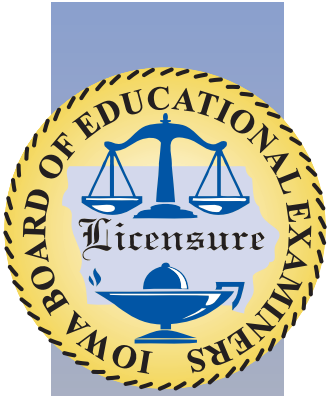


IOWA BOARD OF EDUCATIONAL EXAMINERS

Licensure Handbook

Revised

October 14, 2009



State of Iowa
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building
400 E. 14th St.
Des Moines, Iowa
50319-0147

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It is the policy of the Iowa Board of Educational Examiners not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age, sexual orientation or marital status in its programs or employment practices. If you have questions or grievances related to this policy, please contact the Executive Director, Board of Educational Examiners, Grimes State Office Building, 400 E. 14th St., Des Moines, Iowa 50319-0147. Telephone: 515.281.5849.



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



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LICENSURE

What you need to KNOW about licensure!

1. **A person employed as a practitioner shall hold a current license with an endorsement for the level for which the person is employed. Code of Iowa Chapter 272.2 Validity of licenses.**
2. **Board of Educational Examiners website: www.boee.iowa.gov**
3. **PLEASE use forms from the website for any transaction! The use of old forms will slow the application / renewal process!**
4. **What's on the website:**
 - Apply for a license
 - Renew a License
 - B.E.D.S. Reporting Information for District Administrators
 - Search for Information on a Teacher's, Administrator's, or Coach's License or Assignment
 - Order a Duplicate of Your License or Update License Information
 - Renew a Standard or Master Educator License On Line
 - **Download Licensure Forms**
 - **Staff Directory**
 - General License Information
 - Find your Folder number
 - Order a Fingerprint packet
 - Requirements for Licenses
 - Renewal Requirements for Licenses and Authorizations
 - Evaluator Information
 - Para Educator Information
 - Substitute Authorization
 - Teacher Intern Licensee (Alternative Certification)
 - Teaching License Expiration Date Change
 - Child and Dependent Adult Abuse Training
 - Duplicate Licenses and Name Changes
 - Regionally Accredited Institutions
 - Information Useful to College and University Officials
 - Directory of Practitioner Preparation Program Contacts
 - Career and Technical License Requirements
 - Background Checks
 - Staff Directory
 - FAQ's (Frequently Asked Questions)

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CONVERSION OF INITIAL LICENSE TO STANDARD LICENSE

All new Iowa graduates or teachers coming from another state with less than three years of experience receive an Initial License if they apply for their full license. The following pages address commonly asked questions as it relates to converting the Initial License to a Standard Iowa License. The first set of questions deal with people teaching in a non-public or out-of-state setting. The second set of questions deal with teaching experience in an Iowa public school setting. In order to convert an Initial License to a Standard License, the teacher must meet the requirements for the setting he/she is in at the time of conversion. If a teacher is teaching in a non-public school setting, the teacher would need three years of successful teaching experience. If a teacher is teaching in an Iowa public school, the teacher would need to have two years of teaching experience and would need to meet the Iowa teaching standards to convert to the Standard License.

CONVERSION OF INITIAL LICENSE TO STANDARD LICENSE WHEN TEACHING IN A PUBLIC SCHOOL SETTING

- 1. I am a beginning teacher in District A and have completed my second year of teaching. My contract with District A was not renewed after the two years (or the teacher resigns), but I was not terminated by District A, how do I get my standard license?**

The teacher's evaluator is still obligated to recommend to the BoEE:

- a. a third year of mentoring and induction; or
- b. recommend the teacher for the standard license; or
- c. affirmatively NOT recommend the teacher for a standard license.

District A cannot just let the teacher leave without making one of the three recommendations.

- 2. I am a part time teacher in an Iowa public school, what must I do to convert my initial license to a standard license?**

You will need to participate in the mentoring and induction program and meet the Iowa teaching standards. Then at the end of the second year when you are comprehensively evaluated, the evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license. The form can be found at the following website www.boee.iowa.gov/forms/Convert10To15.pdf.

- 3. I have one year teaching experience out of state and now I am teaching in an Iowa public school. What forms do I fill out to obtain my standard license?**

During your second year of teaching experience, you must be involved in the mentoring and induction program. At the end of your 2nd year of teaching experience, you will be comprehensively evaluated. The evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license or if you need to complete one additional year of teaching experience because you have not met the Iowa teaching standards. The form can be found at the following website <http://www.boee.iowa.gov/forms/Convert10To15.pdf>.

- 4. I have one year of teaching experience in an Iowa non-public school and now I am teaching in an Iowa public school. How do I obtain my standard license?**
During your second year of teaching experience, you must be involved in the mentoring and induction program. At the end of your 2nd year of teaching experience, you will be comprehensively evaluated. The evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license or if you need to complete one additional year of teaching experience because you have not met the Iowa teaching standards. The form can be found at the following website:
www.boee.iowa.gov/forms/Convert10To15.pdf.
- 5. I have two years of teaching experience out of state and am now teaching in an Iowa public school. What forms do I need to convert my initial license to a standard license?**
While you are teaching in the Iowa public school, you will need to be comprehensively evaluated. The evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license or if you need to complete one additional year of teaching experience because you have not met the Iowa teaching standards. The form can be found at the following website: www.boee.iowa.gov/forms/Convert10To15.pdf.
- 6. I have two years of teaching experience in an Iowa non-public school and now I am teaching in an Iowa public school. How do I convert my initial license to a standard license?**
While you are teaching in the Iowa public school, you will need to be comprehensively evaluated. The evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license or if you need to complete one additional year of teaching experience because you have not met the Iowa teaching standards.
- 7. I have two years of teaching experience out of state and it was long ago. How do I obtain my standard license?**
While you are teaching in the Iowa public school, you will need to be comprehensively evaluated. The evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license or if you need to complete one additional year of teaching experience. (If you teach in a non-public school, the answer is that you will need one additional year of successful teaching experience.)
- 8. What if my teacher's license expires before I have two full years of teaching experience? May I let it expire for a short time?**
No. If the license expires before you have two years of experience, you need to apply for an extension of the initial license. If you let your license expire while under contract, you will have to pay up to \$150 in late fees along with the \$85 application fee.
- 9. If I meet the Iowa teaching standards prior to completing two full years of teaching experience, may I convert to a standard license early?**
No, you must have two full years of teaching experience and meet the Iowa teaching standards to convert to the standard license.

- 10. I have one full year of teaching experience and am currently in my second year. My license expires in December. May I obtain my standard license?**
You will need to extend your initial license for a year since you have not completed two years of teaching experience. Then once you have been comprehensively evaluated at the end of your second year of teaching, you may complete the application to convert the initial to the standard license. Your evaluator will determine if you have met the Iowa teaching standards and thus are eligible for a standard license or if you will be recommended for a third year conditional license before a licensure decision is made.
- 11. I am in my second year of teaching experience and my license expires in April. May I apply for the standard license at the end of April?**
If your comprehensive evaluation has been completed, you may complete the application to convert the initial license to the standard license if the evaluator will verify that you have met the Iowa teaching standards and thus are eligible for a standard license. The Board of Educational Examiners defines a year of teaching experience as 160 days. Thus if you have completed 160 days in your second year of experience and have been comprehensively evaluated, you may apply for your standard license.
- 12. I am in my second year of teaching experience and my license expires in April. May I wait to send in my application and just pay the late fee whenever my comprehensive evaluation is completed?**
Iowa Administrative Code 294.1 "No person shall be employed as a teacher in a common school without having a certificate issued by some officer duly authorized by law. No compensation shall be recovered by a teacher for services rendered while without such certificate." Thus you will need to apply to extend your initial license for a year until you are comprehensively evaluated at the end of your second year of teaching experience.
- 13. Who must have 3 years of experience in order to convert the initial license to a standard license?**
Private school teachers
Teachers with out of state experience
Teachers with out of country experience
- 14. I started teaching in an Iowa public school in January, must I have two years of mentoring in order to convert to a standard license?**
No, two full years of mentoring is recommended but not required. You must meet the Iowa teaching standards and must have two full years of teaching experience in order to convert the initial license to the standard license.
- 15. The first year I taught I did not participate in the mentoring and induction program. The second year I taught in a public school and did participate in the mentoring program. Must I have two full years of mentoring in order to convert my initial to a standard license?**
No, two full years of mentoring is recommended but not required. You must meet the Iowa teaching standards and must have two full years of teaching experience in order to convert the initial license to the standard license.

16. How may a teacher in a public school system’s alternative school convert an initial license to a standard license?

The following criteria must be met:

- The person must hold an initial license
- The person must successfully complete the mentoring and induction program as evidenced by
 - The person must teach for two years
 - A licensed evaluator must verify that the person meets the Iowa teaching standards and criteria
 - The person must submit the completed renewal application and fee to the BOEE.

17. How may a Home Schooling Assistance Program (HSAP) Teacher convert an initial license to a standard license?

The following criteria must be met:

- The person must hold an initial license
- The person must be under contract per IC 279.13 with a public school district that offers the HSAP
- The person must complete the mentoring and induction program as evidenced by:
 - a. The person must teach for two years
 - b. A licensed evaluator must verify that the person meets the Iowa teaching standards and criteria
 - c. The person must submit the completed renewal application and fee to the BOEE.

18. How may a long term substitute convert an initial license to a standard license?

The following criteria must be met:

- The person must hold an initial license
- The person must be under contract per IC 279.13 with a public school
- The person must complete the mentoring and induction program as evidenced by:
 - a. A licensed evaluator must verify that the person meets the Iowa teaching standards
 - b. The person must substitute at least 160 days in each of two years under contracts that meet the provisions of IC 279.13
 - c. The person must submit the completed renewal application and fee to the BOEE.

19. How may Head Start teachers in a public school convert the initial license to a standard license?

The following criteria must be met:

- The person must hold an initial license with the early childhood endorsement
- The person must be under contract per IC 279.13
- The person must successfully complete the mentoring and induction program, as evidenced by:
 - The person must teach preschool for two years (Teaching birth through age 3 children is not counted as preschool teaching)
 - A licensed evaluator must verify that the person meets the Iowa teaching standards and criteria
 - The person must submit the completed renewal application and fee to the BOEE

Note: A Head Start teacher who teaches birth through age 3 children is not included in the mentoring and induction program.

