



A MONTHLY JOURNAL  
FOR IOWA EDUCATORS

# School Leader Update

December 2010

## COMMUNITY COLLEGES: RECORD ENROLLMENT IN '10

Enrollment at Iowa's community colleges hit an all-time high in 2010. A total of 106,597 students were enrolled in the state's 15 community colleges, a 4.8 percent increase.

While the economic downturn contributed to the rise in enrollment, another factor has been the growth in high school students with dual enrollment. A total of 27,956 Iowa high school students were enrolled for credit at one of the state's community colleges, a 7.1 percent increase over last year.

Of the state's 15 community colleges, four of them saw enrollment increases of 10 percent or more while three saw single-digit declines. In addition, Iowa's community colleges provided 1,026,135 in credit hours, a 6.1 percent increase over last year and the first time more than a million credit hours have been delivered to students during the Fall semester.



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## Progress Made, But Much Work Remains

In many ways, the product of education is the future. From the Iowa Department of Education to our districts, schools, and teachers, we are working to prepare all students for success in the 21<sup>st</sup> century. We are anticipating the skills and knowledge they will need to be prepared for careers, college and citizenry. We are striving to help every child in Iowa be ready for their future.

In short, education must look forward.

But from time to time we must take a moment and look back in order to measure our progress and determine how far we have to go. And to find out what works and what we need to improve.



Kevin Fangman,  
Acting Director

For 21 years the annual Condition of Education Report has helped meet that goal, providing valuable information on everything from enrollment to student performance, from our teachers to finances to our demographics.

Each year we have aimed to provide more and better data in this report. In fact, the 2010 edition is the longest Condition of Education report ever, with additional information on the demographics of our state compared to the region and nation. The more information we can share the more enlightened we all are about how to best meet the challenges and fulfill the opportunities of education.

For everyone interested in education, in the strength of our schools and in the future of our children I hope the 2010 Condition of Education report not only provides useful information, but helps us all work together to meet the promise of the future. For example, the report shows student performance has plateaued over the past several years. Improving student performance is a complex challenge with no silver bullets. But hard work and perseverance with a laser like focus on data are a must.

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## COMMON CORE content additions

On November 17, 2010 the State Board adopted some additional content for the Common Core Standards in English language arts and mathematics.

The additions were minimal and a revised document will be posted on the Iowa Department of Education website the week of December 6, 2010. An email will be sent out to all districts when the new document is posted along with the link to access the information.

## 2010 CONDITION OF EDUCATION REPORT available online

The 2010 Condition of Education report was released at the November meeting of the State Board of Education and is now available. You can download a copy of the 306-page report [here](#). (NOTE: The report is a 10MB PDF file.)

Also, be sure to see Kevin Fangman's article on the report starting on page 1 as well as a summary of some of its highlights on page 7.

## Iowa teaching standards amended

At its May 13, 2010, meeting, the State Board of Education adopted changes to the [criteria under](#) Iowa's Teacher Standards. The amendments strengthen Iowa's commitment to using student performance data to evaluate educators.

They specifically address Iowa Administrative Code Chapter 83, "Teacher and Administrator Quality Programs." The changes include the statements that a teacher (additions in italics):

- provides *multiple forms* of evidence of student learning *and growth* to students, families, and staff.
- *provides an analysis of student learning and growth based on teacher created tests and authentic measures as well as any standardized and district-wide tests.*

All changes made can be viewed [here](#). The Notice of Intended Action was published in the February 10, 2010, and a public hearing was held on March 2, 2010. No written or oral comments were received.

For questions, please contact Kevin Fangman at [kevin.fangman@iowa.gov](mailto:kevin.fangman@iowa.gov)

## Iowa seniors top national NAEP average

High school seniors in Iowa outperformed their peers in reading and mathematics on the National Assessment of Education Progress (NAEP) tests, according to results released by the U.S. Department of Education. Iowa was one of eleven states that volunteered to participate in the first 12<sup>th</sup> grade pilot program to generate state-level NAEP test results on high school seniors.

Iowa students in the Class of 2009 scored 291 in reading; the average national was 287. Iowa students scored 156 in mathematics; the average national score was 152.

On the reading test, 79 percent of Iowa seniors scored at or above the NAEP Basic level; the national average was 73 percent. On the mathematics test, 71 percent of Iowa seniors scored at or above the NAEP Basic level; the national average was 63 percent.

Students voluntarily took part in the 12<sup>th</sup> grade pilot program for the NAEP test. In Iowa, students from 118 high schools in 105 school districts participated. A total of 2,684 seniors took the reading test and 2,583 seniors took the mathematics test.

NAEP, more commonly known as the Nation's Report Card, is administered by the National Center for Education Statistics with the U.S. Department of Education. It is the largest continuing and nationally representative assessment of what students know and can do in subjects such as mathematics and reading. More information is available at <http://nces.ed.gov/nationsreportcard/>.

