

Redwine  
Boettger  
Soukup

SSB-1157

Education

Succeeded By  
SENATE FILE (SF)HF 336  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CHAIRPERSON BOETTGER)

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

A BILL FOR

1 An Act relating to the authority of the state board of  
2 educational examiners to develop a code of professional rights  
3 and responsibilities, practices, and ethics for practitioners.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 272.2, subsection 1, Code 2001, is  
2 amended to read as follows:

3 1. License practitioners, who do not hold or receive a  
4 license from another professional licensing board, and  
5 professional development programs, except for programs  
6 developed and offered by practitioner preparation institutions  
7 or area education agencies and approved by the state board of  
8 education. Licensing authority includes the authority to  
9 establish criteria for the licenses, including but not limited  
10 to, issuance and renewal requirements; creation of  
11 application and renewal forms; creation of licenses that  
12 authorize different instructional functions or specialties;  
13 development of a code of professional rights and  
14 responsibilities, practice practices, and ethics, which shall,  
15 among other things, address the failure of a practitioner to  
16 fulfill contractual obligations under section 279.13; and the  
17 authority to develop any other classifications, distinctions,  
18 and procedures which may be necessary to exercise licensing  
19 duties. ~~A-code-of-professional-rights-and-responsibilities,~~  
20 ~~practice-and-ethics-shall-address-but-not-be-limited-to-the~~  
21 ~~habitual-failure-of-a-practitioner-to-fulfill-contractual~~  
22 ~~obligations-under-section-279-13.~~

23 EXPLANATION

24 This bill rewrites a Code provision that directs the state  
25 board of education to develop a professional code that, at a  
26 minimum, addresses the habitual failure of a practitioner to  
27 fulfill the practitioner's contractual obligations to a school  
28 district. The bill strikes the word "habitual" from the  
29 requirement. As used in the provision, "practitioner" refers  
30 to an administrator, teacher, or other licensed professional  
31 who provides educational assistance to students.

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UNLIMITED

3/21/01 Motion to R/C by  
Connolly + Redwine  
4/2/01 Motion to R/C by Redwine - prevailed  
Motion by Connolly 0/0  
FILED MAR 1 '01

SENATE FILE **336**  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1157)

Passed Senate, Date 3-21-01 (p.749)  
Vote: Ayes 29 Nays 21  
Passed House, Date 4/23/01 (p.1392)  
Vote: Ayes 61 Nays 37  
Approved 5/2/01  
(p.938) Passed 4-2-01  
Vote 43-7

A BILL FOR

1 An Act relating to the authority of the state board of  
2 educational examiners to develop a code of professional rights  
3 and responsibilities, practices, and ethics for practitioners.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 336

S-3223

1 Amend Senate File 336 as follows:  
2 1. Page 1, line 15, by inserting after the word  
3 "the" the following: "second or subsequent".  
By MIKE CONNOLLY

S-3223 FILED MARCH 21, 2001

Adopted  
4-2-01  
(p.938)

SE 336

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8 education. Licensing authority includes the authority to  
9 establish criteria for the licenses, including but not limited  
10 to, issuance and renewal requirements; creation of  
11 application and renewal forms; creation of licenses that  
12 authorize different instructional functions or specialties;  
13 development of a code of professional rights and  
14 responsibilities, practice practices, and ethics, which shall,  
15 among other things, address the failure of a practitioner to  
16 fulfill contractual obligations under section 279.13; and the  
17 authority to develop any other classifications, distinctions,  
18 and procedures which may be necessary to exercise licensing  
19 duties. ~~A-code-of-professional-rights-and-responsibilities,~~  
20 ~~practice-and-ethics-shall-address-but-not-be-limited-to-the~~  
21 ~~habitual-failure-of-a-practitioner-to-fulfill-contractual~~  
22 ~~obligations-under-section-279.13.~~

23 EXPLANATION

24 This bill rewrites a Code provision that directs the state  
25 board of education to develop a professional code that, at a  
26 minimum, addresses the habitual failure of a practitioner to  
27 fulfill the practitioner's contractual obligations to a school  
28 district. The bill strikes the word "habitual" from the  
29 requirement. As used in the provision, "practitioner" refers  
30 to an administrator, teacher, or other licensed professional  
31 who provides educational assistance to students.



