SENATE FILE 159
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1031)

(As Amended and Passed by the Senate March 27, 2019)

_____ = New Language by the Senate

A BILL FOR

An Act relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial teacher licensure and providing for related matters.

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

Section 1. Section 256.7, subsection 3, Code 2019, is amended to read as follows:

3. Prescribe standards and procedures for the approval of practitioner preparation programs and professional development programs offered in this state by practitioner preparation institutions located within or outside this state and by area education agencies. Procedures provided for approval of programs shall include procedures for enforcement of the prescribed standards and, except as provided in section 256.16, subsection 3, shall not include a procedure for the waiving of any of the standards prescribed. The board may establish by rule and collect from practitioner preparation institutions located outside this state an amount equivalent to the department's necessary travel and actual expenses incurred while engaged in the program approval process for the institution located outside this state. Amounts collected under this subsection shall be deposited in the general fund of the state.

Sec. 2. Section 256.16, subsection 1, paragraph a, subparagraph (2), Code 2019, is amended to read as follows:

(2) Administer, prior to a student's completion of the practitioner preparation program and subject to the director's approval, subject assessments designed by a nationally recognized testing service that measure pedagogy and knowledge of at least one subject area; or, a valid and reliable subject-area-specific, performance-based assessment for preservice teacher candidates, centered on student learning. A student shall not successfully complete the program unless the scores achieved by the student ~~achieves scores~~ on the assessments administered under this subparagraph are at or above the ~~twenty-fifth percentile nationally on the assessments administered pursuant to this subparagraph~~ minimum passing scores set by the department.

(a) In setting the minimum passing scores for purposes of this subparagraph, the department shall consider all of the

following:

(i) Scores required for similar tests in all of the states contiguous to Iowa.

(ii) The supply and demand imbalance of content areas or teaching positions currently experienced in Iowa.

(b) A student who successfully completes the practitioner preparation program as required under this subparagraph shall be deemed to have attained a passing score on the assessments administered under this subparagraph even if the department subsequently sets different minimum passing scores.

Sec. 3. Section 256.16, subsection 2, Code 2019, is amended to read as follows:

2. A person initially applying for a license shall successfully complete ~~a professional education~~ a practitioner preparation program approved under section 256.7, subsection 3, and containing the subject matter specified in this section, before the initial action by the board of educational examiners under chapter 272 takes place. However, this subsection shall not apply to a person who meets the requirements for an initial one-year license in accordance with subsection 3.

Sec. 4. Section 256.16, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The state board shall adopt rules under chapter 17A to provide that the director shall waive the assessment requirements of subsection 1, paragraph *"a"*, subparagraph (2), for not more than one year for a person who has completed the course requirements for an approved practitioner preparation program but attained an assessment score below the minimum passing scores set by the department for successful completion of the program under subsection 1, paragraph *"a"*, subparagraph (2).

Sec. 5. Section 272.2, subsection 14, paragraph b, subparagraph (5), Code 2019, is amended to read as follows:

(5) The applicant fails to meet board standards for application for an initial or renewed license. However, this

subparagraph shall not apply to a person who applies for an initial one-year license and submits to the board a waiver issued by the director of the department of education in accordance with section 256.16, subsection 3.

Sec. 6. Section 272.2, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 21. Adopt rules pursuant to chapter 17A to create a nonrenewable initial one-year license for an applicant who obtains a waiver issued by the director of the department of education in accordance with section 256.16, subsection 3, and presents the waiver within thirty days of issuance to the board of educational examiners. Such an applicant must also provide an affidavit from the administrator of a school district or an accredited nonpublic school verifying that an offer of a teaching contract has been made and the school district or accredited nonpublic school has made every reasonable and good-faith effort to employ a teacher licensed under chapter 272 for the specified subject and is unable to employ such a teacher. For purposes of this subsection, *"good-faith effort"* means the same as defined in section 279.19A, subsection 9.