## Iowa school energy challenge

The Center for Energy & Environmental Education (CEEE) at the University of Northern Iowa (UNI) introduces the Iowa School Energy Challenge. The program engages secondary students in grades 7-12 in practical, hands-on strategies to reduce energy consumption school-wide through energy conservation and efficiency.

There is no cost to 14 schools that wish to participate starting in January 2011. The Iowa School Energy Challenge project fulfills the core curriculum goals of problem-based learning in the classroom by using real-world examples of energy use in the student's environment.

The project involves forming a student team, through a class (Science, Talented & Gifted, or Industrial Technology) or a club gathered specifically for this task. The team will work



cooperatively with the school's local utility provider and/or the CEEE staff to conduct energy audits of classrooms, to evaluate, measure, and benchmark electricity use. The team will also raise awareness of energy use throughout the school. "This project will present to secondary students how electrical energy is used at their school, explore where electricity use could be reduced and educate other students and teachers where they can reduce electrical use in the building," said Jeff Beneke, program manager for the Iowa School Energy Challenge.

Mike Moats, chemistry teacher at Knoxville High who participated in the Iowa School Energy Challenge last year, believes students get involved for multiple reasons. "When students identify opportunities through a practical means like this, they are more likely to practice the same process with their own energy use. We hope to see reduced energy bills at our high school and to see students taking what they learn home with them to help reduce their families' energy consumption."

Program sponsors include the CEEE at UNI, Alliant Energy, and the Iowa Office of Energy Independence American Recovery and Reinvestment Act funds. School officials or teachers interested in participating should contact Jeff Beneke at 319-273-3850 or [jeff.beneke@uni.edu](mailto:jeff.beneke@uni.edu). For questions, contact Gary Schwartz at the Iowa Department of Education at 515-281-4743 or [gary.schwartz@iowa.gov](mailto:gary.schwartz@iowa.gov).

## TRANSPORTATION standards updated

This winter, the school transportation unit will be updating and revising the "minimum standards for construction of school transportation equipment" as found in Iowa Administrative Code Chapter 281-44. This chapter deals with all aspects of the specifications for school transportation equipment, ranging from allowable lights to how many emergency exits are required for a school bus, and many other topics. The updating and revising process typically takes about 10 months before the rules actually become effective.

The Iowa Department of Education is asking for input regarding changes or updates that districts would like to see pertaining to specifying equipment for school transportation. Please submit suggestions or concerns by January 1, 2011. All submissions must be in written form, via either U.S. mail or email, and should be sent to Max Christensen. For questions, please contact Max Christensen at 515-281-4749 or [max.christensen@iowa.gov](mailto:max.christensen@iowa.gov).

## Guidance on bullying and discrimination

On October 26, 2010, the federal Department of Education issued guidance, in the form of a “Dear Colleague” letter, to superintendents clarifying when student bullying may also violate federal education anti-discrimination laws. The letter explains educators' legal obligations to protect students from student-on-student racial and national origin harassment, sexual and gender-based harassment, and disability harassment. The letter provides examples of harassment and illustrates how a school should respond in each case.

In August of this year, the Obama administration hosted the first ever National Bullying Summit and launched both the *Stop Bullying Now Campaign* and [www.bullyinginfo.org](http://www.bullyinginfo.org), a national database of effective anti-bullying programs.

One of the effective programs listed is the Olweus Bullying Prevention Program. We have a network of Olweus Trainers across the state of Iowa. Olweus trainers in area education agencies (AEAs) are available to help schools in addressing bullying and can provide the training and support needed for a school to implement Olweus. To see the trainers in your AEA click [here](#).

For more information about the Office of Civil Rights and the anti-discrimination statutes that it enforces, please visit their [website](#). You can review the “Dear Colleague” letter, referenced above, [here](#).

In October, Iowa was one of 11 states to be awarded Safe and Supportive School (S3) grants by the U.S. Department of Education. Iowa will receive \$14 million over the next four years to be used at targeted high schools to support programs and strategies to improve school safety and student support.



## Bullying and harassment prevention intervention

Iowa area education agencies (AEAs) and some school districts have trained specialists in bullying prevention and intervention. Staff members listed below have been trained in [Olweus](#), an international program implemented in over a dozen countries around the world.

Olweus is recognized by Safe and Drug Free Schools as an Exemplary Program. In addition Olweus is recognized by the Office of Juvenile Justice and Delinquency Prevention and the Center for the Study and Prevention of Violence (University of Colorado), as one of only 11 Blueprints for Violence Prevention.

Contact a trainer from the following table for support and information or contact Cyndy Erickson at 515-669-2226 or [cyndy.erickson@iowa.gov](mailto:cyndy.erickson@iowa.gov).



