



School Leader Update

Iowa Department of Education

MARCH 2006

Resources for Iowa School Leaders

NEWS FROM THE DE

FROM THE DIRECTOR'S DESK:

Keeping Legislators Informed

Although not quite to the midway point, this legislative session is fast becoming one of the most intensive with regard to education issues and activities. Already, 223 bills related to education have been filed, and although not all will gain enough traction to reach floor debate in the House or Senate, we do need to monitor their movement and the level of interest. Naturally we advocate on a number of issues – such as changing the compulsory school age to 18, various funding options, and child health and nutrition – but our primary focus continues to be on the three key education areas identified by the State Board of Education:

- High school improvement initiatives. This topic has generated a lot of proposals and debate and seems to be making progress. We have attached a high school reform advocacy packet that outlines our key high school proposal.
- Educator Quality. This topic has been slower to generate support. We **need your help** advocating for the key portions of our proposal, which are outlined in the attached educator quality advocacy packet. As you know, quality instruction and leadership is essential to gain the student achievement improvements that are needed.
- Universal preschool for 4-year-olds also is off to a slow start. **We need your help** informing legislators about the importance of early learning and its impact in reducing achievement gaps as students move through the school system.

In addition to monitoring legislation, we are busy with many other legislative activities, including presentations to the House and Senate Education Committee on the topics of instructional time, K-12 assessment system, high school reform, K-3 early intervention, achievement gaps, and improvements to math and science offerings. Copies of the testimony outlines are posted online at <http://www.iowa.gov/educate/ootd/legis.html>.

Thank you to the educators who took time to send in comments or testify at the public hearing on education standards last week at the State Capitol. Legislators place a great deal of value on grassroots input, so your participation was very important and helpful.

Waiting List for IVRS Services

Iowa Vocational Rehabilitation Services (IVRS) has announced the decision to place all new eligible clients on a waiting list for services. They will evaluate monthly their capacity to move individuals with disabilities off the waiting list into active services. This action was effective February 24, 2006. Any student who applies for services after that date will be placed on a waiting list.

Should you have questions concerning this issue, please contact the local IVRS area office supervisor, who will be happy to review the information and discuss the impact this will have upon your students. Please visit <http://www.ivrs.iowa.gov/waitinglist.html> to gain updated information regarding the waiting list.

DE Seeks NCLB Flexibility

Iowa is one of 20 states that has applied to the USDE to switch to a “growth model” to determine student achievement progress for NCLB accountability. The USDE announced last fall they would approve up to 10 applications for the new measurement model, which allows states to track progress of individual students over time. However, USDE Secretary of Education Margaret Spellings has reminded states that the NCLB Act requires that the current “status” accountability must be maintained. Any growth models approved must be used in addition to the current accountability plan. We are seeking this change because we believe it is a better model that will more accurately reflect student achievement improvement, as it will recognize the gains struggling students are making toward proficiency – even if they haven’t yet reached the desired achievement goal. States expect to be notified by the USDE in May on the status of their applications.

Information Available for Students Displaced by Hurricanes

Please notify displaced students and their families or guardians that the Louisiana Department of Education has a toll-free call center and website to keep them informed about the status of schools and available services. A flyer with details is available at <http://www.iowa.gov/educate/katrina/index.html>. Questions? Contact the Louisiana Department of Education at 877/453-2721.

Promising Practices to Share: Lessons Learned at the High School Summit

“I loved Terri Sessom’s session, ‘What’s the Big Deal About Content Area Reading?’ Even though I am a Language Arts teacher, the session reminded me there are so many issues around reading that I need to learn. One idea from her presentation that really hit home was how graphic organizers are a must for these “digital native” students of mine. Even though I am much more a textual person than a graphic person, since the summit I have been trying to design activities with more graphic organizers. Another idea that stuck with me is the importance of providing meaningful feedback during the flow of learning. Because I grade 120 essays at a time, sometimes my students don’t read my comments until several weeks after the essay has been handed in. After the summit, I built in writer’s workshop time during the next essay assignment so I could provide direct, verbal feedback on each student’s paper while they were writing the paper. I appreciated that Ms. Sessom had specific reading strategies to share with us – do-able activities that we could try when we got back to our classrooms.” (From Julie Carroll, Valley Southwoods, West Des Moines)

Do you have a “promising practice” that is helping to boost the rigor, relevance, and/or relationships in your classrooms? Send it to kathi.slaughter@iowa.gov.

LEGISLATIVE UPDATE

The contact for all Legislative items is Jeff Berger, jeff.berger@iowa.gov; 515/281-3399.

Progress on DE Legislation

In addition to the legislative priorities identified by the State Board mentioned in Director Jeffrey’s comments above, the DE prefiled a number of legislative bills for consideration by this year’s lawmakers. As the various issues gather momentum, each topic typically has a number of bills filed that may seem duplicative – as seen in the list below. As the session continues, however, most of the bills will filter away, while just a few remain eligible for full debate. Occasionally some of the language from one of the inactive bills will be amended to an active bill.