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8 education. Licensing authority includes the authority to  
9 establish criteria for the licenses, including but not limited  
10 to, issuance and renewal requirements; creation of  
11 application and renewal forms; creation of licenses that  
12 authorize different instructional functions or specialties;  
13 development of a code of professional rights and  
14 responsibilities, practice practices, and ethics, which shall,  
15 among other things, address the second or subsequent failure  
16 of a practitioner to fulfill contractual obligations under  
17 section 279.13; and the authority to develop any other  
18 classifications, distinctions, and procedures which may be  
19 necessary to exercise licensing duties. ~~A-code-of~~  
20 ~~professional-rights-and-responsibilities,-practice,-and-ethics~~  
21 ~~shall-address-but-not-be-limited-to-the-habitual-failure-of-a~~  
22 ~~practitioner-to-fulfill-contractual-obligations-under-section~~  
23 ~~279-13-~~

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SENATE FILE 336

H-1439

1 Amend Senate File 336, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, line 15, by striking the words "second  
4 or subsequent".  
5 2. Page 1, line 23, by inserting after the figure  
6 "~~279.13.~~" the following: "In addressing the failure  
7 of a practitioner to fulfill contractual obligations,  
8 the board shall consider factors beyond the  
9 practitioner's control, including the relocation of a  
10 spouse to another geographic area."

By COMMITTEE ON EDUCATION  
GRUNDBERG of Polk, Chairperson

H-1439 FILED APRIL 5, 2001

(P.1391) *Adopted*  
*4/23/01*

SENATE FILE 336

H-1511

1 Amend the amendment, H-1439, to Senate File 336, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, line 9, by inserting after the word  
5 "including" the following: ", but not limited to, the  
6 health of the practitioner or of an individual in the  
7 practitioner's immediate family, or".

By MASCHER of Johnson

H-1511 FILED APRIL 13, 2001

*Lost*  
*4/23/01 (P.1390)*

SENATE FILE 336

H-1512

1 Amend the amendment, H-1439, to Senate File 336 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, by striking lines 9 and 10 and  
5 inserting the following: "practitioner's control."

By MASCHER of Johnson

H-1512 FILED APRIL 13, 2001

*Adopted 4/23/01 (P.1391)*

**SENATE FILE 336****H-1526**

1 Amend Senate File 336, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 23 the  
4 following:

5 "Sec. \_\_\_\_ . Section 272C.3, subsection 1, Code  
6 2001, is amended by adding the following new  
7 paragraph:

8 NEW PARAGRAPH. bb. Develop and establish a code  
9 of professional rights and responsibilities,  
10 practices, and ethics, which shall, among other  
11 things, address the failure of a practitioner to  
12 fulfill contractual obligations pertaining to the  
13 practitioner's employment."

14 2. Title page, lines 1 and 2, by striking the  
15 words "the state board of educational examiners" and  
16 inserting the following: "state licensing boards".

17 3. Title page, lines 3 and 4, by striking the  
18 words "for practitioners".

**By MASCHER of Johnson**

**H-1526 FILED APRIL 16, 2001**

*Not Done*  
4/23/01 (P. 1392)

**SENATE FILE 336****H-1527**

1 Amend the amendment, H-1439, to Senate File 336, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 9, by inserting after the word  
5 "including" the following: ", but not limited to, a  
6 natural disaster or".

**By BUKTA of Clinton**

**H-1527 FILED APRIL 16, 2001**

*lost*  
4/23/01 (P. 1391)

**SENATE FILE 336****H-1516**

1 Amend the amendment, H-1439, to Senate File 336, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 9, by inserting after the word  
5 "including" the following: ", but not limited to,  
6 mental illness or".

