



# School Leader Update

A MONTHLY JOURNAL  
FOR IOWA EDUCATORS

August 2015

## Engage parents for better outcomes

Numerous studies demonstrate that students with parents who are actively involved in their education are more likely to earn high achievement scores, graduate from high school, and attend postsecondary schools.

Join Karen Mapp, Joe Mazza, and other national experts to learn information and practical strategies for forming, cultivating, and sustaining these essential partnerships that improve educational outcomes.

The Iowa Department of Education, through the Iowa Safe and Supportive Schools grant, is hosting the Family Engagement Symposium Sept. 9-10 at the Iowa Events Center in Des Moines. The event is open to all Iowa schools. There is no registration fee, and lunch is served both days. View the complete [agenda](#). Register by Aug. 15 [here](#).



## In This Issue

- Assessment pilot..pg. 2
- For data teams..pg. 3
- Update TeachIowa.gov..pg. 4

## A commitment to excellence

I have received such a warm welcome from education stakeholders across the state since Governor Branstad named me director of the Iowa Department of Education on June 30. I can't begin to tell you how much that has meant to me.

I've gotten to know many of you through my work over the past three years with Iowa's Teacher Leadership and Compensation System. Still, knowing I'm a new face to many, I've made it one of my goals to visit schools statewide as much as possible. While I'm not an Iowa native, I've been here long enough to know Iowans expect their leaders to understand their local context. And I'm prepared to meet this expectation.



**Director Ryan Wise**

While I look forward to getting to know you better, here's a little about me. I approach each day as a learner. I am focused on strengthening relationships with education stakeholders to ensure the Department understands and meets the diverse needs of a diverse state.

I am an educator because I believe all kids should have a rich, rewarding educational experience that prepares them for the world ahead. As the father of two sons in the Des Moines Public Schools, I know that Iowa's students walk into our classrooms each day with very different needs. I firmly believe our state has developed a policy framework that will ensure success for all kids.

Iowa has made a huge investment in teacher leadership, and I have been privileged to lead

*Continued on page 7*

## New background check element for renewing license

The Iowa Board of Educational Examiners (BoEE) is now required to check Iowa Courts Online for all renewal applicants, as per the Legislature modifying the law in the last legislative season.

All applicants for renewal must disclose any criminal convictions, except minor traffic violations, on the renewal application. Any omissions made on a renewal application may delay the renewal process.

Questions about the background check process may be directed to Joanne Tubbs at [joanne.tubbs@iowa.gov](mailto:joanne.tubbs@iowa.gov) or BoEE attorney Darcy Lane at [darcy.lane@iowa.gov](mailto:darcy.lane@iowa.gov). Applicants may check individual criminal backgrounds at [iowa Courts Online](http://iowa.courts.gov).

# Recruiting K-3 teachers for assessment pilot

Iowa is looking for teachers who want to improve teaching and learning using new formative assessment tools. Kindergarten through third grade teachers and their administrators are invited to try out new learning progressions addressing five domains of learning and development. These learning progressions may be used to personalize instruction for students.

As part of a national consortium addressing kindergarten through third grade formative assessment, Iowa teachers will be participating in cognitive labs and piloting this assessment. By engaging our teachers and schools in the pilot and field test activities, Iowa will play a key role in designing this formative assessment. Additionally, we will learn how teachers use the assessment data and what supports states, districts, schools, and teachers need to implement this assessment successfully.

### **FIVE DOMAINS OF LEARNING AND DEVELOPMENT**

1. physical well-being and motor development;
2. social and emotional development;
3. approaches toward learning;
4. language and literacy development; and
5. cognitive development and general knowledge.

The project has three phases: cognitive labs, the full pilot, and the field test; additional teachers will be needed during each of these phases.

The cognitive labs began this past spring and will continue this fall. Teachers who participate in the cognitive labs will try out assessment “items” with some children.

