



IOWA BOARD OF EDUCATIONAL EXAMINERS

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Code of Iowa 272.29 Annual Administrative Rules Review Report

The executive director shall annually review the administrative rules adopted pursuant to this chapter and related state laws. The executive director shall submit the executive director's findings and recommendations in a report every three years to the board and the chairpersons and ranking members of the senate and house standing committees on education and the joint appropriations subcommittee on education by January 15.

January 15, 2009

State of Iowa
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building
Des Moines, Iowa
50319-0147

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Mission

The Board of Educational Examiners provides leadership in practitioner licensure, and practitioner rights, responsibilities, practices, and ethics.

Vision

The Board recognizes that practitioners who serve in the schools of Iowa today will shape the values and capabilities of future generations. To enhance the quality of life for the citizens of Iowa, the Board's vision will emphasize excellence and equity at all levels of the education profession.

The Board supports an educational system in which all students can learn in a safe and supportive environment. All practitioners contribute to the education of students and help create an environment that fosters the growth and education of all students. The Board believes that all members of the educational profession must be prepared and licensed on the basis of rigorous standards.

The Board will continue to examine complex issues of professional practices and licensure; it will act to protect the interests of students and practitioners.

Guiding Principles

To accomplish this mission, the Board will promote:

- Establishing a system of licensure that is efficient, innovative, and responsive to contemporary needs of educators.
- Collaborating with other organizations to improve professional development and preparation programs.
- Establishing and enforcing high standards of professional practice through licensure.
- Providing leadership to improve education.
- Increasing professionalism and raising the recognition of education as a profession.
- Increasing practitioner involvement and awareness in the Board's work.
- Treating all educators equitably.

Adopted: June 2001

Reviewed:

Revised: December 10, 2004

Introduction

In 1989, the Iowa Board of Educational Examiners became an autonomous body. The Iowa Board of Educational Examiners is charged with the overall responsibility of regulating the licensure standards for teachers, administrators, paraeducators, and coaches. The Board consists of twelve members appointed by the Governor, and confirmed by the Iowa Senate, to four-year terms. Five members are licensed teachers, four members are licensed administrators, two public members and the director from the department of education.

The board sets standards for the issuance of licenses, certificates, and authorizations to practitioners, sets standards for license renewal, investigates complaints that meet jurisdictional requirements that are filed with the board, conducts disciplinary hearings, and monitors compliance of licensees with orders issued by the board. In the last eight years, the fewest number of licenses issued was 19, 856 and the highest number was 27, 838. The Board also maintains a code of professional conduct and ethics, as well as a code of educator rights and responsibilities. The Board considers approximately 45 educator discipline cases each year.

To carry out its mission, the board adopts rules and establishes standards for practitioners pursuant to the authority under Iowa Code section 272. The board makes recommendations for rules regarding the practice, discipline, education, and licensure of educational practitioners pursuant to Iowa Code section 272. The licensure rules are in Chapters 14-22 of the Iowa Administrative Code Section 282. The code of professional conduct and ethics and the code of rights and responsibilities rules are in Chapter 25 and Chapter 26 of the Iowa Administrative Code. The following report of the executive director's findings and recommendations is compiled pursuant to Iowa Code section 272.29.

Criteria for Review

All rules subject to regulatory review have been evaluated according to the following criteria.

A. Need

- (1) What is the objective of the rule for the board and the public?
- (2) Is the rule effective in meeting its objective?
- (3) Is the rule broader than necessary to accomplish its objective?
- (4) Is the rule necessary to protect the public health, safety, or welfare?
- (5) Is the rule outdated?
- (6) Is the rule duplicative?
- (7) Have laws or other circumstances changed to the extent the rule should be amended or repealed?
- (8) Have complaints about the rule been received?
- (9) Does the rule create barriers for some applicants?

B. Clarity

- (1) Is the rule clear and concise?
- (2) Do the board, licensees, and the public readily understand the rule?
- (3) Does the rule conflict with the authority or rules of another agency?

C. Intent and Statutory Authority

- (1) What is the statutory authority for the rule?
- (2) Is the rule necessary to comply with the statute that authorizes it?
- (3) Is the rule consistent with the legislative intent of the statute?
- (4) Is there a need to develop additional legislative authorization in order to protect the public health, safety, and welfare?

D. Cost

- (1) Are there quantifiable costs and benefits to the rule?
- (2) Are there qualitative costs and benefits to the rule?
- (3) Does the benefit of the rule exceed the costs of the rule?
- (4) Is there a less burdensome way to achieve the positive result of the rule?

E. Fairness

- (1) Is the rule applied consistently and predictably?
- (2) Is the rule fair in its application?
- (3) Are additional protections needed?
- (4) Should it be modified to eliminate or minimize any disproportionate impacts on the regulated community?
- (5) Should it be possible to waive compliance with the rule under certain circumstances?

