



# School Leader Update

Iowa Department of Education

December 2007

Resources for Iowa School Leaders

## DIRECTOR'S MESSAGE

### Summer Meant Change at the Iowa Department of Education

This summer changes began happening at the Iowa Department of Education. With little fanfare, the agency embarked on a reorganization of staff.

While reorganization often means downsizing, this time it meant welcoming much-needed additional employees. Rising annual costs coupled with level funding for the department created a situation where staffing levels eroded over the past several years. Additionally, the department continued to take on new responsibilities, such as the 4-year-old preschool program and the model core curriculum work. The 2007 legislature recognized our staffing needs and provided the department with 21 new FTE (full-time equivalent) positions this year.

However, our reorganization isn't just about new people joining the department. It is also about trying to better meet the needs of Iowa's school leaders and educators. The first step was to better align functions into working groups. To see our new organization chart, please visit <http://www.iowa.gov/educate/content/view/47/222/>.

We have also implemented cross agency teams that bring together people from across the department to review the work we do, outline duplication and gaps, and develop plans for improvement. The cross agency teams are:

**Data Quality** — the purpose of this team is to coordinate for the agency the mechanisms by which data is collected and compiled for use by all data users.

**PreK-16 Articulation** — the purpose of this team is to articulate specific student transitions, PreK-16 curriculum, and agency initiatives that provide leadership and guidance to practitioners.

**Program and Agency Improvement** — the purpose of this team is to provide specific steps within the agency that improve communication and lead to specific steps for improvement of services to our customers, both internal and external.

This is where our changes will start impacting you.

In the next few months, these teams will be seeking your input regarding how we can better meet your needs. We hope that the time you take to share your thoughts will result in improved services.

As the winter season bears down on us, please know that our summer efforts to enhance and improve the department have not stopped. As always, we are working with you to provide the very best educational system for Iowa's children.

## NEWS FROM THE DE

### State Board of Education to Meet

The State Board of Education will meet Thursday, December 13 in the State Board Room of the Grimes State Office Building in Des Moines. Please know that the final agenda will be posted on the Iowa Department of Education website at <http://www.iowa.gov/educate/content/view/545/1002/> a couple of days before the meeting. The schedule for upcoming meetings is also available at this address.

### 2008 Legislative Advocacy Agenda Available Online

Attached is the *State Board of Education's 2008 Legislative Advocacy Agenda*. It is also on the Iowa Department of Education website at <http://www.iowa.gov/educate/content/view/71/634/>. If you have any questions, please contact Jeff Berger at 515-281-3399 or [jeff.berger@iowa.gov](mailto:jeff.berger@iowa.gov).

## Updated Special Education Iowa Administrative Rules

After a period of notice, public comment, and State Board action, Iowa's new administrative rules of special education became effective on November 14, 2007. The rules are found at [http://www.legis.state.ia.us/ACO/IAChtml/281.htm#chapter\\_281\\_41](http://www.legis.state.ia.us/ACO/IAChtml/281.htm#chapter_281_41) (the HTML version) or <http://www.legis.state.ia.us/Rules/Current/iac/281iac/28141/28141.pdf> (the PDF version). The rules follow the sequence of the federal special education regulations, while retaining many Iowa-specific rules. Major changes include elimination of rules-based instructional delivery systems and adjusted financial responsibility for instructional services provided in the home or a hospital. The Iowa Department of Education will be releasing guidance documents on the new rules. For more information, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

## Jeffrey Outlines *Condition of Education* in Podcast

In Iowa, there are 326 superintendents:

- 51.7 is their average age
- 11.3% are female
- 0.9% are minority
- 47.3% will be eligible to retire over the next seven years.

