student is appropriate and is based upon the  
32 student's academic record. Such documentation shall include  
33 but not be limited to the individualized education program, if  
34 applicable, report card, or student portfolio.

35 (2) The school principal shall review and discuss the

1 recommendation submitted pursuant to subparagraph (1) with  
2 the teacher and the school principal shall determine whether  
3 the student should be promoted or retained. If the principal  
4 determines that the student should be retained, the principal  
5 shall notify the student's teacher and parent or guardian of  
6 the decision in writing and the student shall be ineligible for  
7 the good cause exemption from mandatory retention.

8 (3) If the school principal determines that the  
9 student should be promoted, the school principal shall  
10 make such recommendation in writing to the district school  
11 superintendent. The district school superintendent shall  
12 accept or reject the school principal's recommendation and  
13 shall notify the school principal and the student's teacher  
14 and parent or guardian of the school superintendent's decision  
15 in writing. If the school superintendent determines that the  
16 student should be retained, the student shall be ineligible for  
17 the good cause exemption from mandatory retention. The parent  
18 or guardian of the student may appeal the superintendent's  
19 decision to the board of directors of the school district.  
20 If the superintendent's decision is affirmed by the school  
21 board, the decision is final and is not subject to appeal under  
22 section 290.1.

23 c. This section does not preclude the parent or guardian of  
24 a student with a reading deficiency from requesting that the  
25 student be retained at grade level.

26 3. *Successful progression for retained readers.* A school  
27 district shall do all of the following:

28 a. Conduct a review, within one week following the last  
29 instructional day of the school calendar, of student progress  
30 for any student retained under subsection 1, paragraph "c", who  
31 did not meet the criteria for one of the good cause exemptions  
32 in subsection 2, paragraph "a". The review shall address  
33 additional supports and services, as described in subparagraph  
34 (2), needed to remediate the identified areas of reading  
35 deficiency. The school district shall require a student

1 portfolio to be completed for each such student.

2     *b.* Provide students who are retained under subsection  
3 1, paragraph "c", with intensive instructional services  
4 and supports, free of charge, to remediate the identified  
5 areas of reading deficiency, including a minimum of a daily  
6 ninety-minute block of scientific-research-based reading  
7 instruction and other strategies prescribed by the school  
8 district which may include but are not limited to the  
9 following:

10       (1) Small group instruction.

11       (2) Reduced teacher-student ratios.

12       (3) More frequent progress monitoring.

13       (4) Tutoring or mentoring.

14       (5) Transition classes containing students in grades three  
15 and four.

16       (6) Extended school day, week, or year.

17       (7) Summer reading programs.

18     *c.* At regular intervals, apprise the parent or guardian of  
19 academic and other progress being made by the student and give  
20 the parent or guardian other useful information.

21     *d.* Implement a policy for the midyear promotion of any  
22 student retained under subsection 1, paragraph "c", who can  
23 demonstrate that the student is a successful and independent  
24 reader, reading at or above grade level, and ready to be  
25 promoted to grade four. Tools that school districts may use  
26 in reevaluating any student retained may include subsequent  
27 assessments, alternative assessments, and portfolio reviews,  
28 identified by rule pursuant to section 256.7, subsection 31.  
29 Students promoted during the school year after November 1 shall  
30 demonstrate proficiency pursuant to guidelines adopted by rule  
31 pursuant to section 256.7, subsection 31.

32     *e.* In addition to required reading enhancement and  
33 acceleration strategies, provide parents of students who are  
34 retained under subsection 1, paragraph "c", with a plan outlined  
35 in a parental contract, including participation in regular

1 parent-guided home reading.

2 *f.* Establish, using funds received pursuant to section  
3 257.10, subsection 11, a reading enhancement and acceleration  
4 development initiative designed to prevent the retention of  
5 grade three students and to offer intensive accelerated reading  
6 instruction to grade three students who fail to meet standards  
7 for promotion to grade four and to each kindergarten through  
8 grade three student who is assessed as exhibiting a reading  
9 deficiency. The initiative shall comply with all of the  
10 following criteria:

11 (1) Be provided to all kindergarten through grade three  
12 students at risk of retention under this section. The  
13 assessment initiative shall measure phonemic awareness,  
14 phonics, fluency, vocabulary, and comprehension.

