



School Leader Update

A MONTHLY JOURNAL
FOR IOWA EDUCATORS

October 2015

New state assessment moves forward

Members of the State Board of Education voted to start the formal process of adopting a new state assessment to replace the current state tests in math and reading taken each year by Iowa students.

Board members reviewed proposed state administrative rules that would put in place the Smarter Balanced Assessments as recommended by a legislatively created task force of Iowans. Board members then voted unanimously to start the rule-making process required for adoption. The state's administrative rules process, which includes public hearings and reviews by a legislative committee, takes at least 108 days.

Board members gave several reasons they support the Smarter Balanced Assessments, including the need to accurately measure how students have progressed in reaching expectations set by Iowa's academic standards. [Read more.](#)



In This Issue

- Differentiated Accountability..pg. 2
- Appropriate use of funds..pg. 3
- Literacy intervention..pg. 4

'This is really a big deal'

September was an exciting month for educators in Iowa. Among the highlights was the U.S. Department of Education's "Ready for Success" bus tour, which made two stops in the state. Iowa drew the national spotlight when President Obama joined Secretary of Education Arne Duncan in Des Moines and again in Cedar Rapids the next day, when Secretary Duncan praised Iowa's investment in teacher leadership, stating: "This is a really big deal... There is no other state providing this kind of leadership."



Director Ryan Wise

I know Secretary Duncan's enthusiasm for teacher leadership is echoed across the state as districts either put the finishing touches on their local Teacher Leadership and Compensation (TLC) plan or move full-speed into implementation. I'm eager to read the final round of TLC plans, which are due on October 16. I fully anticipate all districts will submit a plan (if they haven't done so already) and by this time next year every district will have a plan that strengthens instruction and improves student learning by tapping great teachers to take on leadership roles. Thank you to all of you who are making this happen!

Iowa again grabbed headlines this month for moving forward on the standards and assessment fronts. After the State Board of Education approved a slightly modified version of the Next Generation Science Standards in August, the Department took the next step of providing guidance on how we will work together as an education system to effectively implement these new standards. I've spoken with many science teachers who are excited to implement the new standards and look forward to collaboration with other science teachers, both in Iowa and nationally.

Continued on page 2

Differentiated Accountability, Statewide School Improvement

The Iowa Department of Education is piloting a new Differentiated Accountability system during the 2015-16 school year as part of the work of Collaborating for Iowa's Kids (C4K), a partnership of the Department, Area Education Agencies, and local school districts.

Forty-eight districts, nonpublic schools and AEAs have volunteered to pilot continuous improvement processes in pre-kindergarten through sixth grade literacy as part of the state's single continuous improvement system. As the system grows, it will continue to parallel the work of C4K, creating a system of delivery for evidence-based practices across Iowa.

A new Statewide School Improvement Team (SSIT) has been created to support Differentiated Accountability. The SSIT is made up of members from all Iowa AEAs and the Department. SSIT members will meet monthly to analyze healthy indicator data for districts, nonpublic schools, and AEAs, participate in focused site visits to support volunteer districts, nonpublic schools, and AEAs, and provide follow-up support to volunteers.

The first pre-pilot visits for the 2015-16 school year are in Centerville, Oct. 27-30, and Carroll, Nov. 17-20. The SSIT will conduct the remaining visits during the spring semester of 2016. The SSIT members will work with districts during visits in an environment similar to a professional learning community and will engage in collaborative inquiry with district, nonpublic school, and AEA staff. For more information, contact Amy Williamson at amy.williamson@iowa.gov or go to our [site](#).

Continued from page 1

While having rigorous standards in place is critical to student learning, we also know that having an assessment system that aligns with the standards is also important. The State Board of Education took an important step in this direction when it voted to start the formal process of adopting Smarter Balanced as the statewide annual assessment for English Language Arts/Literacy and Math. In addition, the Department reconvened the Assessment Task Force, which recommended the Smarter Balanced Assessments, to discuss the next steps in selecting an assessment for science. I encourage all education stakeholders to contribute to this important discussion.

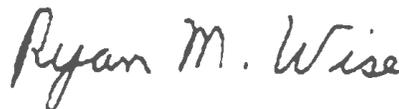
I also had the pleasure of joining leaders from 16 schools across Iowa that participated in the PISA-based OECD test for schools. This test is given to a sample of 15-year-olds and generates rich information that enables schools to better understand how prepared students are to succeed in a global environment. While international benchmarking like this is common practice around the world, it's all too rare in the United States. Several of the schools that participated performed above some of the world's strongest education systems and everyone involved learned from the process.