## Olweus Bullying Prevention Program Iowa Trainers/Consultants 2010-2011

### AEA 1

De Anne Blanchard—Keystone AEA 1  
400 2nd St. N.W. Elkader, IA 52043-9564  
Ph: 1-800-632-5918, ext. 202  
[dblanchard@aea1.k12.ia.us](mailto:dblanchard@aea1.k12.ia.us)

Steve Heer Keystone—AEA 1  
2310 Chaney Rd. Dubuque, IA 52001  
Ph: 800-942-4668 , ext 716  
[stheer@aea1.k12.ia.us](mailto:stheer@aea1.k12.ia.us)

### AEA 267

Dawn Jaeger—AEA 267 Sector 6 Office  
726 5th Ave. Grinnell, IA 50112  
Ph: 641-236-7596 #7706

Jaymie Randel—AEA 267  
3712 Cedar Heights Drive Cedar Falls, IA 50613-6290  
Ph: 319-273-8269 Ph: 800-542-8375

Connie Stille—AEA 267  
9184B 265th Street Suite B Clear Lake, IA 50428  
Ph: 641-357-6125, ext. 2261 Ph: 800-392-6640 #2261  
[cstille@aea267.k12.ia.us](mailto:cstille@aea267.k12.ia.us)

Annemarie L. Goldhorn—Pathways Behavioral Services  
Community Prevention Educator  
3362 University Avenue Waterloo, Iowa 50701  
Ph: 319-235-2521 or 319- 415-0211  
[annemarie.goldhorn@gmail.com](mailto:annemarie.goldhorn@gmail.com)

### AEA 8

Becky Kinnander—Prairie Lakes AEA 8  
103 North 9th. Esterville, Ia. 51334  
Ph: 712-362-7295 Fax: 712-362-5395  
[bkinnander@aea8.k12.ia.us](mailto:bkinnander@aea8.k12.ia.us)

Linda Linn—Prairie Lakes AEA 8  
23 E. 7th St. Spencer, IA 51301  
Ph: 712-262-4704 ext 2007 Ph: 866-540-3860  
Fax: 712-262-5114  
[llinn@aea8.k12.ia.us](mailto:llinn@aea8.k12.ia.us)

### AEA 9

Dan Jens—AEA 9  
729 21st. St. Bettendorf, IA 52722  
[djens@aea9.k12.ia.us](mailto:djens@aea9.k12.ia.us)

Jean Simpson—AEA 9  
729 21st. St. Bettendorf, IA 52722  
Ph: 563-244-6373  
[jsimpson@aea9.k12.ia.us](mailto:jsimpson@aea9.k12.ia.us)

Jill Yates—AEA 9  
729 21st. St. Bettendorf, IA 52722  
Ph: 563-344-6380  
[jyates@aea9.k12.ia.us](mailto:jyates@aea9.k12.ia.us)

Ann Craig—AEA 9  
729 21st Street Bettendorf, IA 52722  
Ph: 563-323-1837  
[acraig@aea9.k12.ia.us](mailto:acraig@aea9.k12.ia.us)

### AEA 10

Anne Taylor—Grant Wood AEA 10  
4401 6th Street, SW Cedar Rapids, IA 52404  
Ph: 319-399-6895 Ph: 800-332-8488  
[ataylor@aea10.k12ia.us](mailto:ataylor@aea10.k12ia.us)

Denese Toomey—Grant Wood AEA 10  
4401 6th Street, SW Cedar Rapids, IA 52404  
Ph: 319-399-6844 Ph: 800-332-8488  
[dtoomey@aea10.k12.ia.us](mailto:dtoomey@aea10.k12.ia.us)

### AEA 11

Karolyn Zeller Heartland AEA 11  
6500 Corporate Dr. Johnston, IA 50131  
Ph: 515-270-9030, ext. 4507  
[kzeller@aea11.k12.ia.us](mailto:kzeller@aea11.k12.ia.us)

## Olweus Bullying Prevention Program Iowa Trainers/Consultants 2010-2011 (continued)

### Green Hills AEA

Carol Johnson—Green Hills AEA  
PO Box 1109 Council Bluffs, IA 51502-1109  
Ph: 712-366-0503 Ph: 800-432-5804  
[cjohnson@ghaea.org](mailto:cjohnson@ghaea.org)

Kathleen Lockard Green Hills AEA  
1405 North Lincoln Creston, IA 50801  
Ph: 641-782-8443  
[klockard@aea14.k12.ia.us](mailto:klockard@aea14.k12.ia.us)

Cinda Rachow—Green Hills AEA  
PO Box 1109 Council Bluffs, IA 51502-1109  
Ph: 712-366-0503 Ph: 800-432-5804  
[crachow@ghaea.org](mailto:crachow@ghaea.org)

### Great Prairie AEA Great Prairie AEA

Michael Peters—Southern Prairie AEA  
2814 N. Court Ottumwa, IA 52501  
Ph: 641-682-8591 [mike.peters@gpaea.k12.ia.us](mailto:mike.peters@gpaea.k12.ia.us)