This is just a glimpse of the information that is provided in the *Annual Condition of Education Report* for 2007, recently released by the Iowa Department of Education (DE). Iowa Department of Education Director Judy Jeffrey will provide highlights of the 262-page report in a podcast to be posted on the department's website on Thursday, Dec. 6. The *Condition of Education* report, which is available online at <http://www.iowa.gov/educate/content/view/346/299/>, offers a wide range of data about the state of prekindergarten through 12th grade education in Iowa. Visit <http://www.iowa.gov/educate/content/category/27/639/1157/> for the Iowa Department of Education podcasts.

## SCHOOL IMPROVEMENT

### Keep Proof Requiring Publishers to Submit to NIMAC

Districts that are having difficulties with publishers sending textbook file sets to the National Instructional Materials Accessibility Center (NIMAC) should keep proof that they required publishers to do so. Items of proof may include contract language requiring file sets to be sent to NIMAC, phone logs, and letters. If publishers do not comply with the National Instructional Materials Accessibility Standards (NIMAS), then districts should consider their options to enforce the district-publisher contract.

The Iowa Department Education would like to know which publishers are not complying with the NIMAS, so the State of Iowa might consider its options as well. Please contact Steve Maurer at 515-281-3576 or [steve.maurer@iowa.gov](mailto:steve.maurer@iowa.gov) with your questions and publisher information.

### Individualized Education Program Reminder

The Iowa Department Education reminds school districts that, under state and federal law, each district must ensure that each eligible student's individualized education program (IEP) is available to that student's general education teachers and special education teachers, support and related services providers, and any other service providers responsible for implementing the IEP (e.g., transportation providers).

All of an eligible student's teachers and service providers must be made aware of "specific responsibilities" for implementing an IEP and the "specific accommodations, modifications, and supports that must be provided" under the IEP. This includes substitute teachers. For more information about special education law, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

## QUALITY TEACHING

### Iowa Standards for School Administrators and for Certain AEA Employees

The new proposed rules for district administrators and for area educational agency (AEA) staff members who meet the definition of "teacher" in Iowa Code chapter 284 may be accessed at <http://www.iowa.gov/educate/content/view/1130/104/> (Tab J).

It is anticipated that the State Board of Education will adopt the rules at its February 6 meeting.

Highlights of the rules as they pertain to local educational agency (LEA) administrators are as follows:

- The required mentoring and induction program is described (83.9)
- Mandatory standards and criteria for evaluation purposes are included (83.10)
- Professional development for administrators is addressed (83.12)

The rules add criteria by which AEA staff members who meet the definition of "teacher" (and thus, are included in the Teacher Quality legislation) are to be evaluated (rule 83.4). The original eight Iowa teaching standards apply to these AEA personnel, but the criteria are altered.

Written comments about the proposed rules can be made on or before January 8, 2008, by 4:30 p.m. to Kevin Fangman by fax (515-281-7700) or by email ([kevin.fangman@iowa.gov](mailto:kevin.fangman@iowa.gov)); questions may be directed to him by email or phone (515-281-3333).

## LEGAL LESSONS

*The contact for all Legal Lessons items is Carol Greta, [carol.greta@iowa.gov](mailto:carol.greta@iowa.gov); 515-281-8661. Past Legal Lessons articles about topics that are universally true and always relevant can be found on the Iowa Department of Education website at <http://www.iowa.gov/educate/content/category/11/411/985/>. You can also view appeal decisions rendered by the State Board of Education or the Director of the Iowa Department of Education between 1991 to present at <https://www.edinfo.state.ia.us/web/appeals.asp?>*

### **Decision-Making Matrix for Allegations of Bullying or Harassment**

*Because of high demand, we are re-printing the following item about the new requirement that districts and nonpublic schools collect and report harassment and bullying incidence data.*

Senate File 61, which created new Iowa Code section 280.28, requires districts and nonpublic schools to collect and report harassment and bullying incidence data. This matrix is designed to assist school personnel in determining whether an incident needs to be reported under the new law, and to assist school personnel determine whether an incident needs to be reported under the new law. If the answer is "yes," the report will be made on the spring Basic Educational Data Survey (BEDS).

