

School Leaders of Iowa

March 2004

Bureau of Administration and School Improvement Services Iowa Department of Education

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

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

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

Tom Peters, *A Passion for Excellence*

- 1. Department of Education Iowa Legislative Update: New Web Site.** The Department of Education has developed a website that allows any interested parties to access current information about legislative activity on educational issues. To access this web site, click on the following link: <https://www.edinfo.state.ia.us/web/legisupdate.asp>. This web site is updated daily, so the information accessed is up-to-the hour. Some interesting features are included on this web site:
 - Hot links to the referenced bills
 - A details page that provides a summary of the legislation and links to companion or study bills
 - A “momentum gauge” that indicates how fast a bill is moving
 - A status line that indicates the formal status of the bill, and
 - Search capability that allows the reader to reorganize the information in different waysFor questions or concerns about the web site or the information contained on the web site, contact Jeff Berger, Legislative Liaison for the Department, (515) 281-3399, jeff.berger@ed.state.ia.us.
- 2. General Accreditation Standards for Iowa Schools: 281—Iowa Administrative Code Chapter 12 Rule Interpretation Regulatory Guidance.** This is a reminder a new Chapter 12 rule interpretation guidance document is available for use by educational stakeholders (especially school principals and curriculum personnel) to assist them in decision-making relative requirements for school calendar, school records, board policy, staffing, curriculum, and comprehensive school improvement. The guidance document has the following purposes:
 - To provide compliance information; however, the content in this document should not be construed to represent best practices in all areas.
 - To provide consistent interpretation for non-compliance determinations
 - To provide clear interpretation for non-compliance determinations
 - To ensure that all schools/school districts are meeting accreditation standardsThe Chapter 12 **guidance document** and **accompanying Power Point** can be accessed at this web site on the bottom half of the page: <http://www.state.ia.us/educate/ecese/asis/csi/sv.html>
Contact: Jeanette McGreevy, 515-281-4750, jeanette.mcgreevy@ed.state.ia.us
- 3. Winter Institute Documents Now Available on the Web Site: CSIP Constant Conversation #4: How will we evaluate our programs and services to ensure improved student learning?.** Many thanks to the Iowa educational leaders who attended Winter Institute in February. The information was intended to assist schools in beginning their conversations about how to have confidence that their programs are doing what they designed to do. Information presented includes the possible use of a *goal-oriented approach* to program evaluation—measuring program success against the expectations of CSIP goals and other program goals. *Note: Based upon exemplary input from Winter Institute attendees, several of the documents have been revised. Please access and use the documents on the Department's web site.* The Power Point and all of the documents used during the session are available at this web site: <http://www.state.ia.us/educate/ecese/asis/csi/winter.html>

4. **Iowa Learning Online (ILO): Course Offerings for High School Students.** Is your high school interested in expanding its course offerings to students? Do you have a student that needs a course you can't offer? Now you can -- with quality, certified Iowa teachers and flexible scheduling -- through Iowa Learning Online (ILO).

Find out the benefits of ILO for your high school by signing up for one of the following ICN sessions: March 18, March 24, or March 31. All sessions are from 3:30-4:30 p.m. You may request to have your school's ICN site added to any session. Information to be covered in each session:

- Benefits to your school for offering classes through ILO (Did you know that the ICN fees are covered if you offer a class through ILO?),
- Steps to follow when offering a class through ILO (easy online process),
- Benefits to your students in taking classes through ILO (expand your school's high school class offerings; provide alternatives for students), and
- Steps to follow in enrolling your high school students in ILO classes.

The online registration process is easy. To request an ICN site for one of the sessions, contact the person below. For more details see www.iowalearningonline.org.

Contact: Debbie Fiscus, 1-800-532-1290, debbie@iptv.org <<mailto:debbie@iptv.org>>

5. **Weather-Related School Closings and Make-up Days.** The Department has a set of *Frequently Asked Questions* entitled School Year/Calendar at www.edinfo.state.ia.us/web/faqs.asp?f=scy0000. Below are some pertinent Q and As from that set relative to making up school days lost as a result of weather conditions.

Question: May a school district lengthen the school day and add up (stockpile) accumulated time to make up for days missed as a result of inclement weather?

Answer: No. Iowa Code section 279.10 requires school districts to have a minimum of 180 days. This is an issue of days of instruction provided; this is not an issue of hours in each day.