15 (2) Be provided during regular school hours in addition to  
16 the regular reading instruction.

17 (3) Provide a reading curriculum that meets guidelines  
18 adopted pursuant to section 256.7, subsection 31, and at a  
19 minimum has the following specifications:

20 (a) Assists students assessed as exhibiting a reading  
21 deficiency in developing the ability to read at grade level.

22 (b) Provides skill development in phonemic awareness,  
23 phonics, fluency, vocabulary, and comprehension.

24 (c) Includes a scientifically based and reliable  
25 assessment.

26 (d) Provides initial and ongoing analysis of each student's  
27 reading progress.

28 (e) Is implemented during regular school hours.

29 (f) Provides a curriculum in core academic subjects to  
30 assist the student in maintaining or meeting proficiency levels  
31 for the appropriate grade in all academic subjects.

32 *g.* Report to the department of education the specific  
33 intensive reading interventions and supports implemented by the  
34 school district pursuant to this section. The department shall  
35 annually prescribe the components of required or requested

1 reports, including but not limited to a report on the number of  
2 students retained under this section.

3     *h.* Provide a student who has been retained in grade three  
4 and who has received intensive instructional services but is  
5 still not ready for grade promotion, as determined by the  
6 school district, the option of being placed in a transitional  
7 instructional setting. Such setting shall specifically be  
8 designed to produce learning gains sufficient to meet grade  
9 four performance standards while continuing to remediate the  
10 areas of reading deficiency.

11     4. Notwithstanding subsection 1, paragraph "b", subparagraph  
12 (4), or any other provision of law to the contrary, a school  
13 district shall not be required to retain a student in grade  
14 three who exhibits a substantial deficiency in reading in  
15 accordance with this section until the school year beginning  
16 July 1, 2016. This subsection is repealed July 1, 2016.

17                                   DIVISION XV

18                                   HOME RULE AUTHORITY

19     Sec. 86. NEW SECTION. 274.3 **Exercise of powers —**  
20 **construction.**

21     1. The board of directors of a school district shall  
22 operate, control, and supervise all public schools located  
23 within its district boundaries and may exercise any broad  
24 and implied power related to the operation, control, and  
25 supervision of those public schools except as expressly  
26 prohibited or prescribed by the Constitution of the State of  
27 Iowa or by statute.

28     2. Notwithstanding subsection 1, the board of directors of  
29 a school district shall not have power to levy any tax unless  
30 expressly authorized by the general assembly.

31     3. This section shall not apply to a research and  
32 development school as defined in section 256G.2 or to a  
33 laboratory school as defined in section 265.1. The board of  
34 directors of a school district in which such a research and  
35 development school or laboratory school is located shall not

1 exercise over such a school any powers granted to the board by  
2 subsection 1.

3 4. This chapter, chapter 257 and chapters 275 through 301,  
4 and other statutes relating to the boards of directors of  
5 school districts and to school districts shall be liberally  
6 construed to effectuate the purposes of subsection 1.

7 DIVISION XVI

8 ONLINE LEARNING INTERIM STUDY

9 Sec. 87. ONLINE LEARNING — INTERIM STUDY. The legislative  
10 council is requested to establish an interim study committee  
11 relating to online learning and programming for school  
12 districts and related educational issues. The objective of  
13 the study shall be to review the appropriate use of online  
14 learning by school districts, the appropriate levels and  
15 sources of funding for online learning, partnerships between  
16 school districts and private providers of online programs, and  
17 the potential use of online learning as the exclusive means  
18 to provide coursework required under the state's educational  
19 standards. The study shall identify opportunities between  
20 interested agencies and entities involved in or potentially  
21 involved in online learning activities, including but not  
22 limited to K-12 schools, area education agencies, institutions  
23 of higher learning, the public broadcasting division of the  
24 department of education, the department of education, and the  
25 Iowa communications network. The committee is directed to  
26 submit its findings and recommendations in a report to the  
27 general assembly by December 14, 2012.

