

School Leaders of Iowa

November 2003

Bureau of Administration and School Improvement Services Iowa Department of Education

(This document is also available on the DE web site.)

<http://www.state.ia.us/educate/ecese/asis/index.html>

There is no winning, no hope of constant improvement, for you or your people, unless there is involvement. You must love what you do, or else excellence remains an elusive target.

Tom Peters, A Passion for Excellence

1. **Comprehensive School Improvement Plan (CSIP): Documents Distributed.** Thank you to AEA, LEA, DE, and staff from other educational organizations who attended the October 29 ICN session that presented initial CSIP documents as schools prepare to redesign their five-year comprehensive plans to improve student achievement. CSIPs are due September 15, 2004.

School districts and accredited nonpublic schools can access the CSIP technical assistance documents at this web site: <http://www.state.ia.us/educate/ecese/asis/csi/documents.html>

Schools and AEAs are reminded to send the e-mail address of their CSIP contact person(s) to this address: cheryl.syferd@ed.state.ia.us as soon as possible. The Department will send periodic updates and monthly technical assistance to the CSIP contacts.

Contacts: Jeanette McGreevy, 515-281-4750, jeanette.mcgreevy@ed.state.ia.us and Cheryl Syferd, 515-281-3170, cheryl.syferd@ed.state.ia.us

2. **Revised Title I Allocations.** As a result of Public Law 108-83, the Emergency Supplemental Appropriations Act, 2003, Iowa will receive additional Title I funds for the 2003-2004 school year.

This law requires Iowa to use these funds to ratably increase the current Title I allocation of each local school district that received less for school year 2003-2004 than for school year 2002-2003. These additional funds do not guarantee that a local school district will receive the same allocation as received in the 2002-2003 school year.

The Iowa Department of Education has notified local school districts about their revised 2003-2004 Title I allocation. If necessary school districts may adjust their 2003-2004 Title I budget via their Internet application.

Contact: Paul Cahill, 515-281-3944, paul.cahill@ed.state.ia.us

3. **Iowa Content Network.** The Iowa Department of Education Content Network web site will be available on the DE web site by November 15, 2003. The Iowa Content Network web site has been designed to help school districts identify content for implementing their district career development plans pursuant to Iowa Code section 284.6. As districts develop their district career development plans, they will collect and analyze data, set goals and identify content. *Note: Each school district will incorporate its district career development plan into its comprehensive school improvement plan (CSIP) that is due September 15, 2004.*

Web Site Content: The web site will initially contain reading research. The Department will add mathematics research in a few weeks, and science research will be added as soon as possible. The

site offers information about how to select strategies for professional development that are supported by scientifically based research. The site is also a resource that will help local districts identify research studies which show evidence that particular instructional practices have had an effect on student achievement. When compared with district data, a district should be able to match the area of need to potential professional development content options. The site includes processes to use locally when selecting content, resources, and links to other sources of information about scientifically based research in the areas of reading, mathematics, and science.

Notes: This site will not contain recommendations for specific strategies, programs, or products. Nor will the site provide a list of trainers to deliver content based on the findings.

For more information about professional development see the Iowa Professional Development Model at the same web site. <http://www.state.ia.us/educate/ecese/tqt/tc/prodev.html>

Contact: Deb Hansen, 515-281-6131, deb.hansen@ed.state.ia.us

Kathy Book, 515-281-6235, kathleen.book@ed.state.ia.us

4. **School Transportation: Bus Driver Inservice and Bus Driver Contracts.**

Mandated Three-hour School Bus Driver Inservice. The mandated three-hour inservice classes for school bus drivers are now in full swing throughout the state. The topics being covered this year include the following: Transporting Pre-Schoolers, First Aid for Schools, and Terrorism on School Buses. Local district policy will enter into each of these three topics, so it is asked that you might discuss your local policies with your transportation staff either shortly before or after they have their class. The Department's intent is not only to teach the information but also to generate discussion on these topics, so the better informed your transportation staff are, the better the discussion will be.

