



A MONTHLY JOURNAL
FOR IOWA EDUCATORS

School Leader Update

May 2012

Three new members of the State Board of Education start May 1

The State Board of Education will welcome three new members starting May 1:

Diane Crookham-Johnson, an attorney from Oskaloosa, will fill a seat vacated by Ana Lopez.

Mike May, a businessman, retired teacher and retired state representative from Spirit Lake, will fill a seat vacated by Eric Goranson. Crookham-Johnson and May were appointed to the State Board by Gov. Terry Branstad for six-year terms. The Iowa Senate has confirmed the appointments.

McKenzie Baker, an 11th grade student at Forest City High School, will serve as the State Board's nonvoting student member for one year.

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Reconciling approaches to education reform

As the school year and legislative session wind down, I've thought a lot about the lessons I've learned from both in the past several months.

Nearly all of us agree that systemic improvement in our schools starts with the people who work in them. However, there's a philosophical divide when it comes to how we groom and create great educators in Iowa. One approach focuses on improving the educator workforce through human resource processes, such as selectivity, evaluation, compensation and dismissal. My own experience in education leadership



Jason Glass, Director

is rooted in this "human capital" side of the equation. Iowa traditionally has focused on a "social capital" approach, which focuses on improving the work environment through educator collaboration and providing additional supports for educators. What I've learned over time is that we need both in our rise to greatness. Talent and ability matter, but so do connections and belonging. In the weeks ahead, we at the Iowa Department of Education will take a deep look at our vision and focus, with special attention on the following areas:

- Continuing the work of the standards, curriculum and assessments centered around the Iowa Core
- Educator quality in areas such as teacher leadership, compensation and selectivity
- A statewide focus on Response to Intervention, a preventive and supportive system for students at risk of academic failure

Enjoy your summer. And, as always, thank you for your courage and commitment to students and to Iowa.

Des Moines school named 'Green Ribbon School'

Central Campus in Des Moines is among the first-ever U.S. Department of Education Green Ribbon Schools.

[Seventy-eight schools](#) in 29 states and Washington D.C. received the award, which honors schools that demonstrate a comprehensive approach to creating "green" environments.

Honored schools work to reduce environmental impact, promote health, and ensure a high-quality environmental and outdoor education to prepare students with the 21st century skills and sustainability concepts needed in the growing global economy.

"Schools that take a green approach cut costs on their utility bills, foster healthy and productive classrooms, and prepare students to thrive in the 21st century economy," said Nancy Sutley, chair of the White House Council on Environmental Quality. "These Green Ribbon School award-winners are taking outstanding steps to educate tomorrow's environmental leaders and demonstrating how sustainability and environmental awareness make sense for the health of our students and our country."



Graphic courtesy of Des Moines Public Schools

The "Green Ribbons" are one-year recognition awards. Iowa schools apply through the Iowa Department of Education, which may nominate up to four schools to the U.S. Department of Education. Award details can be found [here](#). For more information, contact Gary Schwartz, Iowa Department of Education facilities consultant, at 515-281-4743 or gary.schwartz@iowa.gov.

Iowa Energy Bank— energy management you can trust



The Iowa Department of Administrative Services is in the business of helping public facilities, schools, AEAs, hospitals, colleges and universities, local governments, and non-profit groups manage their energy consumption, improve energy efficiency, and overcome budget challenges. The DAS energy management team provides the expertise and assistance necessary to manage energy improvement projects, and 1 percent financing makes implementing energy management plans easy and affordable. The Iowa Energy Bank has the money for qualified energy projects when you need it. No up-front fees or capital are needed to participate in the program. Go to www.IowaEnergyBank.gov or contact Brenda Easter at 515-725-2239 for more information.

Data and Reporting

Districts, schools will learn of NAEP selections in May

District superintendents will be notified in mid-May about which of their schools have been selected to participate in the National Assessment of Educational Progress (NAEP) 2013 Assessment, which will cover reading and mathematics in grades 4, 8 and 12 from Jan. 28 through March 8, 2013.



About 400 schools in more than 200 districts are expected to take part in the 2013 assessment.

Principals also will be notified of their schools' selection in mid-May. Questions about NAEP or the NAEP 2013 sample should be directed to Dianne Chadwick at dianne.chadwick@iowa.gov or 515-281-3718.