28 DIVISION XVII

29 ADVANCED PLACEMENT PERFORMANCE FUNDING

30 Sec. 88. NEW SECTION. 257.16B **Advanced placement**  
31 **performance funding.**

32 1. For budget years beginning on or after July 1, 2014,  
33 the department of management shall allocate from amounts  
34 appropriated by the general assembly to the department and  
35 from other moneys available to and obtained or accepted by the

1 department for providing advanced placement performance funding  
2 for school districts as provided in this section.

3 2. a. Each school district shall receive an amount equal  
4 to the school district's total number of advanced placement  
5 students divided by the total number of advanced placement  
6 students in the state, and then multiplied by the amount of  
7 moneys available to provide advanced placement performance  
8 funding for the budget year under subsection 1.

9 b. The department of management shall on or before July 1 of  
10 the budget year notify each school district of the amount of  
11 advanced placement performance funding under this section.

12 c. Payments made to school districts under this section are  
13 miscellaneous income and may be used for any school district  
14 general fund purpose.

15 3. For purposes of this section, "*advanced placement*  
16 *student*" means a student who was enrolled in the school  
17 district during the school year preceding the base year, who  
18 was enrolled in one or more advanced placement courses during  
19 such school year as provided under section 261E.4, and who also  
20 achieved a score on the advanced placement examination for  
21 at least one such course of three or higher on the advanced  
22 placement five-point scale.

23 4. The department of education shall adopt rules under  
24 chapter 17A necessary to implement this section, including  
25 rules that prescribe all necessary reporting requirements for  
26 school districts.

27 DIVISION XVIII

28 PROFESSIONAL SERVICE AND GUIDANCE COUNSELORS

29 Sec. 89. Section 256.9, Code Supplement 2011, is amended by  
30 adding the following new subsection:

31 NEW SUBSECTION. 65. a. Collaborate with, at a minimum,  
32 the board of educational examiners; the Iowa association of  
33 community college trustees; the association of Iowa area  
34 education agencies; the Iowa school counselor association; the  
35 economic development authority; the department of workforce

1 development; the governor's science, technology, engineering,  
2 and mathematics advisory council; and students recommended by  
3 the Iowa jobs for America's graduates program; or successor  
4 entities, to develop standards and procedures for the approval  
5 of professional service and secondary guidance counselor  
6 preparation and professional development programs that,  
7 upon approval by the department, accredited postsecondary  
8 institutions which grant postgraduate degrees may offer to  
9 persons seeking authorization by the board of educational  
10 examiners to serve as secondary school guidance counselors  
11 or to provide professional services in Iowa schools. A  
12 collaboration as specified in this subsection shall include  
13 representation from any stakeholder organization willing to  
14 assist the department in meeting the requirements of this  
15 subsection.

16 *b.* Community colleges, the economic development authority,  
17 and the department of workforce development shall consult  
18 and coordinate with employment and workplace stakeholders in  
19 assisting the director in developing standards and procedures  
20 for the approval of programs pursuant to this subsection.

21 *c.* Accredited postsecondary institutions that offer programs  
22 approved pursuant to this subsection shall coordinate with  
23 community colleges to ensure that the professional development  
24 programs approved under this subsection are offered throughout  
25 the state at convenient times.

26 *d.* The requirements for coursework and programs approved  
27 pursuant to this subsection shall include but not be limited  
28 to the following:

29 (1) Provision of information regarding career exploration,  
30 planning, and development assistance; and opportunities  
31 available to Iowa's students from targeted industries as  
32 defined in section 15.411, subsection 1, as well as industries  
33 requiring skilled workers with educational backgrounds in  
34 science, technology, engineering, or mathematics.

35 (2) Elements to encourage the involvement of parents in

1 career exploration and planning with their children.

2 (3) Elements to encourage the involvement of elementary  
3 counselors in career exploration and planning with their  
4 students.

