

School Leaders of Iowa

October 2003

Bureau of Administration and School Improvement Services Iowa Department of Education

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

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

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

Tom Peters, *A Passion for Excellence*

1. **AYP Web-Based Reporting: Student Achievement Data from the 2002-03 School Year.** All Iowa public school districts and schools (buildings) are required to annually report to the Iowa Department of Education under the *No Child Left Behind Act of 2001 (NCLB)*. This reporting is required to determine if local public school districts and schools have made Adequate Yearly Progress (AYP) in meeting state reading and mathematics goals in grades 4, 8, and 11 for all students and subgroups, as well as participation, attendance, and high school graduation rate requirements. To assist public school districts and schools in reporting for the 2002-2003 school year, the Department has developed a web-based AYP reporting system. (Consultants from each AEA received training on the web-based AYP reporting on September 9th and serve as a resource for districts and schools during this collection process.)

Public school districts may access the web-based system through the following address: <http://www.edinfo.state.ia.us/> and enter their BEDS ID and password.

Two notes:

- **Be cautious about leaving your computer while you are entering the data. The system will "time out" and your input will be lost.**
- **Data entry must be completed by October 31, 2003.**

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

2. **Competent Private Instruction (CPI) Assessments.** The Competent Private Instruction Handbook designates October 1 as the deadline for notifying CPI families of the dates and times that standardized tests will be given in each district. Please check to ensure that parents/ guardians/legal custodians have received this notice.

Other pertinent CPI dates:

April 1: Districts send to the Department of Education the names of all resident children who are subject to an annual assessment and what form of assessment has been chosen by the child's family.

May 1: Deadline for conducting CPI annual assessments for students who are not supervised or taught by an Iowa licensed teacher. (standardized test or portfolio evaluation)

June 30: Report results of standardized tests or portfolio evaluation to the Department of Education. (Submit Form C-1 for children who fall below the 30th percentile on the annual assessment.)

Contact: Barbara Byrd, 515-281-5345, barb.byrd@ed.state.ia.us

3. **Comprehensive School Improvement Plan (CSIP) and Chapter 12 Accreditation Standards: Technical Assistance ICN Session.** On Wednesday, October 29, the Department will hold an ICN session (one for AEAs in the morning and one for LEAs in the afternoon) to introduce requirements for comprehensive plans due in fall of 2004 and Chapter 12 requirements—rules interpretation technical assistance document. Additional technical assistance for the CSIP will follow throughout the 2003-04 school year. Listed below are the AEA sites for the morning session and the afternoon LEA sites. Please send representatives from your AEA or school who are responsible for CSIP development. **Starting on the next page, the locations listed are the only ICN sites that will be used for this session.**

CSIP Session for AEA Staff

Session Date: Wednesday, October 29, 2003 (Session: 1101432)
9:00 to 11:00 a.m.

Originate:			Site Status	Approval
142	DES MOINES-DEPT/ED		Committed	Approved
173	CRESTON-AEA		Committed	Approved
174	CYLINDER-AEA		Committed	Approved
176	CLEAR LAKE-AEA		Committed	Approved
187	JOHNSTON-AEA		Committed	Approved
198	CEDAR RAPIDS-AEA		Committed	Approved
203	MARSHALLTOWN-AEA		Committed	Approved
205	COUNCIL BLUFFS-AEA		Committed	Approved
237	OTTUMWA-AEA		Committed	Approved
266	BURLINGTON-AEA		Committed	Approved
270	SIOUX CENTER-MS		Committed	Approved
273	FORT DODGE-HS		Committed	Approved
311	DUBUQUE-AEA		Committed	Approved
453	BETTENDORF-AEA		Committed	Approved
471	SIOUX CITY-CENTRAL C		Committed	Approved
481	CEDAR FALLS-AEA (CART)		Committed	Approved

CSIP Session for LEA Staff

Session Date: Wednesday, October 29, 2003 (Session: 1101452)
1:00-3:00 p.m.