C-Plan will be available in June

The Consolidated Plan (C-Plan), a living planning and reporting document for schools and districts, will be available at the beginning of June. C-Plan streamlines the collection of mandatory reports and progress for districts and schools and is a living, ongoing planning and reporting document for schools and districts. The five plans that will be consolidated into C-Plan are:



- The Comprehensive School Improvement Plan (CSIP)
- Annual Progress Report (APR)
- Iowa Core Implementation Plan (to be included December 2012)
- District Developed Service Delivery Plan (DDSDP)
- Schools/Districts In Need of Assistance (SINA/DINA) Plan

Districts are encouraged to use the C-Plan to start fresh rather than copying and pasting from old plans that may be outdated. Keep the good things and discard those things that aren't working as well to transition the C-Plan to a school improvement tool that will be a working, living plan for your district.

Webinars will be posted to the Iowa Department of Education's [website](#) in June to assist you in completing the C-Plan, and additional training sessions will be offered in August for new district/school employees.

In addition, an Excel template serves as a crosswalk from the old individual applications to the new C-Plan application. Visit the C-Plan [website](#) for additional information. Questions about the C-Plan should be directed to Karla Day at karla.day@iowa.gov or 515-281-7145, or Janell Brandhorst at janell.brandhorst@iowa.gov or 515-281-3033.

Workshop focuses on financial literacy education

A three-day workshop on financial literacy will be offered to certified Iowa educators July 24-26 in Ames by Iowa State University's College of Human Sciences and Extension to Families. The workshop, Family Economics and Financial Education (FEFE), is centered on the semester-long middle/high school FEFE curriculum that is supported by the Norton School of Family & Consumer Sciences at the University of Arizona. The workshop includes a hard copy of the extensive high school curriculum in addition to many hands-on activities.

The \$570 fee will be offset by a sponsorship from the Iowa Insurance Division; subsequently, participants pay only \$170. Educators in schools participating in the GEAR UP program are eligible for additional support to attend the FEFE workshop, and they should contact Heather Doe at 515-725-3417 or heather.doe@iowa.gov for more information. Teacher licensure renewal and ISU graduate credit will be available. Contact Cindy Fletcher at cynthia@iastate.edu for more information. To read more about the workshop and to register, go to <http://www.uccs.iastate.edu/mnet/feff/home.html>.



Authentic Intellectual Work

Support for Authentic Intellectual Work (AIW) is being transitioned from the Iowa Department of Education to the Area Education Agencies. The Department will not be accepting applications for new schools or districts to participate in AIW this year because those decisions are now being made at the AEA level. However, the Department will continue to support those schools already involved in the project. Planned activities for the summer include the Lead Coaches-in-Residence Academy, which will be held July 9-12, and Local Coaches Institute, which will be held July 11-13. Both will be held at the Stoney Creek Inn in Johnston. For more information on either of these two events, contact the Department's Deborah Humpal, 515-822-3472 or deborah.humpal@iowa.gov.

Content specified for Smarter Balanced Assessments

The Smarter Balanced Assessment Consortium is developing content specifications in English language arts/literacy and mathematics to ensure the assessments cover the range of knowledge and skills in the Common Core State Standards. Once finalized, the content specifications will serve as the basis for the Smarter Balanced system of summative and interim assessments and formative assessment support for teachers. The content specifications provide the parameters for the individual items that will be developed for the tests. For example, they identify how long passages can be for each grade level, the type of graphics that will be used, technical quality of video and audio clips, generic scoring guides for extended response items, and allowable item types. The content specifications also provide examples of test items being developed. Dr. Linda Darling-Hammond, Smarter Balanced senior research advisor and professor of education at the Stanford University School of Education, led the development of the content specifications in collaboration with experts in the field. The Smarter Balanced Technical Advisory Committee, Consortium work groups, and the lead authors of the Common Core State Standards also contributed to the documents. Hundreds of organizations and individual stakeholders provided feedback during two rounds of public comment. To view the draft content specifications documents and learn more about specific components of the assessments, go to <http://www.smarterbalanced.org/smarter-balanced-assessments/#item/>.