20. How may teachers at the AEA convert an initial license to a standard license?

The following criteria must be met:

- The person must hold an initial license
- The person must complete a state approved mentoring and induction program
- The person must practice for two years
- A licensed evaluator must verify that the person meets the Iowa teaching standards
- The person must submit the completed renewal application and fee to the BOEE

21. How may a person from a two or four year institution who teaches in a high school setting convert an initial license to a standard license?

The following criteria must be met:

- The person must hold an initial license
- The person must complete a state approved mentoring and induction program
- The person must teach for two years
- A licensed evaluator must verify that the person meets the Iowa teaching standards
- The person must submit the completed renewal application and fee to the BOEE

Note: A license is not required to teach in higher education.

**CONVERSION OF INITIAL LICENSE TO STANDARD LICENSE WHEN NOT
TEACHING IN A PUBLIC SCHOOL SETTING**

1. I teach in an accredited nonpublic school. What are my requirements to convert my initial license to a standard license?

Your administrator will need to verify three years of successful teaching experience for you on the application to convert the initial to a standard license form. Your administrator must hold a valid Iowa administrative license. You do not need to be mentored or verify that you have met the 8 teaching standards.

- 2. I teach in a non-accredited nonpublic school. What are my requirements to convert my initial license to a standard license?**
Your administrator will need to verify three years of successful teaching experience for you on the application to convert the initial to a standard license form. You do not need to be mentored or verify that you have met the 8 teaching standards.
- 3. What if my teacher's license expires before I have three full years of teaching experience? May I let it expire for a short time?**
No. If the license expires before you have three years of experience, you need to apply for an extension of the initial license. If you let your license expire while under contract, you will have to pay up to \$150 in late fees along with the \$85 application fee.
- 4. I teach in an educational setting that is not a public or private school setting. What are my requirements to convert my initial license to a standard license?**
The administrator/director of your educational setting will need to send a description of the educational setting where you teach. This letter will need to include the following:
a)number of students served
b)the number of hours taught per week
c)the number of days taught per week
d)a description of the curriculum that you teach
e)is there is a requirement for you to hold a teaching license
f)does your educational setting have a contract with a public school
g)verification of three years of successful teaching experience.
Upon receipt of this information, we can then determine if this teaching experience can be utilized to convert an initial license to a standard one.
- 5. I am a home school supervisor and I home school students besides my own children. May I utilize that experience to convert my initial license to a standard license?**
No.
- 6. I tutor students. May I utilize that experience to convert my initial license to a standard license?**
No.

APPLICANTS FROM OUT OF STATE

DOWNLOAD APPLICATIONS FROM WEBSITE: www.boee.iowa.gov

1. I want to hire a person who has a teaching license out of state. How do I know if the person is eligible for an Iowa license? What is the process that person must complete?

A person who has completed a teacher education program out of state may be eligible for an exchange license. The person must meet this criteria:

- Completed a state approved and regionally accredited teacher education program
- Has a full license in another state
- Passed the testing requirement if less than 3 years experience or wishes to obtain an elementary endorsement

The process that the person must complete to obtain an Iowa license:

- Download application from non-Iowa institution
- Apply for an exchange license
(Has 1 year to complete any deficiencies)
- Attach all materials requested
- Include transcripts, license, verification from college and background info
- Takes approximately 4 weeks to process

2. Does Iowa have an exchange agreement with any other states?

Iowa is included in a Central States Agreement with the following states: Missouri, Nebraska, Kansas, South Dakota, Wisconsin, Illinois, Oklahoma and Michigan. Applicants from those states will be granted an exchange license based on their teacher preparation program completed in that state. The processing time is much shorter for applicants from those states because the Board's staff doesn't have to analyze the transcripts to determine if there are any content deficiencies. The review has previously been completed to determine that the Iowa requirements are met.

3. I want to hire a substitute teacher. What are the options?

For a Substitute teaching license, the person must hold a full teaching license in another state (current or expired).

The process the person must complete:

- Download application for a sub license from out of state
- Attach transcripts & copy of license
- Include background information
- Takes approximately 1 week to process

The person can substitute teach on any level and in any area for a maximum of 90 days in one assignment.

For a Substitute Authorization, the person must complete:

- Baccalaureate degree (but no teacher education program)
- The substitute authorization class at the AEA

This person can substitute on middle school, junior high or high school level for no more than 5 consecutive days in one assignment

The process to apply:

- Download application for substitute authorization
- Attach AEA transcript & BA transcript
- Include background information
- Takes approximately 2 weeks to process

4. I want to hire a person who has completed an alternative certification program in another state. What is the process that the person needs to complete?

The person that has completed an alternative program in another state needs to meet the following criteria in order to qualify for an exchange license.

- *The program completed must be state approved and regionally accredited*
- *The course work completed is required to be graded/transcribed course work where credit hours were earned. Competency based programming and life experiences are not acceptable.*
- *The person must have a valid teaching license from the state in which he/she completed his/her program.*

The process to complete:

- Download application from non-Iowa institution (alternative preparation)
- Attach all materials requested
- Include transcripts, license, background info and verification from college or state department that an approved alternative preparation program was completed
- Include background information
- Takes approximately 4 weeks to process

The BoEE is in the process of creating a process for those individuals who have completed a state approved and regionally accredited program that uses competency based curriculum and evaluation. Please check our website frequently for updates. All Iowa school districts will be notified when this process is in place.

5. I want to hire a person who completed a teacher education program out of the country. What is the process?

The applicant will need a credential evaluation report from an agency listed on the out of country application which will verify that the person has completed a teacher education program and has the equivalent of a baccalaureate degree.

The process:

- Download application for out of the country application
- Submit credential evaluation report
- Include background information
- Takes approximately 4 weeks to process

SPECIAL EDUCATION

The following pages include information regarding current special education endorsements and what each endorsement authorizes. The process of how old endorsements converted into current endorsements between 2005 and 2006. And, how to apply to teach in an area outside of the teachers endorsed area. Citations are included to refer to the rules guiding these practices.

Current Special Education Endorsements

- 100 PK – 3 Teacher Including Special Education:** Authorized to teach children from birth through grade three, including special education.
- 189 PK –12 Principal and PK – 12 Supervisor of Special Education:** Authorized to serve as a principal of programs serving children from birth through grade twelve, a supervisor to instructional special education programs with children from birth to the age of 21, and a supervisor of support for special education programs for children from birth to the age of 21.
- 198 K–6 mildly disabled.** Authorized to provide instruction to mildly disabled children who require special education program adaptations while assigned to a regular classroom for basic instructional purposes, or mildly disabled students placed in a special education class who receive part of their instruction in a regular classroom, or mildly disabled students requiring specially designed instruction while assigned to a regular classroom for basic instructional purposes.
- 199 7–12 mildly disabled.** Authorized to provide instruction to mildly disabled children who require special education program adaptations while assigned to a regular classroom for basic instructional purposes, or mildly disabled students placed in a special education class who receive part of their instruction in a regular classroom, or mildly disabled students requiring specially designed instruction while assigned to a regular classroom for basic instructional purposes.
- 260 K-8 Instructional Strategist I: Mild/Moderate:** Authorized to provide instruction in all K–8 mild and moderate instructional special education programs without regard to the instructional model.
- 261 5-12 Instructional Strategist I: Mild/Moderate:** Authorized to provide instruction in all 5-12 mild and moderate instructional special education programs without regard to the instructional model.
- 262 PK-K Early Childhood Special Education:** Authorized to provide instruction at the PK–K level only for instructional special education programs without regard to the instructional model.
- 263 K-12 Instructional Strategist II Behavioral Disorders/Learning Disabilities: Severe:** Authorized to provide instruction in programs serving students diagnosed with behavior disorders and learning disabilities from age 5 to age 21.

- 264 K-12 Instructional Strategist II Mental Disabilities: Severe:** Authorized to provide instruction in programs serving students diagnosed with mental disabilities from age 5 to age 21.
- 265 K-12 Instructional Strategist II Physically Handicapped: Severe:** Authorized to provide instruction in programs serving students diagnosed with physical disabilities from age 5 to age 21.
- 266 Birth-21 Deaf or Hard of Hearing:** Authorized to provide instruction in programs serving students with hearing loss from birth to age 21.
- 267 Birth-21 Visually Impaired:** Authorized to provide instruction in programs serving students with hearing loss from birth to age 21.

Special Education Endorsement Conversion

If an individual holds any of the following endorsements, the person will receive the K-8 Instructional Strategist I: Mild/Moderate endorsement.

- K-6 Multicategorical Resource
- K-6 Multicategorical Special Class with Integration
- K-6 Multicategorical Resource – Option 2 (Someone who has completed certain regular education course work but does not qualify for the K-6 Regular Classroom endorsement.)
- 5-12 Regular endorsement and K-6 Multicategorical Resource
- 5-12 Regular endorsement and K-6 Multicategorical Special Class with Integration

Please note: The K-8 Mildly Disabled endorsement authorizes an individual to teach in a mild/moderate assignment. However, this endorsement will not convert to the K-8 Instructional Strategist I: Mild/Moderate endorsement.

If an individual holds any of the following endorsements, the person will receive the 5-12 Instructional Strategist I: Mild/Moderate Endorsement.

- 5-12 Multicategorical Resource
- 5-12 Multicategorical Special Class with Integration
- 5-12 Multicategorical Resource – Option 2 (Someone who has completed certain regular education course work but does not qualify for the 5-12 Regular endorsement.)
- K-6 Elementary Classroom and 5-12 Multicategorical Resource Teacher
- K-6 Elementary Classroom and 5-12 Multicategorical Special Class with Integration

Please note: The 5-12 Mildly Disabled endorsement authorizes an individual to teach in a mild/moderate assignment. However, this endorsement will not convert to the 5-12 Instructional Strategist I: Mild/Moderate endorsement.

If an individual holds the following endorsement, the person will receive the K-12 Instructional Strategist II: Behavior Disorder/Learning Disability Endorsement.

- K-12 Behavior Disorders and K-12 Learning Disabilities

If an individual holds one of the following endorsements, the person will receive the K-12 Instructional Strategist II: Mental Disabilities Endorsement.

- K-12 Mental Disabilities: Moderate/Severe/Profound
- K-12 Severe/Profoundly Handicapped

If an individual holds the following endorsement, the person will receive the K-12 Instructional Strategist II: Physical Disabilities Endorsement.