Question: May a school district make up snow days on Saturday?

Answer: Yes. Iowa Code section 279.10 does not designate what days of the week are official "school days."

Question: May a school district add-up (stockpile) hours to use outside of five consecutive days to get out early before a holiday?

Answer: No.

Question: May local school boards forgive snow make-up days?

Answer: No.

Question: May a school district get a waiver from the Department of Education to NOT make up snow days?

Answer: No.

Question: By November 1 of each year, may a school district request an innovative calendar that builds in snow make-up days?

Answer: No. This is not the intent of a request for innovative calendar.

Question: If "early bird" students come to school on what becomes a "snow day" but no other students are bused to the school, may a day of student instruction be counted?

Answer: No. 281 IAC 12.1(8) states that "a day of school is a day during which the school or school district is in session and students are under the guidance and instruction of the instructional

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professional staff." In addition, all grade levels of the school or school district must be operated and available for attendance by all students.

Question: Does the school or school district have to run the buses to count the day as a day of student instruction?

Answer: Yes. Not only do the buses have to run, but students also need to be "under the guidance and instruction of the instructional professional staff." All grade levels of the school or school district must be operated and available for attendance by all students. This implies that students must be in classes for some period of time prior to early release. See 281 IAC 12.1(8) and Iowa Code section 285.1(8). OAG #93-11-8.

Question: Do seniors have to make up "snow days"?

Answer: No. Iowa Code 279.10 states: "The district may excuse a graduating senior who has met district or school requirements for graduation from attendance during the extended school calendar." Rule 281-IAC 12.1(7) requires that there be a board policy to excuse seniors from making up "snow days."

Question: Does a school district have to file paperwork with the Department of Education if it drastically changes its current school calendar for purposes of making up student days lost as a result of inclement weather?

Answer: No.

6. **Family and Consumer Sciences: New Department Consultant.** Mary Ann Adams is the Carl Perkins Career and Technical state consultant for Family and Consumer Sciences (FCS) at the Department of Education. She moved from Northwest Iowa where she taught FCS in grades 6-12 and also worked as an educational consultant for Area Education Agency 4.

Mary Ann is conducting FCS regional workshops throughout Iowa, pursuing more Tech Prep programs and Career Academies for FCS to promote secondary and post-secondary programming, and creating a statewide FCS e-mail directory.

Currently, there are 10 FCS graduates seeking positions in Iowa! If you have an FCS opening in your district or need assistance pertaining to family and consumer sciences, please contact Mary Ann. Contact: Mary Ann Adams, maryann.adams@ed.state.ia.us

7. **School Transportation: Non-Public Transportation Reimbursement Claims.** Over \$3.5 million in non-public school transportation claims will be processed per semester. The per-pupil amount is based on a formula pursuant to Iowa Code 285.1(3). The per-pupil amount for this year will be \$153 per semester per student. Reimbursement claims data should be processed by March 1st with checks arriving to districts by late March. Many thanks to districts for getting nonpublic reimbursement information to the Department in a timely manner.

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

- a) The eligibility for a principal's position to receive the DDL reimbursement award of \$900 is based upon two things:
1. The completion of the DDL training verified to the Department by the trainer.
 2. Having 80% of the teachers in one of the buildings a principal supervises complete the online TAGLIT assessment survey.
- b) The eligibility for the superintendent's position to receive the DDL reimbursement award of \$900 is based upon one thing:
1. The completion of the DDL training verified to the department by the trainer.
- c) All DDL training is available through each of the AEAs. Please contact them for a schedule of training sessions as needed.
- d) In order for any principal to initiate work with his or her staff to complete the TAGLIT assessment survey online, please contact Warren Weber: (Office) 515-281-3750 (FAX) 515-281-7700, warren.weber@ed.state.ia.us
- e) Once 80% of the teachers in the selected building have completed the survey and a principal would like confirmation of that, contact Warren.