The Smarter Balanced Assessment Consortium and the Partnership for Assessment of Readiness for College and Careers have issued [guidance](#) for leaders of schools and districts as they make annual instructional technology purchases. The guidelines include hardware and operating system specifications covering the vast majority of commercially available computers and tablets.

Transition program for deaf, hard-of-hearing students

What are your deaf or hard-of-hearing students doing after high school? Iowa School for the Deaf (ISD) hosts the state's only transition program exclusively for deaf or hard-of-hearing teens, called 4PLUS (Post-senior Learning for Ultimate Success). High school seniors must have met their local district's graduation requirements but do not need to have previously attended ISD. Students currently in the program are working, attending community college, or both. Some of the participants are oral only, sign, or use a combination of communication methods. The program is free for participants. Transportation, tutoring, on-campus room and board also are provided at no charge. Participants must be capable of independent employment. Contact transition coordinator Kristi Wills for more information at 712-366-3216 or go to ISD's website at <http://www.iadeaf.k12.ia.us/>



Pursuing the Promise special education seminar

Register today for *Pursuing the Promise*, the Iowa Department of Education's special education conference at HyVee Hall in Des Moines June 11-12.

The conference is an opportunity to learn what is going on statewide to eliminate the achievement gap, to hear about evidence-based practices in special education and to network with the community of special education teachers, parents, students, researchers and policy-makers.



Speakers include Iowa Department of

Education Director Jason Glass and state Special Education Director Martin Ikeda. Sessions cover a wide range of topics, including literacy, legal issues, learning supports and postsecondary transition. There is no registration cost to attend the conference, but participation is limited to 1,200 people.

Read more and register for the conference [here](#).

Department consultant receives national honor

A consultant with the Iowa Department of Education has been named the National 2012 Director/Coordinator of the Year by the American School Counselor Association (ASCA). Jan Kuhl, the Department's school counseling and careers consultant, was honored for her work with school counselors across the state. ASCA works to support school counselors' efforts to help students focus on academic, personal, social and career development so they can achieve success in school and are prepared to lead fulfilling lives as responsible members of society.



Title 1 updates coming to an AEA near you

Spring is here, and it's time for the Annual Title I Update meetings. Each year, the Title I consultants from the Iowa Department of Education hold meetings at each of the AEAs to bring local districts the most updated information about the Title I program and its legislation. This year's agenda items include:

• Title I allocations, Funding, Reauthorization Efforts
• Federal Monitoring
• Online Application Updates & Procedures
• Title I services for Private schools
• Parent Involvement Requirements
• Title I Program Evaluation
• Split/Partial Funded Personnel
• Flexibility Application
• SINA/DINA Timelines
• Other Topics

Here are the times, dates and locations:

• May 9: AEA 267, Marshalltown, 9 a.m.
• May 9: Green Hills, Atlantic, 9 a.m.
• May 10: AEA 267, Clear Lake, 9 a.m.
• May 11: AEA 267, Cedar Falls, 9 a.m.
• May 14: NWAEA, Sioux Center, 12:30 p.m.
• May 14: Heartland, Johnston, 9 a.m.
• May 15: Green Hills, Atlantic (for Creston), 9 a.m.
• May 16: Prairie Lakes, Pocahontas, 9 a.m.
• May 16: NWAEA, Sioux City, 9 a.m.
• May 16: Great Prairie, Burlington, 9 a.m.
• May 17: Great Prairie, Ottumwa, 9 a.m.
• May 18: Grant Wood, Cedar Rapids, 9 a.m.
• May 22: Mississippi Bend, Bettendorf, 9 a.m.
• May 23: Keystone, Elkader, 9 a.m.

Reminder of ESL-endorsement deadlines

Important deadlines are looming for educators of English as a second language (ESL).

According to the Iowa Code:

1. All teachers of ESL must have an endorsement or a waiver after July 1.
2. Only ESL-endorsed or endorsement-waived educators may teach ESL to English language learners (ELL).
3. All students identified as needing ESL must receive appropriate instruction from a qualified or endorsement-waived teacher.
4. All teachers interested in seeking a waiver from the endorsement must apply to the Board of Educational Examiners (BoEE) for a waiver before June 1.



