



School Leader Update

Iowa Department of Education

JULY 2005

Resources for Iowa School Leaders

NEWS FROM THE DE

Progress on state priorities

EARLY CHILDHOOD EDUCATION:

- Development of kindergarten benchmarks is in progress (per HF 761).
- Training continues for early learning staff across the state regarding the early learning standards developed by the department.

FOCUS ON HIGH SCHOOLS: The department, in collaboration with other Iowa educational partners, continues to keep a focus on middle and high schools as a follow-up to the December High School Summit. The following efforts are currently underway:

- Summaries from the 85 High School Review Visits and 12 Community Conversations are being written this summer, and will be combined into a plan of action for the DE, in collaboration with the education network and other educational organizations, as well as state entities involved with business and industry, economic development and cultural affairs. The plan is expected to be unveiled this fall.
- The statewide High Schools Leadership Team continues to coordinate the various initiatives aimed at high school improvements. Contact Glenn Grove at ggrove@aea13.org for details.

TRANSITIONS: A SEAMLESS EDUCATION SYSTEM

- The DE, community colleges and four-year colleges and universities will use information from the community conversations and high school visits to discuss how they can best meet the needs of students with regard to rigorous coursework, sharing resources, and ensuring all students are adequately prepared for successful employment.

365 school districts next year

The state will have 365 school districts in the 05-06 school year, down from 367 last year. Garnavillo and Guttenberg have reorganized into Clayton Ridge, and SE Webster and Grand reorganized into SE Webster-Grand.

Iowa Grants Symposium: Exploring private funding resources for government entities

August 18, 2005

Iowa State Historical Building

Des Moines, Iowa

The Iowa Grants Symposium, sponsored by the Iowa Grants Enterprise Management Office (GEM\$), has been developed to help make private funding sources more comprehensible and accessible to Iowa's state and local government entities.

The day will begin with a discussion of Community Foundations and the County Endowment Fund legislation. This will be followed by a panel discussion featuring representatives from The Wellmark Foundation, the Iowa West Foundation and the Alliant Energy Foundation. They will each discuss various aspects of their grant process, such as the qualities they look for in successful grant applications, the importance of building relationships with potential funders and their reasons for denying applications.

Four breakout sessions are planned for the afternoon. Attendees will choose two sessions from the following:

- Endow Iowa
- 501(c)(3) Status for Government Affiliated Entities
- How to Begin! A proactive approach to seeking grants
- Locating Private Funding Resources

There is a \$25 registration fee, which includes morning refreshments, lunch and an afternoon break. Please refer to the GEM\$ web site, www.iagems.gov, for additional information and to register.

Student loan forgiveness for teachers

The Iowa College Student Aid Commission has received \$496,000 from the USDE to continue the program that provides forgivable loans to students who plan to become teachers to stay in Iowa. Visit <http://www.iowacollegeaid.org/> for details.

LEGISLATIVE UPDATE

Detailed summary of specific legislation

The 2005 legislative session officially ended June 17 with the signing of several bills by Governor Vilsack, including HF 882 - Standing Appropriations. A summary of all legislation related to education is available on the DE website at www.state.ia.us/educate/oofd/legis.html. The Department is diligently working to develop guidance on the implementation of the various changes included in specific pieces of legislation. On June 22, the DE issued guidance on changes to Teacher Quality legislation, including the implementation of the equivalent of one additional day of professional development and the use of funding for this one additional day of professional development and additional dollars allocated for PD or salaries. Interested parties can access that guidance at www.state.ia.us/educate/fis/sft/alloc/index.html. District allocations of the funding for the equivalent of one additional day of PD and the additional dollars for PD/salaries can be found at www.state.ia.us/educate/fis/sft/alloc/index.html.

Below is a more detailed summary of new legislation that is of special interest to educators. The exact language of all bills can be accessed at <http://www.state.ia.us/educate/oofd/legis.html>.

1. Open Enrollment (H.F. 882, Section 93)

The deadline for filing an open enrollment application has changed from January 1 to March 1, except for incoming kindergarten students who have until September 1.

For late-filed applications (except those that allege pervasive harassment or a serious health condition of the student), the receiving district still gets to make the decision whether “good cause” to have missed the March 1 deadline is present. (This agency will try again next year to have that decision placed back in the hands of the board of the resident district.)