- K-12 Physically Handicapped

If an individual holds one of the following endorsements, the person will receive the Early Childhood Special Education Endorsement.

- Preschool Handicapped
- Early Childhood Special Education

Can I teach in Special Education without holding a Special Education endorsement?

Yes, you will need to apply for a Class B License to serve outside of area in which you are prepared as teacher. Must hold a valid teaching license.

Administrative Decision: Fewer than half the hours in a content area

If you have fewer than half the hours in a content area, you may apply for an Administrative Decision. Use the Administrative Decision License application and include your transcripts, a program of study from a college or university with necessary coursework and time line, and a letter of diligent search from your school district. The fee is \$85.00 and late fees apply if the application is received after the start of the assignment.

You will have one school year to complete half the hours of your program. All Administrative Decision Licenses expire on June 30th of the same school year, even if the application was received after the beginning of the school year. There are **NO** extensions for an Administrative Decision License.

Class B License

If you have 12 hours or more of Special Education coursework, you may apply for the Class B License. Include the application with Section II completed by an administrator from your school district and a program of study from a college or university. The fee is \$85.00 and late fees apply when the application is received after the start of the assignment and/or when the main license has expired.

You may request up to two extensions of your Class B. You will need to complete the application to extend a license with an Administrator's signature supporting your extension. You will also need to provide an updated Program of Study, transcripts demonstrating progress in your

program, and proof of enrollment for coursework during the upcoming term. Additionally you will need to provide justification as to why you were unable to complete your program. If you have not made progress or do not have sufficient justification (the reason more time is needed), you will not be granted an extension. The fee is \$150.00 for the extension and late fees apply if the application is received after the expiration of the Class B License and/or when the main license has expired.

SPECIAL EDUCATION SUPPORT SERVICES

Many special education support staff employed by Area Education Agencies and School Districts require licensure or recognition through the Board of Educational Examiners. Although some may be issued an Educational License with an endorsement in a specific area, others require a Statement of Professional Recognition . A Statement of Professional Recognition requires an individual to be licensed through another licensing board (Department of Public Health), hold the required degree, and meet Human Relations and Exceptional Learners requirements as listed for each specific field.

Beginning August 2009, all Statement of Professional Recognitions will be required to be renewed every five years. Renewal will require verification of updated license through each licensing board, verification of Child Adult Dependant Abuse certification, and a background check ran through the Iowa electronic databases.

BOEE License only:

Special education consultant
Itinerant hospital services or home services teacher
Special education media specialist
Work experience coordination
Supervisor of special education-support
School psychologist
Director of special education

BOEE Licensure or Statement of Professional Recognition:

School audiologist.
School social worker.
Speech–language pathologist.

Statement of Professional Recognition only:

School occupational therapist.
School physical therapist.
Special education nurse.

For specific requirements refer to our web site under “Requirements for Special Education endorsement” (<http://www.boee.iowa.gov/speced.html>).

CLASS B (CONDITIONAL) LICENSE QUESTIONS

1. Who must apply for a Class B License?

Anyone who is asked to teach in an area for which the person does not hold the endorsement must apply for the Class B license.

The Class B license is valid for one year and may be issued under the following conditions:

- The person is the holder of a valid Iowa license with one or more endorsements
- Is seeking to obtain some other endorsement
- The employer requests the Class B be issued
- The individual seeking this endorsement has completed at least two-thirds of the requirements or one-half in a shortage area.
- An official college or university program of study must be submitted for:
 - Special Education
 - Reading
 - English Language Learners
 - Teacher Librarian
 - Teacher Middle School
 - Family Consumer Science
 - Teacher PK- Grade 3 including Special Education

2. What if I cannot complete the endorsement requirements before my Class B license expires?

As long as you are making progress toward completing the endorsement course work, you can apply for an extension of the Class B license. The form can be found on the following website <http://www.state.ia.us/boee/forms/pecl.pdf>.

3. How does the Board of Educational Examiners know when I have completed the endorsement requirements?

Once you have completed the endorsement requirements, you will need to ask the college to recommend you for the endorsement. It is \$50 to add an endorsement and it is added to your existing teaching license.

4. What happens if I teach outside of my endorsement area?

There is a penalty for failure to have the appropriate licensure. An additional fee of \$25 per calendar month, not to exceed \$150, shall be imposed if the practitioner holds a valid Iowa license, but does not hold an endorsement for the type of service for which the practitioner is employed.

5. What happens if I teach outside of my endorsement area?

There is a penalty for failure to have the appropriate licensure. An additional fee of \$25 per calendar month, not to exceed \$150, shall be imposed if the practitioner holds a valid Iowa license, but does not hold an endorsement for the type of service for which the practitioner is employed.

Middle School Endorsement Information

The Board of Educational Examiners has adopted the new middle school endorsements which will allow the holder to teach in two concentration or core subjects in grades five through eight. The middle school endorsements do not authorize the teaching of art, music, industrial arts, physical education, reading and special education in the middle school.

REQUIREMENTS

13.27 Middle school endorsement.

a. Authorization. The holder of this endorsement is authorized to teach in the two concentration areas in which the specific requirements have been completed as well as in other subject areas in grades five through eight which are not the core content areas. The holder is not authorized to teach art, industrial arts, music, reading, physical education and special education.

b. Program requirements.

(1) Be the holder of a currently valid Iowa teacher's license with either the general elementary endorsement or one of the subject matter secondary level endorsements set out in rule 282-13.28(272), or 282—subrules 17.1(1) to 17.1(3).

(2) A minimum of nine semester hours of required coursework in the following:

1. Coursework in the growth and development of the middle school age child, specifically addressing the social, emotional, physical and cognitive characteristics and needs of middle school age children in addition to related studies completed as part of the professional education core in 13.18(4).

2. Coursework in middle school design, curriculum, instruction, and assessment including, but not limited to, interdisciplinary instruction, teaming, and differentiated instruction in addition to related studies completed as part of the professional education core in 13.18(4).

3. Coursework to prepare middle school teachers in literacy (reading, writing, listening and speaking) strategies for students in grades five through eight and in methods to include these strategies throughout the curriculum.

4. Thirty hours of middle school field experiences included in the coursework requirements listed in 13.27“b” “1” to “3.”

c. Concentration areas. To obtain this endorsement, the applicant must complete the coursework requirements in two of the following content areas:

(1) Social studies concentration. The social studies concentration requires 12 semester hours of coursework in social studies to include coursework in United States history, world history, government and geography.

(2) Mathematics concentration. The mathematics concentration requires 12 semester hours in mathematics to include coursework in algebra.

(3) Science concentration. The science concentration requires 12 semester hours in science to include coursework in life science, earth science, and physical science.

(4) Language arts concentration. The language arts concentration requires 12 semester hours in language arts to include coursework in composition, language usage, speech, young adult literature, and literature across cultures..

Following are some commonly asked questions (and their answers) about the middle school endorsement.

1. Who may teach in a Middle School?

Answer: An elementary teacher licensed before October 1, 1988, is authorized to teach in grades K-8 except in the subject areas of art, music, industrial arts, physical education, special education and reading.

An elementary teacher licensed after October 1, 1988, is authorized to teach in grades K-6 except in the above mentioned specialty areas. In grades 7 and 8, the elementary teacher must hold the specific content endorsement. For example, if the teacher holds the K-8 math endorsement, he/she can teach 7 & 8th grade math. However, that teacher could not teach 7 & 8th grade English because he/she does not hold the K-8 English endorsement.

The secondary level teacher licensed before October 1, 1988, is authorized to teach in grades 7 & 8 all subjects except the specialty ones noted above. In grades 5 and 6, the teacher must hold the specific content endorsement. For example, if the teacher holds the 5-12 math endorsement, he/she can teach 5 & 6th grade math. However, that teacher could not teach 5th and 6th grade English because he/she does not hold the 5-12 English endorsement.

The secondary level teacher licensed after October 1, 1988, is authorized to teach only in the content areas listed on the license. Thus this teacher can only teach math in grades 7 & 8 if he/she only holds the 5-12 math endorsement.

The person licensed with the 5-8 middle school generalist endorsement may teach all subjects grades 5-8 except art, music, physical education, industrial arts, special education and reading.

The person licensed with the 5-8 Middle school endorsement is authorized to teach in the two concentration areas in which the specific requirements have been completed as well as in other subject areas in grades five through eight which are not the core content areas. The holder is not authorized to teach art, industrial arts, music, reading, physical education and special education.

2. Where are the courses that I need being offered?

Answer: A link to the websites of colleges offering this endorsement may be found by clicking [here](#)

3. If I have not met all of the requirements, may I apply for a conditional license?

Answer: Yes, you may apply for a class B conditional license if you hold elementary classroom or regular education content area endorsement or a secondary regular education content area endorsement on a current Iowa teaching license. The conditional license is issued at the request of a school district in situations in which the individual will be teaching middle school core subjects not listed on his or her license. If the individual will be teaching in his or her endorsement areas only, the district should not apply for a conditional license.

4. If I obtain a middle school science and middle school math endorsement, can I also add the middle school language arts endorsement?

Answer: Yes, if you have already completed the requirements for these endorsements, you can add the middle school English endorsement by completing the language arts concentration of 12 hours in language arts which includes course work in composition, language usage, speech, young adult literature and literature across cultures.

5. If I have a 5-12 math endorsement, can I just add the middle school science endorsement?

Answer: Yes, if you have already completed the requirements for the secondary math endorsement, you can add the middle school science endorsement by completing nine semester hours of middle school education course work, 30 hours of field experience and the science concentration course work of 12 hours in science which includes course work in life science, earth science and physical science.

6. If I have been teaching math in a middle school with a 5-12 math endorsement, can any of the course work such as the field experience be waived if I wish to add the middle school science endorsement?

Answer: The Board of Educational Examiners does have a waiver provision in its rules. You would have to submit the waiver documentation and receive a decision at the Board's monthly meeting. That waiver can be obtained from the Board office by calling the Board Secretary at 515.281.5849.

7. I have been completing the requirements for the middle school generalist endorsement. Can I still complete those requirements or do I need to complete the new requirements?

Answer: Iowa colleges and universities may recommend applicants who are currently in the middle school generalist program for the middle school generalist endorsement until July 1, 2010. After that time, the applicant must complete the new requirements. An applicant from out of state may not be recommended for the middle school generalist endorsement. An applicant may not request a review of transcripts from the Board of Educational Examiners staff to add the middle school generalist endorsement.