As we move into October, there is more exciting work on the horizon. Today, the Council on Educator Development will release its initial recommendations on the development of statewide systems for teacher and administrator evaluations. Over the course of the upcoming year, the public will have the opportunity to comment on these recommendations. The Council will then refine and revise the recommendations based on this feedback and submit its final report to the Governor and the Legislature in 2016. I hope you will take the time to read the draft recommendations and provide feedback.

In addition, the Secondary Career and Technical Education Task Force will release its final report later this month. This task force has met for more than a year and will provide recommendations for improving and modernizing Iowa's CTE system. This is a critical area of need to ensure we provide engaging, real-world learning experiences for all of Iowa's students.

Finally, I'm excited to have the opportunity to get into even more schools across the state this fall and winter. I look forward to sharing what I'm seeing and learning in the coming months.

Thank you for all you do for all of Iowa's learners.



Appropriate use of teacher quality and Iowa Core funds

The Teacher Quality professional development funds, including the Iowa Core funds, will continue to be available to support the implementation of professional development for the 2015-16 school year.

The use and distribution of these funds must be approved by the Teacher Quality Committee in each district. Iowa Core funds must be used to support professional development aimed at the implementation of the Iowa Core in literacy, mathematics, science, social studies, or 21st Century Skills. Some appropriate uses include the following:

- Early Literacy Implementation and Iowa Core-related professional development;
- Time beyond the contracted school day for teachers to engage in Iowa Core training and local district planning that incorporates components of the Iowa Core;
- Costs for substitutes while teachers attend professional development;
- Professional development designed to enhance instruction, such as Authentic Intellectual Work, Gradual Release of Responsibility, or Cognitively Guided Instruction; and
- Defraying expenses for teachers attending conferences/workshops/training that are tied to an individual's professional development plan or the building professional development plan.

Inappropriate uses might include the following:

- Paying administrators to engage in professional development;
- Paying teachers to engage in routine textbook adoption cycles;
- Paying teachers to conduct lesson planning during the contracted school day;
- Buying textbooks, instructional materials, technology, or equipment;
- Paying teachers for time spent preparing grades/report cards;
- Paying teachers to take course work to meet licensure requirements unless it is specifically linked to professional development plans.

Contact Marietta Rives, marietta.rives@iowa.gov or 515-281-6038 with questions about Teacher Quality funds, and Rita Martens, rita.martens@iowa.gov or 515-281-3145 with questions about Iowa Core funds.



Building Literacy in Social Studies—Year II Training

The Iowa Department of Education is rolling out year two for the statewide professional development for social studies. Each Area Education Agency provides professional development to teachers within their agencies.

This year, we will focus on:

Academic Vocabulary

- Text Complexity
- Text Based Evidence and Argument
- Writing from Sources

Last year's training, which is still available, focused on:

- Introduction to Iowa Core Literacy Standards for History/Social Studies
- Overview of Instructional Shifts
- Disciplinary Literacy
- Use of Informational Text



In addition to training each AEA around these modules, we want to extend an invitation to districts who might be interested in sending a teacher leader to the training. Ideally, teacher leaders would then provide this professional development to social studies teachers within their districts. If you are interested in having a teacher leader within your district trained on either the Year I and/or Year II professional development, email Erika Cook at erika.cook@iowa.gov.

Save the date for January literacy intervention conference

The Iowa Department of Education and Collaborating for Iowa's Kids (C4K) are announcing a one-day literacy intervention event Jan. 13 in Des Moines titled Celebrating Iowa's Success.

The focus will be sharing research-based interventions that help achieve our goals of all learners becoming successful readers by the end of third grade. We will be sharing the knowledge and successful practices that are already occurring in our school districts in Iowa. This event supports the C4K efforts in helping schools connect and succeed.

This event will feature a keynote by Amanda VanDerHeyden, a national expert who will be talking to us about Return On Investment in education.

The rest of the day will involve school districts across Iowa sharing successful interventions and practices that help improve early literacy. You will have plenty of time to collaborate and support each other.

Stay tuned for more information in November on how to register a team from your school.

ELL training coming Nov. 9-11 in Coralville

The Iowa Culture and Language Conference, which advocates for culturally and/or linguistically diverse students and their families, educators, and service providers, will be held from Nov. 9-11 at the Coralville Marriott Hotel and Convention Center. This year's title is "Building a Culture of Achievement."