Current teachers of ESL must either have an ESL endorsement of 18 semester hours of specific courses by July 1 or have been licensed in Iowa prior to Oct. 1, 1988. The latter group may teach ESL only in the grades for which they are licensed.

Non-endorsed teachers who have been successfully teaching ESL may apply for a waiver through the BoEE. The requirements of the waiver can be found on the BoEE [website](#) under ESL Endorsement Waivers. The BoEE requires that all waivers be submitted to them prior to June 1 in order to be processed

by July 1. Teachers who miss the deadline may apply for a two-year conditional license, and they must finish the full requirement for the endorsement within that period.

Register for English Language Learners conference

Register today for the June 19-20 conference focused on teaching educators to discover new strategies for working with English Language Learners.

The Our Kids Summer Institute conference at West Des Moines Valley High School is sponsored by the Iowa Department of Education, Heartland AEA, Prairie Lakes AEA, William Penn University and West Des Moines Community Schools. Two graduate credit hours will be available onsite through William Penn.

The registration fee is \$100, but the first 350 to register before May 11 will receive a \$125 stipend from the Department of Education. Registration includes lunch and an afternoon snack each day.

To register, please visit the Heartland AEA website at www.aea11.k12.ia.us and click on Course Catalog located under Quick Links at the bottom of the page. On the Search page, click Search and find Our Kids Summer Institute 2011 in the alphabetical listing. Click on the Activity ID (ES006769571301) number for activity details and registration or use [this URL link](#).



Programs That Make a Difference

Professional development for preschool staff

As districts prepare their 2012-13 professional development calendars, it is important to plan for the preschool staff. Iowa Code requires Statewide Voluntary Preschool Program (SWVPP) teachers to be offered professional development appropriate to early childhood. Professional development also must be offered to preschool program associates as well as teachers from the community partners providing the preschool program. For districts and community partners that have adopted the Iowa Quality Preschool Program Standards (IQPPS) as their program standard, an important element of verification is a professional development plan for teachers and associates. The plan should include future professional development based on the results of a self-evaluation and documented conversations between the staff member and supervisor. This plan should be in the staff files and available for review by the Iowa Department of Education during an IQPPS verification visit.



Data following IQPPS verification visits in 2011-12 indicate that many districts have been encouraged to participate in professional development on the following topics: implementation of the district-adopted curriculum and assessment, Early Childhood – Positive Behavioral Interventions and Supports (EC-PBIS) and Every Child Reads 3-5 (ECR 3-5).

For information about the Statewide Voluntary Preschool Program for Four-Year-Old Children, please contact Penny Milburn at Penny.Milburn@iowa.gov or 515-281-7844, Judy Russell at Judy.Russell@iowa.gov or 515-281-4705, or Amy Stegeman at Amy.Stegeman@iowa.gov or 515-725-2273.

Agencies partner up to help schools address bullying

Bullying has been recognized as a widespread problem, and recent incidents in Iowa bring this topic to the forefront for Iowans. In response, the Iowa Department of Education, the Iowa Department of Public Safety, the Office of Attorney General Tom Miller, and the Office of Governor Terry Branstad are working in partnership to provide information and resources to schools and to Iowans on the topic of bullying and cyber-bullying.

In partnership with the Iowa Internet Crimes against Children Task Force, the Iowa State Patrol Safety Education Officers (SEO) are available to provide presentations at Iowa schools on the topics of bullying, cyber-bullying, Internet safety, and others. Please reach out to the SEO in your area to schedule a presentation for your students: <http://www.dps.state.ia.us/ISP/specialty/seos.shtml>. The Iowa Internet Crimes against Children Task Force consists of more than 100 law enforcement partner agencies throughout Iowa. Officers assigned to the task force may also be available to provide presentations in your school district. Please see the [website](#) for more information. Online resources such as teaching materials, video presentations and safety education kits also are available at www.netismartz.org, the Iowa Internet Crimes against Children website at www.iaicac.org, the National Crime Prevention Council website at www.ncpc.org, and www.cybersmart.org.