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- f) The next step is for the principal and/or superintendent to purchase from the Iowa AV Coop and/or the Iowa Media Coop the hardware/software desired and submit to the department the certification form along with copies of the purchase orders and invoices for each item purchased. All purchases must be made from the Iowa AV Coop <http://av.co-op.k12.ia.us> and the Media and Technology Coop <http://www.iec-ia.org>. These web site addresses are also available on your AEAs web page.
- g) The current fall catalog for the AV Coop **will expire February 23, 2003**. The vendor may not include all current items in the extension. Please make your purchases from this catalog by that date.
- h) The beginning date for the spring catalog is currently scheduled for April 1, 2004.
- i) The next AV Coop listing will be available on April 1, 2004. If you need to place your order in March, please contact Bud Carruthers at the AV Coop (319) 753-6561 x157 or bcarruth@aea16.k12.ia.us for assistance. Item availability may vary depending upon the vendor.
- j) A listing of Apple products has been requested from the company. It will be included in this newsletter when it is available. Please leave your name and school with Warren K. Weber (515) 281-3750 or warren.weber@ed.state.ia.us at the department if you want a copy emailed to you when it is available.
- k) The current catalog prices and inventory for the Media and Technology Coop are in effect until **June 30, 2004** with exceptions as noted on the web page.
- l) Once the department receives the completed certification form and the attached purchase orders and invoices, the claim is processed and payment is made to the respective Area Education Agency and the payment is forwarded to the local school.
- m) There is only one award available per principal and per superintendent regardless of the number of buildings or districts that they serve.
- n) The award is provided to the school where the principal or superintendent was located when they completed the DDL training. It is not possible to count the same training for one principal or superintendent in two different districts. It is also not possible to count the training for both the previous and the current principal in the same district without extending the DDL budget beyond its limits.
- o) In order to process any claim for reimbursement the eligibility requirements must be evident for the principal's or superintendent's position. Without verification of each item needed for eligibility, no reimbursement can be provided and the school/district will be left with the expense of those purchases.
- p) All funding available to support the DDL reimbursement awards expires June 30, 2004. **As a result the deadline for accepting certification forms with attached documentation of purchases from any eligible principal or superintendent will be May 15, 2004.** Please, address this process as soon as possible in order to avoid the loss of reimbursement due to missed deadlines.
- q) Once the order is placed any issues of delivery of product and provision of invoices is between the district and the vendor. If there is a delay in the order and/or the billing, please work with the vendor.

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

TAGLIT

- Beginning in March, the department will begin to register schools who have not already been registered for TAGLIT without prior notice and give the building a thirty-day window to complete the TAGLIT online assessment. This will be done to assure an opportunity to obtain eligibility for the reimbursement before the final deadline of **May 15, 2004**.
- To speed things for a principal who wants to initiate the TAGLIT assessment survey online with his/her staff, please contact the Department.
- If the building is or has been registered for TAGLIT and the principal is not certain whether 80% of his/her teachers have completed the online assessment survey, log on to the TAGLIT website and review the current status or contact Warren K. Weber at the Department.

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

9. **Iowa Evaluator Approval Training Program: Activities Directors Evaluating Only Coaches.**

Question: Do activities and athletic directors who evaluate only coaches have to complete the Iowa Evaluator Approval Training?

Answer: Yes, activities and athletic directors who evaluate only coaches and who are seeking evaluator approval in order to conduct these evaluations will need to complete the same Iowa Evaluator Approval Training as all other personnel.

Question: Can an activities and athletic directors who do not have the new Iowa Evaluator Approval be responsible for the final evaluation of coaches?

Answer: No. An activities director or athletic director who evaluates only coaches and does not have a current (new) evaluator license may take part as a contributing evaluator, but an administrator who does hold a current (new) evaluator's license will need to assume final responsibility in the evaluation of the coach. Coaching and teacher evaluations need to be conducted by someone with a current (new) evaluator approval license.

Those principals or assistant principals who have completed the two training components (IEATP/DDL) and who are evaluating teachers may also evaluate coaches. The new evaluator approval license will allow them to evaluate both teachers and coaches.

Next Evaluator Approval Training Sessions

The next training sessions will begin this summer. Details of exact dates and locations will be in the *School Leaders of Iowa* and on the Department's web site this spring when all schedules have been determined. Beginning the summer of 2004 the intent is to conduct as many of the sessions as possible outside the regular school day in order to serve a wider variety of participants whose work schedules have not allowed participation.

After July 1, 2004, there will be no stipend provided for those participants who successfully complete the evaluator training.

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

Legal Lessons

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

10. **NCAA Clearinghouse and Iowa Learning Online (ILO)**. Iowa Learning Online is a service offered by the Department to help local school districts expand learning opportunities for high school students through course delivered via the Iowa Communications Network (ICN) and the Internet. This item is not intended to be an explanation of the ILO. To learn more about the ILO itself, go to <http://www.iowalearningonline.org>. This item explains the relationship between the Clearinghouse and the ILO.