Michael Monfils—Southern Prairie AEA  
3601 West Ave. Road Burlington, IA 52601  
Ph: 319-753-6561 Ph: 800-382-8970 # 1272  
[mike.monfils@gpaea.k12.ia.us](mailto:mike.monfils@gpaea.k12.ia.us)

### NWAEA

Jill Helm—Northwest AEA  
1520 Morningside Ave. Sioux City, IA 51106  
Ph: 800-352-9040 Ph: 712-222-6086  
[jhelm@nwaea.k12.ia.us](mailto:jhelm@nwaea.k12.ia.us)

Flora Lee—Northwest AEA  
1520 Morningside Sioux City, IA 51106  
Ph: 712-222-6363 Ph: 800-353-9040  
[floralee@nwaea.k12.ia.us](mailto:floralee@nwaea.k12.ia.us)

### District Based Trainers

Mike Shipley—At Risk Counselor  
Linn-Mar Community Schools  
3555 North 10th Street Marion, IA 52302  
Ph: 319-447-3152  
[mshipley@linnmar.k12.ia.us](mailto:mshipley@linnmar.k12.ia.us)

Stacia Dautremont—Elementary Prevention Specialist  
Linn-Mar Community Schools  
Ph: 319-447-3337  
[sdautremont@linnmar.k12.ia.us](mailto:sdautremont@linnmar.k12.ia.us)

Marty Van Roekel—Principal  
English Valley High School  
Box 490 North English, Iowa 52316  
Phone: 319-664-3632 Fax: 319-664-3670  
[mvanroekel@english-valleys.k12.ia.us](mailto:mvanroekel@english-valleys.k12.ia.us)

Renee Boehler—World Language  
Crest Elementary College Community School District  
Ph: 319-848-5280  
[RBoehler@prairiepride.org](mailto:RBoehler@prairiepride.org)

Amy Clayton—Davenport Community Schools  
1606 Brady Street Davenport, IA 52803  
Ph: 563-336-5027 Fax: 563-336-5002  
[claytona@davenportschools.org](mailto:claytona@davenportschools.org)

Jane Heinz—Davenport Community Schools  
1606 Brady Street Davenport, IA 52803  
Ph: 563-336-5013 Fax: 563-336-5002  
[heinzj@davenportschools.org](mailto:heinzj@davenportschools.org)

Ellen Reilly—Davenport Community Schools  
1606 Brady Street Davenport, IA 52803  
Ph: 563-336-3832 Fax: 563-336-5002  
[reillye@davenportschools.org](mailto:reillye@davenportschools.org)

### Olweus State Coordinator

Penny Bisignano—Olweus State Coordinator  
Ph: 515-306-4847  
[bisignanoconsulting@gmail.com](mailto:bisignanoconsulting@gmail.com)

### Department of Education Learning Supports Consultant

Cyndy Erickson—Learning Supports Consultant  
Iowa Department of Education  
Ph: 515-281-8514  
[cyndy.erickson@iowa.gov](mailto:cyndy.erickson@iowa.gov)

# Data and Reporting

## 2010 Condition of Education Report

The 2010 edition of *The Annual Condition of Education Report* is now available. Since Iowa released its first Condition of Education report more than 20 years ago access to quality preschool has significantly increased, the percentage of minority students has tripled, and while student enrollment has steadily decreased an increase is projected over the next five years.

In addition, indicators continue to point to the academic success of Iowa students, who are second in the nation on ACT scores, lead the nation on SAT scores, and are well ahead of the national average on Advanced Placement exam scores. Other highlights from the report include an increase in the state's per-pupil spending on instruction as well as an increase in teacher salaries.

The *Annual Condition of Education Report* for 2010 is available for download [here](#). Highlights from *The Annual Condition of Education Report*, which reports the most recent state education information through the 2009-2010 school year unless otherwise noted, include:

### Iowa Schools & Teachers

- **507,662:** Number of students being educated in Iowa's public and nonpublic schools. Since its peak in 1972-1973 (711,000), enrollment in Iowa's schools has steadily decreased, however public school enrollment is projected to increase by 2.2 percent over the next five years.
- **361:** Number of school districts in the state; there were 362 in the previous year and 431 in 1990.
- **87.3%:** Percent of districts offering preschool today, compared to only 43.6% ten years ago.
- **3,100:** Number of Iowa teachers eligible to retire.
- **\$48,638:** Average salary for teachers; Iowa is ranked 26th in the nation in teacher pay, up from 37<sup>th</sup> the previous year.