Pre-conferences will focus on co-teaching, English Language Learners work in the content area, training for teachers new to the area of ELL and math and science strategies for ELL.

The Iowa Culture and Language Conference (ICLC) also will include substantial content for early childhood teachers and administrators, including an overview of Planned Language Approach, a systematic process for supporting dual language learners developed by the Head Start National Center for Cultural and Linguistic Responsiveness. Other breakout sessions for preschool teachers will address how to support home language development and the "big five" literacy practices essential for early dual language learners and everyone developing English language fluency.

Registration and further information are available at lowaclc.com. Check with your Area Education Agency Title III consultant to see if funding is available to support your attendance at ICLC.

Iowa ELL Administrator Academy

A new endeavor this fall will be the Iowa English Language Learners (ELL) Administrator Academy. This program will provide professional development opportunities for administrators with ELLs in their district.



It is expected that the academy will result in more administrators who have the appropriate instructional and assessment skills and the cross-cultural understanding to make a difference in programming for ELLs.

Districts with significant numbers of ELLs or are identified as needing to complete a Corrective Action Plan (CAP) for not meeting Annual Measurable Achievement Objectives (AMAOs) for less than four consecutive years would benefit from engaging in this opportunity, but it is not required. It is required for districts in four or more years of not meeting AMAOs. More information on this requirement will be provided through the AMAO notification process.

Ideally the administrator will be someone with decision-making authority for the programming for ELLs.

This will be a two-year commitment by an administrator to:

1. Attend Our Kids and the Iowa Culture and Language Conferences annually.
2. Participate in bimonthly two-hour meetings via Adobe Connect from their districts.
3. Attend a national conference with a focus on issues regarding serving students who are learning English as a second language once during the two-year period.
4. Participate in academy activities emphasizing networking and development of collaboration between districts.

It is hoped that the costs for attendance at Iowa and national conferences will be able to be funded through Title III fund allocations. All questions regarding the Academy should be emailed to iowaleadersell@gmail.com.

Help us better connect to curriculum leaders

To better communicate with all districts throughout Iowa, the Iowa Department of Education's Bureau for Standards and Curriculum is currently compiling a distribution list of curriculum contacts for each district.

An email will be forthcoming in the near future from Erika Cook requesting this information. Feel free to add all curriculum leaders to the list who would like to receive any pertinent announcements (quarterly emails with updates on standards, assessments, professional development opportunities, best practice, etc.) from the Bureau of Standards and Curriculum.

Thank you in advance for helping us communicate with the curriculum leaders in Iowa. If you don't want to wait for the email, you may send email addresses directly to erika.cook@iowa.gov.



Maximizing education: It's all in the family

If your school is waiting to get all of the education reform components together before tackling an effective family engagement program, you're making a mistake.



Dr. Karen L. Mapp

That's according to Karen L. Mapp, a senior lecturer on education at Harvard Graduate School of Education.

"I hear 'once we get our instruction down pat, then we will start to think about family and community engagement,'" she said. "Big, big mistake. Because your instruction can never be what it could be without families. Parental engagement increases grades and tests scores, helps students with attitudes and behavior problems, reduces drop out and suspension rates, and helps students understand the courses they need to take." [See what Dr. Mapp recommends schools do.](#)

When failure isn't an option

When seventh-grader Parker Schiltz first walked into Peg Vanderhoff's classroom, he was reading at the fourth-grade level – and not passing.



Peg Vanderhoff

Withdrawn, suffering from low self-esteem and even lower self-confidence, Parker knew the world was quickly leaving him behind.

But Vanderhoff didn't extend pity. It's not pity the child needs, it's an education. And in Peg Vanderhoff's Algona classroom, failure simply isn't an option.

Dubbed the "secretary of war" by her late husband, Vanderhoff draws battle lines against the enemy. The enemy? Ignorance. Ignorance on not being able to do what's right for each and every child. For with the right mixture of pedagogy, method, data, grit and know-how, a child's untapped potential can – and will – be brought to the surface.

[Read what Vanderhoff does to get the job done.](#)

Teachers finalists for prestigious math, science awards

Five Iowa teachers have been named finalists in the Presidential Awards for Excellence in Mathematics and Science Teaching.