Bus Driver Contracts. The Department has received a number of questions concerning contracts for school bus drivers. Are school bus driver contracts required? The answer is YES. Iowa Code 285.5(9) states the following: "All bus drivers for school-owned equipment shall be under contract with the board." This would also include substitute school bus drivers. An attempt was made during the last legislative session to exempt substitute drivers from this legislation; however, that bill was defeated, so schools are reminded that they need to work within the framework of the law as it is currently written. The law says that ALL bus drivers shall be under contract.

Do current school employees who don't normally drive a bus (e.g., administrators and janitors) need to have a separate contract to act as a substitute bus driver? This is a local personnel matter that needs to be addressed to and answered by your local district attorney.

Contact the Department of Education for questions relating to school transportation:

Pat Ratcliff, 515-281-5812, pat.ratcliff@ed.state.ia.us or

Max Christensen, 515-281-4749, max.christensen@ed.state.ia.us

5. **Individual Teacher Career Development Plans: Samples.** The Department of Education has released four sample Individual Teacher Career Development Plans that meet the expectations of Iowa Code Chapter 284 and Iowa Administrative Code Chapter 83, section 6. You can access these samples at <http://www.state.ia.us/educate/ecese/tqt/tc/prodev.html>.

All districts must implement Individual Teacher Career Development Plans with all non-beginning teachers by July 1, 2005. While these plans meet legal expectations, they are non-regulatory guidance, as the format and content of the plans can be locally determined. These samples are intended to provide only guidance for the development of such plans by local school districts.

Contact: Deb Hansen, 515-281-6131, deb.hansen@ed.state.ia.us

6. **Data Driven Leadership (DDL): Reimbursement Eligibility and Purchasing.**

- a) The eligibility for a principal's position to receive the DDL reimbursement award of \$900 is based upon two things:
 - ✓ The completion of the DDL training verified to the Department by the trainer.
 - ✓ Having 80% of the teachers in one of the buildings a principal supervises complete the online TAGLIT assessment survey.
- b) The eligibility for the superintendent's position to receive the DDL reimbursement award of \$900 is based upon one thing:
 - ✓ The completion of the DDL training verified to the department by the trainer.
- c) All DDL training is available through each of the AEAs. Please contact them for a schedule of training sessions as needed.
- d) In order for any principal to initiate work with his or her staff to complete the TAGLIT assessment survey online, please contact Warren Weber: (Office) 515-281-3750 (Field) 515-281-7700, warren.weber@ed.state.ia.us
- e) Once 80% of the teachers in the selected building have completed survey and a principal would like confirmation of that, again, please contact Warren.
- f) Once that is done, the next step is for the principal and/or superintendent to purchase from the Iowa AV Coop and/or the Iowa Media Coop the hardware/software desired and submit to the department the certification form along with copies of the purchase orders and invoices for each item purchased. All purchases must be made from the Iowa AV Coop <http://av.co-op.k12.ia.us> and the Media and Technology Coop <http://www.iec-ia.org>. These website addresses are also available on your AEA's web page.
- g) The current fall catalog for the AV Coop including the Apple products listed is in effect until **December 15, 2003**. Please make your purchases from this catalog by that date.
- h) The beginning date for the spring catalog is currently scheduled for April 1, 2004.
- i) The current catalog prices and inventory for the Media and Technology Coop are in effect until **June 30, 2004** with exceptions as noted on the webpage.
- j) Once the department receives the certification form and the attached purchase orders and invoices, the claim is processed and payment is made to the respective Area Education Agency and it in turn forward payment to the local school.
- k) There is only one award available per principal and per superintendent regardless of the number of buildings or districts that they serve.
- l) The award is provided to the school where the principal or superintendent was located when they completed the DDL training. If a principal or superintendent changed schools between the 2002-03 school year and the 2003-04 school year and had taken the training during the 2002-03 school year that school would be the beneficiary. It is not possible to count the same training for one principal or superintendent in two different districts or count the training for both the previous and the current principal in the same district without extending the DDL budget beyond its limits.
- m) Schools wanting to purchase Apple products may use the list that appears in Excel table form as an attachment to this *School Leaders of Iowa Update* to select from in order to purchase available items. On your order to the AV Coop, please include the exception number on the purchase order when placing your order. Beyond that follow the same procedures as any other order you may place with either of the cooperative purchasing program. The current deadline for the Apple listing is also **December 15, 2003**. Another product listing will be requested from Apple for the spring catalog.
- n) Any order from the cooperative purchasing program may be placed between now and May 15, 2004. Before it can be processed however, the principal or superintendent's position involved must meet each of eligibility requirements as outlined above. Without verification of each item needed for eligibility, no reimbursement can be provided and the school/district will be left with the expense of those purchases.
- o) All funding available to support the DDL reimbursement awards expires June 30, 2004. **As a result the deadline for accepting certification forms with attached documentation of purchases from any eligible principal or superintendent will be May 15, 2004.** Please, address this process as soon as possible in order to avoid last minute issues.
- p) Once the order is placed any issues of delivery of product and provision of invoices is between the district and the vendor. If there is a delay in the order and/or the billing, please work with the vendor.