You’ll find the 2006-07 Open Enrollment handbook, which includes these changes, at www.state.ia.us/educate/ecese/asis/oe/index.html

2. Fingerprinting by School Districts Illegal (H.F. 685)

This bill prohibits the fingerprinting of a child under age 17 by a governmental unit (including school districts). While the bill does not define “fingerprinting,” the attorney for the Department of Public Safety advised this agency that digital finger scanning and/or mathematical algorithms of a child’s fingerprint “definitely” are considered to be fingerprinting.

There are a very few districts in Iowa that use a finger scan or finger code system for students to access school lunch, media resources, etc. This bill appears to render use of these systems unlawful.

Consent by a parent or guardian will not help districts with such a system. The law does not allow a parent or guardian to consent to the use of a finger scan or finger code for a student for any school-related purposes. In fact, it specifically prohibits parental consent for anything except (1) to aid in specific criminal investigations, or (2) in case the child becomes a runaway or a missing child. And in the latter event, any prints taken must be given to the parents. None may be retained by the governmental unit.

Districts are advised to not use any type of finger scanning or algorithms of students until such time as the Department can work with legislators to see if the General Assembly is willing to give some relief to schools. However, any such enabling statutes are now a year away.

3. Additional Definition of Child Abuse (H.F. 619)

The bulk of this very lengthy law deals with persons on the sex offender registry and is not directly pertinent to schools. However, section 20 of the bill adds a new definition to child abuse.

It is now reportable child abuse if a child's parent cohabits with a person on the sex offender registry (SOR) unless the parent is married to or the parent of the person on the SOR. So, if a mandatory reporter is aware that a student's mom (for instance) is living with a person on the SOR and that other person is not the mother's husband or another child of the mother, this is reportable child abuse.

Please make sure that all of your teachers, coaches, administrators and all other mandatory reporters are aware of this additional definition to child abuse.

4. Transfer students and athletic eligibility (H.F. 423)

As of July 1, when a high school student transfers into an Iowa high school without a contemporaneous family move or other exception allowed by law, that student is still ineligible to compete for the new high school in interscholastic athletics, but the ineligibility is limited to *varsity* level sports. During the 90 school days of ineligibility, the student may participate and compete at any non-varsity level – junior varsity, freshman, and/or sophomore teams. This is true of open enrollment transfers also. Determination of whether a student is immediately eligible has not changed.

The other change brought about by this bill is to change the open enrollment law's provision about eligibility for athletics. Currently, 282.18(13) states, "A pupil who participates in open enrollment for purposes of attending a grade in grades ten through twelve" Come July 1, this is changed to "grades nine through twelve." Also, students who transfer via open enrollment also may participate and compete at any non-varsity level – junior varsity, freshman, and/or sophomore teams during the 90 school days of ineligibility.

5. Violations of open meetings and open records law (H.F. 772)

The major change here is from "three strikes" to "two strikes." That is, a member of a governmental body may be removed from office by a court of competent jurisdiction if that member violates either the open meetings law or open records law twice, not the three times as now provided.

6. Costs related to open records requests (S.F. 403)

Previously, Iowa Code section 22.3 allowed public bodies to charge for the "cost" of providing copies of public records. The law has been changed to state that the "actual cost" is allowed to be charged. The definition of "actual costs" states that they "include only those expenses directly attributable to supervising the examination of and making and providing copies of public records. Actual costs shall not include charges for ordinary expenses for costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the lawful custodian."

Questions? Contact Jeff Berger, 515/281-3399, jeff.berger@iowa.gov.

SCHOOL IMPROVEMENT

Volunteer for a site visit team

Iowa educators are encouraged to volunteer to participate on one of the DE's site visits scheduled for the 05-06 school year. Serving on a site visit team has many benefits: It helps participants understand site visit expectations and the preparation process, and also allows educators to obtain in-depth information and examples from other districts. You'll find the site visit schedule at www.state.ia.us/educate/ecese/asis/csi/sv.html.

For more information, contact Annette Mathieu at 515/281-3170 or annette.mathieu@iowa.gov.