The full pilot begins this fall with kindergarten teachers and continues into the winter. Teachers who participate in the full pilot will implement the assessment in their classroom for part or all of the year depending on the grade level.

All teachers participating in cognitive labs and pilot activities will receive training and ongoing support in using assessment materials, have opportunities to provide feedback, engage in conversations with other teachers nationally, and receive incentives.

If you think there may be buildings or teachers in your district interested in helping with the cognitive labs and pilot described, contact Colleen Anderson ([colleen.anderson@iowa.gov](mailto:colleen.anderson@iowa.gov)), Penny Milburn at ([penny.milburn@iowa.gov](mailto:penny.milburn@iowa.gov)), or Jennifer Adkins at ([jennifer.adkins@iowa.gov](mailto:jennifer.adkins@iowa.gov)).



# Data-team conference registration ends August 3

Registration is open for a no-cost Aug. 10 conference designed for school districts' entire data teams – anyone from business managers to TIER teachers.

All state-related data issues are going to be covered under one roof rather than sporadic meetings on various issues that take place throughout the state.

Topics to be covered include Adequate Yearly Progress, Basic Educational Data Survey (BEDS), Competent Private Instruction (CPI), Career and Technical Education (CTE), Early Literacy Implementation (ELI), English language learners (ELL), Regent's Admission Index (RAI), Student Locator Framework (SLF), school finance, Schools in Need of Assistance/District in Need of Assistance (SINA/DINA), Student Reporting in Iowa (SRI), Statewide Voluntary Preschool Program (SWVPP), and Tools for Innovation in Educational Results (TIERS).

The conference will be held at the Scheman Building at the Iowa State Center on the Iowa State University campus in Ames. Registration ends Aug. 3. Click [here](#) for more information and to register.



## Iowa Core in Espanol

The Iowa Department of Education is offering a poster in Spanish urging parents to go to the Iowa Core website. It says, literally:

### ***A better approach to education***

*Iowa has transitioned to new state standards for what K-12 students should know and be able to do in math, English-language arts, science, social studies and 21<sup>st</sup> century skills. The standards are called the Iowa Core.*

*Get involved in your children's education. Learn about the Iowa Core – now in Spanish.*

*Go to [iowacore.gov](http://iowacore.gov).*

Please post this, or send to your Spanish-speaking parents. The more parents know about the Iowa Core – and how they can reinforce the work at home – the better.

You can download both the color and gray-scale posters, which can be readily printed out on a printer, by clicking [here](#).

Un **mejor**  
**enfoque**  
a la  
**educación**

Iowa ha hecho la transición a los nuevos estándares académicos estatales para lo que deben saber y ser capaces de hacer los estudiantes de K-12 en matemáticas, lectura y escritura, ciencias, estudios sociales y competencias del siglo XXI. Los estándares se llaman Iowa Core.

Involúcrese en la educación de sus hijos. Aprenda sobre Iowa Core – ahora en español.

Visite [iowacore.gov](http://iowacore.gov)



## It is time to update Teachlowa.gov

With a new school year bearing down upon us, it is imperative that you take the time to update and clean up your [Teachlowa.gov](http://Teachlowa.gov) job posting account.

Here are some important reminders:

- Remove users who have left your district.
- Now is the time to give access to those individuals who are new to your district and will need access in the future.
- Revise contact information if email protocols or district web addresses have changed.
- Check the status of outdated job postings to make sure they have been appropriately closed and are no longer visible.

If you have questions or concerns about account maintenance, contact [Aspex Solutions Support](#). For user questions, contact [Kelly Hart](#) at the Iowa Department of Education.

## Last-minute scheduling problems? No sweat!

Whether you are faced with last-minute scheduling dilemmas or are looking for ways to increase your course offerings, Iowa Learning Online (ILO) offers rigorous online courses at no cost to your district.

Iowa Learning Online's fall semester begins on Aug. 24 with late enrollments accepted until Aug. 31 at 4 p.m.