		Site Status	Approval Status
2	NEW HAMPTON-HS	Committed	Approved
7	CRESCO-HS	Committed	Approved
16	SPIRIT LAKE-HS	Committed	Approved
24	SIOUX CENTER-AEA	Committed	Approved
30	POCAHONTAS-HS	Committed	Approved
36	GRINNELL-HS	Committed	Approved
39	WAVERLY-HS	Committed	Approved
40	INDEPENDENCE-HS	Committed	Approved
45	DES MOINES-CENTRAL C	Committed	Approved
66	GUTHRIE CENTER-HS	Committed	Approved
68	WINTERSET-HS	Committed	Approved
76	MAPLETON-HS	Committed	Approved
77	LEMARS-HS	Committed	Approved
79	ATLANTIC-MS	Committed	Approved
80	SIDNEY-HS	Committed	Approved
85	HARLAN-HS	Committed	Approved
86	GREENFIELD-NODAWAY VAL.-HS	Committed	Approved
87	CORNING-HS	Committed	Approved

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88	OSCEOLA-CC1	Committed	Approved
92	BEDFORD-HS	Committed	Approved
98	CHARITON-HS	Committed	Approved
102	CORYDON-HS	Committed	Approved
107	WAPELLO-HS	Committed	Approved
122	MASON CITY-CC2	Committed	Approved
142	DES MOINES-DEPT/ED	Committed (Origination Site)	Approved
158	ORANGE CITY-MOC-FLOY VAL-HS	Committed	Approved
169	DES MOINES-ROOSEVELT-HS	Committed	Approved
171	ELDRIDGE-NORTH SCOTT-HS	Committed	Approved
178	EMMETSBURG-HS	Committed	Approved
192	DENISON-HS	Committed	Approved
194	LAKE PARK-HS	Committed	Approved
201	MARSHALLTOWN-HS	Committed	Approved
202	SPENCER-HS	Committed	Approved
217	MUSCATINE-HS	Committed	Approved
218	CLINTON-HS	Committed	Approved
221	ACKLEY-GENEVA-HS	Committed	Approved
223	FORT MADISON-HS	Committed	Approved
224	LATIMER-CAL-HS	Committed	Approved
232	OTTUMWA-HS	Committed	Approved
240	BURLINGTON-HS	Committed	Approved
243	KEOKUK-HS	Committed	Approved
272	WEBSTER CITY-HS	Committed	Approved
273	FORT DODGE-HS	Committed	Approved
280	IOWA CITY-CSD-ADMIN	Committed	Approved
281	CEDAR RAPIDS-CSD-ADMIN	Committed	Approved
285	CHARLES CITY-HS	Committed	Approved
289	COUNCIL BLUFFS-LEWIS CTRL-M	Committed	Approved
290	DUBUQUE-HS	Committed	Approved
291	SIOUX CITY-EAST-HS	Committed	Approved
295	DAVENPORT-CENTRAL-HS	Committed	Approved
296	DES MOINES-SAYDEL-HS	Committed	Approved
309	WELLSBURG-STEAMBOAT ROCK-HS	Committed	Approved
316	ST ANSGAR-HS	Committed	Approved
320	ADAIR-CASEY-HS	Committed	Approved
325	GREENE-HS	Committed	Approved
335	STUART-W CENTRAL VALLEY-HS	Committed	Approved
345	VINTON-WASHINGTON-HS	Committed	Approved
350	CARROLL-HS	Committed	Approved
352	RED OAK-HS	Committed	Approved
353	MILLERSBURG-DEEP RIVER-HS	Committed	Approved
371	GARNAVILLO-HS	Committed	Approved
375	MANILLA-IKM-HS	Committed	Approved
387	CEDAR FALLS-HS	Committed	Approved
396	ANKENY-HS	Committed	Approved
414	BETTENDORF-HS1	Committed	Approved
419	WEST DES MOINES-VALLEY-HS	Committed	Approved
426	GEORGE-LITTLE ROCK-HS	Committed	Approved
452	BELLEVUE-HS	Committed	Approved
457	ANAMOSA-HS	Committed	Approved
463	TIFFIN-CLEAR CREEK AMANA-HS	Committed	Approved
486	FAIRFIELD-CC2	Committed	Approved
497	PELLA-HS	Committed	Approved
502	SUMNER-HS	Committed	Approved
535	ELKADER-CENTRAL COMM-HS	Committed	Approved
541	HARTLEY-MELVIN-	Committed	Approved