The definition of harassment and bullying in the law is: "Any electronic, written, verbal, or physical act or conduct toward a student [by another student or by staff or a volunteer] which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- (1) Places the student in reasonable fear of harm to the student's person or property.
- (2) Has a substantially detrimental effect on the student's physical or mental health.
- (3) Has the effect of substantially interfering with a student's academic performance.
- (4) Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school."

"Trait or characteristic of the student" includes but is not limited to 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.

The situations listed are not to be taken literally and are usable as scenarios from which school personnel can extrapolate their own situations. Not covered are the obvious harassment situations that must be reported and investigated. ***When in doubt, INVESTIGATE.*** (Matrix follows on Page 4.)

Situation	Report?	Other remarks
<p>1. A group of middle school girls (all on-again, off-again friends of each other) start texting each other at school. Some of the messages turn nasty; they start calling each other “be-otch,” “ho,” etc. Hurt feelings escalate to a one-time shoving match in the hall between classes.</p>	<p>NO. This behavior is more like “typical adolescent cruelty” that does not rise to the level of meeting any of the four conditions above in the definition.</p>	<p>Just because this is not an incident to report under the new law does not mean that the school does nothing. It is always appropriate for the school to look into the matter and talk to the students involved, call the parents, etc. Not having to report this on spring BEDS does not mean not taking any action. (Because this example assumes use of school time, that alone is enough to punish under most local school codes of student conduct.)</p>
<p>2. Situation starts out same as #1 above, but now the girls have divided themselves in to two groups and there are frequent physical incidents between them.</p>	<p>YES. This behavior has moved beyond “typical adolescent cruelty” to the point where a student has objective reason to be in “reasonable fear of harm” to her person.</p>	<p>The motivation would be reported as based on sex, given that the name-calling that started all this was limited to derogatory female terms.</p>
<p>3. Back to the facts in #2, but this time the name-calling was gender-neutral (e.g., “jerk”), so the harassment is NOT based on sex. Again, suppose that the name-calling has escalated to frequent physical incidents between the girls.</p>	<p>MAYBE. If the school’s local policy lists just the 17 traits or characteristics from the law without language to the effect “including but not limited to these characteristics,” and if the harassment is not based on any of the 17, this is not reportable on BEDS. If the school’s local policy is more broad, this is reportable because a student has objective reason to be in “reasonable fear of harm” to her person.</p>	<p>If reporting, the motivation would be reported as “other, unspecified.”</p>
<p>4. Two male elementary students, one Hispanic and one white, standing in lunch line get into an argument about who was first in line. They start shoving each other. The white student calls the Hispanic student a “wetback,” and gets in the last shove. There’s no prior history of issues between these two students.</p>	<p>NO. While the derogatory name implicates a protected characteristic (national origin), this is the type of misbehavior that can be resolved quickly by having a teacher or other school staff member step in immediately to separate the boys, make them apologize, issue a quick punishment, and school life goes on.</p>	<p>Make the classroom teacher(s) aware of the minor argument and ask that the teacher keep an eye on the students to make sure that this was a one-time issue.</p> <p>If there are repeat performances and if continued problems seem to be based on national origin or another listed trait, a report may need to be made in the future.</p>
<p>5. An elementary student frequently makes rhetorical comments to no one in particular about how she is going to “get” one or another fellow student. No specifics are ever mentioned, and there is no genuine expression of intent to harm. The student has older siblings and often “talks tough” as a means of posturing.</p>	<p>NO. But, the answer changes as soon as the student starts becoming specific and seems to be targeting a specific classmate.</p>	<p>Generally speaking, the older the student, the less a school may assume that the student has no means by which to carry out threats. Pay attention to even rhetorical threats; talk to the student and his/her parents. Counseling may be a good option because nonspecific threats could be a first “cry for help.”</p>
<p>6. A student makes a specific threat to harm a school employee and has the wherewithal to carry out the threat.</p>	<p>NO. The answer is ‘no’ <u>only</u> because school employees are not protected under the new law.</p>	<p>OF COURSE the school will take immediate and appropriate action to protect the employee, including calling law enforcement, getting the student isolated and searched, and calling the student’s parents.</p>