Contact: Warren Weber, (Office) 515-281-3750 (Field) 515-281-7700, warren.weber@ed.state.ia.us

7. **Iowa Evaluator Approval Training Program: Statewide Registration/Schedule Spring 2004.**

- In each region, registration information is available on the listed web site or by using the contact information provided. Registration will be on a first-come, first-serve basis, but **priority** will be given as follows:
 - a) District administrators hired for the 2003-04 school year that will be evaluating beginning teachers but have not had the IEATP training. This includes candidates from out-of-state and new administrators that have not had the training as a part of their administrative preparation program. This includes superintendents who have not had the IEATP Training.
 - b) Other district administrators and central office staff that have evaluation duties but have not completed the training. This includes district administrators who are not evaluating teachers but need to renew their evaluator approvals. Activities Directors who evaluate coaches but do not evaluate teachers.
 - c) AEA staff including consultants and or administrators (no stipend attached to this category of personnel).
 - d) Nonpublic administrators (no stipend attached to this category of personnel)
 - e) Any teachers, including those who currently hold evaluator approval.
 - f) Categories “c” through “e” will be held on a waiting list until 10 working days prior to the start of training to ensure that any personnel in categories “a” and “b” have access to the process.
- This will be the last set of cohorts where participants who are employed by a public school will qualify for a stipend upon completion of IEATP and DDL training.
- In order to maintain the required evaluator approval license, Activities Directors who only evaluate coaches will have to participate in the existing IEATP training program just as principals, superintendents, and others do in order to maintain a current evaluator approval license. There will be no alternative IEATP training program for Activities Directors.
- Each registrant will indicate a first and second option for training in the event that a particular cohort fills with first preference participants.

Cohort	Location	Dates	Site
Central Region (AEA 11)			
C 22	West Des Moines	Jan 9, 23, 30 Feb 13, 20 Mar 5	West Des Moines CSD, Learning Resource Center
C 23	Ankeny	Jan 12, 26 Feb 2, 16 Mar 1, 8	Heartland AEA, Woodside Branch Office
East Region (AEAs 9 and 10)			
E 22	Cedar Rapids	Jan 20, 27 Feb 9, 18 Mar 2, 9	Grant Wood AEA
E 23	Bettendorf	Jan 9, 20, 27 Feb 9, 23 Mar 2	Mississippi Bend AEA
Northeast Region (AEAs 1, 267)			
NE 22	Cedar Falls	March 22 April 1, 8, 22, 29 May 6	AEA 267
NE 23	Clear Lake	March 24, 30 April 7, 13, 20, 28	AEA 267
Northwest Region (AEAs 4, 8, 12)			
NW 22	Storm Lake	Jan 28 Feb 4, 11, 18, 25 Mar 3	AEA Office
NW 23	Sioux City	Feb 3, 10, 17, 24 Mar 2, 9	AEA 12