The two math finalists are:

- Rick Brooks, a math teacher at Johnston High School, Johnston Community School District
- Curtis Martinek, a math teacher at Gilbert High School, Gilbert Community School District

The three science finalists are:

- Lynne Bleeker, a seventh-grade science teacher at Parkview Middle School, Ankeny Community School District
- Shannon Harrison McLaughlin, a science teacher at Norwalk High School, Norwalk Community School District
- Alicia D. Schiller, a science teacher at Central Lee High School, Central Lee Community School District (Donnellson)

[Read more about these teachers.](#)



Rick Brooks

Lynne Bleeker

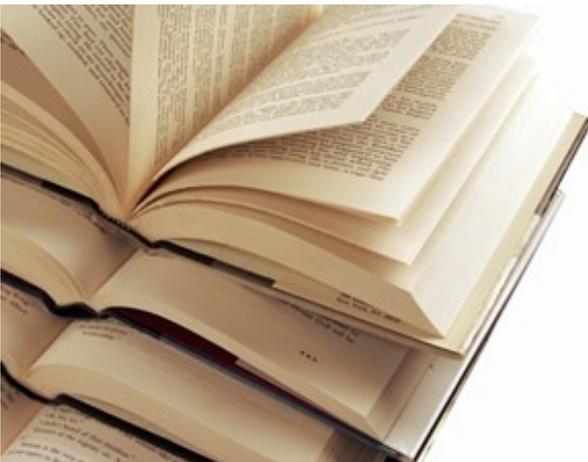
Curtis Martinek

Alicia Schiller

Shannon Harrison

Proposed criteria for summer reading programs

The State Board of Education has moved forward with the formal process to adopt rules that set criteria for the intensive summer reading programs that schools are required to have in place by the summer of 2017.



The requirement is part of the early literacy progression law, which aims to ensure all students are proficient readers by the end of third grade.

Board members on Sept. 17 filed notice of intended action to revise Iowa Administrative Code 281.61, which proposes eight criteria that the summer programs must meet. This notice also begins a 108-day period of public comment.

[View the proposed rules and instructions for public comment.](#)

Opportunities for learning new science standards

Congratulations to the science learning community on the new standards, which were adopted on Aug. 6 by the State Board of Education. This followed a recommendation by the Science Standards Review Team who engaged in a comprehensive process including review of existing standards, public feedback, and data-driven decisions.

Please note the following opportunities as Iowa embarks on the implementation process:

Iowa Science Standards Kick-off. On Oct. 20, the University of Iowa and Grandview University will host a day of learning from national experts on the new science standards in Iowa City. This is intended for leaders (administrators, curriculum directors, teacher leaders, professors, and Area Education Agency consultants) who will partner together in the rollout and implementation of the standards. To register, please click [here](#). The event will also be streamed with a link on the Department of Education website.

AEA Professional Development: To deliver a consistent message about the new Iowa science standards, the science consultants from each AEA are ready to provide the necessary professional learning about the three-dimensional learning to science teachers statewide. Contact your local AEA for opportunities.

Summer Symposium-Implementing the Standards: Next June 15-17, a symposium for teachers will be held. National experts in science and the new standards will lead educators in job-alike groups: after-school providers, elementary teachers, middle school teachers, and high school teachers. The goal is to give educators tools they need to implement the shifts in their practice, creating three-dimensional science classrooms for students to learn the new standards.

Timeline and Expectation: The implementation of the Iowa science standards will be a multi-year process:

2015-16 Exploration, Awareness and Statewide Capacity Building

2016-17 Classroom Transitions, Shifts, and Practices

2017-18 Leveraging Materials, Resources, and Expertise

2018-19 Full K-12 Implementation*

A more detailed implementation plan with specific expectations during each transition year will be forthcoming by the Department of Education.

**Because of the unique nature of the assigned middle school/junior high grade level standards, the implementation process must include at least one grade by 2018-19; a second grade level must be included by 2019-20, etc.*



School emergency operations planning workshops

The Iowa Department of Education received federal funding to provide training and technical support to school districts to assist with the process of developing high-quality emergency operations plans. To encourage collaboration and ensure the development of effective plans, the Department will be conducting planning and training workshops around the state. The workshops are scheduled from 9 a.m. to 4 p.m. and lunch is provided.

