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SENATE FILE
BY REDFERN

2244

(COMPANION TO HF 2394)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act eliminating teacher licensure of community college
2 faculty; requiring community colleges to develop, approve, and
3 implement a quality faculty and staff plan; and providing for
4 related matters and an effective date.

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

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SF 2244 EDUCATION

1 Section 1. Section 20.21, unnumbered paragraph 3, Code
2 2001, is amended to read as follows:

3 However, the board shall not appoint a fact-finder
4 representative of the public if the public employees
5 represented by a certified employee organization are teachers
6 licensed under chapter 272 and the public employer is a school
7 district, ~~community college~~, or area education agency, or are
8 instructors and the public employer is a community college.

9 The board shall adopt rules regarding the time period after
10 mediation when binding arbitration procedures must begin for
11 teachers or instructors exempt from this section.

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

15 (4) A licensed school employee, certified para-educator,
16 ~~or~~ holder of a coaching authorization issued under section
17 272.31, or an instructor employed by a community college.

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

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

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

1 follows:

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

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

6 260C.36 QUALITY FACULTY DEVELOPMENT PLAN.

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

- 18 a. An implementation schedule for the plan.
19 b. Orientation for new faculty.
20 c. Continuing professional development for faculty.
21 d. Procedures for accurate recordkeeping and documentation
22 for plan monitoring.
23 e. Consortium arrangements when appropriate, cost-
24 effective and mutually beneficial.
25 f. Specific activities that ensure faculty attain and
26 demonstrate instructional competencies and knowledge in their
27 subject or technical areas.
28 g. Procedures for collection and maintenance of records
29 demonstrating that each faculty member has attained or
30 documented progress toward attaining minimal competencies.
31 h. Compliance with the faculty accreditation standards of
32 the north central association of colleges and schools and with
33 faculty standards required under specific programs offered by
34 the community college that are accredited by other accrediting
35 agencies.

1 2. The committee shall submit the plan to the board of
2 directors, which shall consider the plan and, once approved,
3 submit the plan to the department of education and implement
4 the plan not later than July 1, 2003.

5 3. Between July 1, 2003, and June 30, 2006, the department
6 of education shall conduct five on-site visits each year at
7 each community college to ensure each community college's
8 compliance and progress in implementing its plan. By July 1,
9 2006, the department shall submit a report summarizing the
10 department's findings to each community college and to the
11 state accreditation team appointed pursuant to section
12 260C.47.

13 4. The administration of the college shall encourage the
14 continued development of faculty potential by doing all of the
15 following:

16 ~~{1}~~ a. Regularly stimulating department chairpersons or
17 heads to meet their responsibilities in-this-regard;-(2)
18 lightening for the continued development of faculty potential.

19 b. Reducing the teaching instructional loads of first-year
20 instructors whose course preparation and in-service training
21 demand it;-(3)-stimulating a reduction.

22 c. Stimulating curricular evaluation; -and-(4)-encouraging.

23 d. Encouraging the development of an atmosphere in which
24 the faculty brings a wide range of ideas and experiences to
25 the students, each other, and the community.

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

28 The state board of education shall establish an
29 accreditation process for community college programs by July
30 1, 1997. The process shall be jointly developed and agreed
31 upon by the department of education and the community
32 colleges. The state accreditation process shall be integrated
33 with the accreditation process of the north central
34 association of colleges and schools, including the evaluation
35 cycle, the self-study process, and the criteria for

1 evaluation, which shall incorporate the standards for
2 community colleges developed under section 260C.48; and shall
3 identify and make provision for the needs of the state that
4 are not met by the association's accreditation process. For
5 the academic year commencing July 1, 1998, and in succeeding
6 school years, the department of education shall use a two-
7 component process for the continued accreditation of community
8 college programs. Beginning July 1, 2006, the state
9 accreditation process shall incorporate the standards
10 developed pursuant to section 260C.48, subsection 4.

11 Sec. 7. Section 260C.47, subsection 1, paragraph b, Code
12 2001, is amended to read as follows:

13 b. The second component consists of the use of an
14 accreditation team appointed by the director of the department
15 of education, to conduct an evaluation, including an on-site
16 visit of each community college, with a comprehensive
17 evaluation to occur during the same year as the evaluation by
18 the north central association of colleges and schools, and an
19 interim evaluation midway between comprehensive evaluations.
20 The number and composition of the accreditation team shall be
21 determined by the director, but the team shall include members
22 of the department of education staff and community college
23 staff members from community colleges other than the community
24 college that conducts the programs being evaluated for
25 accreditation. Beginning July 1, 2006, the accreditation team
26 shall monitor the quality faculty plan implemented by each
27 community college pursuant to section 260C.36.

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

30 1. The state board shall develop standards and rules for
31 the accreditation of community college programs. **Standards**
32 Except as provided in this subsection and subsection 4,
33 standards developed shall be general in nature so as to apply
34 to more than one specific program of instruction. With regard
35 to community college-employed instructors, the standards

1 adopted shall at a minimum require the following:

2 a. A new occupational instructor shall complete a new
3 occupations instructor's workshop that is at least thirty
4 hours in length during the instructor's first year of
5 instruction at a community college.