## **FERPA and School Safety**

The U.S. Department of Education has issued simpler guidance for families, students, and educators regarding when education records may be shared under FERPA, the federal Family Educational Rights and Privacy Act. The new guidance was issued following the shootings at the Virginia Tech campus and as a result of recommendations made by a panel aimed at improving school safety. The guidance, which can be found at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/index.html>, includes further guidance about student health information, disciplinary records, and health or safety emergencies.

## **Local Academic Eligibility Policy Upheld by State Board**

Beginning last school year, the statewide academic eligibility rule for participation in interscholastic sports changed from “pass 4” to “pass all.” Under the former “pass 4” rule, the period of ineligibility was one full semester. When the standard was increased to “pass all,” the ineligibility period was decreased to 20 school days. Under either rule, local school boards had the right to have a more stringent local rule.

One local school board decided to retain an ineligibility period of 18 weeks (one semester) from all extracurricular activities for any student who did not pass all coursework. This local policy was appealed to the State Board of Education, which upheld the local policy on November 14. Since there is no right of a student in Iowa to participate in extracurricular activities, and since students who participate are not per se a suspect classification, the State Board’s review is limited to determining whether the local policy is reasonable and not contrary to the best interest of education. For the reasons discussed in the Decision, the local board policy is reasonable and is not contrary to the best interest of education.

You can read the full decision online at <https://www.edinfo.state.ia.us/web/appeals.asp?book=25&decision=8>.

## DATA AND REPORTING

### **Data Warehouse Offers Future Opportunities**

The transformation of the data infrastructure for the Iowa Department of Education (DE), and to a certain degree the education data infrastructure throughout the state, has begun. As of the beginning of November, the DE has entered into contract negotiations for a data warehouse. The warehouse has a “front end” that will have three sets of data loaded during implementation: Project EASIER, which is student level data; IMS, special education student level data; and Iowa Testing Program student level data. The data warehouse will link all these disparate data together for analysis across these domains of information enabling new and meaningful analysis.

There will also be a “back end,” where different education stakeholders from DE staff to local districts to parents and children can access data in preformatted reports and also different analytical tools, dependent on the users’ expertise and security clearances.

Implementing the data warehouse will take over two years. It is expected that the DE will have the preliminary architecture in place and be ready to move forward engaging stakeholders within three to six months. There will be considerable outreach to a wide variety of stakeholders to design the preformatted reports and analysis tools of the back end. The DE has received federal funding to help implement these outreach activities. For questions about the Iowa Department of Education data warehouse, please contact Jay Pennington (515-281-4837 or [jay.pennington@iowa.gov](mailto:jay.pennington@iowa.gov)) or Jim Anderson (515-281-6300 or [jim.anderson@iowa.gov](mailto:jim.anderson@iowa.gov)).

### **Data Governance and the DE Data Warehouse**

The Iowa Department of Education (DE) is examining the concept of data governance, which is gaining acceptance in the private sector. Data governance and data stewardship programs are implemented to formalize data related behavior; improve the value that an organization gains from data; improve communications, awareness, and reliability around the use of data; and improve compliance and audit-ability of data. With the DE’s new integration of data sources and means to analyze the data, there will be a need to manage data as an education enterprise-wide asset. The intent is that the governance structures and the stewardship put in place will shape the aforementioned data warehouse, the potential of the data warehouse, and DE educational data for data integrated decisions. For questions about the Iowa Department of Education data warehouse, please contact Jay Pennington (515-281-4837 or [jay.pennington@iowa.gov](mailto:jay.pennington@iowa.gov)) or Jim Anderson (515-281-6300 or [jim.anderson@iowa.gov](mailto:jim.anderson@iowa.gov)).