### Iowa Students

- **87.2%:** Iowa public school graduation rate for 2009. This is the first year Iowa used a formula adopted by the National Governors Association to determine the high school graduation rate. The NGA's adjusted cohort formula was agreed to by the governors of all 50 states in 2005. Iowa is currently one of 20 states that have implemented the NGA formula, with the goal that all 50 states are using the same formula by 2012.
- **17.6%:** Percent of minority enrollment in Iowa, up from 5.5 percent in 1990.
- **37%:** Percent of students eligible for free-and-reduced lunch, up from 26.7% ten years ago.
- **22.2:** Iowa's average ACT composite score in 2010, which is higher than the national average composite score of 21.0. Iowa has the second highest average composite score among states with more than half of seniors taking the ACT.
- **14,028:** Number of Advanced Placement exams given in 2010, up from 5,591 ten years ago.
- **29,721:** Number of students enrolled concurrently in high school and community college courses, up from 21,587 in 2006-07.

### Iowa Education Funding

- **\$9,203:** Iowa's per pupil expenditure in 2008-09, up from \$8,423 in 2007-08.
- **37th:** Iowa's rank among states for the average total amount spent to educate each student, up from 42<sup>nd</sup> in 2007-08.
- **70.4%:** Percent of total general fund expenditures in Iowa public schools dedicated to student instruction in 2008-09; up from 69.5% in 2007-08.

## Fourteen districts honored for closing the achievement gap

Fourteen school districts from across Iowa were honored by the State Board of Education for making major progress in closing gaps in student achievement. The Breaking Barriers to Learning and Teaching Award was created by the State Board and is presented each year to recognize successful efforts to eliminate achievement gaps by improving instruction, curriculum and programs for students, and professional development opportunities for school staff.

"The districts being honored this year represent a cross-section of Iowa, from every corner of the state and serving students from cities and farms, from small towns and suburbs. These districts have helped a diverse group of students gain greater success in the classroom," said State Board of Education President Rosie Hussey (pictured at right presenting an award to one of the 14 districts). "As Iowa works to recover from challenging economic times, this award highlights the critical role our schools and educators play in not only helping each student succeed, but in providing the people who will help our communities and state succeed in the future."



Districts earn the Breaking Barriers award if they saw proficiency in math or reading improve by at least 20% among two or more subgroups of students, while not allowing a decline of more than 5% in any other subgroup of students. Student subgroups include English Language Learners, minorities, low-income and special education students.

### Districts meeting criteria to be recognized with a 2010 Breaking Barriers award were:

Mathematics	Reading
<u>Allamakee</u> – Grade 6 SES; Grade 8 SES	<u>Marion</u> – Grade 4 SES; Grade 11 SES
<u>Ames</u> – Grade 5 IEP; Grade 6 SES	<u>Saydel</u> – Grade 5 SES; Grade 8 SES
<u>Ankeny</u> – Grade 3 IEP; Grade 6 SES	<u>Sioux City</u> – Grade 7 Asian; Grade 11 Asian
<u>Burlington</u> – Grade 3 IEP; Grade 5 IEP	<u>Waterloo</u> – Grade 5 Hispanic; Grade 11 IEP
<u>Cedar Rapids</u> – Grade 3 ELL; Grade 5 Hispanic.	
<u>Clinton</u> – Grade 5 IEP; Grade 6 IEP	
<u>Marion</u> – Grade 3 SES; Grade 5 IEP	
<u>Muscatine</u> – Grade 3 IEP; Grade 5 IEP	
<u>Shenandoah</u> – Grades 5, 8, & 11, SES	
<u>Storm Lake</u> – Grade 6 SES; Grade 6 Hispanic	
<u>Western Dubuque</u> – Grade 7 SES; Grade 7 IEP	



## Data and Reporting continued

### Electronic Transcript & Student Record Project

Beginning December 6, 2010, districts using JMC Student Information System (SIS) software have the capability to send high school transcripts electronically to The University of Iowa, University of Northern Iowa, Iowa State University, and 15 community colleges. These districts also have the capability to send and receive electronic PK-12 student records. For purposes of this project, a PK-12 student record includes information that will assist a school with the placement of new students.

Each of the SIS vendors used by Iowa school districts have agreed to create a custom extract that will pull the needed transcript and student record data from their software. Currently, JMC is the only vendor that has a certified extract, therefore, providing these users with the ability to move forward. As other vendors finalize their extracts, the districts using that software will be notified and can become active partners as well.

District participation in this project is optional. The Iowa Department of Education (DE) offered introductory workshops for both electronic transcripts and student records to provide background and opportunity for discussion. Districts can participate after their SIS vendor extract has been created and certified. At that time, districts using that software will be notified and invited to participate. Included with the invitation message will be a registration form. Districts that elect to participate complete the registration and then receive notice of the availability of hands-on webinar training sessions for staff that will be sending and receiving data for the project.

The DE selected Pearson as the project vendor. Through Pearson, an application branded as the Iowa Transcript Center (ITC) moves data from sender to receiver. In addition to providing high level security, the ITC also has the capability to translate data from one format to another. Data translation is vital as all entities do not use a common file format. The ITC has in its database, information from 137,000 education institutions that includes the preferred file format for each institution.