5 (4) One semester credit or the equivalent issued by a  
6 community college or other accredited postsecondary institution  
7 in Iowa for coursework or professional development in career  
8 exploration, career education, and career planning. If offered  
9 by a community college, the coursework shall be offered at  
10 the resident tuition rate set pursuant to section 260C.14,  
11 subsection 2, to students enrolled in approved professional  
12 service and guidance counselor preparation programs and to  
13 persons renewing their professional service or secondary  
14 guidance counselor licenses or endorsements pursuant to section  
15 272.9B. If a community college fails to offer coursework  
16 or professional development in career exploration, career  
17 education, and career planning by July 1, 2013, the provisions  
18 of section 272.9B shall not apply to an applicant described in  
19 that section who resides within the boundaries of the community  
20 college and who is employed by an Iowa school as a secondary  
21 guidance counselor, until July 1, 2014, or until twelve months  
22 following the date upon which the coursework is made available  
23 by the community college, whichever is later.

24 e. The director shall establish an application and review  
25 process for approval of programs developed and implemented  
26 pursuant to this subsection.

27 f. For purposes of this subsection, "*professional service*"  
28 refers to preparation and professional development programs  
29 for, and licensure and endorsement of, persons who are  
30 authorized under chapter 272 to provide services in Iowa  
31 schools as a school counselor.

32 g. This subsection shall not be construed to require that an  
33 accredited postsecondary institution offering a major course of  
34 study related to the relevant coursework offered in programs  
35 approved pursuant to this subsection establish additional

1 credit requirements to graduate or achieve certification from  
2 the institution in the related major course of study from the  
3 institution. However, only coursework and programs that meet  
4 the requirements established by the director in accordance with  
5 this subsection shall be approved by the director.

6 Sec. 90. NEW SECTION. **272.9B Professional service and**  
7 **guidance counselor licenses.**

8 Beginning July 1, 2014, except as provided in section  
9 256.9, subsection 65, paragraph "d", the board shall require  
10 applicants for professional service and secondary guidance  
11 counselor licenses and endorsements, and for the renewal of  
12 such licenses and endorsements, to have successfully completed  
13 a professional service or secondary guidance counselor  
14 preparation program or professional development program,  
15 as appropriate, approved in accordance with section 256.9,  
16 subsection 65.

17 Sec. 91. Section 279.61, Code 2011, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 3. Beginning July 1, 2015, except as  
20 otherwise provided in section 256.9, subsection 65, paragraph  
21 "d", career and academic guidance counseling services shall  
22 be provided by the board of directors of a school district  
23 to students enrolled in grades nine through twelve only by  
24 persons issued professional service or secondary guidance  
25 counselor licenses or endorsements pursuant to section 272.9B,  
26 or who hold a license issued by the board and meet the renewal  
27 requirements for a license pursuant to section 272.9B.

28 DIVISION XIX

29 TRAINING, PREPARATION AND LICENSURE PROVISIONS

30 Sec. 92. Section 256.7, subsection 30, Code Supplement  
31 2011, is amended to read as follows:

32 30. Set standards and procedures for the approval of  
33 training programs for individuals who seek an authorization  
34 issued by the board of educational examiners for ~~employment~~ the  
35 following:

1     a. Employment as a school business official responsible for  
2 the financial operations of a school district.

3     b. Employment as a school administration manager responsible  
4 for assisting a school principal in performing noninstructional  
5 duties.

6     Sec. 93. Section 256.16, subsection 1, Code 2011, is amended  
7 by striking the subsection and inserting in lieu thereof the  
8 following:

9     1. Pursuant to section 256.7, subsection 5, the state board  
10 shall adopt rules requiring all higher education institutions  
11 providing approved practitioner preparation programs to do the  
12 following:

13     a. (1) Administer a basic skills test, which has been  
14 approved by the director, to practitioner preparation program  
15 admission candidates. Candidates who do not successfully  
16 pass the test with a score above the twenty-fifth percentile  
17 nationally shall be denied admission to the program.

18     (2) A student shall not successfully complete the program  
19 unless the student achieves scores above the twenty-fifth  
20 percentile nationally on an assessment approved by the director  
21 in pedagogy and at least one content area.