## TRANSPORTATION

### Hybrid Electric School Buses

Two new hybrid electric school buses will soon be arriving in Iowa. Ceremonies are being planned for December 12<sup>th</sup> in Nevada and Sigourney, the two Iowa school districts that are a part of this nationwide project. Dignitaries and district officials will be presiding over the scheduled ceremonies.

The hybrid bus project began nearly three years ago and involves a number of states and a total of 19 hybrid buses. Iowa is the only Midwestern/northern state to be involved in this project. The state will offer some unique circumstances, specifically the fluctuation in weather conditions that the other participating states do not experience. Contact Max Christensen at 515-281-4749 or [max.christensen@iowa.gov](mailto:max.christensen@iowa.gov) for questions about the program or the upcoming ceremonies.

## MISCELLANEOUS EDUCATION NEWS

### Tobacco & Youth- A Learning Supports Data Tool

The Iowa Department of Education, in collaboration with the Iowa Department of Public Health, has developed a toolkit with a focus on tobacco and youth. Tobacco use is the leading cause of preventable death in the United States. According to the Center for Disease Control (CDC), 83 percent of current smokers wish they had never started. Every year 4,200 Iowans under the age of 18 become new, daily smokers. Twenty-two percent of high school youth currently smoke and 14.9 percent of all male high school students use smokeless tobacco.

The toolkit is a wonderful resource for information on how tobacco affects students and provides tools and strategies to prevent and decrease tobacco use among youth. You can find the toolkit at <http://www.iowa.gov/educate/content/view/503/919/1/2/>. If you have questions regarding the toolkit you can contact Jerilyn Quigley at 515-242-6282 or [jquigley@idph.state.ia.us](mailto:jquigley@idph.state.ia.us).

## CALENDAR

### Deadlines and Dates to Remember

You can view a complete Iowa Department of Education calendar of events at <http://www.iowa.gov/educate/calendar/calendar.html>.

December 14 Iowa Quality Preschool Standards ICN session

December 31 Deadline for 2008-2009 Chapter 12 Exemption requests

Waiver/ Exemption	Form	Board Approval or Hearing	Deadline
Chapter 12 – General Accreditation Standards 281-IAC 12.9	Paper document located at: <a href="http://www.iowa.gov/educate/content/view/483/530/">http://www.iowa.gov/educate/content/view/483/530/</a>	Board minutes that demonstrate that the local school board has approved the request.	January 1 preceding the school year for which the waiver is requested.

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

*SCHOOL LEADER UPDATE* is produced monthly by the Iowa Department of Education for school leaders of Iowa. Comments and submissions should be sent to Elaine Watkins-Miller at [elaine.watkins-miller@iowa.gov](mailto:elaine.watkins-miller@iowa.gov) or 515/281-5295.

*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, Grimes State Office Building, Des Moines, IA 50319-0146, telephone number 515/281-5295; or the Director of the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, telephone number 312/730-1560, fax 312/730-1576, email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov).*

# State Board Members



Gene E. Vincent  
President  
Carroll



Rosie Hussey  
Vice President  
Mason City



Charles Edwards  
Des Moines



State Board of Education...

# 2008

## Legislative Advocacy Agenda



Sister Jude Fitzpatrick  
West Des Moines



Brian Gentry  
Des Moines



Kameron Dodge  
(Student Member)  
Cambridge



Wayne Kobberdahl  
Council Bluffs



Mary Jean Montgomery  
Spencer



Max Phillips  
Woodward



Judy Jeffrey  
Director and  
Executive Officer

## Our Mission...

...is to champion excellence in education through superior leadership and service. We are committed to high levels of learning, achievement and performance for all students, so they will become successful members of their community and the workforce.