Many Iowa educators have contributed to the development and implementation of this project. Throughout the development phases, the department has worked closely with the Iowa higher education community. Their support and involvement has been a contributing factor to successful project development. In addition, two committees of practitioners were created, one higher education and one K-12, to determine the appropriate data to be included in the electronic transcripts and student records. For more information about this project, contact Coleen McClanahan, Project Manager at [c\\_mcclanahan@msn.com](mailto:c_mcclanahan@msn.com) or 515-233-1074.

### EASIER Training Early December

The EASIER team is crossing the State the first two weeks of December to provide important updates about the Winter and Spring collections. Topics include: Dropout changes, Supplemental Weighting, Elementary and Middle School Course coding, Career and Technical Education, AYP changes and State ID. It is important that districts attend to know about updates and changes. You can find a complete listing of training dates and locations [here](#).

### Dropout Deadline and Changes

The dropout verification application will open December 6 and close December 16. The DE has made some minor changes to how rates are calculated in order to more closely align with the federal guidelines on dropouts. For more information you can attend EASIER training referenced above. More information is available [here](#).

### Winter EASIER Collection

The Winter data collection is right around the corner. Please use the testing window.

- Test site available:  
December 13 – January 5
- Production site available:  
January 10 – 31

## Electronic payment detail and LOST/SAVE payments

The Iowa Department of Education (DE) has received regular, numerous phone calls about EFTs related to LOST/SAVE/SILO monthly payments. The electronic payment detail system now in place that sends email notice of deposits is exclusive to disbursements made by the DE at this point. Many of you have noticed that LOST/SAVE/SILO payments are not on that web site. LOST/SAVE/SILO disbursements are made by the Department of Revenue (DOR).

In working with the Department of Revenue, they will now be posting information related to LOST/SAVE/SILO payments on the DOR web site. Since these are not disbursements made by the Department of Education, no notice will go out from us on these payments. You can access DOR payment information [here](#). For questions about LOST/SAVE/SILO disbursements, please contact Joel Gabrielson at the DOR at 515-281-6106 or [joel.gabrielson@iowa.gov](mailto:joel.gabrielson@iowa.gov)

## Allocations posted for TITLE IIA FY-11

Budgets are due on Monday, December 6, 2010, at 5:00 p.m., central standard time. Superintendents and business offices should check the Iowa Department of Education website for district Title IIA allocations by clicking [here](#). The Title IIA FY-11 Budgets are due December 6, 2010, at 5:00 p.m. on the secure ED Info website: <https://www.edinfo.state.ia.us>. The site will lock you out after this time has elapsed. For questions regarding Title IIA contact LaCosta Potter at 515-281-3937 or [lacosta.potter@iowa.gov](mailto:lacosta.potter@iowa.gov)

## Chapter 12 Exemption Requests

As a reminder to districts, Chapter 12 Exemption Requests for the 2011-2012 school year are due before January 1, 2011.

Waiver/ Exemption	Form	Board Approval or Hearing	Deadline
Chapter 12 – General Accreditation Standards 281-IAC 12.9	The form can be downloaded by clicking <a href="#">here</a> .	Board minutes that dem- onstrate that the local school board has ap- proved the request.	January 1 preceding the school year for which the waiver is requested.

Send the completed form and all attachments to:

Del Hoover, Deputy Administrator  
Bureau of Accreditation and Improvement Services  
Iowa Department of Education – Grimes State Office Building  
400 East 14<sup>th</sup> Street  
Des Moines, IA 50319-0146

## Report minor boundary changes

Superintendents who have had a minor boundary change after 2000 need to report it to their Area Education Agency (AEA) as well as to the Iowa Department of Education (DE) to [jim.addy@iowa.gov](mailto:jim.addy@iowa.gov) and [marcia.krieger@iowa.gov](mailto:marcia.krieger@iowa.gov).

The DE needs to know whether any district in your AEA has had a legal boundary change since 2000. The DE is aware of major changes such as dissolutions and mergers; however, the DE does not always receive information about land swaps as they are not required to be reported. The DE now maintains electronic maps of the districts for multiple reasons such as spatial analysis, reorganization studies, etc.

# Student Health and Nutrition

## Medicaid Presumptive Eligibility

Many Iowa students continue to be without needed medical care. An ill student needing medical care has difficulty learning. In order to meet the needs of these students, Iowa is now offering education for your school nurse to become a Qualified Entity (QE) to refer eligible students to Medicaid to pay for the needed medical services and treatment immediately.

If a school is a Medicaid provider, the school nurse may apply to determine a child's Presumptive Eligibility for Medicaid. The school nurse contacts Iowa Medicaid Enterprise, Provider Enrollment, 800-338-7909, opt. 2 or Des Moines area nurses, 515-256-4609, opt. 2. The school nurse will be required to complete a web-based training and electronic certification to become a Qualified Entity (QE) to make the "presumptive" determination about a child's eligibility based on the family's self declaration statement regarding income.