APR readers needed

The Department invites all educators to participate as an APR reader. We will be training and reading Annual Progress Reports on September 28 and 29 from 9 a.m. until 4 p.m. each day. The training and reading will be at the DMACC Conference Center in Ankeny, Iowa.

For more information, and to sign up to participate as an APR reader, please go to the following webpage: <http://www.state.ia.us/educate/ecese/asis/csi/aprsys.html>

Register for Specialized Services Group Summer Institute

August 2 is the day set for the Specialized Services Group Summer Institute, "Burning Out or Soaring in My Work With Behavior: What Makes the Difference?" Dr. Vern Jones, chair of the education department at Lewis & Clark College in Portland, Oregon, will be the featured speaker for the workshop, which will examine key factors for moving beyond a strictly behavioral approach, developing programs for students with behavioral needs, and how to carefully examine student environments for impact on their choices and behaviors. Registration deadline is July 11; contact the Gateway hotel at 515/292-8600.

Questions? Call Suana Wessendorf, suana.Wessendorf@iowa.gov; 515/281-5447.

Guidance for APR and AYP reporting

In early June the DE sent guidance regarding new federal reporting requirements under NCLB, including a checklist to aid you in compliance with reporting modifications for APR and AYP. Details are posted online at <http://www.state.ia.us/educate/ecese/asis/csi/aprsys.html>.

If you have questions, please contact your school improvement consultant.

Special Education appeal hearing decision summary

The SLU will periodically summarize special education appeal hearing decisions.

The special education due process hearing involved a six-year-old child enrolled in kindergarten. He was diagnosed with auditory neuropathy and has a profound hearing loss for speech sounds and any sounds in the higher frequencies. He received a cochlear implant in August, 2002. The child and his family began receiving early intervention services from an out-of-state research hospital shortly after his birth in 1999. After his family moved to a district in Iowa, they began receiving early intervention AEA services in the fall of 2000, and he continued to receive AEA services and the preschool program at a facility outside of the district through the 2002-2003 academic year. In the fall of 2003, the parents enrolled him in an out-of-state preschool program specializing in serving deaf and hard of hearing children due to dissatisfaction with his progress in the special education program at an in-state school. He was again enrolled for support services at the out-of-state preschool program during part of the 2003-04 academic year.

The issue that prompted current due process hearing is the unilateral placement of the child in a program for children with hearing impairments operated by the out-of-state facility and located in an out-of-state elementary school. The Appellants contend that the child was denied a free and appropriate public education (FAPE) in the least restrictive environment (LRE) during the 2004-2005 academic year because the resident school district and the AEA offered an education that was inappropriate to his needs and far more restrictive than necessary to meet his needs. The Appellants further contend that after giving the Appellees an opportunity to correct the cited failure to offer an appropriate program in the LRE, the Appellants provided an appropriate program at their own expense, and so seek reimbursement for all costs borne to provide that appropriate program.

It was found that the procedural violations of the IDEA regarding parental notice of the IEP meeting did not constitute a denial of FAPE as the parent and teachers participated actively in development of and made substantive contributions to the IEP. Further, it was not demonstrated that the special education services and program offered to the child were inadequate to meet his needs and did constitute FAPE. (NOTE: This decision has been appealed to district court.)

You can find the complete hearing decision at

www.state.ia.us/educate/dc/ad/doc/Sam%20S%20v%20Lewis%20Central%20Decision.doc

Questions? Contact DeeAnn Wilson, deean.wilson@iowa.gov; 515/281-5766.

More BOEE information available online

The Board of Educational Examiner's website has been updated to allow for information searches on practicing Iowa teachers and administrators by typing in a school district and the practitioner's name. The search engine will then provide information regarding the teacher or administrator's licensure status, endorsements, and current assignment. The update also includes a tool that allows teachers and administrators to renew their teaching licenses online. Additionally, the teachers and administrators can update their mailing addresses online or order duplicates of their licenses. Visit www.state.ia.us/boee.

Questions? Contact Susan Fischer, susan.fischer@iowa.gov; 515/281-3605.