QUESTIONS REGARDING TEACHING AT-RISK STUDENTS

Since there is no specific endorsement for teaching at-risk students, the licensure requirements indicate that the instructor must hold the endorsement applicable for the level of instruction. Therefore, a teacher who holds the general elementary classroom teaching endorsement is authorized to teach elementary level (grades K-8) at-risk students. The teacher who holds a secondary level endorsement is authorized to teach secondary level (grades 5-12) at-risk students as long as the teacher is consulting with the content area teachers. Evidence of “Reverse Consultation,” as outlined by the Department of Education must be documented for all “content” instructed outside of the teacher’s license. For information relating to HQT and “At-Risk” students, see link below.

http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=941&Itemid=1284

If the position is K-12 at-risk coordinator and does not involve direct instruction of students, the coordinator is required to hold a teaching license but is not required to be licensed on both levels; however, if the coordinator also instructs on one or both levels, then that coordinator must be properly endorsed on the applicable levels. Thus, if the K-12 coordinator organizes the program by working with the secondary teachers but instructs the elementary students, the coordinator would only have to hold the general elementary classroom teaching endorsement.

ESL

1. **What are the endorsement requirements for ESL?**

Completion of 18 semester hours of course work to include the following:

Knowledge of pedagogy to include the following:

Methods and curriculum to include the following:

Bilingual and ESL methods Literacy in native and second language

Methods for subject matter content

Adaptation and modification of curriculum

Assessment to include language proficiency and academic content knowledge of linguistics to include the following:

Language acquisition and proficiency to include the following:

Knowledge of first and second language proficiency

Knowledge of first and second language acquisition

Language to include structure and grammar of English

Knowledge of cultural and linguistic diversity to include the following:

History

Theory, models, and research

Policy and legislation

Current issues with transient populations

2. **How do I get the ESL endorsement on my teaching license?**

Once you have completed the program, the college will fill out an application recommending you for the endorsement.

3. **How many hours must I complete for a conditional license?**

You must complete 9 semester hours in ESL in order to obtain the two-year conditional license. Send in the application for conditional licensure, your official transcripts and fee.

You may obtain the conditional application by downloading it from the web at

www.boee.iowa.gov

4. **Who is authorized to teach ESL without the specific endorsement?**

If a person held an Iowa teaching license prior to October 1, 1988, that person is authorized to teach ESL on the level where that person is currently licensed. Thus if a person held the general elementary endorsement prior to 1988, that person can teach elementary ESL.

Individuals who were licensed in Iowa prior to October 1, 1988, and were allowed to teach English as a second language without completing the endorsement requirements must complete the endorsement requirements by July 1, 2012, in order to teach or continue to teach English as a second language. A waiver provision is available through the Board of Educational Examiners for individuals who have been successfully teaching English as a second language.

5. **May a teacher teach in a bilingual classroom without the ESL endorsement?**

Yes, the teacher must hold the proper content area and grade level endorsement, because Iowa does not have a bilingual education endorsement.

6. What are the requirements for the waiver?

The requirements can be found in the waiver application form on our web site.
(<http://www.boee.iowa.gov/>)

TALENTED AND GIFTED

1. **When did the TAG endorsement requirements become effective?**
August 1995

2. **What is the holder of this endorsement authorized to do?**
The holder of the talented and gifted endorsement is authorized to serve as a teacher or a coordinator of programs for the gifted and talented from the prekindergarten level through grade twelve. This authorization does not permit general classroom teaching at any level except that level or area for which the holder is eligible or holds the specific endorsement.

3. **What are the program requirements?**
Completion of twelve semester hours of course work to include:
 - a. psychology of the gifted
 - b. programming for the gifted
 - c. administration and supervision of gifted programs
 - d. practicum experience in gifted programs

4. **Will teachers in specific subject areas (i.e. science, math, history) be required to hold this endorsement if they teach gifted students in their respective endorsement areas?**
No.

5. **Are any teachers "grandfathered in" who will not need to obtain this endorsement to teach talented and gifted students?**
Any teacher licensed in an instructional area before August 31, 1995, will continue to have the same general authority to teach in programs for the talented and gifted as is currently vested in the license. For example, an elementary teacher licensed in 1990 will continue to be eligible to teach elementary gifted and talented classes.

Individuals who were licensed in Iowa prior to August 31, 1995, and were allowed to teach talented and gifted students without completing the endorsement requirements must complete the endorsement requirements by July 1, 2012, in order to teach or continue to teach talented and gifted students. A waiver provision is available through the Board of Educational Examiners for individuals who have been successfully teaching in a talented and gifted program.

6. **Will the BOEE add the TAG endorsement to the licenses of any of the people who have been "grandfathered in"?**
No, the endorsement will only be added upon the applicant completing an institution's program.

7. **What are the requirements for the waiver?**
The requirements can be found in the waiver application form on our web site. (Follow the links found on http://www.boee.iowa.gov/TAG_Q&A.html)

WHO MAY TEACH READING?

This seemingly simple question has many possible answers. First, the school district needs to determine the content of the course.

Is this a Title 1 reading class? If so, the reading endorsement is required.

Many courses are called “reading” even though they are language arts or literature based courses. So first ask, is this a literature class? Is an anthology being used? If so, a person who holds an English endorsement may teach this language arts class.

Is this a reading skills class and not a literature based class, then the reading endorsement is required.

What if the reading skills class is in a departmentalized setting? If the person holds a K-6 general elementary classroom teaching endorsement, the person may teach the reading skills class in a departmentalized setting through the 6th grade. If the reading skills class is in the 7th or 8th grade, then the person would have to hold the reading endorsement.

Is there a way for a person to teach the reading skills class if that person has not completed all of the requirements for the reading endorsement? A two year conditional license may be obtained if the person has completed half of the credits necessary for the reading endorsement.

WHO CAN BE A YEARBOOK ADVISOR?

1. I teach the yearbook class. What endorsement must I hold?

The regulations in IAC 272.7 state: "A person employed as a practitioner shall hold a valid license with an endorsement for the type of service for which the person is employed."

Thus if a teacher teaches a yearbook class, the person must hold a journalism endorsement.

2. Our school district wants to offer the yearbook class for an English credit. Can the English teacher teach the yearbook class without obtaining the journalism endorsement?

The school district would have to provide information to the school improvement consultants verifying how the English standards and benchmarks are met through the yearbook class. If this information is accepted by the school improvement consultants, then the school district would be informed of the specific SCED code to use on the Basic Educational Data Survey.

3. Our school district wants to offer the yearbook class as an art credit because of the photography involved in the development of the yearbook. Can the art teacher teach a yearbook class?

If the students are provided an art credit, the teacher must hold the art endorsement. The school district would have to provide information to the school improvement consultants verifying how the art standards and benchmarks are met through the yearbook class. If the information is accepted by the school improvement consultants, then the school district would be informed of the specific SCED code to use on the Basic Educational Data Survey.

4. The development of the yearbook is all done through a computer software program. Can we offer the yearbook class as an elective and consider the class to be a computer technology class?

If the students are studying computer technology and developing the yearbook is just one unit of the course, the teacher may teach the class as an elective. Since there is no computer endorsement, the person may hold any secondary teaching endorsement. The BEDS assignment code used by the school district to verify that this course is a computer technology class should be SCED 10004 Computer Application because the explanation for this course indicates "students acquire knowledge of and experience in the proper and efficient use of previously written software packages."

5. We would like the yearbook advisor to be the business teacher since there are business skills such as marketing, advertising, and sales that are taught through the development, production and distribution of the yearbook. Is that acceptable?

If the yearbook preparation is part of the requirements for the course and other aspects of marketing are taught, then the school district may verify that the business standards and benchmarks are met through the yearbook class. This verification would be submitted to the school improvement consultants. If the course is approved, the school district will be advised of the specific SCED code to use on the Basic Educational Data Survey.

6. I advise students after school to develop the yearbook. Do I have to have a specific teaching endorsement?

The regulations in IAC 281-12.6 state: "Each board shall sponsor a pupil activity program sufficiently broad and balanced to offer opportunities for all pupils to participate. The program shall be supervised by qualified professional staff."

Thus if the yearbook activity program is held after school or not for credit, the advisor does not need to hold any specific teaching endorsement. Only the supervisor of the activities programs must hold a license.

NAME CHANGES

If you wish to submit a name change, please submit the following:

A Letter of request which includes

Your current name

Your folder number or Social Security Number

Your address

Legal proof of your name change

If you wish to receive a copy of your license reflecting the name change, include a duplicate license fee of \$15 made payable to the Board of Educational Examiners.

Please print legibly or type the letter of request. Then submit the information to:

Board of Educational Examiners

Licensure Bureau

400 East 14th St.

Grimes State Office Building

Des Moines, IA 50309

HOW TO ADD AN ENDORSEMENT TO A LICENSE

After the issuance of a teaching, administrative, or school service personnel license, an individual may add other endorsements to that license upon proper application, provided current requirements for that endorsement have been met.

An updated license with expiration date unchanged from the original or renewed license will be prepared.

To add an endorsement, the applicant must follow one of these options:

Option 1. Receive the Iowa teacher education institution's recommendation that the current approved program requirements for the endorsement have been met.

Option 2. Receive verification from the Iowa teacher education institution that the minimum state requirements for the endorsement have been met in lieu of the institution's approved program.

Option 3. Receive verification from a state approved and regionally accredited institution that the Iowa minimum requirements for the endorsement have been met.

Option 4. Apply for a review of the transcripts by the Board of Educational Examiners' staff to determine if all Iowa requirements have been met. The applicant must submit documentation that all of the Iowa requirements have been met by filing transcripts and supporting documentation for review. The fee for the transcript evaluation is \$60 for each new endorsement requested. This fee shall be in addition to the fee for adding the endorsement.

COACHING IN IOWA

In order to coach in the State of Iowa, a coaching authorization or a coaching endorsement is required. The coaching authorization is open to all qualified persons, eighteen years of age or older, who have completed the following coursework at an approved coaching authorization program. The coaching endorsement is added to a current valid Iowa-teaching license, but not the substitute license. To get the coaching endorsement, teachers must complete the following coursework for at least the minimum semester hours of college credit.

One semester credit hour or ten contact hours in a course relating to knowledge and understanding of the structure and function of the human body in relation to physical activity.

One semester credit hour or ten contact hours in a course relating to knowledge and understanding of human growth and development of children in youth in relation to physical activity.