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	SANBORN-HS		
550	HAMBURG-HS	Committed	Approved
599	BLOOMFIELD-CC2	Committed	Approved
689	PATON-CHURDAN-HS	Committed	Approved
699	OSKALOOSA-CC2	Committed	Approved

4. **School Transportation.** In an effort to keep school transportation information and district databases as current as possible, please notify the Department whenever someone new takes over the duties of the school transportation department. Call or email with this information.
Contact: Pat Ratcliff, 515-281-5812, pat.ratcliff@ed.state.ia.us or
Max Christensen, 515-281-4749 max.christensen@ed.state.ia.us

5. **Open Enrollment Issues.**

January 1 Deadline. The deadline for open enrollment applications remains January 1, unless the applicant is approved under one of the stated reasons for good cause. These include the following:

- Family's move to a new district of residence
- Change in the marital status of the pupil's parents*
- Placement of the child into foster care*
- Adoption*
- Participation in a foreign exchange program
- Participation in a substance abuse or mental health treatment program*
- Failure of reorganization action
- Failure of whole grade sharing action
- Loss of accreditation of nonpublic school

* must result in a change in residence

Applications that do NOT qualify for good cause should NOT be approved. Unfortunately, receiving districts has approved a significant number of applications that do NOT meet good cause. This action by a receiving district does not meet requirements pursuant to Iowa Code 282.18.

Late Transfer - Receiving districts should **not** bill resident districts for students that were accepted after count date. A transfer due to good cause is considered a *late transfer*. If any transfer is made on or after the third Friday in September, the resident district is not required to pay per-pupil costs or applicable weighting. 17.10(7)

Phase III Billing - Residence districts should not be billed for Phase III funds during the 2003-04 school year.

Virtual Academy - Open Enrollment to Pocahontas for Virtual Academy - The Virtual Academy program hosted by Pocahontas Area CSD has been classified as a Home School Assistance Program. Therefore, students enrolled the program are considered home schooled and weighted at .6. Pocahontas Area CSD will be billing home districts at this rate.

Contact: Lois Irwin, 515-281-8582, lois.irwin@ed.state.ia.us

6. **Title VI: Assessment Funds Available.** Again this school year, under the No Child Left Behind Act (NCLB) Iowa was allocated funds to support the development of statewide assessment systems in a way that would enable schools to meet the requirements of the Act. Since assessment systems reside at the local level, it is appropriate that a majority of these funds are distributed to public school districts. These funds are meant to provide support for local district assessment systems.

The Department will allocate funds to public school districts based on a per-pupil (K-12) amount of \$6 to support local efforts to enhance the district-wide assessment system while meeting the expectations of NCLB. These funds are to be used for LEA activities directed toward meeting state and federal assessment, accountability, and reporting requirements. The intent is that these funds are to be used to supplement or enhance current assessment systems, not to supplant funds currently allocated.

Allowable activities include personnel (time), supplies, and equipment directly related to the following:

- Developing assessments for district reading, mathematics, and science standards;
- Aligning district-wide assessments to local standards and benchmarks;
- Purchase of off-the-shelf assessments used to measure standards;
- Scoring of district-wide assessments;
- Analysis and reporting of assessment data;
- Professional development related to implementation of district-wide assessments; and
- Costs associated with management of the district-wide assessment system.

Each school district is asked to submit a budget based on an amount as determined by the September 2002 official enrollment count date. This budget form and allocations can be found at this address: <http://www.state.ia.us/educate/ecese/nclb/t6pa.html>

Excluded expenditures include, but may not be limited to:

- Conference fees or registrations;
- Conference travel expenses;
- Physical facilities;
- School buses/vehicles;
- Title I school choice, transportation, or supplemental services;
- Computers in classrooms; and
- Wiring and technology infrastructure.