Court rules in IJUMP case

Both this agency and the State Auditor (AOS) issued Declaratory Orders that a school district may not use its management levy funds to participate in the Fleet Service component of the Iowa Joint Utilities Management Program, Inc. ("IJUMP"). IJUMP is an IASB program designed to assist districts in managing rising fuel costs. Participating districts pay an annual risk management fee and then have guaranteed fuel prices for the fiscal year. However, if fuel prices increase during the fiscal year, IJUMP either bills the district for the shortfall at the end of the fiscal year or raises the risk management fee for the next fiscal year to cover the increased costs. At no time does the risk of escalating fuel costs transfer from the district.

Because the district always pays in the end, both the DE and AOS have ruled that the program is not "insurance," and therefore, cannot be paid from the management levy. Certainly, a district may participate in the program. The "budget billing" advantage is a very real advantage. A district may not pay to participate from the management levy.

IASB filed a petition for judicial review of these Orders with the Polk County District Court. On June 30, that court ruled in favor of the DE and AOS. The court specifically agreed that the program is not insurance and that a district may not use funds from the management levy to pay for its participation in IJUMP.

Updated free and reduced price meal application and verification packet

A number of changes have been made by USDA to the Free and Reduced Price Meal Application materials for 2005-2006 as a result of the Reauthorization of the Child Nutrition Programs last summer. All districts will receive updated packets with the new prototype application, letters, etc. As a reminder, the changes include wording, how income is reported, how to calculate when converting income, new income guidelines, processes related to application approval, and changes related to when and how verification is done. School Districts must use the updated materials for 2005-2006.

Questions? Contact Patti Harding, 515/281-4754, Patti.Harding@iowa.gov, or your assigned consultant.

Guidelines for School Wellness policies

To assist districts with their School Wellness policies that are due July 2006, several Informational ICN sessions are being offered through IPTV's K-12 Connections. Iowa Partners for Healthy Kids, including ISU Extension, the Iowa Department of Education, and IPTV, will be offering two different ICN sessions:

Introduction to Local School Wellness Policies

This one-hour session, offered on August 16 & 17, will be a general introduction to the *what* and the *why* of school wellness policies. The audience for this session is all school staff and the session will be offered several times throughout the two consecutive days. During the session, members of the panel will address what the policy means for Iowa schools as well as answer specific questions about how the policies may be shaped and implemented by local districts. Panel members will include physical activity and nutrition experts, representatives of various state agencies, and staff members of the Iowa Department of Education.

School Wellness Policy Process

This two-hour session, offered on August 18 & 19, will help local teams with the *how* of developing and implementing local school wellness policies. The audience for this session would be members of the local teams of educators, parents, students, representatives of the school food authority, the school board, school administrators, the public and other stakeholders in the development of the local wellness policy. The session will be offered several times throughout the two consecutive days. Members of the panel will discuss the process of development and implementation as well as answer frequently asked questions. Panel members will include physical activity and nutrition experts, representatives of various state agencies, and staff members of the Iowa Department of Education.

Check the Iowa Distance Learning Database K-12 Calendar online for additional program information, times, and registration information. The following link will take you to a listing of the Iowa Distance Learning Database Upcoming Events by Title. Scroll to a title for one of these sessions, click for the additional detail, and register online at the bottom of the page. The sessions are offered at no cost to Iowa schools.
www3.iptv.org/iowa_database/calendar_list_title.cfm.

Taped sessions will be made available upon request at additional times via IPTV's K-12 Connections Educational Service throughout the 2005-2006 school year.

TOPICS YOU'LL SEE IN FUTURE ISSUES

New and emerging issues

We expect several issues to evolve over the summer, and we plan to provide guidance or information as soon as possible. Please watch for details in emails on specific topics or the summer issues of the School Leader Update. The new and emerging issues include:

- Kindergarten assessments.
- Iowa's response to the USDE announcement about NCLB flexibility for students in special education.
- Constitution Day, which has been set for Sept. 17 of every year, on which all educational institutions that receive federal funds must provide an education program about the Constitution.

CALENDAR

Deadlines and Dates to Remember

August 2	Specialized Services Group Summer Institute, Ames
August 3-4	SAI annual conference , Des Moines
August 11-12	State Board of Education meets

SCHOOL LEADER UPDATE is produced monthly by the Iowa Department of Education for school leaders of Iowa. Comments and submissions should be sent to Kathi Slaughter, 515/281-5651, kathi.slaughter@iowa.gov.