Iowa Learning Online is committed to expanding online options for your school. New additions for the fall semester include a second segment of personal fitness, a fifth year of Spanish and French, and a third year of German. All classes are taught by Iowa-licensed and appropriately endorsed teachers and may be taken for original, recovery, or advancement credit. Courses are available 24/7 and students are in cohorts with peers from across the state.

Visit [iowalearningonline.org](http://iowalearningonline.org) to learn more and view a [full course list](#). Spring enrollment is also open now with the term starting Jan. 4 and ending May 6.

Contact Cale Roe, ILO Student Services, at [cale.roe@iowa.gov](mailto:cale.roe@iowa.gov) or 515-782-7680 for more information.



## College Aid has '3-step process' for seniors

Iowa College Aid's "3-Step Process" offers Iowa high schools a program to help students apply to college, file for financial aid and ultimately decide on an admissions offer while promoting and building a college-going culture.

The Iowa College Application Campaign kicks things off in the fall, helping Iowa students navigate the college admissions process and providing every graduating high school senior the opportunity to apply to one or more colleges. The *Free Application for Federal Student Aid (FAFSA)* Completion Initiative, which provides participating schools with FAFSA filing statuses for their seniors, and Iowa College Decision Day, which celebrates student achievement and college acceptance, round out the "3-Step Process."

Iowa College Aid is currently enrolling schools in the "3-Step Process." Signing up with Iowa College Aid gives participating schools access to resources and data to continue building a year-long college-going culture. For more details and to register your school, go to [3-Step Process](#).

## State team completes science recommendation

Members of the Science Standards Review Team have completed a final report on their recommendation that Iowa adopt the Next Generation Science Standards, with some modifications, as Iowa's new science standards. The report was submitted to the State Board of Education for consideration.



Iowa's statewide academic standards set consistent expectations for what students should know and be able to do from kindergarten through high school in science, social studies, English-language arts, math and 21st century skills (civic literacy, employability skills, financial literacy, health literacy, and technology literacy). The standards, known as the Iowa Core, establish what students must learn to be prepared for success after high school. Local schools and educators continue to set and oversee decisions about curriculum and classroom instruction.

In October 2014, the Iowa Department of Education convened the Science Standards Review Team in response to Gov. Branstad's Executive Order 83. The executive order called for a review of Iowa's academic standards, including public comment, to determine the content of, and to continually improve, the standards. The science standards review will be followed by reviews of the other parts of Iowa's statewide standards.

The team's charge was to review Iowa's science standards, as well as rigorous science standards from other states and organizations; to take a preliminary recommendation to the public for feedback; and to consider the public feedback before sending a final recommendation to the Iowa Department of Education director and to the Iowa State Board of Education.

[2015-07-17 Iowa Core Science Standards Review Team Report](#)

## 2 Iowa educators honored by President Obama

Two Iowa teachers were honored by President Obama as recipients of the prestigious Presidential Award for Excellence in Mathematics and Science Teaching.

Brian Reece, a math teacher at Central Academy in Des Moines, and Allysen Lovstuen, a math teacher at Decorah High School in Decorah, were two of 108 science and math teachers honored nationally. Both will receive a \$10,000 award. They also are invited to Washington, D.C., for an awards ceremony, as well educational and celebratory events, and visits with members of the administration.

The Presidential Award for Excellence in Mathematics and Science Teaching is awarded annually to outstanding K-12 science and mathematics teachers from across the country. The winners are selected by a panel of distinguished scientists, mathematicians and educators following an initial selection process done at the state level.

The awards focus attention on science, technology, engineering, and math (STEM), fields in which governments on the national and state levels are actively promoting to attract more students.

# Taking explicit instruction to the next level

An early literacy initiative that focuses on ensuring that students are at grade-level reading by the end of third grade has refocused the state's attention on a long-used but underdeveloped strategy: explicit instruction.

Explicit instruction, in the old way of doing it, is a teacher modeling something for students and then having them mock it, much like "I do, we do, you do." Today's explicit instruction is far more extensive, folding in specific practices to ensure students reach the lesson's intended goal.