Before a student may participate in interscholastic sports at a Division I or II college or university, the student must meet certain academic eligibility requirements, including the successful completion of a certain number of core courses. [Recall that last month's Legal Lessons included an item about a change in the number of required core courses. To re-read that item, go to <http://www.state.ia.us/educate/ecese/asis/sli/index.html> .]

Because a student's district of attendance (not the ILO) assigns a grade and grants credit for courses taken via the ILO, each district must still request that the NCAA Clearinghouse review and register courses taken by its students. The Department's request that the Clearinghouse allow this agency to be the agent for school districts for purposes of courses offered via the ILO was denied. Therefore, as is the case for courses offered and taught in the traditional manner, a district must contact the Clearinghouse to get these courses registered.

11. **Sued for “Slip and Falls” and Then Some . . .** Continuing the erosion of governmental immunity for discretionary functions, the Iowa Court of Appeals ruled on February 11, 2004, that the University of Northern Iowa could be sued by a student who slipped on ice when she left Rod Library late one night. The good news is that the jury cleared UNI of liability regarding the issue of *clearing the sidewalks* because the jury apparently found that no UNI employee “had actual knowledge of the severity of the icy conditions developing in front of the library on the evening in question.” However, **the issue of whether UNI officials should have closed the Library earlier than its usual closing time of midnight on that evening due to developing weather conditions will be re-set for trial.**

The Court of Appeals determined that UNI failed to “show any broad sweeping economic, political, or social considerations were at the heart of its decision to keep the library open.” In order to benefit from statutory immunity of discretionary functions in Iowa’s Tort Liability Act (Iowa Code chapter 670, specifically section 670.4), the decision must be driven by policy, not the weather.

The student (whose leg was broken when she fell) gets a jury trial on the issue of whether the decision not to close the Library early was a proximate cause of her injury.

The importance for schools and school districts is not that this was a “slip and fall” case; it’s not news that schools can be sued in this context. However, this case may indicate that weather-related school delays and cancellations also are NOT discretionary decisions entitled to immunity from a lawsuit. Just continue being as prudent, reasonable, and cautious as practical in making these decisions. To read the entire decision, go to <http://www.judicial.state.ia.us/appeals/opinions/20040211/03-0322.asp?printable=True>.

12. **Out-of-State Students**

As districts contiguous to a border state know, some out-of-state families are anxious to have their children educated in an Iowa district. But the law requires a district to charge tuition to non-resident students. Iowa Code sections 282.1 and 282.6 define a resident as a child *who is physically present in the district, who does not have any other legal residence, and who is not living in the district for school purposes.*

Some examples:

- a. A family owns a house in Missouri and has lived there for many years. Because the parents now want their children to go to school in Iowa (but they don’t want to pay tuition), they rent a cheap apartment within their Iowa district of choice and claim to be living there. In reality, the family spends most nights at their Missouri home. These children are not residents of an Iowa district, and must be charged tuition. Even if the children and a parent were to spend 4-5 nights per week at the Iowa apartment, they are clearly in Iowa for school purposes. Not to charge tuition is unfair to bona fide Iowa residents.
- b. A Nebraska family owns real estate in Iowa but lives in Nebraska. Even though this family pays real estate taxes in Iowa, its children must still be charged tuition to attend school in an Iowa district.
- c. A Minnesota family, seeing that the educational grass is greener in Iowa, goes to the expense of going to court for a legal guardianship with an Iowa family. The Minnesota children actually live with their Iowa guardians. What’s wrong with this picture? The children are living in Iowa *for school purposes*, and, therefore, must be charged tuition. A guardianship – despite its legality – does not make children residents of Iowa for purposes of attending a district tuition-free. The one exception to this is a guardianship created for personal, non-school-related, reasons such as the need to protect children who have incarcerated, seriously ill, or otherwise unavailable parents.

These are easy examples. It is harder to know what to do when a family actually puts up its house for sale and claims to be in transition from one state to Iowa. Districts and/or their legal counsel are always welcome to call Carol Greta to discuss these tougher fact situations.