To qualify for Medicaid, the child must be under age 19, must be an Iowa resident or qualified alien, and must have gross family income less than 300% of the Federal Poverty Level (FPL) based on the size of the family. No verification of income is needed at the time the Presumptive Eligibility determination is made. The child's family will complete and sign an original application form. The QE school nurse will enter the application data into an online Iowa Medicaid application, and at that



time, if the student is found eligible, the QE school nurse will print and provide a Notice of Decision to the family.

All presumptive applications are then referred to the Department of Human Services (DHS) for an ongoing Medicaid eligibility determination for the child. During the formal Medicaid eligibility determination, DHS will verify income, citizenship, alien status, identity, and other information as necessary.

Presumptive Eligibility is a process that provides immediate access to health care services for a child who appears to qualify for Medicaid or hawk-i while his or her eligibility for the health care coverage programs is being determined. Presumptive Eligibility makes it possible for children to receive immediate medical services or prescriptions within 24-48 hours of the approval or "Notice of Decision" and assures providers that they will receive payment. For questions, contact Jim Donoghue at 515-281-8505 or [jim.donoghue@iowa.gov](mailto:jim.donoghue@iowa.gov),

# Early Childhood Preschool Programs

## IQPPS checklist posted on website

Awarded school districts preparing for a Department Preschool Verification Visit will find the Iowa Quality Pre-school Program Standards Verification Visit Checklists helpful. These checklists are available online and can be downloaded [here](#).

For more information about the Statewide Voluntary Preschool Program for Four-Year-Old Children please contact Judy Russell (515-281-4705 or [judy.russell@iowa.gov](mailto:judy.russell@iowa.gov)) or Penny Milburn (515-281-7844 or [penny.milburn@iowa.gov](mailto:penny.milburn@iowa.gov)).



**FUN FACT:** Today, 87.3% of Iowa school districts offer preschool. Ten years ago, it was only 43.6%.

## Preschool FAQ posted on website

The Iowa Department of Education has posted frequently asked questions regarding implementation of the Statewide Voluntary Preschool Program at the department's web site. The FAQs address partnerships, budget and finance, teacher licensure requirements, as well as other program requirements. The FAQ for Implementation is located under the "Guidance" section [here](#).

## PRESCHOOL GRANTS newly awarded districts

Preschool Grant Award agreements have been sent to newly awarded districts for 2010-2011. Agreements must be signed by the superintendent, board president/designee and the district business manager and returned to the Iowa Department of Education by December 6, 2010.

Please adhere to this time schedule in order to ensure timely allocation of funds.

For questions, contact Judy Russell at 515-281-4743 or [judy.russell@iowa.gov](mailto:judy.russell@iowa.gov).



## Legal Lessons

The contact for all Legal Lessons items is Carol Greta ([carol.greta@iowa.gov](mailto:carol.greta@iowa.gov) or 515-281-8661).

### **Action on Administrative Rules**

At its November 17, 2010 meeting, the State Board of Education voted to *give public notice* of its intent to amend the following chapters of administrative rules:

#### **36, Interscholastic Athletics**

Rescinds the “open gym” rule. The prohibition against out-of-season contact is still in the rule, but it will be left to local control who is allowed to use a school’s athletic facilities and at what hours.

#### **41, Special Education**

The term “mental disability” is replaced with “intellectual disability.”

The term “preappeal conference” is deleted and replaced with “mediation conference.”

#### **102, Investigating Allegations of Abuse of Students by School Staff**

Clarifies that each school must annually publish either the name or position of its Level One investigator

Requires a complaint to be witnessed only if the complaint is signed by a minor

Also at its November 17, 2010 meeting, the State Board of Education *adopted* amendments to the following chapters of administrative rules:

#### **17, Open Enrollment**

This is a clarification in the very narrow area of supplementary weighting for open enrolled-in students who take concurrent enrollment courses

#### **44, School Buses**

Requiring tow hooks on buses of 14,501 pounds or greater; this is a technical correction to a rule that inadvertently stated that two hooks were required on buses of 14,500 pounds or greater (it’ll make sense to your transportation people)

#### **43, Pupil Transportation**

The rule no longer requires a school district to obtain separate body and chassis bids; also this clarifies that there is to be no smoking in school buses at all times.

#### **68, Charter and Innovation Zone Schools**

New legislation from 2010 created innovation zone schools (for which no additional funds are available). An innovation zone school is similar to a charter school, but whereas a charter school is a public attendance center chartered and governed by the local school board of the school district in which the charter school is located, an innovation zone school is a public attendance center established by a consortium that must include at least two school districts and an area education agency. The proposed rules are expanded to discuss such schools, and also add greater weight to innovation in the ranking of charter school applications.

#### **83, Teacher and Administrator Quality Programs**

Edits the definition of “beginning administrator” so that superintendents are included.

#### **97, Supplementary Weighting**

Clarifies that students with disabilities who are served by special education programs or services and students who are served by at-risk programming are not to be denied participation in other weighted programs (such as, for instance, Senior Year Plus).