Explicit instruction was the focus of a standing-room-only two-day summit in Des Moines. Some 600 people attended, representing 68 of the state's school districts, a handful of private schools, all the state's Area Education Agencies, and higher education officials and the School for the Deaf.

"Explicit instruction is unambiguous, structured, systematic, and employs effective methodologies for teaching academic skills," said Keynote Speaker Anita Archer, a nationally renowned educational consultant to school districts on explicit instruction, the design and delivery of instruction, behavior management, and literacy instruction. "It is called 'explicit' because it is a direct approach to teaching that includes both instructional design and the delivery of procedures, or routines.

"Explicit instruction is characterized by a series of supports or scaffolds, where students are guided through the learning process with clear statements about the purpose and reasons for learning the new skill, clear explanations and demonstrations and supported practice with feedback until independent mastery has been achieved."

The components of today's explicit instruction work like this: The teacher states clearly to the students what they are going to learn and what they should be able to do when the lesson is over. Then, she leads the class through a step-by-step process on how to get to that learning goal. She does so by ensuring the students remain engaged in the activity, such as through interactivity. The teacher also develops signals that the students will understand, such as a motion to indicate to the students that she's going to speak. She also has a toolbox of supports she can use to help struggling students.

Explicit instruction is the diametrical opposite of implicit instruction. In explicit instruction, for example, the teacher will start out by saying, "We are going to learn about the long E. At the end of the lesson, you will know how to identify the long E and how to use it." In contrast, with implicit instruction, the teacher may put several words on the board with long E's and ask the class, "What is similar about these words?"

"Implicit instruction is best used with students who have a deep knowledge of content, are good problem solvers, do not struggle with memory, and are perhaps in the talented and gifted range," said Rhonda Ketels, consultant at the Iowa Department of Education. "There is a time and a place for implicit, or discovery-type learning, for many students. However, explicit instruction is good structured teaching that takes into account the diverse needs of all students. Explicit instruction provides the appropriate supports, or scaffolding, that students need to be successful learners. It's good instruction for all learners, especially those who struggle."

Read more about some [teaching myths](#) that Archer debunks.

# Iowa students sought for state Broadband Advisory Council

Iowa students are invited to apply for a seat on a new statewide youth advisory council that is focused on hearing students' technological experiences as the state continues its broadband efforts.

The Statewide Youth Broadband Advisory Council (SYBAC) complements state efforts to gain input from various stakeholders who are passionate about broadband, technology, and applications that require high-speed Internet.

Students enrolled in grades 10 through 12 from public and nonpublic schools in Iowa may apply for membership. Meetings will take place monthly, beginning in October through May, via video conference or teleconference. Council members also will communicate via e-mail. Iowa Communications Network (ICN) is the executive agency sponsor with support from Iowa Department of Education and Iowa Economic Development Authority.



Applications can be submitted between Aug. 24 and Sept. 14. Students interested should visit [ICN's website](#). Contact Lori Larsen at [lori.larsen@iowa.gov](mailto:lori.larsen@iowa.gov) for questions about the council or application.

## ***Continued from page 1***

this work. The key ingredient to improving student learning is to strengthen the knowledge and skills of teachers. We're doing this by elevating the teaching profession and providing teachers more and better opportunities to lead and collaborate. In addition, we have committed to annually reviewing a portion of Iowa's academic standards. By setting clear and rigorous expectations of what all students should know and be able to do, districts and teachers can develop and adopt aligned, local curriculum and teaching methods they believe best prepares their students to meet these expectations.

As director, I also look forward to scaling approaches that deepen student engagement. The Department will continue to provide high-quality, student-centered learning opportunities through Iowa Learning Online and will maintain its support of competency-based education. I'll also be "all-ears" in learning about other ways we can work as a partner to personalize learning for all students.

Perhaps most importantly, I'm committed to working toward the goal of ensuring all students are reading proficiently by the end of third grade.