Our agencies continue to communicate with each other as instances of bullying and cyber-bullying are discovered so the appropriate resources can be made available to address the issue at the onset and prevent the often tragic outcome of negative peer influences. If your school becomes aware of bullying or cyber-bullying, please reach out to your local law enforcement agency for assistance. These resources represent an important component of an overall school-wide bullying prevention effort. Additional resources from the Iowa Department of Education can be found [here](#). By striving to reach every Iowa student through our schools, we can make a difference and put a stop to bullying in our schools. Thank you for your dedication in educating and protecting our children.

Nutrition, Health and Transportation

Nutrition standards require schools to count calories

New meal pattern requirements for the National School Lunch Program take effect July 1. Different nutrition standards are identified for the grade groups of K-5, 6-8, and 9-12, creating serving issues in buildings that have grades in more than one group. One new requirement in these standards is a maximum limit for calories. While there is an area of overlap between the K-5 and 6-8 groups, there is no overlap between 6-8 and 9-12. Building administrators are encouraged to schedule lunch lines that do not intersperse students from different grade groups to maintain accuracy in serving menus planned for each grade group. Questions should be directed to your NSLP consultant or to Patti Harding at Patti.Harding@iowa.gov.



Calling all school bus technicians/mechanics

The Iowa Department of Education, in association with the Iowa Pupil Transportation Association and the school bus dealers in Iowa, will again sponsor the fourth annual “Best of the Best Technician’s Training & Competition” on June 15. This is a program to help recognize school bus technicians/mechanics for the important role they play in school transportation. This event will include a half day of training, followed by a written knowledge exam as well as a hands-on competition to determine the “best of the best” in Iowa. The winner of this competition will proceed on to the national competition to be held later in the year. The national winner will then receive an award at the national transportation conference in October. Register now at [this link](#). Contact Max Christensen at max.christensen@iowa.gov for more information.





Legislative Update

Contact Mike Cormack for all legislative items: mike.cormack@iowa.gov or 515-281-3399.

Cormack at the Capitol

Several times a day, I am asked when the Iowa General Assembly will adjourn for this year. As you may be aware, the scheduled adjournment date this year was on April 17. Money for daily expenses ran out on that date, but there was no penalty for failing to adjourn by then. The Legislature did move up funnel dates by one week earlier this session in an attempt to speed up the process this year. As you read this, the safest answer I can give to the adjournment question is earlier than Christmas. I thought about using Thanksgiving as a goal, but you can't be too certain in divided government.

In all seriousness, the Legislature is really only obligated to pass budget bills in a given session. The real deadline for adjournment is July 1, which is when the next fiscal year begins. Changes to law are not needed in terms of closing down a legislative session. Last year, the Legislature did not wrap up until late June, which is unusual. I do think legislators sincerely want to avoid a repeat of that. But, we will have, at a minimum, a May adjournment date.

So far, only the transportation budget has passed both chambers and been sent to the Governor. That budget relies on revenue sources such as gas taxation that differ from the rest of the budget bills. Conference committees, made up of members from both chambers and delegated by legislative majority or minority status, have been organized to address all of the other budget committees, except for the standings bill. One of those budget bills funds K-12 education and community colleges in this state. It's not certain at this time where the budget process will go, except that it will eventually need to be compromised between the Iowa House and Senate before this session can end. If the two sides would split the difference on their budget figures, they would end up near the budget figures proposed by Governor Branstad.

Another topic that is receiving wide attention is the school start waiver date. If enacted, the proposed law that passed the Iowa House would begin school on the fourth Monday of the month of August. This would not occur until the 2013-14 school year. At this time, there has not been a vote in the Senate on this legislation. If you have opinions for or against this legislation, it is in the hands of the Iowa Senate to determine the future of that legislation.

Education reform continues to be debated in the Legislature. A conference committee has been formed, and they met twice last week. The co-chairs of the SF 2284 conference committee are Senator Herman Quirnbach representing the majority Senate Democrats and Representative Royd Chambers from the majority House Republicans. Each majority party in a chamber received three members with Senator Quirnbach joined by Senators Brian Schoenjahn and Tod Bowman for the Senate Democrats. In addition to Representative Chambers, Representatives Greg Forristall and Cecil Dolecheck are from the House Republicans. Minority party members receive two members to the committee with Representatives Sharon Steckman and Mary Mascher delegated from the House Democrats, while Senators Shawn Hamerlinck and Nancy Boettger are the Republican senators on the committee.