Public school districts and non-public schools, as well as county emergency management coordinators, first responders, and any other interested associations or organizations are encouraged to attend. Read more about [school emergency operations planning](#). Click on the following locations to register:

Keystone AEA	Oct. 29	Iowa Central Community College	Nov. 5	Linn County Emergency Management	Nov. 17
AEA 267	Oct 30	Great Prairie AEA	Nov. 10	Green Hills AEA	Nov. 20
Northwest AEA	Nov. 4	Mississippi Bend AEA	Nov. 12	Polk County Emergency Management	Dec. 3

For more information, contact Gary Schwartz at gary.schwartz@iowa.gov or 515-281-4743.

Secretary Duncan: Iowa leads in teacher leadership

Iowa's efforts to transform learning in schools by giving teachers more leadership opportunities received state and national attention with a visit to Cedar Rapids from the nation's top education official, U.S. Secretary of Education Arne Duncan.



During a stop at Cedar Rapids' Roosevelt Middle School, Duncan heard about Iowa's work to develop the nation's most comprehensive teacher leadership system, known as Iowa's Teacher Leadership and Compensation System (TLC).

Duncan, who was in Iowa as part of his annual back-to-school bus tour, sat in on a teacher coaching session and participated in a panel discussion at Roosevelt Middle School with local and state education leaders, including Iowa Department of Education Director Ryan Wise. [Read more.](#)

2015 No Child Left Behind results reinforce need for new system of federal accountability

Iowa Department of Education Director Ryan Wise today said this year's report on student performance under the federal No Child Left Behind law reflects a flawed system of school accountability rather than the work of Iowa's classrooms, and he expressed optimism that a long-overdue revision of the federal law is on the horizon.

More Iowa schools and districts fell short of annual targets set through No Child Left Behind and more were identified as "in need of assistance" based on student performance on state tests taken during the 2014-15 school year, according to the 2015 State Report Card for No Child Left Behind.

"We know the majority of our schools and districts are not failing," Wise said. "While I believe in accountability and high expectations, states and schools deserve a system that drives student learning and is based on improvement." [Read more.](#)

Data and reporting

There are changes to required bullying, harassment data

Data collection on bullying and harassment will only be for founded incidents this school year.

Superintendent/nonpublic administrators will submit a single aggregate count for their entity at the end of the reporting period. The Iowa Department of Education highly encourages use of the template to prepare counts for this single submission.

Take a moment to ensure you understand the new reporting requirements. Instructions for collecting aggregate counts, examples and a template for building and district use can be found on the [Department's website](#). Make sure to communicate this information to building-level users to help ensure that the data reported are valid and reliable.

If you have questions or concerns about this change, contact Meredith MacQuigg at meredith.macquigg@iowa.gov.

BEDS reporting and conditional licensure

If an error message occurs while reporting in the Basic Educational Data Survey (BEDS) system, it may be a signal that an educator is not properly licensed for the assignment. This is a great opportunity to call the Board of Educational Examiners to talk about conditional licensure.

Conditional licensure normally falls into two categories: Class B and Executive Director Decision. Both applications are \$85 and will require an administrator signature. If submitted after Sept. 1, a late fee of \$25 per month is required.

The Class B application requires that a certain number of credits have already been completed. The Executive Director Decision application requires that a diligent search has occurred and no licensed candidates were found. Instructions and applications for both licensures can be found on our website under "[licensure forms/applications—apply for a new license](#)."

For more information, contact David Wempen at david.wempen@iowa.gov.

Poll aims at helping educators help students

The nationally renowned pollster Gallup has added the voice of America's youth to the dialogue on how to ensure a positive future for America's students.

The Gallup Student Poll, with over 3 million total completes to date, is designed to aid educators in providing a more focused education – one that builds engagement, creates hope for the future, fosters talent and prepares students to participate meaningfully in our nation's economy by finding or creating a good job.

The web-based survey is administered in the fall of each school year and supplies teachers, administrators, and community leaders with actionable and malleable data. The Gallup Student Poll takes between 10 to 15 minutes for most students to complete. U.S. schools may participate at no cost.

The survey is open now and must be completed by Oct. 30. The survey is available Mondays through Fridays from 6 a.m. to 8 p.m. Central Time. To register, click [here](#). To view last year's report, click [here](#).

Nutrition and Health Services

Register for food service procurement webinars

All School Food Authorities (SFA), Residential Childcare Institutions (RCCI), and non-public schools participating in any Child Nutrition Programs (CNP) - the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and the Fresh Fruit and Vegetable Program (FFVP) are required to follow procurement rules.