Two semester credit hours or twenty contact hours in a course relating to knowledge and understanding of the prevention and care of athletic injuries and medical and safety problems relating to physical activities.

One semester credit hour or fifteen contact hours relating to knowledge and understanding of the ethics, techniques and theory of coaching interscholastic athletics.

The coaching authorization is valid for five years and it will expire five years from the date of issuance. Renewal of the coaching authorization requires attendance at five approved renewal activities, none of which may be older than five years at the time of renewal and all of which must be attended after the issuance of the last license. These renewal activities may include coaching classes, rules meetings, and coaching clinics/workshops. Effective September 1, 2002, all applicants renewing a coaching authorization must submit documentation of completion of the child and dependent adult abuse training approved by the State Abuse Education Review Panel.

The coaching endorsement is in force only as long as the teaching license is valid. If the teaching license is expired, the holder can no longer coach until the license is renewed or a coaching authorization is applied for and issued. Teachers who retire, but want to substitute teach and coach, must apply for both a substitute license and a coaching authorization. Endorsements are not in force on a substitute license.

The holder of a valid teaching license, who wishes to coach but has not completed the coursework, may apply for a Class B (two-year conditional) license. The holder of a Class B license may legally coach while completing the required coursework. The Code of Iowa does not provide for a conditional coaching authorization. All coursework must be completed and the coaching authorization issued before a person can legally coach.

Frequently Asked Questions

1. Can a high school student enroll in a coaching authorization program?

Yes, if the institution/agency's policy permits this. However, the student must be eighteen years of age in order to apply for the coaching authorization.

- 2. Is a coaching endorsement in force on an Iowa Substitute License?**
No. The coaching endorsement is in force on teaching licenses only. This includes the Initial, Standard, Master Educator, Regional Exchange, etc.
- 3. A teacher/coach has decided to retire, or move to the public sector, and does not wish to renew his/her teaching license. However, he/she wants to continue coaching. What license does he/she have to hold in order to continue coaching?**
He/she must apply for the coaching authorization. This is accomplished by submitting the application and the application fee. A transcript does not need to be submitted.
- 4. Can a teacher begin coaching before he/she has completed the required coaching classes?**
Yes. The teacher must apply for a Class B Two-Year Conditional License. The Class B License allows the teacher to coach for two years while completing the required coursework.
- 5. Can a person, who is not an educator, begin coaching before he/she has completed the coaching authorization classes?**
No. All coursework must be completed, an application packet on file with the BOEE and an Iowa DCI background check passed, before he/she can begin coaching.
- 6. Does a cheerleader sponsor have to hold a coaching endorsement or a coaching authorization?**
No. The only personnel in an activities program required to be licensed are athletic coaches and the activities director. The activities director must hold a valid Iowa teaching license and/or administrator license.

EVALUATOR APPROVAL

- 1. If an administrator is coming to Iowa from out-of-state, what evaluator training is required?**
All administrators to be eligible for an administrator license must complete the Evaluator One training. An exchange license or a Class A license will be issued while the administrator is completing the course.
- 2. What evaluator course is required to renew the administrative license?**
You may complete either the evaluator renewal class for evaluating teachers or the evaluator renewal class for evaluating administrators. Please note: to renew the administrator license 4 credits are required.
- 3. What type of license is available for an administrator who cannot complete the evaluator training before the expiration date of the administrator license?**
A one-year extension will be granted on receipt of the application and the \$85 processing fee.
- 4. Evaluator training schedule:**
Please contact the Department of Education website or your local AEA for information.

SUBSTITUTE LICENSES

How does one move from a regular teaching license to a substitute license?

Often people leave regular day to day teaching for retirement or for any one of a number of other reasons. They are interested in substitute teaching, but they do not want to continue to earn multiple renewal credits to maintain their teaching licenses. They want to know:

How do I get a substitute license?

First keep in mind that you **may** substitute in all subject areas and at all grade levels if you hold a current Initial, Standard, Master Educator, or Permanent Professional teaching license with any K-12 regular education or special education endorsement. But when that license is ready to expire if you wish to substitute you will have to apply for or renew a substitute license.

If you have held an Iowa teaching license, but **have never held a substitute license**, the process is very, very simple.

1. Download the application for a substitute teaching license from our website (<http://www.boee.iowa.gov/forms/SubstituteLicenseApp.pdf>).
2. Print it, and fill it out (2 short pages)
3. Mail it in with the fee listed at the top of the application.

If you have held a substitute license in the past, then you will be renewing that license. The process is just about as easy.

1. Download the application for a substitute teaching license from our website (<http://www.boee.iowa.gov/forms/RenewSubstitute.pdf>).
2. Print it, and fill it out (still 2 short pages)
3. Include one renewal credit no older than five years (a college credit or an AEA staff development credit).

OR

If you substituted for 30 days or more under that expired substitute license or under your expiring regular teaching license, ask the district(s) at which you substituted to verify 30+ days of substitute teaching experience. There is a place to do this on the form. If you have to contact multiple schools to verify 30 days of substituting, we will accept a short letter stating simply where you substituted, the approximate time range, and the approximate number of days. There is no need to verify more than 30 days.

4. Include a certificate showing that you have completed a Mandatory Reporter of Child and Dependent Adult Abuse Training within the past five years.
5. Mail it in with the fee listed at the top of the application.

A five year substitute license will then be issued.

SUBSTITUTE AUTHORIZATION

- 1. What is the difference between a substitute teaching license and a substitute authorization?**
A substitute teaching license is based on the completion of a teacher education program. The substitute teaching license authorizes the individual to substitute teach on any level, in any area for a maximum of 90 days in one assignment.

The substitute authorization allows a person with a baccalaureate degree or a paraprofessional certificate to substitute in the middle school, junior high or high school for a maximum of 5 days in one assignment. The authorization is issued upon the successful completion of the substitute training program. Please review the rules for the substitute authorization.
- 2. Who is offering the substitute training for the substitute authorization?**
Several area education agencies have been approved to offer the substitute authorization program. Please contact the staff development coordinator at your [area education agency](#) for information regarding the program offering.
- 3. May I begin substituting under a conditional license while I am waiting for the training to be offered?**
No. You must complete the training before you would be issued the substitute authorization.
- 4. Where is the application for a substitute authorization?**
You may download the [application](#) from our website. www.boee.iowa.gov
- 5. The substitute authorization does not allow me to substitute on the elementary level. What do I need to do to be able to substitute on the elementary level?**
You would need to complete a teacher education program and be recommended by the college in order to substitute on the elementary level.
- 6. I am a paraeducator but I do not have a paraeducator certificate. How do I obtain a paraeducator certificate so I can then complete the substitute training to obtain the substitute authorization?**
The requirements for the paraeducator certificate are also found on our website.
- 7. Can a school receive an extension so a person with the substitute authorization can substitute more than 5 days in one assignment?**
No. The rules do not allow for an extension.

BACKGROUND CHECKS

1. When did background checks begin?

October 1, 2000 for initial licensure

July 1, 2006 for renewals

2. Who will be required to have a background check?

All initial applicants have a total background check, including a criminal history check and the three registries and all renewal applicants go through an abbreviated background check which includes the three registries; teachers, coaches, administrators, paraeducators, anyone from out-of-state, substitutes, and behind-the-wheel authorizations.

3. What exactly is a background check?

For a full background check a person signs a waiver allowing the Iowa State Division of Criminal Investigations and the Federal Bureau of Investigation to conduct a background check. An FBI fingerprint card is submitted and sent to the FBI lab. For the abbreviated background check the child abuse registry, sex offender registry, and the dependent adult abuse registry are all checked. The results of all the state and national criminal background checks are sent to the Board of Educational Examiners for review.

4. If someone had an Iowa license, let it expire, and then decided to re-activate or renew the license, will a background check be required?

Yes, all renews do the abbreviated background check.

5. How much does it cost?

The total cost (as of July 1, 2009) for initial applications is \$65, but if an applicant is fingerprinted in the Board of Educational Examiners office, the cost is \$52 instead of the regular \$65. These fees are in addition to the regular license and evaluation fees. There is no fee for a background check on a renewal application.

6. Can the information found on either the DCI or the FBI be shared with a local school district?

No. Iowa law prohibits the Board, or any authorized agency, to share this information with a third party.

7. Should local school districts conduct their own background checks?

Yes. The Board of Educational Examiners conducts background checks for licensure only. Federal law allows school districts to conduct background checks, for example, for hiring purposes.

8. Is it true that the results from the FBI fingerprints may take four to eight weeks?

Yes. In some instances, it may take longer.

9. How will that affect the licensure application?

The DCI check is completed within a few days. However, the FBI results take longer.

10. Who reviews the criminal history records?

The Board's investigator, Executive Director, and the Board's legal counsel review them.

11. What is the process for reviewing an applicant's criminal conviction history?

The Board looks for felonies, misdemeanors, and founded child abuse reports. As required in Iowa Code 272.2.14, the Board must consider the following: 1) the nature and seriousness of the founded abuse or crime in relation to the position sought, 2) the time elapsed since the founded abuse or crime was committed, 3) the degree of rehabilitation which has taken place since the incidence of founded abuse or commission of the crime, 4) the likelihood that the person will commit the same abuse or crime again, and 5) the number of founded abuses committed or criminal convictions by the person involved.

12. Does an individual need to divulge criminal activity if it occurred when he/she was a minor?

It depends. If a minor is accused of criminal conduct and found guilty by a juvenile court, the finding is referred to as an "adjudication" rather than a "conviction". Technically, a juvenile adjudication is outside the Board's inquiry. In some circumstances, jurisdiction is transferred by the juvenile court and minors are charged and convicted as adults. In those cases, a "conviction" occurs, which must be disclosed. Whether an individual needs to divulge criminal activity when he/she was a minor depends upon whether the matter was considered by the juvenile or adult system. If juvenile court adjudication - no, if conviction in district court - yes.

Deferred judgments must also be disclosed. In 2003, the Iowa Supreme Court decided that an incident with a deferred judgment will be considered when making licensure decisions, because a deferred judgment is a conviction. The individual was either found guilty of, or pled guilty to the incident, and the incident must be disclosed. Although sentencing or penalty may not be imposed if the individual successfully completes the probation, a deferred judgment is still considered a conviction and must be disclosed.

13. Does the Board review the answers to the criminal history questions provided by the applicant for possible fraud?

Yes. The Board examines the application to determine if the person answered the questions truthfully. If the applicant checked "yes" to any of the questions, the Board reviews the information provided by the applicant against the actual criminal history record. If the applicant checked "no" to any of the questions but was found to have a conviction, the application may be considered fraudulent and the application may be denied.