Cohort	Location	Dates	Site
South Region (AEAs 13, 14, 15, 16)			
S 22	Creston	Jan 29 Feb 17 March 2, 9, 18 April 6 April 15 (snow day)	AEA 14
S 23	Burlington	Jan 14, 28 Feb 11, 25 Mar 10, 24 Snow days: Mar 31 Apr 14, 21	AEA 16

- South Region (AEAs 13, 14, 15, 16)
Register at <http://www.aea13.org/evaluatorapproval>.
Regional Coordinator: Joan Crowl. Contact professional development at 712-366-0503 or 800-432-5804.
 - Central Region (AEA 11)
Register at www.aea11.k12.ia.us. Click on the Professional Development Catalog link.
Regional Coordinator: Lora Wunsch. Contact professional development at 515-270-9030 or 800-362-2720.
 - Northeast Region (AEAs 1, 267)
Register at <http://edservices.aea7.k12.ia.us/sd/>.
Regional Coordinator: Ed Redalen. Contact educational services at 319-273-8200 or 800-542-8375.
 - East Region (AEAs 9 & 10)
Register at <http://www.aea10.k12.ia.us/webfiles/profdev/index.html>.
Regional Coordinator: Mary Muehl. Contact professional development at 319-399-6700 or 800-332-8488.
 - Northwest Region (AEAs 4, 8, 12)
Register at <http://www.aea12.k12.ia.us>.
Regional Coordinator: Judy Keith, Sioux City CSD. Contact at 712-279-6676. Jeanne Hanna, AEA 12, at 712-274-6000 or 1-800-352-9040.
8. **Funding Opportunity and Request for Proposals: Youth Development State and Local Collaboration Demonstration Project.**
- Funding Amount Available: Up to \$50,000 for the first year. Approximately six (6) communities in Iowa will be selected. The successful applicants may be eligible for additional funding beyond the initial grant award, contingent upon satisfactory performance and progress and the availability of funds.
 - Grant Period: The first year for the projects will be February 1, 2004 - January 31, 2005.
 - Purpose of the funding: The Division of Criminal and Juvenile Justice Planning (CJJP) of the Iowa Department of Human Rights, on behalf of state agencies involved in the Iowa Collaboration for Youth Development (ICYD), is soliciting applications from communities to engage in comprehensive planning and capacity building for youth development in partnership with the state. The purposes of this initiative are to build upon and enhance existing collaborative planning efforts and to institutionalize a youth development infrastructure at the community level with the capacity to implement and strengthen positive youth development approaches in the community.
 - Eligible Applicants: Local units of government, local education agencies, community-based organizations, faith-based organizations, or other public or private organizations in Iowa are eligible to apply as the lead agency on behalf of a community collaborative effort. No more than one application will be considered from any one community.

- Source of Funding: U.S. Department of Health and Human Services, Family and Youth Services Bureau, Positive Youth Development State and Local Demonstration Project; and U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), Public Safety Crime Prevention Program, Rural Crime Free Communities Project
 - Process to Compete for Funds: A Request for Applications (RFA) is attached and is also available at the listed web site: <http://www.state.ia.us/dhr/cjip/grants.html>
 - Application Deadline: Postmarked or hand-delivered by December 5, 2003. Applicants must provide the one, hard-copy original of their application and required certifications and one electronic copy of the application narrative and budget to this address:
 Division of Criminal and Juvenile Justice Planning
 Department of Human Rights
 Lucas State Office Building, 2nd Floor
 321 E. 12th St.
 Des Moines, IA 50319
- ✓ The electronic copy should be emailed to: steve.michael@iowa.gov
 - ✓ Timeline: The following are key dates associated with the application process:
 October 23, 2003 -- RFP Released
 October 30, 2003 - Bidder's ICN Conference (sites are listed in the RFP)
 November 10, 2003 - Intent to Apply form due to CJJP (faxed or e-mailed)
 December 5, 2003 -- Application Deadline (postmarked or hand delivered to CJJP)

Contact: Steve Michael, 515-281-6509, steve.michael@iowa.gov

Note: The application is also attached to this month's School Leaders of Iowa Update.