## Legal Lessons ... continued

### **98, Financial Management of Categorical Funding**

Conforms rules to statutory changes made in 2010 regarding the lawful purposes of the per pupil funding received by a school district that operates a home school assistance program. The edits also make necessary adjustments to acknowledge that the educational excellence Phase II program and the educator quality basic salary program were combined, and that they and the educational excellence Phase I program are no longer grants-in-aid, but are budgetary allocations.

The summaries above are not intended to be exhaustive. Full information may be found on the Department of Education website at [http://www.iowa.gov/educate/index.php?option=com\\_content&task=view&id=75&Itemid=2349](http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=75&Itemid=2349).

### **Are Bus Drivers Mandatory Reporters?**

This question comes up frequently. School administrators ask if bus drivers need to have training for mandatory reporters of child abuse. Because this is not an education law, the DE consulted the Department of Human Services (DHS).

**DHS answered that school bus drivers are NOT mandatory reporters of child abuse.** No training is required. This does not inhibit a school bus driver from reporting suspected abuse; we are all permissive reporters.

The exact wording of who is a mandatory reporter is from Iowa Code section 232.69: "A licensed school employee, certified para-educator, holder of a coaching authorization issued under section 272.31, or an instructor employed by a community college."

### **Iowa Supreme Court Decision on Waivers/Releases**

On November 5, 2010 the Iowa Supreme Court rules that public policy precludes schools (and other entities) from enforcing a parent's pre-injury waiver of the parent's minor child's cause of action for injuries caused by negligence. This just means that schools cannot use waivers or releases as a condition of allowing a student to participate in an educational or extracurricular activity.

Permission slips are still permitted, and in fact, are a very good idea. Add to the permission slip an "acknowledgement of common risks" so no parent can later argue that they were not advised that a trip to the ballpark could involve their child being exposed to an errant foul ball or that a field trip to a petting zoo could expose the child to slipping on a pile of dung.

Here is a link to the Court's decision: [http://www.iowacourts.gov/Supreme\\_Court/Recent\\_Opinions/20101105/08-0776.pdf](http://www.iowacourts.gov/Supreme_Court/Recent_Opinions/20101105/08-0776.pdf)

## Legal Lessons ... continued

### Electronic Social Media – Acceptable Use Policy Pointers

Below are simply some suggestions to think about adding to a school's acceptable use policies.

*For students:*

*Clearly tell students what is not acceptable:*

- Use of cell phone during class for any reason.
- Taking pictures in the locker room.
- Taking any picture of another person for the purpose of ridiculing the other person (falling asleep, chewing food with mouth open...it doesn't have to involve nudity).
- Use of cell phone or any device to cheat.
- Use of cell phone or any device to harass another person.

*Clearly inform students of the consequences of unacceptable use:*

- Device shall be confiscated.
- Duration.
- May be turned over to law enforcement.
- Subject to search.
- Other discipline (suspension from class/from activities).
- Parents shall be informed.
- Law enforcement shall be informed where appropriate.

*For staff regarding the social networking they do on their own time:*

- Limit student access to your site. Better yet, prohibit student access to any personal site not maintained solely for instructional purposes.
- Never discuss students or colleagues.
- Never post images of students.
- If using a site for instructional purposes, keep school administrators and parents informed of your use. Keep up a strictly professional relationship with students on such a site.
- Do not ask to be a student's friend on the student's site and do not accept a student's invitation to be his/her friend.
- If you do accept, tell the student's parent. (If you do not want to tell the parent, this says something about the appropriateness of accepting the invitation.)
- Monitor your site regularly and remove postings that are inappropriate.
- Google yourself to find out what others see. If you don't like what comes up, fix it!
- Do not access your site or other non-school sites using school equipment, time, or other resources.

## Calendar

As leaders we control several variables that impact student performance. Educators need to work in collaborative teams to look at data and student work, and change instruction based on what they have learned. Educators need time to learn and implement strategies to impact student performance and assess if learning has improved. As leaders, you can ensure that these conditions and expectations are in place, so that we continue to move forward in challenging times.

**Kevin Fangman**  
Acting Director

- December 1 • Juvenile Home Requests for Educational Program Services
- December 1 • SBRC Application—Increased Enrollment, Open Enrollment Out and LEP
- December 15 • Dropout Prevention programs for MAG—last day to submit application
- December 16 • 2009-2010 Dropout Verification Deadline
- January 1 • Juvenile Home Educational Program Budget
- January 1 • Reorganization or Dissolution effective on next July 1 — last Day to notify Department of Education

[Click here for a complete Iowa Department of Education Calendar](#)

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[www.iowa.gov/educate](http://www.iowa.gov/educate)

## Iowa Department of Education

400 E 14th Street  
Grimes State Office Building  
Des Moines, Iowa 50319  
Ph: 515-281-5294  
[www.iowa.gov/educate](http://www.iowa.gov/educate)