

## Red Tape Review Rule Report (Due: September 1, 2024)

<b>Department Name:</b>	Iowa Board of Educational Examiners	<b>Date:</b>	07/12/2024	<b>Total Rule Count:</b>	3
<b>IAC #:</b>	282	<b>Chapter/ SubChapter/ Rule(s):</b>	Chapter 26	<b>Iowa Code Section Authorizing Rule:</b>	256.146
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

**What is the intended benefit of the rule?**

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 256 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.

**Is the benefit being achieved? Please provide evidence.**

Yes- rights and responsibilities are recognized in cases.

**What are the costs incurred by the public to comply with the rule?**

No specific costs – all agency operations are covered through licensure fees.

**What are the costs to the agency or any other agency to implement/enforce the rule?**

None

**Do the costs justify the benefits achieved? Please explain.**

No costs.

**Are there less restrictive alternatives to accomplish the benefit?  YES  NO**

**If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.**

These are minimal rights and responsibilities similar to other states.

**Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]**

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Yes – redundant language and restrictive terms have been removed.

**RULES PROPOSED FOR REPEAL (list rule number[s]):**

26.1 through 26.3

**RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):**

CHAPTER 26  
CODE OF RIGHTS AND RESPONSIBILITIES

**282—26.1(256) 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 256 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(256) Rights.** Educators licensed under Iowa Code chapter 256 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(256) Responsibilities.** Educators licensed under Iowa Code chapter 256 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 will protect students from conditions harmful to learning or to health or safety.
5. The educator will not, without just cause, restrain a student from independent action in the pursuit of learning and will not, without just cause, deny a student access to varying points of view.
6. The educator will not use professional relationships with students for personal advantage.
7. The educator will 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 will accord just and equitable treatment to all members of the profession.
9. The educator will 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, will 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 will treat all students with respect and in compliance with all policies of the school district served by the educator.

12. The educator will provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.

13. The educator will not refuse to participate in a professional inquiry, when requested by the board.

14. The educator will 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 will not delegate assigned tasks to unqualified personnel.

These rules are intended to implement Iowa Code section 256.

***\*For rules being re-promulgated with changes, you may attach a document with suggested changes.***

#### METRICS

<b>Total number of rules repealed:</b>	<b>0</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>17</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>13</b>

#### ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

None