**By GREIMANN of Story**

**H-1516 FILED APRIL 16, 2001**

*lost*  
4/23/01  
(P. 1390)

**SENATE FILE 336****H-1518**

1 Amend the amendment, H-1439, to Senate File 336, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:

4 1. Page 1, line 9, by inserting after the word  
 5 "including" the following: ", but not limited to,  
 6 economic hardship or".

By WINCKLER of Scott

**H-1518** FILED APRIL 16, 2001

*Lost*  
 4/23/01 (P. 1390)

**SENATE FILE 336****H-1524**

1 Amend the amendment, H-1439, to Senate File 336, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:

4 1. Page 1, by striking lines 3 and 4.

By MASCHER of Johnson

**H-1524** FILED APRIL 16, 2001

*Lost*  
 4/23/01 (P. 1389)

**SENATE FILE 336****H-1525**

1 Amend Senate File 336, as amended, passed, and  
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 23 the  
 4 following:

5 "Sec. 2. Section 279.13, subsection 1, unnumbered  
 6 paragraph 2, Code 2001, is amended to read as follows:

7 The board of directors of a school district shall  
 8 not offer to enter into or enter into a contract for  
 9 employment with a teacher who is under contract with  
 10 another board of directors for the same time period  
 11 unless the school district that has previously entered  
 12 into a contract with the teacher releases the teacher,  
 13 in writing, from the contract. The contract is  
 14 invalid if the teacher is under contract with another  
 15 board of directors to teach during the same time  
 16 period ~~until a release from the other contract is~~  
 17 ~~achieved.~~ The contract shall be signed by the  
 18 president of the board when tendered, and after it is  
 19 signed by the teacher, the contract shall be filed  
 20 with the secretary of the board before the teacher  
 21 enters into performance under the contract."

22 2. Title page, line 1, by inserting after the  
 23 word "to" the following: "teaching contracts and".

By MASCHER of Johnson

**H-1525** FILED APRIL 16, 2001

*Not Germane*  
 4/23/01  
 (P. 1392)

HOUSE AMENDMENT TO  
SENATE FILE 336

S-3436

1 Amend Senate File 336, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, line 15, by striking the words "second  
4 or subsequent".  
5 2. Page 1, line 23, by inserting after the figure  
6 "~~279.13.~~" the following: "In addressing the failure  
7 of a practitioner to fulfill contractual obligations,  
8 the board shall consider factors beyond the  
9 practitioner's control."

RECEIVED FROM THE HOUSE

S-3436 FILED APRIL 23, 2001

*Senate Concurred*  
4-24-01  
(p. 1268)

SENATE FILE 336

AN ACT

RELATING TO THE AUTHORITY OF THE STATE BOARD OF EDUCATIONAL EXAMINERS TO DEVELOP A CODE OF PROFESSIONAL RIGHTS AND RESPONSIBILITIES, PRACTICES, AND ETHICS FOR PRACTITIONERS.

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

Section 1. Section 272.2, subsection 1, Code 2001, is amended to read as follows:

1. License practitioners, who do not hold or receive a license from another professional licensing board, and professional development programs, except for programs developed and offered by practitioner preparation institutions or area education agencies and approved by the state board of education. Licensing authority includes the authority to establish criteria for the licenses, including but not limited to, issuance and renewal requirements; creation of application and renewal forms; creation of licenses that authorize different instructional functions or specialties; development of a code of professional rights and responsibilities, practice practices, and ethics, which shall, among other things, address the failure of a practitioner to fulfill contractual obligations under section 279.13; and the authority to develop any other classifications, distinctions, and procedures which may be necessary to exercise licensing duties. ~~A code of professional rights and responsibilities, practice, and ethics shall address but not be limited to the habitual failure of a practitioner to fulfill contractual obligations under section 279.13.~~ In addressing the failure of a practitioner to fulfill contractual obligations, the

board shall consider factors beyond the practitioner's control.

\_\_\_\_\_  
MARY E. KRAMER  
President of the Senate

\_\_\_\_\_  
BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 336, Seventy-ninth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate  
Approved 5/2, 2001

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THOMAS J. VILSACK  
Governor