6 b. An occupational instructor shall also have six thousand
7 hours of recent and relevant occupational experience in the
8 instructor's subject area.

9 c. Instructors in the subject area of arts and sciences
10 shall hold a master's degree in the field of instruction from
11 a regionally accredited graduate school and shall have
12 completed a minimum of twelve credit hours of graduate level
13 courses in each field of instruction from a regionally
14 accredited graduate school.

15 Sec. 9. Section 260C.48, Code 2001, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 4. Commencing July 1, 2006, standards
18 relating to quality assurance of faculty and ongoing quality
19 professional development shall be the accreditation standards
20 of the north central association of colleges and schools and
21 the faculty standards required under specific programs offered
22 by the community college that are accredited by other
23 accrediting agencies.

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

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

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

31 Sec. 12. Section 272.33, unnumbered paragraph 1, Code
32 2001, is amended to read as follows:

33 In addition to licenses required under rules adopted
34 pursuant to this chapter, an individual employed as an
35 administrator, supervisor, school service person, or teacher

1 by a school district, or area education agency, ~~or community~~
2 college, who conducts evaluations of the performance of
3 individuals holding licenses under this chapter, shall possess
4 an evaluator license or an evaluator endorsement appearing on
5 a teaching or administrative license. ~~Individuals employed in~~
6 ~~community colleges who do not directly supervise licensed~~
7 ~~teaching faculty are exempt from this section.~~

8 Sec. 13. Section 279.12, unnumbered paragraph 3, Code
9 2001, is amended to read as follows:

10 The board may approve a policy for educational leave for
11 licensed school employees and for reimbursement for tuition
12 paid by licensed school employees for courses approved by the
13 board. The board of directors of a community college may
14 approve a policy for educational leave for its instructors and
15 for reimbursement for tuition paid by its instructors for
16 courses approved by the board. For the purpose of this
17 section, "educational leave" means a leave granted to an
18 employee for the purpose of study including study in areas
19 outside of a teacher's area of specialization, travel, or
20 other reasons deemed by the board to be of value to the school
21 system.

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

24 NEW SUBSECTION. 4. For purposes of this section, sections
25 279.14, 279.15 through 279.17, and 279.27, unless the context
26 otherwise requires, "teacher" includes an instructor employed
27 by a community college.

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

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

34 Sec. 16. Section 279.19A, Code 2001, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 10. The licensure requirements of
2 subsections 3, 4, and 9 shall not apply to community colleges.

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

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

7 Sec. 18. Section 279.55, Code 2001, is amended to read as
8 follows:

9 279.55 TEACHER EXCHANGE PROGRAM.

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

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

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

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

29 **EXPLANATION**

30 This bill eliminates licensure of community college faculty
31 from the responsibilities of the board of educational
32 examiners. The bill requires each community college
33 administration to appoint a committee to develop a quality
34 faculty plan, which must be submitted to and approved by the
35 board of directors of the community college, and submitted to

1 the department of education and implemented by July 1, 2003.

2 The plan must include an implementation schedule for the
3 plan, orientation procedures, continuing professional
4 development, recordkeeping procedures and documentation,
5 consortium arrangements, and activities that ensure
6 instructional competencies and subject knowledge.

7 The bill also requires the department to conduct on-site
8 visits at community colleges between July 1, 2003, and June
9 30, 2006, to ensure that each community college is making
10 progress in implementing its plan. The bill specifies the
11 minimum standards for community college instructors that the
12 state board of education is directed to adopt. By July 1,
13 2006, the department must submit a report summarizing its
14 findings to each community college and to the state team
15 responsible for the accreditation of community colleges; the
16 state accreditation teams must monitor the plans and
17 incorporate in the accreditation standards for community
18 college standards developed with regard to the plan; and the
19 standards for faculty and professional development shall be
20 the accreditation standards of the north central association
21 of colleges and schools, and those required under specific
22 programs offered by the community college.

23 The bill also makes Code changes related to the elimination
24 of community college practitioner licensure requirements. For
25 example, under the bill, community college instructors remain
26 mandatory child abuse reporters and supplementary weighting
27 for district-to-community college sharing continues, though
28 the Code language is amended to substitute the term "community
29 college-employed instructors" for "community college-employed
30 teachers". Community colleges may approve educational leave
31 policies for instructors and may exchange personnel with other
32 community colleges.

33 Provisions made inapplicable to community colleges under
34 the bill include those relating to the conditions under which
35 a school district can require an employee to accept an

1 extracurricular contract for an additional school year, to the
2 good-faith efforts school districts make to fill those
3 coaching positions, and to coaching authorizations and
4 endorsements.

5 Any license issued to a community college instructor that
6 is due to expire between the effective date of the bill and
7 July 1, 2003, shall remain valid. This provision takes effect
8 upon enactment.

9 Only the provision requiring community college
10 administrators to appoint a committee to develop a plan takes
11 effect July 1, 2002. Except as otherwise noted, the remaining
12 provisions of the bill take effect July 1, 2003.

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