I hope we build a system that equips kids both with the skills they need to tackle more challenging content as they progress in school, but also builds their love of reading and learning. These two goals are not mutually exclusive.

The mission of the Iowa Department of Education is to create excellence in education through leadership and service. I look forward to serving Iowa's schools by helping create the conditions under which our educators can do their best work.

Have a fantastic start to the school year!

*Ryan M. Wise*

## Nutrition and Health Services

### Fiscal year 2016 school meal program, direct certification

The fiscal 2016 Application Packet is now available on IowaCNP and needs to be submitted by Aug. 7.

The July 2015 Direct Certification list is posted on the Portal. New this school year is the list for migrant students. This list must be downloaded as a part of the process each month.

As a reminder, expansion of benefits for other students in the household does not apply to foster or migrant status. Starting in August, there will be two Direct Certification lists posted each month. School districts are required to access the Direct Certification lists twice a month to ensure all eligible students are identified. A message is posted on the IowaCNP login page identifying the latest Direct Certification match available on the Portal.



Contact Patti Harding at [patti.harding@iowa.gov](mailto:patti.harding@iowa.gov) or your assigned area consultant for assistance with the FY16 Application Packet and Ellen Miller at [ellen.miller@iowa.gov](mailto:ellen.miller@iowa.gov) for assistance with access to IowaCNP or the Portal.

### School breakfast survey results

The University of Iowa in partnership with the Iowa Department of Education's Team Nutrition conducted an online survey of parents (n=8,982) and of K-12 school administrators in Iowa (n=152). The purpose of the parent survey was to 1) evaluate parents' knowledge of the school breakfast program at their child's school, 2) determine parent perceptions of the school breakfast program, and 3) identify general breakfast consumption behaviors of school-aged children. For a report of the parent survey results, [click here](#).

The purpose of the administrator survey was to better understand administrator perceptions, attitudes, and beliefs around the school breakfast program and determine barriers and facilitators to improving school breakfast program participation. For a report of the administrator survey results, [click here](#).



The survey results will be used to better understand why school breakfast participation in Iowa is low compared to national rates of school lunch participation. For more information, contact Patti Delger, [patti.delger@iowa.gov](mailto:patti.delger@iowa.gov).



## Legal Lessons

Contact Nicole Proesch for all Legal Lessons items: [nicole.proesch@iowa.gov](mailto:nicole.proesch@iowa.gov) or 515-281-8661

### A long(er) hot summer

This year we have all been enjoying a hot Iowa summer. But it's not quite over yet: Remember schools can start no earlier than Aug. 23. The good news is this means a longer summer for everyone. Take advantage of it this year and enjoy. I know I will.

My youngest will be starting school full-time this year. I am excited and selfishly a little sad because "I don't want my baby to grow up!" He has his whole life to learn and get bigger, but I want him to stay my baby for a little longer. But he really is ready to learn so I know it's time. So, this year will be twice the preparation for school and twice as much fun. But, alas, we will enjoy our last few days of summer, get our back-to-school shopping done, take our first day of school pictures to commemorate the big day, and make our annual trip for donuts.

Now as I plan for my baby to start school, I know his experience will mirror mine and bring him the same fond memories I have. I am emotional about his first day but I am also excited for the adventures in store for him. So, as I prepare him for a lifelong journey of learning, let me also prepare you for the beginning of this school year.

As we step into the new school year, remember it is the little things that kids remember and take with them. Now, in preparation for yet another year in this edition of Legal Lessons, I bring you the Top Five registration issues, fee reminders, Family Educational Rights and Privacy Act (FERPA) notices, and search and seizure in schools.