14. Why would an applicant be denied a license, an authorization, or a certificate?

- The applicant failed to tell the truth
- The applicant's criminal history was serious enough to warrant a denial
- The applicant failed to provide the Board with additional information required by the Board
- The applicant provided a fraudulent license, transcript, or other official document
- The applicant's license, certification, or authorization from another state is suspended or revoked

15. Is there an appeal process if the application is denied?

Yes. Iowa Code 272.7 states that the Executive Director may grant or deny license applications. The decision may be appealed by the practitioner to the Board.

TWELVE STEP COMPLAINT PROCESS

1. Contact BOEE office and request complaint form
2. Review IAC chapters 11 and 25 sent with complaint and locate violations of Code of Conduct and Ethics
3. Fill out complaint form and return to BOEE office with supporting documents
4. Complaint received and reviewed by Executive Director, Assistant Attorney General and Investigator for jurisdictional requirements
5. If case is accepted, then investigation conducted
6. Board reviews investigator's report
7. Board decides to dismiss complaint or moves the complaint forward for a hearing
8. Hearing conducted
9. Board considers proposed decision
10. If Board adopts proposed decision and no appeal, this becomes the final decision
11. If there is an appeal made or the Board reviews the proposed decision, briefs are submitted
12. The Board considers the briefs and makes the final decision

SCHOOL REPORTING REQUIREMENTS

Under Iowa Code section 272.15 school districts or area education agencies, or the authorities of a nonpublic school must report to the Board nonrenewal, resignation, or termination for reasons of alleged or actual misconduct. Iowa Administrative Code 282 11.37 (272) provides more guidance on how to report the incident. One way is to file a complaint form, or a superintendent or chief administrator may write a letter to the executive director containing the name, address, and the telephone number of the person that holds a license, certificate, or authorization issued by the Board, a concise statement of the circumstances under which the termination, nonrenewal, or resignation occurred and any other documentation the reporter wished to include. The report must be made within 60 days of the local board action.

CODE OF IOWA CHAPTER 272.15 SCHOOL REPORTING REQUIREMENT.

1. The board of directors of a school district or area education agency, the superintendent of a school district or the chief administrator of an area education agency, and the authorities in charge of a nonpublic school shall report to the board the nonrenewal or termination, for reasons of alleged or actual misconduct, of a person's contract executed under sections 279.12, 279.13, 279.15 through 279.21, 279.23, and 279.24, and the resignation of a person who holds a license, certificate, or authorization issued by the board as a result of or following an incident or allegation of misconduct that, if proven, would constitute a violation of the rules adopted by the board to implement section 272.2, subsection 14, paragraph "b", subparagraph (1), when the board or reporting official has a good faith belief that the incident occurred or the allegation is true. Information reported to the board in accordance with this section is privileged and confidential, and except as provided in section 272.13, is not subject to discovery, subpoena, or other means of legal compulsion for its release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and is not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. The board shall review the information reported to determine whether a complaint should be initiated. In making that determination, the board shall consider the factors enumerated in section 272.2, subsection 14, paragraph "a". For purposes of this section, unless the context otherwise requires, "*misconduct*" means an action disqualifying an applicant for a license or causing the license of a person to be revoked or suspended in accordance with the rules adopted by the board to implement section 272.2, subsection 14, paragraph "b", subparagraph (1).
2. If, in the course of performing official duties, an employee of the department becomes aware of any alleged misconduct by an individual licensed under this chapter, the employee shall report the alleged misconduct to the board of educational examiners under rules adopted pursuant to subsection 1.
3. If the executive director of the board verifies through review of official records that a teacher who holds a practitioner's license under this chapter is assigned instructional duties for which the teacher does not hold the appropriate license or endorsement, either by grade level or subject area, by a school district or accredited nonpublic school, the executive director may initiate a complaint against the teacher and the administrator responsible for the inappropriate assignment of instructional duties.

Iowa Administrative Code Chapter 282—11.37(272) Mandatory reporting of contract nonrenewal or termination or resignation based on allegations of misconduct. The board of directors of a school district or area education agency, the superintendent of a school district or the chief administrator of an area education agency, and the authorities in charge of a nonpublic school shall report to the board the nonrenewal or termination, for reasons of alleged or actual misconduct, of a person's contract executed under Iowa Code sections 279.12, 279.13, 279.15 through 279.21, 279.23, and 279.24, and the resignation of a person who holds a license, certificate, or authorization issued by the board as a result of or following an incident or allegation of misconduct that, if proven, would constitute a violation of 282—subparagraph 25.3(1)“b”(1), when the board or reporting official has a good-faith belief that the incident occurred or the allegation is true.

11.37(1) Method of reporting. The report required by this rule may be made by completion and filing of the complaint form described in subrule 11.4(2) or by the submission of a letter to the executive director of the board which includes: the full name, address, telephone number, title and signature of the reporter; the full name, address, and telephone number of the person who holds a license, certificate or authorization issued by the board; a concise statement of the circumstances under which the termination, nonrenewal, or resignation occurred; and any additional information or documentation which the reporter believes will be relevant to assessment of the report pursuant to subrule 11.37(4).

11.37(2) Timely reporting required. The report required by this rule shall be filed within 60 days of the date of local board action on the termination or resignation.

11.37(3) Confidentiality of report. Information reported to the board in accordance with this rule is privileged and confidential, and, except as provided in Iowa Code section 272.13, is not subject to discovery, subpoena, or other means of legal compulsion for its release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and is not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline.

11.37(4) Action upon receipt of report.

a. Upon receipt of a report under this rule, the executive director of the board shall review the information reported to determine whether a complaint investigation should be initiated.

b. In making this determination, the executive director shall consider the nature and seriousness of the reported misconduct in relation to the position sought or held, the time elapsed since the misconduct, the degree of rehabilitation, the likelihood that the individual will commit the same misconduct again, and the number of reported incidents of misconduct.

c. If the executive director determines a complaint should not be initiated, no further formal action will be taken and the matter will be closed.

d. If the executive director determines a complaint investigation should be initiated, the executive director shall assign the matter for investigation pursuant to rule 282—11.5(272).

11.37(5) Proceedings upon investigation. From the time of initiation of an investigation, the matter will be processed in the same manner as a complaint filed under rule 282—11.4(17A,272).

These rules are intended to implement Iowa Code chapters 17A and 272.

CHAPTER 25
CODE OF PROFESSIONAL CONDUCT AND ETHICS

282—25.1(272) Scope of standards. This code of professional conduct and ethics constitutes mandatory minimum standards of practice for all licensed practitioners as defined in Iowa Code chapter

272. The adherence to certain professional and ethical standards is essential to maintaining the integrity of the education profession.

282—25.2(272) Definitions. Except where otherwise specifically defined by law:

“*Administrative and supervisory personnel*” means any licensed employee such as superintendent, associate superintendent, assistant superintendent, principal, associate principal, assistant principal, or other person who does not have as a primary duty the instruction of pupils in the schools.

“*Board*” means the Iowa board of educational examiners.

“*Discipline*” means the process of sanctioning a license, certificate or authorization issued by the board.

“*Ethics*” means a set of principles governing the conduct of all persons governed by these rules.

“*Fraud*” means knowingly providing false information or representations on an application for licensure or employment, or knowingly providing false information or representations made in connection with the discharge of duties.

“*License*” means any license, certificate, or authorization granted by the board.

“*Licensee*” means any person holding a license, certificate, or authorization granted by the board.

“*Practitioner*” means an administrator, teacher, or other school personnel, who provides educational assistance to students and who holds a license, certificate, or other authorization issued by the board.

“*Responsibility*” means a duty for which a person is accountable by virtue of licensure.

“*Right*” means a power, privilege, or immunity secured to a person by law.

“*Student*” means a person, regardless of age, enrolled in a prekindergarten through grade 12 school, who is receiving direct or indirect assistance from a person licensed by the board.

“*Teacher*” means any person engaged in the instructional program for prekindergarten through grade 12 children, including a person engaged in teaching, administration, and supervision, and who is required by law to be licensed for the position held.

282—25.3(272) Standards of professional conduct and ethics. Licensees are required to abide by all federal, state, and local laws applicable to the fulfillment of professional obligations.

Violation of federal, state, or local laws in the fulfillment of professional obligations constitutes unprofessional and unethical conduct which can result in disciplinary action by the board. In addition, it is hereby deemed unprofessional and unethical for any licensee to violate any of the following standards of professional conduct and ethics:

25.3(1) Standard I—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse. Violation of this standard includes:

a. Fraud. Fraud in the procurement or renewal of a practitioner’s license.

b. Criminal convictions. The commission of or conviction for a criminal offense as defined by Iowa law or the laws of any other state or of the United States, provided that the offense is relevant to or affects teaching or administrative performance.

(1) Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

1. Any of the following forcible felonies included in Iowa Code section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;

2. Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:

- _ First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
- _ Lascivious acts with a child;
- _ Detention in a brothel;
- _ Assault with intent to commit sexual abuse;
- _ Indecent contact with a child;
- _ Sexual exploitation by a counselor;
- _ Lascivious conduct with a minor; or
- _ Sexual exploitation by a school employee;

3. Incest involving a child as prohibited by Iowa Code section 726.2;

4. Dissemination and exhibition of obscene material to minors as prohibited by Iowa Code section 728.2; or

5. Telephone dissemination of obscene material to minors as prohibited by Iowa Code section 728.15.

(2) Other criminal convictions and founded child abuse. In determining whether a person should be denied a license or whether a licensee should be disciplined based upon any other criminal conviction, including a conviction for an offense listed in 25.3(1)“b”(1) which occurred before July 1, 2002, or a founded report of abuse of a child, the board shall consider:

1. The nature and seriousness of the crime or founded abuse in relation to the position sought;
2. The time elapsed since the crime or founded abuse was committed;
3. The degree of rehabilitation which has taken place since the crime or founded abuse was committed;
4. The likelihood that the person will commit the same crime or abuse again;
5. The number of criminal convictions or founded abuses committed; and
6. Such additional factors as may in a particular case demonstrate mitigating circumstances or heightened risk to public safety.

c. Sexual involvement or indecent contact with a student. Sexual involvement includes, but is not limited to, the following acts, whether consensual or nonconsensual: fondling or touching the inner thigh, groin, buttocks, anus or breasts of a student; permitting or causing to fondle or touch the practitioner’s inner thigh, groin, buttocks, anus, or breasts; or the commission of any sex act as defined in Iowa Code section 702.17.

d. Sexual exploitation of a minor. The commission of or any conviction for an offense prohibited by Iowa Code section 728.12, Iowa Code chapter 709 or 18 U.S.C. Section 2252A(a)(5)(B).

e. Student abuse. Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction:

- (1) Committing any act of physical abuse of a student;
- (2) Committing any act of dependent adult abuse on a dependent adult student;
- (3) Committing or soliciting any sexual or otherwise indecent act with a student or any minor;
- (4) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student;
- (5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee; or
- (6) Failing to report any suspected act of child or dependent adult abuse as required by state law.