Please keep in mind that these funds are only guaranteed for the 2003-2004 school year. These funds may not be carried over to the 2004-2005 school year. Future funding is contingent on congressional appropriations for assessment purposes under NCLB. It is the intent of the Department to provide annual funds directly to local districts to the fullest extent possible and within the limitations of the annual appropriation. Depending on local needs and funds available as a district, it may be advisable to collaborate with neighboring LEAs or AEAs to maximize the impact of these resources, with a vision toward sustainability.

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

7. **ComServ Iowa Grants for Service Learning.** Applications are now being taken for ComServ Iowa grants on service-learning. These grants are designed to advance the concepts associated with service-learning by providing federal funds to local school districts who are interested in establishing, expanding, implementing, or operating a service-learning program in a particular building or across the entire school district or curriculum. Application deadline is November 14, 2003. Download a complete application by connecting to the following web site: <http://www.state.ia.us/educate/ecese/cfcs/sl/grants.html>

On October 8th, from 4:00-5:30 p.m. over the ICN, a grant application review presentation will be conducted. If you are interested in participating in this ICN meeting, please contact your AEA service-learning person in order to attend. Please do not contact the Department for reservations. All reservations and attendance procedures are being handled and coordinated by each AEA.

As always, if you have a specific question about completing a ComServ Iowa grant application, please feel free to contact your AEA SL representative or me.

Joseph P. Herryty, 515-281-3290, joe.herryty@ed.state.ia.us

8. **IRS News Release: Teachers Should Save Receipts for Educators' Deduction.** As the new school year begins, the Internal Revenue Service reminds teachers and other educators to save their receipts for purchases of books and classroom supplies. These out-of-pocket expenses may lower their 2003 taxes.

The deduction is available to eligible educators in public or private elementary or secondary schools. To be eligible, a person must work at least 900 hours during a school year as a teacher, instructor, counselor, principal, or aide.

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Taxpayers may subtract up to \$250 of qualified expenses when figuring their adjusted gross income (AGI) for 2003. This deduction is available whether or not the taxpayer itemizes deductions on Schedule A.

The IRS suggests that educators keep records of qualifying expenses in a folder or envelope with a label such as "Educator Expenses Deduction," noting the date, amount, and purpose of each purchase. This will help prevent a missed deduction at tax time.

This is scheduled to be the last year for this deduction. Last year's Job Creation and Worker Assistance Act was put in place for 2002 and 2003 only.

For more information, call the IRS Tele-Tax system toll-free at 1-800-829-4477 and select topic 458. Or go to the IRS web site at www.irs.gov and use its search engine to find Tax Topic 458.

9. **Students from foreign countries who are not part of a foreign exchange program.** The USA Patriot Act of 2001 requires that schools who want to accept foreign students who are NOT part of a recognized foreign exchange program register with the Student Exchange Visitor and Information System (SEVIS). Schools who accept foreign exchange students through a recognized foreign exchange program do NOT need to register with this service. If your district needs to register with this service you can do so at www.immigration.gov. Select the Hot Topics button and then the SEVIS resources button.
Contact: Steve Fey, 515-281-3552, steve.fey@ed.state.ia.us
10. **Iowa Industrial Technology—New Web Site.** There is a new web site for Iowa Industrial Technology where you can post job openings, post school events of interest to other Industrial Technology teachers, and even post equipment that you are surplusizing out that might be of interest to others. Go to www.uni.edu/iowaindtech to take a look and begin using this new resource. Also, please let your teachers know about the web site.

Legal Lessons

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

11. **K12 Inc.** Bill Bennett, Chairman of K12 Inc., is sending another "Dear Parent" to citizens all across the State of Iowa, recruiting students in grades K-8 for next school year to open enroll to Pocahontas Area Community School District (PAC). The letter from Mr. Bennett does not inform parents that the Department regards the program offered by PAC to be a Home School Assistance Program (HSAP). If you receive open enrollment requests from parents or guardians in your district, you may want to ensure that the families fully understand that this is not regarded as a regular education program. This is competent private instruction (home schooling) with a licensed teacher through the HSAP. The home schooled students will not be required to take an annual assessment - unless PAC has made that a requirement of participation in its HSAP - but because this is home schooling, any "credits" earned do not have to be accepted by a district to which the student may enroll at a later time. Again, the Department regards the K12 program as a HSAP and not a regular education program.
12. **Guardianship Primer**
 - a. **What is a legal guardianship?**

A legal guardianship is a legal relationship created by a court whereby non-parents (the guardians) are given extensive rights over the person (but not the property) of the subject of the guardianship (the ward). Guardianships are created for persons who are not legally competent to make decisions about their person, such as minors or mentally impaired or incapacitated persons.