**Board of Educational Examiners [272]
Iowa Administrative Code 282
Rule Amendment: FY 2006 through FY 2008**

Chapter	Rule	Date of Board Adoption	Amendment
14, 17, 19, 21, 22	Fee Increases (2005) Filed & Adopted Emergency	7/29/05	Due to the change in statute the fee structure was evaluated and amended.
14	Substitute License	12/09/2005	To aid the issuance of a substitute license to applicants who did not apply for a license at the time of program completion.
14	Out-of State Applicants	12/9/2005	To meet Federal regulations for "No Child Left Behind"
14	Out-of-State Assessments	2/2/2006	To meet Federal regulations for "No Child Left Behind"
14	Teacher Librarian	2/2/2006	The rule was amended to reflect current trends in this content area.
14	Class G License	4/21/2006	Provided option for counselors to serve in school before completion of internship.
14	Substitute Authorization Renewal	4/21/2006	Converted one year license to a three year license to be more accommodating for renewal schedules
15	School Orientation & Mobility License	8/7/2006	Created this license at the request of the constituents.
17	Audit of Renewal Requirements	6/23/2006	To increase the efficiency in processing the online renewals of standard and master educator licenses.
7	Proof of Legal Presence	6/23/2006	To meet Federal requirements
14	School Nurse SPR	8/7/2006	Created a Statement of Professional Recognition at the request of the Nursing Association.
14	Administrator License Adopted & Filed Emergency	6/23/2006	Due to the evaluator approval legislation an extension was needed for all administrators.
17	Renewal Background Checks Adopted & Filed Emergency	6/23/2006	To meet statute requirements for background checks for renewals.
14	2 Up - 2 Down Rule	10/6/2006	To provide clarity in licensure authority.
20	Evaluator & Administrative License Renewal	10/6/2006	Required non-public school administrators to meet the evaluator approval requirement.

17	Renewal of Initial Administrator's License	2/1/2007	To meet statutory requirements for a first time administrator.
14 & 15	Exceptional Learner	2/1/2007	Removed out-of-date language.
14	International Exchange License	2/1/2007	Created a new license for teacher exchange programs.
20	Administrative Evaluator	2/1/2007	Added language to support the Department of Education and removed the minimum hour requirement.
14 & 15	Teacher Intern & SPED (2-Up - 2 Down Rule)	2/1/2007	To provide clarity in licensure authority.
22	Paraeducator Fees	2/1/2007	Remove the fee from chapter 22 to chapter 14, to consolidate the fee schedule.
14	Substitute Authorization SPED K-6	6/22/2007	To allow more authority to paraprofessionals to substitute on the elementary level in special education classrooms only.
14	Foreign Applicants Credential Evaluation	6/22/2007	Required English proficiency for out-of-country applicants.
14	SPR Nursing -- EMERGENCY FILING	5/4/2007	Statutory changed required modification in the SPR rules.
14	Bundling Business Endorsements	8/3/2007	To meet Board goals and current trends in the business endorsement.
20	Requirements for Evaluator Renewal	8/3/2007	Added language to support the Department of Education and removed the minimum hour requirement.
19 & 14	Coaching and Licensure Application Fee	8/3/2007	Fee was not addressed during the 2005 update.
14	Mathematics	8/3/2007	To remove a requirement that was a barrier to getting the endorsement.
1	Organization and Method of Operation	10/5/2007	Changed rule language to be consistent with statute requirements.
14	Requirements for Removal of an Endorsement	10/5/2007	Done at the request of constituent request to remove an endorsement at the time of renewal.
14	Middle School Endorsement	10/5/2007	Changed content requirements to enable teachers to meet highly qualified criteria.
14	Language Arts	10/5/2007	Changed content requirements to enable teachers to meet highly qualified criteria.
11	Complaints, investigations, contested case hearings	11/2/2007	Statute changed who can file complaints.

17	Renewal of licenses	11/2/2007	Added an option for student teaching supervision to be a renewal credit.
14	Administrator license	11/2/2007	Statute changed the length of the initial license from 2 years to one year.
25	Code of Professional Conduct and Ethics	1/31/2008	Changed code of ethics to reflect changes in statute.
17	Renewal requirements for the master educator license	1/31/2008	Added an option for student teaching supervision to be a renewal credit.
17	Renewal requirements for the standard license	1/31/2008	Added an option for student teaching supervision to be a renewal credit.
11	Appeals and Review	1/31/2008	Changed time for briefing schedule to meet statutory requirement for 180 days.
14	Adding endorsements	3/7/2008	Provided more options to endorsements through Board review.
14	Adding endorsements to licenses	3/7/2008	Provided more options to endorsements through Board review.
14	PK-12 Principal and PK-12 supervisor of special education	1/31/2008	To permit out-of-state administrator program to be equivalent to out-of-state license.
14	Applicants from foreign institutions	1/31/2008	Rescinded required English proficiency for out-of-country applicants.
11.38	New Section-Complaints, investigations, contested case hearings	6/13/2008	Statutory change in who can file a complaint.
14.133	Requirements for a Statement of Professional Recognition (SPR)	6/13/2008	Statutory change that required a BA Degree to eligible for an SPR.
15.10(3), 15.12(3) and 15.19(3)	Specific requirements for audiologists, speech language pathologists and social workers	6/13/2008	Required SPR's to be renewed.
17.14	Renewal Requirements for a Statement of Professional Recognition (SPR)	6/13/2008	Required SPR's to be renewed.
14.121(6)	Late fees	6/13/2008	Required SPR's to be renewed and late fees for not renewing in a timely manner.
15.11(2)	School Psychologist	5/1/2008	Remove out dated language of degree program and national accreditation.

25.3(6)(e)	Code of Professional Conduct and Ethics	6/13/2008	Statutory change to protected classes.
26.3(7)	Code of Rights and Responsibilities	6/13/2008	Statutory change to protected classes.
14.140(13)	Talented and gifted teacher	6/13/2008	Eliminated authority to teach without proper endorsement.
14.140(4)	English as a second language (ESL)	6/13/2008	Eliminated authority to teach without proper endorsement.
14.141(3)	Business - All 5-12	6/13/2008	To meet current trends in this endorsement.
14.132	Requirements of a Class G license	6/13/2008	Changed expiration from two years to one year.
14.123	Requirements for an original teaching subject area endorsement	6/13/2008	Statutory change in reading requirement for the professional core.
15.5	Repeal Educational Strategist	6/13/2008	Repealed out dated endorsement used during a transitional period for staffing.
11.21(3)	EMERGENCY FILING Hearing procedures	6/13/2008	Changed rule for who may prosecute contested hearings to speed up the complaint process (meet the 180 day timeline)