# Funding...

## K-12:

- Fund the four percent allowable growth rate already established in 2007-2008.
- Continue to enhance the commitment to increase teachers' salaries by providing an additional \$70 million new dollars to Teacher Quality in fiscal year 2009.
- Increase the commitment to quality professional development for teachers by increasing funding for professional development within Teacher Quality from \$20 million to \$30 million in fiscal year 2009.
- Continue to enhance the commitment to providing statewide quality preschool to 4-year-olds by providing an additional \$15 million new dollars in fiscal year 2009.
- Create a mechanism by which existing categorical funding, including but not limited to Class Size/Early Intervention funds, Educational Excellence funds, and Teacher Quality funds, are permanently incorporated into the state's school funding formula.

## Community Colleges:

- Increase funding for Iowa's community colleges by \$12.9 million.
- Increase the community college levy authority to provide increased capacity to support local and regional decision-making that ensures continued vigorous economic and workforce development.

## AEAs:

- Ensure that area education areas (AEAs) are adequately funded so they can meet the needs of districts, teachers, and students, specifically in curriculum and professional development areas. A minimum first step would be to restore all funding cuts to AEAs over the last 10 years.

## Iowa Department of Education:

- Assure the adequate staffing of the Iowa Department of Education to ensure quality technical assistance, monitoring of quality, and accountability for results. This includes supporting existing staffing levels, while also ensuring that any new policy or funding priorities include staff members to implement the added expectations.

## State Board of Education

# 2008 Legislative Advocacy Agenda

## Several major policy and funding actions were taken during the 2007 legislative process.

Increased rigor was addressed by the expansion of Iowa's Core Curriculum; teachers' salaries were greatly enhanced, a step that will help Iowa keep its best and brightest; a quality statewide 4-year-old preschool program was created; and incentives were developed to promote sharing and efficiencies in schools. At this critical juncture, policy stability and the alignment of resources to funded priorities are keys to ensuring that the hopes created by these new initiatives are realized. The State Board of Education believes that Iowa should seize the opportunity ahead and continue to evolve into the system that meets ALL students' needs in the 21st century.

## Expected Outcomes

- Increase the proficiency of all students in reading, math, and science.
- Increase the K-12 graduation rate.
- Increase the number of 4-year-olds accessing quality preschool programs.

## Support Improved Programming and Academic Achievement for ALL Students

- **Continue to expand the Teacher Quality and Student Achievement Program.**
  - \* Increase the quantity and quality of professional development supports for teachers especially in reading, mathematics, and science using content specific teacher academies.
  - \* Provide \$30 million in additional professional development funding that ensures support for every teacher in the state.
  - \* Increase the minimum salary levels for beginning and career teachers as defined in *Iowa Code* Chapter 284 by an additional \$2,500, achieving the minimum teacher salary target in the original 2001 legislation (\$28,000).
  - \* Reinstate support for the National Board Certification as it currently exists and extend that commitment for five years.
  - \* Continue support for Teacher Development Academies and Mentoring and Induction programming for teachers and administrators.
- **Continue to expand access to quality preschool programming. This program should continue to**

## include the following components:

- \* Access for all 4-year-olds.
- \* BOEE-licensed teachers.
- \* Support for established program standards.
- \* Support for established developmental early learning standards.
- \* Fiscal accountability and statewide student data management support.
- **Provide for efforts to improve the quality of the educational system.**
  - \* Continue to support the implementation of Iowa's Core Curriculum statewide.
  - \* Support efforts to ensure the implementation of systems that provide pre K-16 data articulation.
- **Improve and expand opportunities to develop Iowa's workforce.**
  - \* Continue to promote the expansion of career academies as they exist under current statute.
  - \* Support the statewide expansion of Project Lead the Way (STEM) to make it available to all school districts.
  - \* Expand opportunities to require collaboration between state agencies and other governmental entities on the provision of workforce development programming.