#### Top Five registration issues

1. **Birth certificate:** Schools may require proof of date of birth to ensure the child is school age by Sept. 15, but schools cannot require the proof be a birth certificate. Reasonable alternatives include an adoption record, certified statement of a physician, an immunization record with birth date, or anything else that is reasonably reliable.
2. **Age requirements:** Under Iowa Code section 282.3, a child must be 5 on or before Sept. 15 to enter kindergarten and must be 6 on or before Sept. 15 to enter first grade.
  - a. An Attorney General opinion states this is the law and cannot be waived.
  - b. A solution is to enroll the child when legal do to so in kindergarten, and if appropriate, the district can promote the student to first grade as soon as warranted.
  - c. Iowa Code section 282.3 provides one exception to the requirement that a child be 6 before Sept. 15 to enter first grade. If the child completed kindergarten in a school district in another state or in an accredited nonpublic school in Iowa, the child may be enrolled in first grade.
  - d. The Interstate Compact for the Education of Military Children also provides an exception for a child who moves into Iowa because of the deployment of a parent.
3. **Social Security Numbers:** are not required by the state for registration.
4. **Legal Names:** Students must be registered using the child's legal name under Rule 12.3(4).
5. **Addresses:** Do not accept a P.O. Box for an address unless it is known for certain the family resides there. Schools have a right to know the students' addresses for residency purposes.

*Continued on page 10*

# Legal Lessons continued

*Continued from page 9*

## **Fee reminders**

Every school year we get questions about fees, so it seems fitting to provide a reminder of what fees are acceptable and what fees are not. First and foremost, remember that there is no such thing as a “registration fee,” so avoid using that term.

The allowable fees expressly authorized in Iowa Code are:

- Textbooks
- School supplies
- Summer school programs
- Driver education programs
- Transportation fees for resident students who are not otherwise entitled to free transportation
- Eye protective devices
- Ear protective devices
- School meals
- Nonresident student tuition

Iowa Code states that the board of directors of the school district is authorized and empowered to contract for and buy books and any and all other necessary school supplies at contract prices, and to sell those books and supplies to their students at cost, loan the textbooks to their students free, or rent the textbooks to their students at a reasonable fee as set by the board.

## **Iowa Attorney General opinions regarding fees**

- A school district may not assess fees for items which are necessary or essential to the instruction of a class unless such a fee is specifically authorized by the Code; however, a district may assess fees for school supplies which represent the cost of the item or a reasonable rental fee. The cost of items which are necessary or essential to the instruction of a class must be properly characterized as tuition rather than school supplies. Examples are art supplies for art classes and chemicals for science classes. In contrast, pens and paper used by students to take notes would be properly characterized as school supplies (OAG #93-7-3(L)).
- All facilities, supplies, and other items which are necessary or essential to instruction must be provided free of charge (except as expressly allowed by Code) in a tuition-free school. A school district may purchase other supplies and distribute them to students, but they must be provided for free, rented for a reasonable fee, or sold at cost (OAG #79-12-22).
- Public schools may not charge fees for courses offered as part of their educational program (except as expressly allowed by Code) as such fees constitute tuition. Schools may not charge fees for extracurricular activities as no express or necessarily implied statutory authority exists for such fees (OAG #81-8-29).

*Continued on page 11*

# Legal Lessons continued

*Continued from page 10*

## **School supplies**

1. Restrictions on fees related to school supplies are equally applicable to lists of class supplies given to parents to provide. If the school district would not have been allowed by law to charge students a fee for the item, then the district cannot require the parents to provide those items, either. Those items, which are necessary or essential to the instruction of a class, must be provided by the district. Examples: paints, crayons, erasers, scissors, clay or similar supplies used for art instruction.
2. Parents cannot be required to provide district or classroom supplies. These are the responsibility of the district to provide. Examples: disinfecting wipes and other cleaning supplies, Band-Aids, handheld calculators required for a class, dry erase markers, hi-liters, multiple rolls of scotch tape, multiple bottles of glue, boxes of plastic bags, paper towels, etc.
3. Allowable school supplies provided by students or their parents remain the property of those students providing the supplies and do not become general classroom supplies. Examples: pencils or other markers used in place of pencils, colors, notebooks, boxes of tissues, folders, backpacks or school bags, etc.