25.3(2) Standard II—alcohol or drug abuse. Violation of this standard includes:

a. Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs or abusing legal drugs.

b. Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming alcohol.

25.3(3) Standard III—misrepresentation, falsification of information. Violation of this standard includes:

- a. Falsifying or deliberately misrepresenting or omitting material information regarding professional qualifications, criminal history, college credit, staff development credit, degrees, academic award, or employment history when applying for employment or licensure.
- b. Falsifying or deliberately misrepresenting or omitting material information regarding compliance reports submitted to federal, state, and other governmental agencies.
- c. Falsifying or deliberately misrepresenting or omitting material information submitted in the course of an official inquiry or investigation.
- d. Falsifying any records or information submitted to the board in compliance with the license renewal requirements imposed under 282—Chapter 17.
- e. Falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.

25.3(4) Standard IV—misuse of public funds and property. Violation of this standard includes:

- a. Failing to account properly for funds collected that were entrusted to the practitioner in an educational context.
- b. Converting public property or funds to the personal use of the practitioner.
- c. Submitting fraudulent requests for reimbursement of expenses or for pay.
- d. Combining public or school-related funds with personal funds.
- e. Failing to use time or funds granted for the purpose for which they were intended.

25.3(5) Standard V—violations of contractual obligations.

a. Violation of this standard includes:

- (1) Signing a written professional employment contract while under contract with another school, school district, or area education agency.
- (2) Asking a practitioner to sign a written professional employment contract before the practitioner has been unconditionally released from a current contract. An administrator shall make a good faith effort to determine whether the practitioner has been released from the current contract.
- (3) Abandoning a written professional employment contract without prior unconditional release by the employer.
- (4) As an employer, executing a written professional employment contract with a practitioner, which requires the performance of duties that the practitioner is not legally qualified to perform.
- (5) As a practitioner, executing a written professional employment contract, which requires the performance of duties that the practitioner is not legally qualified to perform.

b. In addressing complaints based upon contractual obligations, the board shall consider factors beyond the practitioner's control. For purposes of enforcement of this standard, a practitioner will not be found to have abandoned an existing contract if:

- (1) The practitioner obtained a release from the employing board before discontinuing services under the contract; or
- (2) The practitioner provided notice to the employing board no later than the latest of the following dates:
 1. The practitioner's last work day of the school year;
 2. The date set for return of the contract as specified in statute; or
 3. June 30.

25.3(6) Standard VI—unethical practice toward other members of the profession, parents, students,

and the community. Violation of this standard includes:

- a. Denying the student, without just cause, access to varying points of view.
- b. Deliberately suppressing or distorting subject matter for which the educator bears responsibility.
- c. Failing to make reasonable effort to protect the health and safety of the student or creating conditions harmful to student learning.
- d. Conducting professional business in such a way that the practitioner repeatedly exposes students or other practitioners to unnecessary embarrassment or disparagement.
- e. Engaging in any act of illegal discrimination, or otherwise denying a student or practitioner participation in the benefits of any program on the grounds of race, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
- f. Soliciting students or parents of students to purchase equipment, supplies, or services from the practitioner for the practitioner's personal advantage.
- g. Accepting gifts from vendors or potential vendors where there may be the appearance of or an actual conflict of interest.
- h. Intentionally disclosing confidential information including, but not limited to, unauthorized sharing of information concerning student academic or disciplinary records, health and medical information, assessment or testing results, or family income. Licensees shall comply with state and federal laws and local school board policies relating to the confidentiality of student records, unless disclosure is required or permitted by law.
- i. Refusing to participate in a professional inquiry when requested by the board.
- j. Aiding, assisting, or abetting an unlicensed person in the completion of acts for which licensure is required.
- k. Failing to self-report to the board within 60 days any founded child abuse report, or any conviction for a criminal offense listed in 25.3(1) "b"(1) which requires revocation of the practitioner's license.
- l. Delegating tasks to unqualified personnel.
- m. Failing to comply with federal, state, and local laws applicable to the fulfillment of professional obligations.
- n. Allowing another person to use one's practitioner license for any purpose.
- o. Performing services beyond the authorized scope of practice for which the individual is licensed or prepared or performing services without holding a valid license.
- p. Falsifying, forging, or altering a license issued by the board.
- q. Failure of the practitioner holding a contract under Iowa Code section 279.13 to disclose to the school official responsible for determining assignments a teaching assignment for which the practitioner is not properly licensed.
- r. Failure of a school official responsible for assigning licensed practitioners holding contracts under Iowa Code section 279.13 to adjust an assignment if the practitioner discloses to the official that the practitioner is not properly licensed for an assignment.

25.3(7) Standard VII—compliance with state law governing student loan obligations and child support obligations. Violation of this standard includes:

- a. Failing to comply with 282—Chapter 9 concerning repayment of student loans.
- b. Failing to comply with 282—Chapter 10 concerning child support obligations.

25.3(8) Standard VIII—incompetence. Violation of this standard includes, but is not limited to:

- a. Willfully or repeatedly departing from or failing to conform to the minimum standards of acceptable and prevailing educational practice in the state of Iowa.
- b. Willfully or repeatedly failing to practice with reasonable skill and safety.

These rules are intended to implement Iowa Code section 272.2(1) "a."

CHAPTER 26 CODE OF RIGHTS AND RESPONSIBILITIES

282—26.1(272) Purpose. The code of professional conduct and ethics in 282—Chapter 25 defines unprofessional and unethical conduct justifying disciplinary sanction. The board acknowledges that the discharge of professional obligations should occur in recognition of certain fundamental rights and responsibilities. Accordingly, the board recognizes the following rights and responsibilities of all educators licensed under Iowa Code chapter 272 and agrees that the exercise of these rights and responsibilities may present mitigating facts and circumstances in the board's evaluation of allegations of unprofessional or unethical conduct.

282—26.2(272) Rights. Educators licensed under Iowa Code chapter 272 have the following rights:

1. The educator has a right to be licensed and endorsed under professional standards established and enforced by the board.
2. The educator has a right to refuse assignments for which the educator is not legally authorized, in terms of holding a valid Iowa license with the appropriate endorsement(s) or approval(s).
3. The educator has a right, subject to board and administrator authority, to exercise professional judgment in the evaluation, selection, and use of teaching methods and instructional materials appropriate to the needs, abilities, and background of each student.

282—26.3(272) Responsibilities. Educators licensed under Iowa Code chapter 272 have the following responsibilities:

1. The educator has a responsibility to maintain and improve the educator's professional competence.
2. The educator has a responsibility to accept only those assignments for which the educator is legally authorized.
3. The educator has a responsibility to provide conditions that are conducive to teaching and student learning.
4. The educator shall protect students from conditions harmful to learning or to health or safety.
5. The educator shall not, without just cause, restrain a student from independent action in the pursuit of learning and shall not, without just cause, deny a student access to varying points of view.
6. The educator shall not use professional relationships with students for personal advantage.
7. The educator shall not discriminate against any student on the grounds of race, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
8. The educator shall accord just and equitable treatment to all members of the profession.
9. The educator shall keep in confidence personally identifiable information regarding a student or the student's family members that has been obtained in the course of professional service, unless disclosure is required by law or is necessary for the personal safety of the student or others.
10. The educator who has reasonable basis to believe that a student has been abused, as defined by law, shall make all reports required by law and the Iowa Administrative Code and which are necessary to ensure the safety and well-being of the student.
11. In the administration of discipline, the educator shall treat all students with respect and in compliance with all policies of the school district served by the educator.
12. The educator shall provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.
13. The educator shall not refuse to participate in a professional inquiry, when requested by the board.
14. The educator shall not require or direct another educator to violate any provisions of the code of professional conduct and ethics or any rights of a student, parent, educator or citizen.

15. The educator shall not delegate assigned tasks to unqualified personnel.
These rules are intended to implement Iowa Code section 272.2(1)“a.”

State of Iowa
BOARD OF EDUCATIONAL EXAMINERS
400 E. 14th Street
Grimes State Office Building
Des Moines, Iowa 50319-0147
(515) 281-5849

BEFORE THE STATE BOARD OF EDUCATIONAL EXAMINERS

_____)

_____)

COMPLAINANT,

CASE No. _____
(Assigned by the Board)

and

_____)

COMPLAINT

_____)

RESPONDENT.

Please check one of the following categories for the complainant:

***Complainants shall be:**

- _____ a. Licensed practitioners employed by a school district or their educational entity or their recognized local or state professional organization.
- _____ b. Local boards of education.
- _____ c. Parents or guardians of students involved in the alleged complaint.
- _____ d. Executive Director, Board of Educational Examiners.
- _____ e. The Department of Transportation, if the licensee holds a behind-the-wheel instructor's certification issued by the department and the complaint relates to an incident or incidents arising during the course of driver's education instruction.

The above named Complainant(s), for complaint against the Respondent(s), states the following:

1. Information on the Respondent:

- (a) Respondent's Name: _____,
- (b) Respondent's Street Address: _____,
- (c) Respondent's City, State & Zip Code: _____,
- (d) Respondent's Telephone Number: _____,
- (e) Respondent's Folder Number (if known): _____,
- (f) Respondent's Social Security Number (if known): _____.

2. Respondent, a _____ in the _____ School,
(position)
County of _____, Iowa, did, on or about _____ violate standards of
(date)
professional ethics and practices of the teaching profession.

The following factors will be considered by the Board in determining whether it has jurisdiction over the complaint:

- The case must relate to alleged violation of standards of professional ethics and practices.
- The complainant must have personal knowledge of the alleged violation.
- The magnitude of the alleged violation must be adequate to warrant a hearing by the board.
- There must be sufficient evidence to support the complaint.