A notarized statement signed by a child's parents does not create a guardianship. Only an order signed by a judge creates a guardianship. After the order is signed, the clerk of court issues "Letters of

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Appointment,” which is a court document signed and sealed by the clerk of court. Schools may accept either a copy of the judge’s order or the Letters of Appointment as proof of a legal guardianship. Most guardianships are year-to-year, so a school may want to ask for proof that a guardianship is continuing if the initial order is more than a year old.

The child who is the subject of a guardianship is not a ward of the state or a ward of the court. S/he is the ward of the guardian(s).

b. What rights do guardians have?

It is important for parents to understand that the guardian has rights that override the parents’ rights. These rights include the following (from Iowa Code section 633.635):

- i. To provide for the care, comfort, and maintenance of the ward, including the appropriate training and education;
- ii. To take reasonable care of the ward’s clothing and personal effects;
- iii. To ensure the ward receives necessary emergency medical services;
- iv. To ensure the ward receives professional care, counseling, treatment, or services as needed, including routine physical and dental examinations and including procedures under anesthesia.

c. What does a guardianship NOT do?

A guardianship is not determinative of whether the ward is a resident – for school purposes – of the school district in which the guardians live. Sections 282.1 and 282.6 of the Iowa Code define a resident for tuition-free schooling as a child who is physically present in the district AND who is living there for the purpose of making a home and specifically not for the purpose of going to school. Some examples are listed below:

- i. A child with one or both parents incarcerated or unavailable to care for her and who goes to live with guardians is a resident of the guardians’ district, and is therefore entitled to attend school tuition-free in that district.
- ii. A child whose family has a dispute with their school district and decides to send the child to live with guardians in another district to get a “fresh start” in another school is not a resident of the guardian’s district. Therefore, the guardians’ district must charge tuition to the child. If the board waives tuition under 282.6, the district may NOT receive state foundation aid for the child because the child is not a resident of the district.

Remember that the guardianship in and of itself indicates nothing about why the child is living with the guardians. A district must satisfy itself as to the reason for the child’s presence in the district.

[The guardianship *per se* also does not create immediate eligibility for the child to compete in interscholastic athletics. See rule 281—IAC 36.15(3)(a) and call the IHSAA or IGHS AU to discuss specific situations.]

13. More on Campaigns, Ethics, and the Public School District. Last month in this space information was provided about school board election ethics. Those elections are now just a memory, but Iowa continues to receive a great deal of attention from national candidates with our “first in the nation” caucuses. So, here are a few issues that may arise regarding other campaigns:

a. Candidates in Classroom.

Candidates may “come in and speak about their campaigns, their positions and other issues so long as the candidates do not use words of ‘express advocacy’... such as ‘vote for,’ ‘elect,’ ‘defeat,’” etc. This is a quote from an advisory opinion issued by the Iowa Ethics and Campaign Disclosure Board, which may be viewed on their web site at:

www.state.ia.us/ethics/Legal/Adv_Opn/advopn.htm

b. Campaign Literature Posted in Classrooms.

When such materials are posted as part of the curriculum on government, elections and campaigning, this is allowable IF literature from all major candidates in the election is posted.

c. Attendance of Students at Political Events.

If a political event (either specific to one candidate or with many candidates) is held during the instructional day, whether individual students may be excused to attend is up to the district and its attendance policy. A district may provide for an entire government or civics class to attend the event if it is part of the curriculum and if the instructor accompanies the students. The instructor and students must not wear campaign shirts or buttons or be advocates in any way; they are there to learn. As part of a regular class offered by the district, school transportation may be used to get the class to and from the event.