22     b. Include preparation in reading programs and integrate  
23 reading strategies into content area methods coursework.

24     c. Include in the professional education program,  
25 preparation that contributes to the education of students  
26 with disabilities and students who are gifted and talented,  
27 and preparation in classroom management addressing high-risk  
28 behaviors including but not limited to behaviors related to  
29 substance abuse. Preparation required under this paragraph  
30 must be successfully completed before graduation from the  
31 practitioner preparation program.

32     Sec. 94. Section 272.1, Code 2011, is amended by adding the  
33 following new subsection:

34     NEW SUBSECTION. 11A. "*School administration manager*" means  
35 a person who is authorized to assist a school principal in

1 performing noninstructional administrative duties.

2 Sec. 95. Section 272.2, subsection 13, Code Supplement  
3 2011, is amended to read as follows:

4 13. Adopt rules to ~~provide for nontraditional preparation~~  
5 ~~options for licensing persons who hold a bachelor's degree from~~  
6 ~~an accredited college or university, who do not meet other~~  
7 requirements for licensure establish alternative licensure  
8 pathways for an initial teacher license and an initial  
9 administrator license and endorsement pursuant to section  
10 272.16. The rules shall prescribe standards and procedures for  
11 the approval of alternative principal licensing programs which  
12 may be offered in this state by designated agencies located  
13 within or outside this state. Procedures provided for approval  
14 of alternative principal licensing programs shall include  
15 procedures for enforcement of the prescribed standards.

16 Sec. 96. NEW SECTION. 272.16 Alternative licensure and  
17 endorsement.

18 1. The board shall establish alternative licensure pathways  
19 for an initial teacher license and an initial administrator  
20 license and endorsement.

21 2. The alternative pathway for an initial teacher license  
22 shall include all of the following components:

23 a. A requirement that the applicant for the alternative  
24 pathway to an initial teacher license meet all of the following  
25 criteria:

26 (1) Hold, at a minimum, a bachelor's degree from a  
27 regionally accredited postsecondary institution and twenty-four  
28 postsecondary credit hours in the content area to be taught at  
29 the licensure level sought by the applicant; or, in order to  
30 teach a foreign language, the applicant shall hold at least a  
31 bachelor's degree and be a native speaker of the language to  
32 be taught.

33 (2) Have successfully passed a background check conducted  
34 in accordance with section 272.2, subsection 17.

35 (3) Have at least three recent consecutive years of

1 successful, relevant work experience.

2 (4) Have successfully passed a basic skills test, approved  
3 by the director, for acceptance. An applicant utilizing the  
4 alternative pathway to an initial teacher license shall not  
5 be issued such a license unless the student achieves scores  
6 above the twenty-fifth percentile nationally on an examination  
7 approved by the board for knowledge of pedagogies and in at  
8 least one content area.

9 b. A requirement that the person issued an initial teacher  
10 license pursuant to this subsection shall, during the person's  
11 first three years of teaching, successfully complete a  
12 beginning teacher mentoring and induction program pursuant  
13 to section 284.5, and shall successfully complete eighteen  
14 postsecondary credit hours of pedagogy coursework before the  
15 person may be issued a license beyond the initial license.

16 3. The alternative pathway for an initial administrator  
17 license shall include all of the following components:

18 a. A requirement that the applicant for the alternative  
19 pathway to an initial administrator license meet all of the  
20 following criteria:

21 (1) Hold, at a minimum, a bachelor's degree from a  
22 regionally accredited postsecondary institution.

23 (2) Have successfully passed a background check conducted  
24 in accordance with section 272.2, subsection 17.

25 b. A requirement that a person who is issued an initial  
26 administrator license through the alternative pathway specified  
27 by this subsection may be employed by a school district or  
28 accredited nonpublic school and, for the first consecutive  
29 three years of employment as a building principal, shall  
30 be supervised and mentored by a person who holds a valid  
31 professional administrator license.

32 4. A person with at least five recent years of successful  
33 experience as a professional educator, and who is enrolled in  
34 an alternative principal licensing program approved by the  
35 board, may qualify for an initial administrator license.