Legal Lessons

The contact person for each legal lesson is Carol Greta, 515-281-5295, carol.greta@ed.state.ia.us

9. **Chapter 102 Investigations: Child Abuse.**

When the Iowa Attorney General determined (back in the 1970s) that teachers and other school employees are not “caretakers” of a child under the child abuse laws (therefore, suspected abuse by a school employee is not investigable by DHS unless the abuse is sexual), Iowa Code section 280.17 was enacted to provide as follows:

“The board of directors of a public school and the authorities in control of a nonpublic school shall prescribe procedures, in accordance with the guidelines contained in the model policy developed by the department of education in consultation with the department of human services, and adopted by the department of education pursuant to chapter 17A, for the handling of reports of child abuse, as defined in section 232.68, subsection 2, paragraph “a”, “c”, or “e”, alleged to have been committed by an employee or agent of the public or nonpublic school.”

Thus, 281—Iowa Administrative Code chapter 102 was adopted. (Find entire text of rules at this address: www.legis.state.ia.us/Rules/Current/iac/281iac/281102/281102.pdf)

Key Features of the Rules:

- “School employee” includes “a person who works for pay” as well as “a **volunteer**” under the direction and control” of a school
- Students protected are in prekindergarten through 12th grade, as well as those in a day care program run by the school
- Complaints under chapter 102 must involve either physical abuse or sexual abuse
 - ✓ Physical abuse means non-accidental injury (injury must still be apparent at least 24 hours after the occurrence)
 - ✓ Sexual abuse means any sexual offense, but also includes “inappropriate, intentional sexual behavior, or sexual harassment”
- Incident must be alleged to have occurred on school grounds, on school time, on a school-sponsored activity, or in a school-related context
- Each school must designate and publish the name of a Level-One investigator

Consequences of a Founded Report:

- Law enforcement to be notified if physical abuse is serious or sexual abuse is statutory
- Student's parent or guardian to be given copy of investigator's report
- Complaint to be filed with licensing board (DE for bus drivers)

10. **New Criminal Offense of Sexual Exploitation of a Student.**

H.F. 549 (2003 session) included creation of new crime, part of Iowa Code section 709.15.

Key Features of the Crime:

- Applies only to teachers, counselors, administrators employed by a school who are licensed by the Board of Educational Examiners
- "Student" is any elementary or secondary school student, public or nonpublic school
 - ✓ Age of student is irrelevant
 - ✓ Includes a student who attended elementary or secondary school within 30 days of any violation
- Sexual conduct includes (but is not limited to) kissing; touching of the clothed or unclothed inner thigh, breast, groin, buttock, anus, pubes, or genitals; as well as more "traditional" sex acts (penetration, oral sex)
- Does not include "touching that is necessary in the performance of the school employee's duties while acting within the scope of employment."
- Conviction for one act is an aggravated misdemeanor (up to 2 years' incarceration); conviction for a pattern or scheme of conduct is a Class D felony (up to 5 years' incarceration)

Related laws:

- Licensed school employee convicted of sexual exploitation of a student will have license revoked
- School district must report to Board of Educational Examiners if a licensed employee resigns or is fired because of allegations of sexual exploitation of a student (or any incident or allegation of misconduct that, if proven, would be a sex crime or a forcible felony)

11. **Iowa Supreme Court Rules Again on Grandparent Visitation Rights.**

As in two previous cases recently, the Iowa Supreme Court ruled that another subsection of Iowa's grandparent visitation statute (Iowa Code § 598.35) is unconstitutional. The Court reaffirmed its previous statements that fit parents have an absolute right to determine with whom their children may associate.

What does this mean for schools? It shouldn't change anything that a school has been doing, but it serves as a good occasion on which to issue a reminder as to what should be done.