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Legislative Update continued

CORMACK COLUMN

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For any proposed law to emerge from the conference committee, at least three senators and three representatives must sign the report to do so. In writing this bill, they can only look at issues that were in either the House or Senate legislation on this topic. They cannot write new subject matter.

Finally, once the bill is reported out of committee, both the House and Senate must approve the legislation by majority vote and without any amendments.

Many education reform items that were previously discussed this year have been taken off the table. Decisions still need to be made about end-of-course examinations, college readiness testing, literacy programs, professional evaluations, online learning, core curriculum matters, student assessment changes, alternative licensure and other educational matters.

Some items have been agreed to, including competency-based education, a four-year extension of the class size block grant that was to be repealed this summer, and having the Governor appoint the director of the Board of Educational Examiners. In addition, a decision will need to be made on how to fund various elements of education reform.

Finally, all parties interested in education should pay attention each year to what is called the standings bill. It is generally the last budget bill to be passed out of a legislative session and is a general catch-all for the year. Most of the bill does not deal with education, but there are educational policies in both the Senate and House proposals. HF 2465 is the House proposal, and amendment S-5236 is the Senate alternative on this bill. A copy of this legislation and amendment can be found on the official legislative [website](#). It is the only budget bill not to reach a conference committee yet, but it is likely to do so next week. As you can see, there are many important fiscal and policy decisions to be made that impact our Iowa educational system.

It is my sincere hope that the legislators can find common ground on these issues that benefit our students. I also hope that my next monthly update is a recap of what took place in the 2012 Iowa General Assembly, not a summary of the decisions that still need to be made.

Thanks for all of the work that you do throughout our state on behalf of Iowa students. The only thing trickier than ending a legislative session might be winding down a school year with students inflicted with spring fever. Having been through both as a legislator and a teacher, I'm not sure which task is more difficult! Good luck as you close out your year. Remember, unlike legislators, you can't go past the end of your scheduled school calendar.





Legal Lessons

Contact Carol Greta for all Legal Lessons items: carol.greta@iowa.gov or 515-281-8661.

A last-minute checklist for you

Miscellaneous End-of-Year Reminders

All of the following reminders apply only to school districts.

1. *Graduation prayer, songs.* A school district cannot sponsor prayer at graduation – spoken or sung. This includes a prohibition on songs that a reasonable person would perceive to have religion as the primary focus. Should a speaker spontaneously pray, without any prior knowledge by school officials that this might occur, it is not considered school-sponsored. However, the district has an affirmative obligation to inform all speakers that prayer at a public school graduation is not legal. If, given the district's prior knowledge of the speaker, it is not unreasonable to assume that the speaker may offer a prayer, the district has an affirmative obligation to pre-screen the content of the planned speech.
2. *Baccalaureate.* A school district cannot sponsor a Baccalaureate; this is an event that must be left to the local churches or similar organizations. Students cannot be required to participate in a Baccalaureate ceremony nor punished for failure to do so. Prayers and religious songs are unrestricted at a properly sponsored (i.e., non-district-sponsored) Baccalaureate.
3. *Senior trip.* If a school district still schedules a senior trip as part of the seniors' 175 instructional days, the presumption is that the trip is curricular in nature, and thus, the district cannot charge a fee. See Declaratory Order (upheld by district court) at <https://www.edinfo.state.ia.us/web/appeals.asp?book=25&decision=62>.
4. *Diploma.* Per Dillon's Rule, school boards cannot withhold diplomas for failure to pay fines, fees, etc. A student who has met graduation requirements has an undisputed right to receive his/her diploma. To withhold a diploma for non-academic reasons is tantamount to academic fraud. Having said that, the student does not have an undisputed right to receive the diploma at a commencement ceremony. If the student has committed some egregious misbehavior, the student may be properly banned from taking part in graduation exercises, and the diploma can be mailed to the student. Do not charge a fee for the diploma.
5. *Unpaid fees, fines.*
 - a. In addition to #4 above, districts may not withhold report cards or transcripts for failure to pay fines or fees.
 - b. The appropriate remedy is small claims court.
 - c. It is a prohibited practice under Iowa Code section 537.7103 (Consumer Credit Code) for a creditor (that includes schools) to disclose, publish, or communicate "information relating to a person's indebtedness to another person." This was enacted to keep creditors from publishing or posting a list of indebted persons, commonly known as "deadbeat lists." Schools need to be careful not to inadvertently violate this prohibited practice. The following could be violations and should be avoided by schools:
 - i. A staff member tells a student in a loud, non-discrete voice that the student is not allowed to check out materials until an unpaid fine is paid.
 - ii. A staff member pulls a student out of lunch line and others overhear that it is because the student's lunch account is delinquent.
 - iii. It is known in the community that a school does not allow students with delinquent accounts or who owe money for any reason to take part in graduation.