To ensure procurement requirements are understood, followed and required records are retained, the Iowa Department of Education's Bureau of Nutrition and Health Services will conduct a series of four webinars on procuring goods and services for school food service.

The first webinar is scheduled on Oct. 22 from 2 to 3 p.m. The target audience for the webinar includes individuals who are involved in purchasing for CNP such as superintendents, business managers, and school food service directors. To register, go to the Department's [website](#).

For more information, contact Keerti Patel at keerti.patel@iowa.gov.



October summit: Empower students to lead healthy lives

The Super Power Summit is an event that empowers teams of middle school students to live an active lifestyle and to choose healthy food options, all while being advocates for school wellness. We encourage middle schools to send a team for an interactive day full of fun activities, empowering presentations, and networking.

Date: Tuesday, Oct. 13

Time: 9 a.m. to 2:30 p.m.

Location: Jester Park Lodge – Granger, Iowa

Deadline to register: Tuesday, Oct. 6

Registration: [Super Power Summit](#)

Schools that attend will have the opportunity to apply for a \$500 sub-grant to support local wellness policy efforts. If you have any questions, contact the Iowa Department of Education's Carrie at carrie.scheidel@iowa.gov.



Legal Lessons

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

Once in a Blue Blood Moon

I don't know how your first full month of school went, but I can tell you on my end it was anything but uneventful. The transition to start school was not as smooth as I would have liked. We are battling space invaders and tired kiddos.

Illness has already hit my house and work has been extremely busy. So I started to wonder if there was a full moon on the horizon and it turns out there was something better ... the Blood Moon. On Sept. 28, there was a full lunar eclipse in which the moon appears to be red. The red color is caused by the sunlight bending through the earth's atmosphere and hitting the moon as the moon crosses the earth's shadow. I hope you got to see this.



The good news is that the Blood Moon has now past and so has the first full month of school, so I think things can now get back to normal and the month of October will hopefully be less eventful.

Now, in preparation for an uneventful October in this edition of Legal Lessons, I bring you school visitation and the Iowa Department of Human Services, a sexting appeal decision and school obligations under Title IX & Bullying and Harassment Laws.

School visitation and the Iowa Department of Human Services

When a Department of Human Services (DHS) employee comes to school asking to have confidential access to a student, here is some information school administrators need.

Child Abuse Investigations – Confidential Access to Child at School

If the DHS employee is a Child Protection Worker (CPW), which is also designated as SWIII, this employee is a social worker who does indeed get confidential access to the child. "Confidential access to a child" means that the CPW may interview, observe, and/or examine a child with no prior notice to the child's parents. (Section 232.73 grants immunity to school officials who cooperate with DHS.) Confidential access is used by DHS when the child's safety or immediate needs warrant it.

When a CPW arrives at a school requesting confidential access, the CPW may provide school administrators with a letter that explains the nature of their visit. School administrators should request to see proper identification. Upon verification, school administrators should cooperate with the CPW and allow confidential access to the child for the purpose of interviewing the child, as well as providing confidential access to other children who may have information relevant to the child abuse investigation.

Continued on page 13

Legal Lessons continued

Continued from page 12

While it is not necessary for a witness to be present during the interview with the child, a witness is required if the CPW makes an “observation” of the child. It is the responsibility of the CPW to determine whether to request school personnel to participate in the assessment process as a witness during an observation of the child. (For example the child protective worker may ask that a school nurse be present while observing bruising on a child.) An “observation” is defined in Iowa Code section 232.68(3) (b) as:

“...direct physical viewing of a child under the age of four by the child protection worker where the viewing is limited to the child’s body other than the genitalia and pubes ...[or] ... direct physical viewing of a child aged four or older by the child protection worker without touching the child or removing an article of the child’s clothing, and doing so without the consent of the child’s parent, custodian, or guardian. A child protection worker is not precluded from recording evidence of abuse obtained as a result of a child’s voluntary removal of an article of clothing without inducement by the child protection worker. However, if prior consent of the child’s parent or guardian, or an ex parte court order, is obtained, “observation” may include viewing the child’s unclothed body other than the genitalia and pubes.”

Reasons Other Than Child Abuse Investigations

DHS is the legal custodian of a child placed in foster care. As such, a DHS case manager, who has oversight for the child’s placement, may visit a foster care child at school with or without prior parental notification or approval. Upon arriving, the case manager should provide identification. Then, as is the case when a parent comes to school seeking access to the child, the school administrator must determine whether the request is reasonable, making sure that the visit does not unduly interrupt the student’s education.

