

MAR 2 2005  
Place On Calendar

HOUSE FILE 529  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 121)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the members of the board of educational  
2 examiners and the authority of the board regarding complaints.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF-529

1 Section 1. Section 272.2, subsection 15, Code 2005, is  
2 amended to read as follows:

3 15. Adopt rules that require specificity in written  
4 complaints that are filed by individuals who have personal  
5 knowledge of an alleged violation and which are accepted by  
6 the board, provide that the jurisdictional requirements as set  
7 by the board in administrative rule are met on the face of the  
8 complaint before initiating an investigation of allegations,  
9 provide that any investigation be limited to the allegations  
10 contained on the face of the complaint, provide for an  
11 adequate interval between the receipt of a complaint and  
12 public notice of the complaint, permit parties to a complaint  
13 to mutually agree to a resolution of the complaint filed with  
14 the board, allow the respondent the right to review any  
15 investigative report upon a finding of probable cause for  
16 further action by the board, require that the conduct  
17 providing the basis for the complaint occurred within three  
18 years of discovery of the event by the complainant unless good  
19 cause can be shown for an extension of this limitation, and  
20 ~~require complaints-to-be-resolved~~ investigation of the  
21 complaint and a determination of probable cause by the board  
22 within one hundred ~~eighty~~ twenty days of the filing of the  
23 complaint unless good cause can be shown for an extension of  
24 this limitation.

25 Sec. 2. Section 272.3, unnumbered paragraph 1, Code 2005,  
26 is amended to read as follows:

27 The board of educational examiners consists of eleven  
28 voting members and one nonvoting member. Two voting members  
29 must be members of the general public and the remaining nine  
30 voting members must be licensed practitioners. One of the  
31 public members shall ~~also-be-the-director-of-the-department-of~~  
32 ~~education,-or-the-director's-designee~~ have served on a school  
33 board. The ~~other public member~~ members shall ~~be-a-person-who~~  
34 ~~does-not-hold~~ never have held a practitioner's license, but  
35 ~~has~~ shall have a demonstrated interest in education. The

1 director of the department of education or the director's  
2 designee shall serve as the ex officio nonvoting member. The  
3 nine practitioners shall be selected from the following areas  
4 and specialties of the teaching profession:

5 Sec. 3. Section 272.3, unnumbered paragraph 2, Code 2005,  
6 is amended to read as follows:

7 A majority of the licensed practitioner members shall be  
8 nonadministrative practitioners. Four of the members shall be  
9 administrators. Membership of the board shall comply with the  
10 requirements of sections 69.16 and 69.16A. A quorum of the  
11 board shall consist of six members. ~~The director of the~~  
12 ~~department of education~~ Members shall ~~serve as the~~ elect a  
13 chairperson of the board. ~~Members, except for the director of~~  
14 ~~the department of education,~~ shall be appointed by the  
15 governor ~~and the appointments are~~ subject to confirmation by  
16 the senate.

17 EXPLANATION

18 This bill changes the composition of the membership of the  
19 board of educational examiners by striking language that  
20 requires the membership to include the director of the  
21 department of education and that the director serve as the  
22 chairperson of the board, and instead including the director  
23 as an ex officio, nonvoting member of the board. The bill  
24 requires that the board's two public members shall never have  
25 held a practitioner's license, and one of the public members  
26 shall have served on a school board. The bill also reduces  
27 the number of days the board has to investigate a complaint  
28 from within 180 days to within 120 days from the time a  
29 complaint is filed.

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Chair - Tymeson  
Chambers  
Lohoon

HSB 121  
Succeeded By EDUCATION  
SF. 0529

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CHAIRPERSON TYMESON)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the nonpractitioner members of the board of  
2 educational examiners.

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

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HOUSE BILL NO. 1000  
2005

1 Section 1. Section 272.3, unnumbered paragraph 1, Code  
2 2005, is amended to read as follows:

3 The board of educational examiners consists of eleven  
4 members. Two must be members of the general public and the  
5 remaining nine must be licensed practitioners. ~~One-of-the~~  
6 ~~public-members-shall-also-be-the-director-of-the-department-of~~  
7 ~~education-or-the-director's-designee.~~ The other public  
8 member members shall ~~be-a-person-who-does-not-hold~~ never have  
9 held a practitioner's license, but ~~has~~ shall have a  
10 demonstrated interest in education. The nine practitioners  
11 shall be selected from the following areas and specialties of  
12 the teaching profession:

13 Sec. 2. Section 272.3, unnumbered paragraph 2, Code 2005,  
14 is amended to read as follows:

15 A majority of the licensed practitioner members shall be  
16 nonadministrative practitioners. Four of the members shall be  
17 administrators. Membership of the board shall comply with the  
18 requirements of sections 69.16 and 69.16A. A quorum of the  
19 board shall consist of six members. ~~The-director-of-the~~  
20 ~~department-of-education~~ Members shall ~~serve-as-the~~ elect a  
21 chairperson of the board. ~~Members-except-for-the-director-of~~  
22 ~~the-department-of-education,~~ shall be appointed by the  
23 governor ~~and-the-appointments-are~~ subject to confirmation by  
24 the senate.

25 EXPLANATION

26 This bill changes the composition of the membership of the  
27 board of educational examiners by striking language that  
28 requires the membership to include the director of the  
29 department of education and which requires that the director  
30 serve as the chairperson of the board. However, the bill does  
31 not adjust the total number of members that comprise the  
32 board, which remains at 11 and includes two public members.  
33 The bill does require that the public members shall never have  
34 held a practitioner's license.

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