

EDUCATION DEPARTMENT [281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 60, “Programs for Students of Limited English Proficiency,” Iowa Administrative Code.

This chapter sets standards for the identification of students of limited English proficiency and for programming to serve the educational needs of such students by Iowa school districts. Items 1, 2, and 3 conform to 2014 Iowa Acts, chapter 1135, section 7, which requires that the State Board of Education adopt rules to establish standards for the identification, selection, and use of research-based educational and instructional models for students identified as limited English proficient and adopt rules to establish standards for the professional development of the instructional staff responsible for the implementation of those research-based educational and instructional models.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the October 15, 2014, Iowa Administrative Bulletin as **ARC 1675C**. A public hearing was held on November 4, 2014. No one attended the public hearing. One written comment was received regarding these amendments. An English Language Learner (ELL) Consultant and Speech-Language Pathologist from the Grant Wood Area Education Agency raised a concern that professional development might “not be best facilitated by ELL endorsed teachers.” The amendment to subparagraph **60.3(3)“b”(5)** does not require an ELL endorsement of professional development providers. The amendment merely indicates that such an endorsement “may be considered” as a factor if it is “relevant to the particular

professional development to be provided.”

These amendments are identical to those published under Notice.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2014 Iowa Acts, chapter 1135, section 7.

The following amendments are adopted.

ITEM 1. Adopt the following **new** definitions in rule **281—60.2(280)**:

“Educational and instructional model” means an instructional model, strategy, method, or skill that provides a framework of instructional approaches to guide decision making about teaching and learning. Based on the needs of particular students, “educational and instructional model” may include but is not limited to a specific set of instructional services or a fully developed curriculum or other supplementary services.

“Research-based” means based on a body of research showing that the educational and instructional model, or other educational practice, has a high likelihood of improving teaching and learning. To determine whether research meets this standard for purposes of this chapter, research reports must be reviewed for the following:

1. The specific population studied;
2. Research that involves the application of rigorous, systematic, and objective procedures to obtain reliable results and provide a basis for valid inferences relevant to education activities and programs;
3. Whether the research employs systematic, empirical methods that draw on observation or experiment;
4. Reliance on measurement or observational methods that provide reliable and valid data;

5. Inclusion of rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions or inferences drawn;

6. Description of the magnitude of the impact on student learning results; and

7. Inclusion of the level of the review of the study.

ITEM 2. Rescind subparagraph **60.3(3)“b”(5)** and adopt the following **new** subparagraph in lieu thereof:

(5) Professional development. All district instructional staff and area education agency staff responsible for implementing the educational and instructional models defined in rule 281—60.2(280) shall receive such professional development as may be necessary to implement those educational and instructional models. Such professional development may be part of a district or area education agency professional development plan, an attendance center professional development plan, an individual professional development plan, or some combination thereof. The necessity for such professional development shall be determined based on the framework in rule 281—83.6(284).

Providers of professional development required by this subrule shall meet the standards in 281—subrule 83.6(3). In determining whether providers meet the standards in 281—subrule 83.6(3), the following nonexhaustive factors may be considered, as they are relevant to the particular professional development to be provided:

1. English as a second language endorsement or equivalent;
2. Five years of English as a second language teaching experience; or
3. A graduate degree in teaching English to speakers of other languages or in a related field.

ITEM 3. Adopt the following **new** subrule 60.3(5):

60.3(5) *Research-based educational and instructional models.* Districts shall utilize research-based educational and instructional models as defined in rule 281—60.2(280) with limited English proficient students so that such students may acquire English proficiency and meet high academic standards.

ITEM 4. Amend **281—Chapter 60**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 256.7(31)“c,”
257.31(5)“j” and 280.4.