Just as a parent has no automatic right to have access to the child at school, there is no automatic right of a non-CPW to have access to a student at school. Obviously, a court order must be obeyed if the DHS employee has a court order giving the employee access to a student. School administrators are urged to comply with reasonable requests, and if the school administrator determines that the visit needs to be rescheduled or relocated, the school should work with the DHS employee to accomplish that quickly and effectively.

Sexting appeal decision

In a recent appeal, the State Board of Education unanimously upheld the decision of the local school district to suspend a student for three days from school and for four calendar weeks from extracurricular activities for a violation of school discipline and good conduct policies because the student was sending nude photos of other female students to other male students in junior high and high school. The State Board is required to affirm the decision of the local board unless the local board’s decision is “unreasonable and contrary to the best interest of education. *In re Jesse Bachman*, 13 D.o.E. App. Dec. 363 (1996). Thus, the test is reasonableness. The board found that the districts finding that the student violated its policies reasonable. There was no evidence that the local board abused its discretion. Although the discipline imposed by the local board appeared to be extremely light under the circumstances, the Board affirmed the discipline as reasonable. Thus, the Board upheld the decision of the local board.

Several members of the Board noted their concern for those students depicted in the photos and the long-term issues that can arise by the dissemination of these photos by text or otherwise. Social media in this century has caused a host of problems that need to be addressed. Districts are reminded to educate their students about the hazards of social media before it becomes a problem.

Continued on page 14

Continued from page 13

See the link below for the full text of the case cited above.

[In re Suspension of J.M., 27 D.o.E. App. Dec. 626 \(2015\)](#)

School obligations under Title IX & Bullying and Harassment Laws

The above State Board decision serves as a reminder to school districts that they have legal obligations under Title IX of the Education Amendments of 1972 and Iowa's Bullying and Harassment statute under Iowa Code section 280.28 to be proactive in their efforts to stop bullying and harassment.

In April 2014, the Office of Civil Rights for the U.S. Department of Education issued guidance to colleges, universities, and schools on addressing sexual violence and other forms of sex discrimination. In that guidance, schools are encouraged to be proactive in their efforts to prevent sexual violence, remedy prohibited conduct, prevent reoccurrence, and to address the impact of sexual violence. The failure of a school district to appropriately respond in a situation involving sexual harassment can result in a violation of Title IX. See the [guidance](#) and [colleague letter](#).

Furthermore, schools may be subject to liability for failing to protect students from sexual harassment. The U.S. Supreme Court in *Davis v. Monroe County Board Of Education* held that school districts may be liable under Title IX for student on student sexual harassment. 529 U.S. 629 (1999). To establish liability under *Davis*, students must show 1) sexual harassment by peers; 2) deliberate indifference by school officials with actual knowledge of the harassment; and 3) harassment so severe, pervasive and objectively offensive it deprived the student of access to educational opportunities.

Title IX is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. All public schools that receive federal funds must comply with Title IX.

Iowa Code section 280.28 prohibits harassment and bullying based on age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. Schools are required to have a policy in place prohibiting this conduct.

Students with Disabilities

For questions regarding students with disabilities, contact Thomas Mayes at 515-242-5614 or thomas.mayes@iowa.gov.

Five Iowa schools named 2015 National Blue Ribbon Schools

Five Iowa schools are among 335 schools nationwide named 2015 [National Blue Ribbon Schools](#) for their overall academic excellence or for their progress in closing achievement gaps among student subgroups:

- Whittier Elementary School (Clinton Community School District)
- Ridge View High School (Galva-Holstein Community School District)
- Davis Elementary School (Grinnell-Newburg Community School District)
- Sunnyside Elementary School (Sioux City Community School District)
- Webster Elementary School (Urbandale Community School District)

Calendar

- October 1 • Count date for Certified Enrollment; VRF production site opens
- October 1 • Board resolutions for Whole Grade Share Supplemental Weighting
- October 8 • Approve student level data from VRF into Certified Enrollment
- October 15 • Certified Enrollment certification deadline
- October 15 • Last date to notify the SBRC if district incurred negative unspent balance

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.). If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education,



www.educateiowa.gov

Iowa Department of Education

400 E 14th Street
Grimes State Office Building
Des Moines, Iowa 50319
Ph: 515-281-5294
www.educateiowa.gov