Finally, what should a district do if it discovers after the fact that children already in attendance at the district are not legally residents of the district? The district must, as soon as possible, contact the parents or guardians and explain that the law requires that the district charge tuition for these children

to attend school in the district. If the parents/guardians refuse to pay the tuition, the district has two choices: (1) refuse to allow the children to further attend or (2) use the small claims court to get a judgment for the tuition. Depending on how many days, weeks, or months the children have attended the district before the error was discovered, it may be entirely undesirable to use the first option. The jurisdiction of small claims court is \$5,000 (with a bill pending to raise that to \$10,000), and small claims timelines are such that the district should have a judgment within a few weeks of filing the small claims action.

13. **Interscholastic Athletic Participation by Competent Private Instruction (CPI) Students**

The issue of participation in interscholastic athletics by “home schooled” students periodically comes up. Here are the guidelines:

- **Participation with a district.** A student who receives CPI (competent private instruction) may dual enroll with a district for purposes of such participation. If a CPI student is dual enrolled at a district to take an academic course and/or to participate in a non-athletic extracurricular offering, the student MAY NOT be simultaneously dual enrolled at a second district. If a student has been dual enrolled at District A (whether for sports or for other reasons) and desires to end that dual enrollment to dual enroll at District B, the student is now considered a transfer student under chapter 36 of the DE’s agency rules. Thus, without a contemporaneous change of parental residence, this student is ineligible for 90 consecutive school days at District B. Also, this student must “meet eligibility requirements of [chapter 36] and of the public school of attendance.” For a CPI student, this means that the district must have some means of satisfying itself that the student is academically and behaviorally eligible. Yes, such a student is subject to a district’s good conduct policy.
- **Participation with an accredited nonpublic school.** A CPI student who desires to participate in athletics for an accredited nonpublic school may do so by making application to the accredited nonpublic school on a form provided by the DE. (Both the IHSAA and IGHS AU have copies of this form also.) Again, the student is subject to all chapter 36 eligibility rules and those of the accredited nonpublic school. [To view the chapter 36 rules, go to <http://www.legis.state.ia.us/Rules/Current/iac/281iac/28136/28136.pdf>.
- **Participation with a competent private instruction setting that is not an accredited nonpublic school.** A CPI student who attends a “competent private instruction setting that is not an accredited nonpublic school” that holds associate member status with the IGHS AU and/or IHSAA must participate on behalf of that school in sports offered directly by the school or via a cooperative sharing agreement between that school and one or more other high schools. For example, if a student attends a CPI setting that is not an accredited school (e.g., academy or other preparation) and if the setting offers basketball, the student may only compete in basketball for that setting. The student in this situation is prohibited from using option “a” or “b” above for basketball. If the CPI setting does not offer track, the student may use “a” or “b” above and be immediately eligible to compete in track due to the fact that the sport is not offered by the CPI setting.

14. **Para-educators and Mandatory Child Abuse Training: Is the training required?**

Yes, if the para-educator holds a certification from the Board of Educational Examiners. Iowa Code section 232.69(1)(b)(4) states that mandatory reporters of child abuse include “a licensed school employee, certified para-educator, or holder of a coaching authorization....”

If a para-educator is not certified, a district may still require such person to undergo the training. Every adult in Iowa is a *permissive reporter*, 24/7. So the training is not a bad idea, it is just not a *requirement* for non-mandatory reporters.

Two other reminders:

- a. “Licensed school employee” does not include bus drivers, custodians, secretaries, food service personnel, etc., who do not hold licensure from the Board of Educational Examiners.
- b. Even for mandatory reporters, mandatory reporting only arises in the context of what a mandatory reporter observes in the course of his/her employment responsibilities. If a mandatory reporter is in the parking lot of McDonalds on a weekend and witnesses a parent slapping a child (even a child enrolled in the reporter’s school) that would be a *permissibly* reportable incident of abuse, not a *mandatorily* reportable incident.

