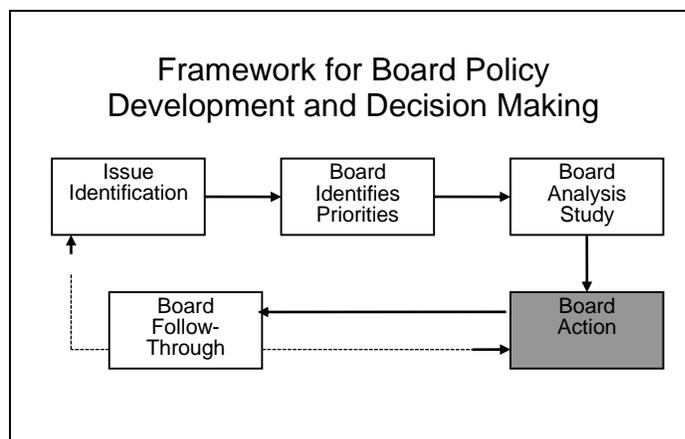


# Iowa State Board of Education

## Executive Summary

September 18, 2014



**Agenda Item:**

Rules: 281 IAC Chapter 60 - Programs for Students of Limited English Proficiency (Notice)

**Iowa Goal:**

All PK-12 students will achieve at a high level.

**State Board Role/ Authority:**

Iowa Code section 256.7(5) gives the State Board of Education the statutory authority to adopt rules under Chapter 17A.

**Presenters:**

Phil Wise, Administrative Rules Co-coordinator  
Nicole Proesch, Administrative Rules Co-coordinator

**Attachments:**

1

**Recommendation:**

It is recommended that the State Board give public notice of its intent to amend Chapter 60.

**Background:**

281 Iowa Administrative Code (IAC) chapter 60 sets standards for the identification of students of limited English proficiency and programming to serve the educational needs of such students by Iowa school districts.

This notice of intended action to amend 281 IAC chapter 60 is intended to fulfill the requirements set forth in 2014 Iowa Acts Chapter 1135, Section 7 (Senate File 2347). The State Board was required to promulgate rules to establish standards for the identification, selection, and use of research-based educational and instructional models for students identified as limited English proficient. The State Board was also required to establish standards for the professional development of the instructional staff responsible for the implementation of those research-based educational and instructional models.

## **EDUCATION DEPARTMENT [281]**

### **Notice of Intended Action**

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend 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 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, (Senate File 2347), 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 to 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.

Interested individuals may make written comments on the proposed amendments on or before November 4, 2014, at 4:30 p.m. Comments on the proposed amendments should be directed to Phil Wise, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515) 281-4835; E-mail [phil.wise@iowa.gov](mailto:phil.wise@iowa.gov); or fax (515)242-5988.

A public hearing will be held on November 4, 2014, from 9:00 to 10:00 a.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either

orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of their specific needs by calling (515)281-5295.

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

This amendment is intended to implement 2014 Iowa Acts Chapter 1135, Section 7, (Senate File 2347).

The following amendment is proposed.

ITEM 1. Amend subrule **60.2** by adding the following new definitions:

**281 – 60.2(280) Definitions.** As used in these rules, the following definitions apply:

*“Research-based”* means based on a body of research showing 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. Employs systematic, empirical methods that draw on observation or experiment;
4. Relies on measurement or observational methods that provide reliable and valid data;
5. Involves rigorous data analyses that are adequate to test the stated hypotheses

and justify the general conclusions or inferences drawn;

6. Describes the magnitude of the impact on student learning results; and
7. Includes the level of the review of the study.

*“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, this may include but is not limited to a specific set of instructional services or a fully developed curriculum or other supplementary services.

ITEM 2. Amend subrule 60.3(3) as follows:

~~—(5) Staff in service. The district shall develop a program of in-service activities for all staff involved in the educational process of the limited English proficient student.~~

(5) Professional development. All district instructional staff and area education agency staff responsible for implementing the educational and instructional models referred to in subrule 60.2 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 subrule 281 – 83.6(3). In determining whether providers meet the standards in subrule 281—83.6(3), the following nonexhaustive factors may be considered, as relevant to the particular professional development to be provided: English as a second language

endorsement or equivalent; five years of English as a second language teaching experience; or a graduate degree in teaching English to speakers of other languages or related field.

ITEM 3. Amend subrule 60.3 by adding the following:

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

ITEM 4. This rule is designed to implement Iowa Code Section 256.7, subsection 31, paragraph c.