## **Fee waivers**

Fee waivers, full and partial, are governed by [281-Iowa Administrative Code](#). A full waiver of all fees shall be granted if the student or the student's family meets the financial eligibility criteria for free meals, for the Family Investment Program (FIP), for transportation assistance under open enrollment, or if the student is in foster care. A partial waiver is appropriate if the student or student's family meets the financial eligibility criteria for reduced-price meals, and is based on "a sliding scale related to an ability to pay." One simple way to justify the amount of a partial waiver is to make sure that it corresponds to the percentage of the reduced-price meal from full-price meal. Finally, each school district has discretion to grant a temporary waiver of one or more fees in the event of a temporary financial difficulty in the student's immediate family. This temporary waiver may be granted at any time during a school year; the maximum length of a temporary waiver shall be one year.

## **FERPA responsibilities**

Federal law requires that school districts annually send to parents a notice of rights under the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). The law does not state when the notices are to be sent to parents, but at the beginning of the school year makes the most sense. The U.S. Department of Education provides model notices at the links below. Questions about FERPA or the PPRA should be direct to the Family Policy Compliance Office of the U.S. Department of Education at 202-260-3887 or [FERPA@ED.Gov](mailto:FERPA@ED.Gov).

Model Notification of Rights under FERPA (sent to families of elementary & secondary students): [FERPA Notice](#)

Model Notification of Directory Information under FERPA: [Directory Information Notification](#)

PPRA Model Notice and Consent/Opt-Out for Specific Activities: [PPRA Consent](#)

Model Notification of Rights under the Protection of Pupil Rights Amendment (PPRA): [PPRA Notice](#)

*Continued on page 12*

*Continued from page 11*

### **Fourth Amendment search and seizure: *Iowa v. Mar'Yo D. Lindsey Jr.***

The Iowa Court of Appeals recently upheld the conviction of an Iowa high school student for possession of a firearm as a felon, carrying weapons on school grounds, going armed with a dangerous weapon, and possession of a controlled substance.

The Defendant, Mar'Yo D. Lindsey ("Lindsey"), was an Iowa high school football player who sustained a serious injury during a football game. The school superintendent called the paramedics to take Lindsey to the hospital. Lindsey was concerned about his equipment bag and requested that a friend take his bag. After Lindsey was transported, he asked the superintendent again about the bag. This raised "red flags" for the superintendent, who advised the coach to take custody of the bag. Later at the school, the superintendent searched the bag and located a loaded firearm and some drug paraphernalia. Police were contacted and Lindsey was charged.

Lindsey moved to suppress the evidence alleging that the search by school officials was unconstitutional. The motion to suppress was denied by the district court and Lindsey was convicted and sentenced. On appeal the Iowa Court of Appeals applied the reasonable grounds to search test and found that Lindsey had a lesser expectation of privacy in a school-issued equipment bag. Furthermore, Lindsey's prior criminal history and preoccupation with the bag while facing a serious injury would lead a reasonable person to conclude the bag contained something illicit. As such, the court found the search reasonable.

**Take away for school administrators:** When coming across a search-and-seizure issue, remember the test is one of reasonableness to search. For more information: [Search & Seizure: Top 10 Things to Know](#). Always consult your district's legal counsel on these issues.

Full text of the decision – [Iowa v. Mar'Yo D. Lindsey Jr. No. 14-0773](#).

### **Students with Disabilities**

For questions regarding students with disabilities, contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

## Calendar

### Update: Early literacy screening benchmark cut scores

FAST literacy screening benchmark cut scores will be updated for the 2015-16 school year.

The benchmarks will be programmed into Iowa TIER and require no specific actions from school teams. The updated cut scores, as well as further information about data interpretation across time, will be made available in the Iowa TIER Knowledge Base by mid-August.

- August 1 • Joint Employment Whole Grade Share Applications due
- August 15 • Last day to bill for second semester special education tuition

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