

**CHAPTER 1047**

## COMMUNITY COLLEGE FACULTY

H.F. 2394

**AN ACT** eliminating teacher licensure of community college faculty; requiring community colleges to develop, approve, and implement a quality faculty plan; and providing for related matters and effective dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 20.21, unnumbered paragraph 3, Code 2001, is amended to read as follows:

However, the board shall not appoint a fact-finder representative of the public if the public employees represented by a certified employee organization are teachers licensed under chapter 272 and the public employer is a school district, ~~community college~~, or area education agency, or are professional employees and the public employer is a community college. The board shall adopt rules regarding the time period after mediation when binding arbitration procedures must begin for teachers or professional employees exempt from this section.

Sec. 2. Section 232.69, subsection 1, paragraph b, subparagraph (4), Code Supplement 2001, is amended to read as follows:

(4) A licensed school employee, certified para-educator, ~~or~~ holder of a coaching authorization issued under section 272.31, or an instructor employed by a community college.

Sec. 3. Section 257.11, subsection 3, paragraph b, unnumbered paragraph 1, Code Supplement 2001, is amended to read as follows:

If the school budget review committee certifies to the department of management that the class would not otherwise be implemented without the assignment of additional weighting, pupils attending a community college-offered class or attending a class taught by a community college-employed ~~teacher~~ instructor are assigned a weighting of forty-eight hundredths of the percentage of the pupil's school day during which the pupil attends class in the community college or attends a class taught by a community college-employed ~~teacher~~ instructor. The following requirements shall be met for the purposes of assigning an additional weighting for classes offered through a sharing agreement between a school district and community college. The class must be:

Sec. 4. Section 257.11, subsection 3, paragraph b, subparagraph (5), Code Supplement 2001, is amended to read as follows:

(5) Taught by a ~~teacher meeting community college licensing requirements~~ college-employed instructor.

Sec. 5. Section 260C.36, Code 2001, is amended to read as follows:

260C.36 QUALITY FACULTY DEVELOPMENT PLAN.

1. By October 1, 2002, the college administration shall establish a committee consisting of instructors and administrators, equally representative of the arts and sciences faculty and the vocational-technical faculty, which has no more than a simple majority of members of the same gender. The faculty members shall be appointed by the certified employee organization if one exists and if not, by the college administration. The administrators shall be appointed by the college administration. The committee shall develop a plan for hiring and developing quality faculty that includes all of the following:

- a. An implementation schedule for the plan.
- b. Orientation for new faculty.
- c. Continuing professional development for faculty.

- d. Procedures for accurate recordkeeping and documentation for plan monitoring.
  - e. Consortium arrangements when appropriate, cost-effective and mutually beneficial.
  - f. Specific activities that ensure faculty attain and demonstrate instructional competencies and knowledge in their subject or technical areas.
  - g. Procedures for collection and maintenance of records demonstrating that each faculty member has attained or documented progress toward attaining minimal competencies.
  - h. Compliance with the faculty accreditation standards of the north central association of colleges and schools and with faculty standards required under specific programs offered by the community college that are accredited by other accrediting agencies.
2. The committee shall submit the plan to the board of directors, which shall consider the plan and, once approved, submit the plan to the department of education and implement the plan not later than July 1, 2003.
3. Between July 1, 2003, and June 30, 2006, the department of education shall conduct on-site visits to ensure each community college's compliance and progress in implementing its plan. At minimum, the department shall visit five colleges each year until the department has conducted on-site visits at each community college. By July 1, 2006, the department shall submit a report summarizing the department's findings to each community college and to the state accreditation team appointed pursuant to section 260C.47.
4. The administration of the college shall encourage the continued development of faculty potential by doing all of the following:
- (1) a. Regularly stimulating department chairpersons or heads to meet their responsibilities in this regard; (2) lightening for the continued development of faculty potential.
  - b. Reducing the teaching instructional loads of first-year instructors whose course preparation and in-service training demand it; (3) stimulating a reduction.
  - c. Stimulating curricular evaluation; and (4) encouraging.
  - d. Encouraging the development of an atmosphere in which the faculty brings a wide range of ideas and experiences to the students, each other, and the community.

Sec. 6. Section 260C.47, subsection 1, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The state board of education shall establish an accreditation process for community college programs by July 1, 1997. The process shall be jointly developed and agreed upon by the department of education and the community colleges. The state accreditation process shall be integrated with the accreditation process of the north central association of colleges and schools, including the evaluation cycle, the self-study process, and the criteria for evaluation, which shall incorporate the standards for community colleges developed under section 260C.48; and shall identify and make provision for the needs of the state that are not met by the association's accreditation process. For the academic year commencing July 1, 1998, and in succeeding school years, the department of education shall use a two-component process for the continued accreditation of community college programs. Beginning July 1, 2006, the state accreditation process shall incorporate the standards developed pursuant to section 260C.48, subsection 4.

Sec. 7. Section 260C.47, subsection 1, paragraph b, Code 2001, is amended to read as follows:

b. The second component consists of the use of an accreditation team appointed by the director of the department of education, to conduct an evaluation, including an on-site visit of each community college, with a comprehensive evaluation to occur during the same year as the evaluation by the north central association of colleges and schools, and an interim evaluation midway between comprehensive evaluations. The number and composition of the accreditation team shall be determined by the director, but the team shall include members of the department of education staff and community college staff members from community colleges other than the community college that conducts the programs being evaluated for ac-

creditation. Beginning July 1, 2006, the accreditation team shall monitor the quality faculty plan implemented by each community college pursuant to section 260C.36.