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Legal Lessons continued

Appeal Decisions

Last month, the State Board of Education issued six appeal decisions. All are on the Department's website at http://educateiowa.gov/index.php?option=com_content&view=article&id=1572&Itemid=4213. Below is a summary of each.

Good Conduct Disciplinary Decisions

In both *Vickroy v. Knoxville CSD* and *Michehl v. Eagle Grove CSD*, students were facing their third good-conduct violations. The local board decisions were upheld in both cases. The State Board reminds students, parents, and school officials that the standard of proof for determining whether a student has violated a good conduct policy is very low. The standard is literally "some evidence," which is lower than a preponderance of the evidence.

Open Enrollment

None of the three appeals [*Jill F. v. Clay Central-Everly CSD*, *Jordan B. v. Hamburg CSD*, and *Kathryn K. v. Hamburg CSD*] from denials of late-filed open enrollments alleging pervasive harassment or a severe health need were successful. A district facing a late-filed open enrollment application making such a claim should review the criteria reiterated in the decisions.

Building Realignment/Grade Restructuring

Finally, the decision of the Spencer school board to restructure its three elementary buildings from neighborhood PK-6 buildings to grade-alike buildings (one will house PK-1, another 2-3, and the third 4 -5) was upheld by the State Board in *Herman v. Spencer CSD*. The "Barker rules," while remaining a common sense list of steps available as a courtesy to parents and students, are no longer the yardstick to be applied to determine whether a board acted lawfully.

The standard is whether a local board abused its discretion. Iowa Code section 279.11 gives local school boards broad authority to "determine the number of schools to be taught, divide the corporation into such wards or other divisions for school purposes as may be proper, [and] determine the particular school which each child shall attend" and section 280.3(5) permits the board to "establish and maintain attendance centers based upon the needs of the school age pupils enrolled in the school district." As long as notice is given to the public and opportunity to comment is extended to the public, proving that a local board has abused its broad statutory discretion is difficult.

... continued from page 1: Three new members of the State Board of Education start May 1

Baker will replace Brandon Bolte of Ankeny. Branstad also reappointed **Charles Edwards** of Des Moines to the State Board for a six-year term.

The other State Board members are **Rosie Hussey** of Clear Lake, **Sister Jude Fitzpatrick** of West Des Moines, **Michael Knedler** of Council Bluffs, **Valorie Kruse** of Sioux City, **Max Phillips** of Woodward and **LaMetta Wynn** of Clinton.

The State Board is made up of nine voting members who serve six-year terms and one nonvoting student member who serves a one-year term.

Secretary Duncan releases CTE blueprint in Iowa

U.S. Secretary of Education Arne Duncan on April 19 praised Iowa's leadership in career and technical education and used the state as his stage to release a CTE [blueprint](#) for the nation.

Secretary Duncan touted the partnerships among Iowa school districts, community colleges and employers, as well as the state's pathways that allow high school students to earn credit at community colleges. More than half of Iowa high school seniors are taking community college classes.



"Unlike many states, Iowa has been an absolute leader in aligning secondary and postsecondary programs – and moving beyond the silos that separate the two," Duncan told a crowd at Des Moines Area Community College.

Duncan's full remarks can be found [here](#).

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, e-mail: OCR.Chicago@ed.gov



www.educateiowa.gov

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Calendar

- May 1 • Bond Resolution Filing with Control County Auditor
- May 1 • Copy of VPPEL Ballot Due to Dept. of Management
- May 7 • Spring BEDS Collection Site Opens
- May 14 • Spring EASIER Collection Site Opens