15. **Individual Student School Meal Tickets and Accounts – Various Issues**

Several schools have called our Bureau of Food and Nutrition with questions about leftovers. Not food leftovers; *left over money* in a student's meal account or unused punches remaining on a meal ticket. The following set of guidelines addresses these questions:

- **Question:** What must a school do at the end of a school year with money that remains in a student's meal account or unused punches on a meal ticket?
 - If a student will be returning to the school the next school year, any remaining money or unused punches must accrue to the benefit of the student for use the next fall. If meal prices will be increasing for next school year or differ between grade levels, it may be best to refund any remaining ticket value unless the district chooses to honor outstanding punches for a meal even though the cost of those meals is now higher.
 - If a student has graduated or will otherwise not be returning, the school must refund the money to the student's parent or guardian. The parent/guardian paid the money in return for certain goods – the meals. The school may not keep any part of the money if it has not provided all of the purchased goods. To do so is *theft*.
- **Question:** What if the amount remaining in the account is just a few cents?
 - The amount is irrelevant. The money is the property of the parent, not the school.
- **Question:** May a school have a policy to the effect that a refund will be made upon request of a parent/guardian/adult student?
 - No. The school cannot put the burden of requesting a refund (for what belongs to the parent anyway) on the parent. The school could give parents the option of receiving a refund or making a donation of the remaining money to the school, but cannot sit back and wait for a parent to make the first move.
- **Question:** How is the remaining money to be returned?
 - This can be done at the discretion of the school, as long as the means are reasonable. Different circumstances will determine whether it is reasonable to send a check home with a student vs. mailing the check to the parent. If a school sends cash home with a student, the school should take some common sense steps such as documenting that it has done so, putting the money in an envelope with the parent's name on it, making sure that other students are not aware that a student will be carrying home cash, etc. Carefully consider the age and maturity level of the student, as well as safety factors (will this make the student a target of thieves?), before sending cash home with a student.
- **Question:** What about students who are "no shows" with no notice to the school?
 - Once a school is reasonably certain that a student will not be returning, the school needs to take reasonable steps to ascertain a forwarding address. If another school makes contact to ask for the student's records, work with that school. If no other school makes such contact, the school holding money that belongs to the student's family may have to work with other public officials (city hall, e.g.) to try to locate the family.
 - If, after making reasonable attempts, the school cannot locate the family, the school should ask its accountant and/or auditor how to handle the funds that remain in the student's account.
- **Question:** How are schools to handle the issue of lost tickets?
 - Students of all ages lose things. If a school can figure out from its records how many punches are remaining on the ticket, the school may issue a replacement, but this is at the discretion of the school. It may not be unreasonable for the school to say "sorry" and require that a new ticket be purchased.
- **Question:** What rights does a school have when the family owes the school money?
 - When parents or guardians owe money for meals, a school has but one option – to file a small claim against the parent or guardian. (Of course, this follows letters and phone calls to appeal to the adult to make payment.) Presumably, if the family does not qualify for free or reduced meals, the family has the wherewithal to pay for the meals. A school may want to offer to have the family apply (or reapply) for f/r meals.
 - Once certain that the ability to pay is not an issue, it is relatively painless to file a small claim. The clerk of court in the county in which the family resides has all the forms a school needs. The filing fee and service fee (the clerk will take care of service, which is usually via certified mail) are approximately \$50, and the parent/guardian will be ordered to reimburse the school for those amounts if judgment is entered in favor of the school. Someone from the school must appear at the small claims hearing, so there is an

investment in someone's time. But a school may not punish the student by withholding a report card, for example. There is no legal obligation to feed a student whose parent/guardian has not purchased meals. Use good judgment here; younger children need the nutrition and cannot be held to account for the actions or inactions of the adults in their lives.

16. **Drug Testing of Students.**

In Iowa, drug testing of students may only be conducted by a school or school district if there is probable cause to believe that a student is in possession/under the influence of drugs, which is different than what is happening in some other states. The U.S. Supreme Court has ruled that - *in the absence of state law to the contrary* - a school may conduct random testing of students who participate in extracurricular activities. Pursuant to Iowa Code 808A, a school still must have probable cause to test a student for the presence of drugs. Random drug testing is NOT allowed in Iowa. It will take a change in law by the Iowa General Assembly before random testing may be conducted.

Probable cause is defined in 808A as follows: "reasonable grounds for suspecting that the search [this includes drug testing] will produce evidence that a student has violated or is violating either the law or a school rule or regulation." Reasonable grounds depends on the totality of the circumstances; i.e., common sense.

Hot Links—News You Can Use

Calendars: Critical Dates and Schedules

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

Comprehensive School Improvement for Student Benefit

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

Parental and Student Choice

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

Student Progress: Annual Reporting

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

Waiver Request Processes and Forms

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

Winter Institute February 2004: CSIP Constant Conversation #4: How will we evaluate our programs and services to ensure improved student achievement?

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