Sec. 8. Section 260C.48, subsection 1, Code 2001, is amended to read as follows:

1. The state board shall develop standards and rules for the accreditation of community college programs. Standards Except as provided in this subsection and subsection 4, standards developed shall be general in nature so as to apply to more than one specific program of instruction. With regard to community college-employed instructors, the standards adopted shall at a minimum require that full-time community college instructors meet the following requirements:

a. Instructors in the subject area of career and technical education shall be registered, certified, or licensed in the occupational area in which the state requires registration, certification, or licensure, and shall hold the appropriate registration, certificate, or license for the occupational area in which the instructor is teaching, and shall meet either of the following qualifications:

(1) A baccalaureate or graduate degree in the area or a related area of study or occupational area in which the instructor is teaching classes.

(2) Special training and at least six thousand hours of recent and relevant work experience in the occupational area or related occupational area in which the instructor teaches classes if the instructor possesses less than a baccalaureate degree.

b. Instructors in the subject area of arts and sciences shall meet either of the following qualifications:

(1) Possess a master's degree from a regionally accredited graduate school, and has successfully completed a minimum of twelve credit hours of graduate level courses in each field of instruction in which the instructor is teaching classes.

(2) Has two or more years of successful experience in a professional field or area in which the instructor is teaching classes and in which postbaccalaureate recognition or professional licensure is necessary for practice, including but not limited to the fields or areas of accounting, engineering, law, law enforcement, and medicine.

Sec. 9. Section 260C.48, Code 2001, is amended by adding the following new subsection:  
NEW SUBSECTION. 4. Commencing July 1, 2006, standards relating to quality assurance of faculty and ongoing quality professional development shall be the accreditation standards of the north central association of colleges and schools and the faculty standards required under specific programs offered by the community college that are accredited by other accrediting agencies.

Sec. 10. Section 272.1, subsection 11, Code 2001, is amended to read as follows:

11. "School" means a school under section 280.2, ~~a community college~~, an area education agency, and a school operated by a state agency for special purposes.

Sec. 11. Section 272.3, subsection 5, Code 2001, is amended by striking the subsection.

Sec. 12. Section 272.33, unnumbered paragraph 1, Code 2001,<sup>1</sup> is amended to read as follows:

In addition to licenses required under rules adopted pursuant to this chapter, an individual employed as an administrator, supervisor, school service person, or teacher by a school district, ~~or area education agency, or community college~~, who conducts evaluations of the performance of individuals holding licenses under this chapter, shall possess an evaluator license or an evaluator endorsement appearing on a teaching or administrative license. ~~Individuals employed in community colleges who do not directly supervise licensed teaching faculty are exempt from this section.~~

<sup>1</sup> Code Supplement 2001 probably intended

Sec. 13. Section 279.12, unnumbered paragraph 3, Code 2001, is amended to read as follows:

The board may approve a policy for educational leave for licensed school employees and for reimbursement for tuition paid by licensed school employees for courses approved by the board. The board of directors of a community college may approve a policy for educational leave for its instructors and for reimbursement for tuition paid by its instructors for courses approved by the board. For the purpose of this section, “educational leave” means a leave granted to an employee for the purpose of study including study in areas outside of a teacher’s area of specialization, travel, or other reasons deemed by the board to be of value to the school system.

Sec. 14. Section 279.13, Code Supplement 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 4. For purposes of this section, sections 279.14, 279.15 through 279.17, and 279.27, unless the context otherwise requires, “teacher” includes an instructor employed by a community college.

Sec. 15. Section 279.18, Code 2001, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section, unless the context otherwise requires, “rejecting party” shall include, but not be limited to, an instructor employed by a community college.

Sec. 16. Section 279.19A, Code 2001, is amended by adding the following new subsection:  
NEW SUBSECTION. 10. The licensure requirements of subsections 3, 4, and 9 shall not apply to community colleges.

Sec. 17. Section 279.19B, Code 2001, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section shall not apply to community colleges.

Sec. 18. Section 279.55, Code 2001, is amended to read as follows:  
279.55 TEACHER EXCHANGE PROGRAM.

If funds are appropriated by the general assembly, an Iowa teacher exchange program is established to permit school districts to exchange licensed instructional personnel with other districts in order to promote the exchange and enhancement of instructional methods and materials and encourage the educational development of Iowa’s teachers. Community colleges may exchange their instructional personnel only with other community colleges under this program.

Sec. 19. VALIDITY OF LICENSE. Notwithstanding section 272.7, a license issued by the board of educational examiners to an instructor employed by a community college, which is due to expire at any time between the effective date of this section of this Act and July 1, 2003, shall remain valid until July 1, 2003.

Sec. 20. EFFECTIVE DATE. Sections 1 through 4 and sections 6 through 18 of this Act take effect July 1, 2003.

Sec. 21. Section 19 of this Act, relating to the validity of a license, being deemed of immediate importance, takes effect upon enactment.

Approved March 29, 2002