3. Provide a concise statement with the facts, which clearly and accurately apprise the Respondent of the alleged violation of professional ethics and practice: (Use additional sheets if necessary.)

4. CITE THE SPECIFIC SECTION(S) OF THE STATUTES OR RULES ALLEGEDLY VIOLATED AND THE NATURE OF THE VIOLATION. See the enclosed rules of professional practice and ethics: Chapters 25 and 26 (282-25 and 282-26) (Use additional sheets if necessary.)

5. Other persons able to give information about this complaint are:

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Position</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. The following steps have been taken in an attempt to resolve this problem:
(Use additional sheets if necessary.)

7. The Complainant hereby requests the Iowa Board of Educational Examiners to investigate this complaint. If the investigation suggests probable cause, the Complainant further requests the Board to hold a hearing thereon in accordance with Iowa Code Chapter 272, as amended, and its Rules and Regulations issued thereunder, and further requests the Iowa Board of Educational Examiners to take such action as is warranted by the facts as determined by such an investigation and hearing within the purview of said statutes.

Dated this _____ day of _____, _____.

COMPLAINANT(S)

(Signature)

By _____
(Name and Title or Position)

(Address)

(Telephone Number with Area Code)

(Iowa Practitioner's Folder Number, if known)

IMPORTANT INFORMATION RELATING TO YOUR COMPLAINT

◆ *Who is Eligible to File a Complaint?*

- a. Licensed practitioners employed by a school district or their educational entity or their recognized local or state professional organization.
- b. Local boards of education.
- c. Parents or guardians of students involved in the alleged complaint.
- d. Executive Director, Board of Educational Examiners.
- e. The Department of Transportation, if the licensee holds a behind-the-wheel instructor's certification issued by the department and the complaint relates to an incident or incidents arising during the course of driver's education instruction.

◆ *Statutory Provision Governing the Complaint Process*

Iowa Code Section 272.2(15) requires:

1. specificity in written complaints that are filed by individuals who have personal knowledge of an alleged violation and which are accepted by the Board, and
2. sufficient information on the face of the complaint to meet the jurisdictional requirements within the Board's rules, and
3. that the conduct providing the basis for the complaint must have occurred within three years of discovery of the event by complainant unless good cause can be shown for an extension of this limitation.

CHAPTER 6

WAIVERS OR VARIANCES FROM ADMINISTRATIVE RULES

282—6.1(17A) Definition. For purposes of this chapter, a “waiver or variance” means action by the board which suspends in whole or in part the requirements or provisions of a rule as applied to an identified person on the basis of the particular circumstances of that person. For simplicity, the term “waiver” shall include both a “waiver” and a “variance.”

282—6.2(17A) Scope of chapter. This chapter outlines generally applicable standards and a uniform process for the granting of individual waivers from rules adopted by the board in situations where no other more specifically applicable law provides for waivers. To the extent another more specific provision of law governs the issuance of a waiver from a particular rule, the more specific provision shall supersede this chapter with respect to any waiver from that rule.

282—6.3(17A) Applicability of chapter. The board may grant a waiver from a rule only if the board has jurisdiction over the rule and the requested waiver is consistent with applicable statutes, constitutional provisions, or other provisions of law. The board may not waive requirements created or duties imposed by statute.

282—6.4(17A) Criteria for waiver or variance. In response to a petition completed pursuant to rule 6.6(17A), the board may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the board finds, based on clear and convincing evidence, all of the following:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

282—6.5(17A) Filing of petition. A petition for a waiver must be submitted in writing to the board, as follows:

6.5(1) License or authorization application. If the petition relates to a license or authorization application, the petition shall be made in accordance with the filing requirements for the license or authorization in question.

6.5(2) Contested cases. If the petition relates to a pending contested case, the petition shall be filed in the contested case proceeding, using the caption of the contested case.

6.5(3) Other. If the petition does not relate to a license application or a pending contested case, the petition may be submitted to the board’s executive director.

282—6.6(17A) Content of petition. A petition for waiver shall include the following information where applicable and known to the requester:

1. The name, address, and telephone number of the person or entity for whom a waiver is being requested, and the case number of any related contested case.
2. A description and citation of the specific rule from which a waiver is requested.
3. The specific waiver requested, including the precise scope and duration.
4. The relevant facts that the petitioner believes would justify a waiver under each of the four criteria described in rule 6.4(17A). This statement shall include a signed statement from the petitioner attesting to the accuracy of the facts provided in the petition, and a statement of reasons that the petitioner believes will justify a waiver.
5. A history of any prior contacts between the board and the petitioner relating to the regulated activity, license, or authorization affected by the proposed waiver, including a description of each affected license or authorization held by the requester, any notices of violation, contested case

hearings, or investigative reports relating to the regulated activity or license within the last five years.

6. Any information known to the requester regarding the board's treatment of similar cases.
7. The name, address, and telephone number of any public agency or political subdivision which also regulates the activity in question, or which might be affected by the grant of a waiver.
8. The name, address, and telephone number of any person or entity that would be adversely affected by the grant of a petition.
9. The name, address, and telephone number of any person with knowledge of the relevant facts relating to the proposed waiver.
10. Signed releases of information authorizing persons with knowledge regarding the request to furnish the board with information relevant to the waiver.

282—6.7(17A) Additional information. Prior to issuing an order granting or denying a waiver, the board may request additional information from the petitioner relative to the petition and surrounding circumstances. If the petition was not filed in a contested case, the board may, on its own motion or at the petitioner's request, schedule a telephonic or in-person meeting between the petitioner and the board's executive director, a committee of the board, or a quorum of the board.

282—6.8(17A) Notice. The board shall acknowledge a petition upon receipt. The board shall ensure that notice of the pendency of the petition and a concise summary of its contents have been provided to all persons to whom notice is required by any provision of law within 30 days of the receipt of the petition.

In addition, the board may give notice to other persons. To accomplish this notice provision, the board may require the petitioner to serve the notice on all persons to whom notice is required by any provision of law, and provide a written statement to the board attesting that notice has been provided.

282—6.9(17A) Hearing procedures. The provisions of Iowa Code sections 17A.10 to 17A.18A regarding contested case hearings shall apply to any petition for a waiver filed within a contested case, and shall otherwise apply to agency proceedings for a waiver only when the board so provides by rule or order or is required to do so by statute.

282—6.10(17A) Ruling. An order granting or denying a waiver shall be in writing and shall contain a reference to the particular person and rule or portion thereof to which the order pertains, a statement of the relevant facts and reasons upon which the action is based, and a description of the precise scope and duration of the waiver if one is issued.

6.10(1) Board discretion. The final decision on whether the circumstances justify the granting of a waiver shall be made at the sole discretion of the board, upon consideration of all relevant factors. Each petition for a waiver shall be evaluated by the board based on the unique, individual circumstances set out in the petition.

6.10(2) Burden of persuasion. The burden of persuasion rests with the petitioner to demonstrate by clear and convincing evidence that the board should exercise its discretion to grant a waiver from a board rule.

6.10(3) Narrowly tailored. A waiver, if granted, shall provide the narrowest exception possible to the provisions of a rule.

6.10(4) Administrative deadlines. When the rule from which a waiver is sought establishes administrative deadlines, the board shall balance the special individual circumstances of the petitioner with the overall goal of uniform treatment of all similarly situated persons.

6.10(5) Conditions. The board may place any condition on a waiver that the board finds desirable to protect the public health, safety, and welfare.

6.10(6) Time period of waiver. A waiver shall not be permanent unless the petitioner can show that a temporary waiver would be impracticable. If a temporary waiver is granted, there is no automatic right to renewal. At the sole discretion of the board, a waiver may be renewed if the board finds that grounds for a waiver continue to exist.

6.10(7) *Time for ruling.* The board shall grant or deny a petition for a waiver as soon as practicable but, in any event, shall do so within 120 days of its receipt, unless the petitioner agrees to a later date. However, if a petition is filed in a contested case, the board shall grant or deny the petition no later than the time at which the final decision in that contested case is issued.

6.10(8) *When deemed denied.* Failure of the board to grant or deny a petition within the required time period shall be deemed a denial of that petition by the board. However, the board shall remain responsible for issuing an order denying a waiver.

6.10(9) *Service of order.* Within seven days of its issuance, any order issued under this chapter shall be transmitted to the petitioner or the person to whom the order pertains, and to any other person entitled to such notice by any provision of law.

282—6.11(17A) Public availability. All orders granting or denying a waiver petition shall be indexed, filed, and available for public inspection as provided in Iowa Code section 17A.3. Petitions for a waiver and orders granting or denying a waiver petition are public records under Iowa Code chapter 22. Some petitions or orders may contain information the board is authorized or required to keep confidential.

The board may accordingly redact confidential information from petitions or orders prior to public inspection.

282—6.12(17A) Summary reports. Semiannually, the board shall prepare a summary report identifying the rules for which a waiver has been granted or denied, the number of times a waiver was granted or denied for each rule, a citation to the statutory provisions implemented by the rules, and a general summary of the reasons justifying the board's actions on waiver requests. If practicable, the report shall detail the extent to which the granting of a waiver has affected the general applicability of the rule itself. Copies of this report shall be available for public inspection and shall be provided semiannually to the administrative rules coordinator and the administrative rules review committee.

282—6.13(17A) Cancellation of a waiver. A waiver issued by the board pursuant to this chapter may be withdrawn, canceled, or modified if, after appropriate notice and hearing, the board issues an order finding any of the following:

1. The petitioner or the person who was the subject of the waiver order withheld or misrepresented material facts relevant to the propriety or desirability of the waiver; or
2. The alternative means for ensuring that the public health, safety and welfare will be adequately protected after issuance of the waiver order have been demonstrated to be insufficient; or
3. The subject of the waiver order has failed to comply with all conditions contained in the order.

282—6.14(17A) Violations. Violation of a condition in a waiver order shall be treated as a violation of the particular rule for which the waiver was granted. As a result, the recipient of a waiver under this chapter who violates a condition of the waiver may be subject to the same remedies or penalties as a person who violates the rule at issue.

282—6.15(17A) Defense. After the board issues an order granting a waiver, the order is a defense within its terms and the specific facts indicated therein for the person to whom the order pertains in any proceeding in which the rule in question is sought to be invoked.

282—6.16(17A) Judicial review. Judicial review of the board's decision to grant or deny a waiver petition may be taken in accordance with Iowa Code chapter 17A.

These rules are intended to implement Iowa Code chapter 17A.

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