1 5. A person with at least five recent years of successful  
2 management experience in business; industry; local, state,  
3 or federal government; or the military service of the United  
4 States, and who has successfully completed an alternative  
5 principal licensing program approved by the board, may qualify  
6 for an initial administrator license.

7 6. *a.* The alternative pathway for an initial administrator  
8 endorsement for school superintendents and area education  
9 agency administrators shall require an applicant to meet all of  
10 the following criteria:

11 (1) Hold, at a minimum, a bachelor's degree from a  
12 regionally accredited postsecondary institution.

13 (2) Have successfully passed a background check conducted  
14 in accordance with section 272.2, subsection 17.

15 (3) Have at least five recent years of successful, relevant  
16 experience as a professional educator or management experience  
17 in business; industry; local, state, or federal government; or  
18 the military service of the United States.

19 *b.* A person issued an initial administrator endorsement  
20 for superintendents or area education agency administrators  
21 under this subsection shall successfully complete a beginning  
22 mentoring and induction program with a mentor who is a  
23 superintendent or area education agency administrator, as  
24 appropriate.

25 *c.* A person issued an initial administrator endorsement  
26 for superintendents or area education agency administrators  
27 pursuant to this subsection, who successfully completes three  
28 years of experience as a superintendent or area education  
29 agency administrator, may be issued a license beyond the  
30 initial administrator endorsement.

31 7. Upon application, a person who holds an initial  
32 administrator license issued pursuant to subsection 3, and who  
33 has three years of successful experience as a principal, shall  
34 be issued a professional administrator license.

35 Sec. 97. Section 272.25, subsection 1, Code 2011, is amended

1 to read as follows:

2 1. A requirement that each student admitted to an approved  
3 practitioner preparation program must participate in field  
4 experiences that include both observation and participation in  
5 teaching activities in a variety of school settings. These  
6 field experiences shall comprise a total of at least fifty  
7 hours in duration, at least ten hours of which shall occur  
8 prior to a student's acceptance in an approved practitioner  
9 preparation program. The student teaching experience shall  
10 be a minimum of ~~twelve~~ fifteen weeks in duration during the  
11 student's final year of the practitioner preparation program.

12 Sec. 98. Section 272.31, Code 2011, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 2A. The board shall issue a school  
15 administration manager authorization to an individual who  
16 successfully completes a training program that meets the  
17 standards set by the state board pursuant to section 256.7,  
18 subsection 30, and who complies with rules adopted by the state  
19 board pursuant to subsection 3.

20 DIVISION XX

21 KINDERGARTEN REQUIREMENT

22 Sec. 99. Section 299.1A, Code 2011, is amended to read as  
23 follows:

24 **299.1A Compulsory attendance age.**

25 1. A Except as provided in subsection 2, a child who has  
26 reached the age of six and is under sixteen years of age by  
27 September 15 is of compulsory attendance age. However, if a  
28 child enrolled in a school district or accredited nonpublic  
29 school reaches the age of sixteen on or after September 15, the  
30 child remains of compulsory age until the end of the regular  
31 school calendar.

32 2. A child who has reached the age of five by September 15  
33 and who is enrolled in a school district shall be considered  
34 to be of compulsory attendance age unless the parent or  
35 guardian of the child notifies the school district in writing

1 of the parent's or guardian's intent to remove the child from  
2 enrollment in the school district.

3 DIVISION XXI

4 STATE MANDATE

5 Sec. 100. STATE MANDATE FUNDING SPECIFIED. In accordance  
6 with section 25B.2, subsection 3, the state cost of requiring  
7 compliance with any state mandate included in this Act shall  
8 be paid by a school district from state school foundation aid  
9 received by the school district under section 257.16. This  
10 specification of the payment of the state cost shall be deemed  
11 to meet all of the state funding-related requirements of  
12 section 25B.2, subsection 3, and no additional state funding  
13 shall be necessary for the full implementation of this Act  
14 by and enforcement of this Act against all affected school  
15 districts.