Unless a grandparent is the court-appointed guardian of a child (remember last month's primer on guardianships), the grandparent must have permission of the parent to have access to the child. In the school context, this means that non-guardian grandparents may not have lunch with their grandchildren, pick them up from school, or visit with them at school unless they have parental permission. Non-guardian grandparents also have no rights to ask a school to arrange for "their" own set of school pictures of a grandchild. School officials must honor the parents' decisions in such personal matters and not substitute their judgment for that of the parents—even if convinced that the parents are wrong.

The complete opinion of this case, *Lamberts v. Lillig*, is at the following address:

<http://www.judicial.state.ia.us/supreme/opinions/20031008/02-0435.asp?printable=True>.

12. **Closed Sessions of Public Bodies.**

The public may not be asked to leave an open session of a government body, such as a school board. Closed sessions are lawful when covered by an exception to Iowa's Open Meetings Law, Iowa Code chapter 21. Who gets to stay in the room? Closed sessions should include only people who are necessary to the matter under consideration. In a student expulsion, for instance, all witnesses, the student, student's parent or guardian, attorney for the student, attorney for the administration, and attorney for the board stay. However, once the board deliberates after receiving the testimony and evidence, everyone leaves except the board members and the board's legal counsel.

Just because the media or others are not in the meeting room when an issue arises for which the board may go into closed session doesn't mean that the board shouldn't go through the steps of going into closed session. It's tempting to look around, not see anyone but board and staff, and stay in open session. But this means that the materials for the issue, the minutes and the tape are all open records subject to examination and copying. If a board *could have* gone into closed session but *did not* no confidentiality is attached to the materials.

When a school board does go into closed session, such sessions must be documented and a complete record made. This means that the board must keep detailed minutes of all discussion, persons present, and actions occurring at a closed session, and **must tape-record the entire closed session**. The minutes and tape(s) must be sealed and maintained for at least one year.

The minutes and tape(s) are not open for public inspection. Chapter 21 of the Iowa Code provides for two situations in which these can be accessed:

- Members of the board who were present (and members who lawfully could have been present but were absent for the meeting) are entitled to access the minutes and tape(s).
- A court may permit inspection of the minutes and tape(s) by a party bringing an enforcement action for violation of the Open Meetings Law (chapter 21). This type of enforcement action is not the same as, for example, the parents of an expelled student, filing an appeal.
-

Hot Links—News You Can Use

Calendars: Critical Dates and Schedules

- School Bus Inspection Schedules: 2003-04 School Year
<http://www.state.ia.us/educate/ecese/asis/trans/calendars.html>
- LEA Comprehensive Site Visit Schedule: 2003-04 School Year
<http://www.state.ia.us/educate/ecese/asis/csi/calendars.html>

Comprehensive School Improvement for Student Benefit

- 281—IAC Chapter 12: General Accreditation Standards for Iowa Schools
<http://www.state.ia.us/educate/legis/iac28112.pdf>
- Comprehensive School Improvement Plan (CSIP) due September 15, 2004
<http://www.state.ia.us/educate/ecese/asis/csi/documents.html>

Parental and Student Choice

- Competent Private Instruction (Home Schooling) Handbook
<http://www.state.ia.us/educate/ecese/asis/cpi/index.html>
- Open Enrollment (Handbook and Application)
<http://www.state.ia.us/educate/ecese/asis/oe/index.html>
- Post-Secondary Enrollment Options (PSEO)
<http://www.state.ia.us/educate/ecese/asis/pseoa/index.html>

Student Progress: Annual Reporting

- Annual Progress Report (APR)
<http://www.state.ia.us/educate/ecese/asis/csi/reports.html>
- Annual Yearly Progress (AYP)—Talking Points
<http://www.state.ia.us/educate/ecese/nclb/doc/ayptp.pdf>

Waiver Request Processes and Forms

- Early School Start, New Innovative Calendar, Continued Innovative Calendar, Chapter 12 Accreditation Standards, Foreign Language
- <http://www.state.ia.us/educate/ecese/asis/waivers/index.html>