

MEMORANDUM

To: Board of Regents

From: Board Office

Subject: Policy Regarding Placement of Student Teachers in Non-Public Schools

Date: May 7, 2001

Recommended Action:

Adopt the Policy Regarding Placement of Student Teachers in Non-Public Schools for inclusion in the Board of Regents Procedural Guide.

Executive Summary:

The Regent institutions have been restricted from placing students in parochial schools for their student teaching experience by a number of court rulings which cautioned that such placement could violate the Establishment Clause of the U.S. Constitution. However, the legal landscape was recently altered with the U.S. Supreme Court's decision in Mitchell v. Helms, (June 28, 2000), making it clear that, constitutionally, students at public universities may be placed in parochial schools. These placements are acceptable as long as there are appropriate restrictions to ensure that no "symbolic union" is created with parochial schools.

Because of the limited availability of student teaching openings in public schools, the Regent universities are eager to utilize appropriate non-public school placement options, for students who request such a placement. The Policy Regarding Placement of Student Teachers in Non-Public Schools will ensure that placement of student teachers is consistent with state and federal law.

Background :

Prior to the U.S. Supreme Court's ruling in Mitchell v. Helms, (June 28, 2000), the placement of student teachers in parochial schools was restricted by a

number of court holdings that created a constitutional barrier to such placement. Before Mitchell, prevailing case law suggested that student teaching in parochial schools would violate the First Amendment prohibition against excessive entanglement between church and state. With the Supreme Court's Mitchell ruling, placing students for teaching experience in parochial schools is no longer viewed as a form of aid to religious institutions, as long as adequate procedural safeguards are in place.

The Regent universities have a need for a variety of student teaching placement options, especially when there are inadequate openings in public schools. The Policy Regarding Placement of Student Teachers in Non-Public Schools ensures that placement of students desiring a parochial school student teaching experience is a possibility, while assuring that such a placement is consistent with state and federal law.

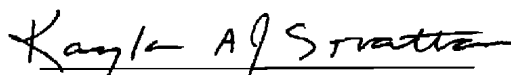
The policy incorporates a number of procedural safeguards:

- Student teachers are placed in non-public schools at the student's request and may only teach in non-religious classes with secular curricular materials.
- Supervising teachers are required to evaluate student teachers on the basis of criteria established by the university, with approval of schools based on secular criteria alone.
- Any monetary recompense paid to the cooperating teacher, pursuant to Iowa Code §262.75, must be paid only to the supervising teacher, not to the non-public school.

Analysis:

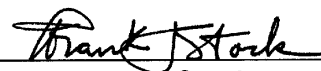
The Policy Regarding Placement of Student Teachers in Non-Public Schools was developed by the university legal counsels in consultation with the colleges of education, Board Office staff, and the Solicitor General in the Iowa Department of Justice. It is intended to permit the widest possible array of student teaching placement options consistent with state and federal law.

Adoption of the policy for inclusion in the Board of Regents Procedural Guide is recommended.



Kayla A.J. Stratton

Approved:



Frank J. Stork

Policy Regarding Placement of Student Teachers
in
Non-Public Schools

In order to ensure that placement of student teachers is consistent with state and federal law, the following policy will govern placement of students of Regent institutions at non-public schools.

1. Student teaching at schools will never be mandatory. Generally, students will only be placed with non-public schools if that is their choice for their student teaching experience.
2. Because each Regent institution must evaluate students on secular rather than religious criteria, students will teach in non-religious classes, and supervising teachers will evaluate on the basis of criteria established by the Regent institution College of Education.
3. Approval of supervising teachers and schools will be determined based upon secular rather than religious criteria. Placement will only occur with institutions carrying accreditation by a generally recognized accrediting body. However, if prior experience has shown difficulty with adhering to this policy, Regent institutions may elect not to place students with such teachers or institutions.
4. Students will not teach religious subject matter. They will use secular curricular materials. Students will not participate in any duties as a student teacher involving religious indoctrination, practice or instruction, including religious rituals, observances or services.
5. Funds paid pursuant to Iowa Code §262.75 are intended as compensation of the supervising teacher, and will be paid only to the supervising teacher, not to the non-public school.

To assure all parties understand the policy, student teachers, supervising teachers and cooperating schools will sign an agreement to adhere to these policies.