The DE’s watch list of prefiled and priority bills includes:

1. Educator quality – HSB 695, HSB 696, SSB 3108, SSB 3106, SSB 3109
2. 4-year-old preschool – HSB 704, HSB 694, SSB 3184, SSB 3153
3. HS Reform (including math/science shortage incentives) – HSB 693, SSB 3116
4. Miscellaneous Code corrections – SF 2272, SSB 3117
5. State Board recommendations on changes to telecommunications – HSB 620, SSB 3111
6. Raising the compulsory attendance age from 16 to 18 – HSB 621, SSB 3114
7. Operational sharing supplemental weighting – HSB 601, SSB 3101, SF 2221

Governor's bills of interest

1. Funding – Governor's proposed Ed Appropriations bill – SSB 3117
2. Vanguard School Grants – HSB 691
3. Antibullying and harassment – HSB 692, SSB 3126
4. Supplemental appropriation – SF 2273
5. School district health care reinsurance program – SSB 3188

Other bills of interest

1. HF 729 – Changes to IPERS contribution rates
2. HF 2095 – Allowable growth for FY08
3. HF 2109 – CC/state university 7-12 magnet charter schools
4. HF 2239 – LEA parent involvement policy
5. HF 2245 – IPERS changes
6. HF 2284 – Modified 8th grade core curriculum plans
7. HF 2294 – ELL funding from 3 to 4 years
8. HF 2346 – School district financial report card
9. HF 2396 – Early Intervention Block Grants
10. HSB 704 – Changes to instructional time
11. HSB 726 – Reorganization incentives
12. HSB 734 – AP Exam Fee Reimbursement
13. SF 2150 – Eliminate early start date waivers
14. SF 2251 – Healthy Children Task Force
15. SSB 3065 – Instructional time conversion

Visit the DE's legislative update at <https://www.edinfo.state.ia.us/web/legisupdate.asp> to get up-to-date information and status on legislation related to education.

Educator Quality, HS Reform, Funding Advocacy Packets Available

The DE has developed three additional advocacy packets for its legislative priorities. These packets, attached to this SLU, address the issues included in the DE offers related to Education Quality, High School Reform, and Funding Adequacy. Questions? Contact Jeff Berger, 515/281-3399, jeff.berger@iowa.gov.

Federal Budget Concerns

The proposed federal budget reductions and eliminations would have a crippling impact on the quality of education in Iowa. Judy Jeffrey recently sent a letter to our Congressional delegation outlining our concerns. Visit <http://www.iowa.gov/educate/oofd/budget.html> for details.

SCHOOL IMPROVEMENT

8th Grade Plan and Reporting Requirements

The 2005 legislation that established the model core curriculum (SF 245) included some additional requirements for local school districts. One of the requirements that takes effect in the 2006-07 school year reads:

"For the school year beginning July 1, 2006, and each succeeding school year, the board of directors of each school district shall cooperate with each student enrolled in grade eight to develop for the student a core curriculum plan to guide the student toward the goal of successfully completing, at a minimum, the model core curriculum developed by the state board of education..."

Districts will be required to work with their 8th grade students on this requirement beginning in the 06-07 school year, after the model core curriculum has been approved by the State Board of Education this May (students who are currently 7th graders will be the first class impacted by this requirement).

The legislation also states:

"For the school year beginning July 1, 2006, and each succeeding school year, the board of directors of each school district shall report annually to each student enrolled in

grades nine through twelve in the school district, and to each student's parent or guardian, the student's progress toward meeting the goal of successfully completing the model core curriculum developed by the state board of education..."

The Department is currently working on guidance for each of these two requirements, and plans to provide that to districts this spring. If you have questions on these requirements, contact Barb Guy, barbara.guy@iowa.gov, 515/281-5265.

Go Online to Make CSIP Revisions

The Comprehensive School Improvement Plan (CSIP) website re-opened on January 25, 2006. Directions for revising the CSIP can be found at: <http://www.state.ia.us/educate/ecese/asis/csi/csipsys.html>. Although some districts will be required to revise their document, other schools/districts may elect to make revisions. The reasons for required revisions are listed on the website.

CSIP's are also now available for the public to view at: www.edinfo.state.ia.us/web/csip_summary_staticweb.asp. Districts are encouraged to work with the DE school improvement consultant assigned to their AEA regarding CSIP issues and questions, or contact Brandie Gean, brandie.gean@iowa.gov, 515/281-5332.

State Accreditation Visits for the 2006-2007 School Year

The list of public and nonpublic schools scheduled to have accreditation visits in the 2006-2007 school year is attached to this issue of School Leader Update. The DE school improvement consultant assigned to your school/school district will contact superintendents in the near future to determine possible dates for the visits. At this time, the schedule for focused equity visits has not been determined. As soon as it becomes available, those schools/districts will be contacted and scheduled first.

Input Needed for Administering the Iowa Youth Survey Online

A state level cross-agency team is investigating the possibility of administering the Iowa Youth Survey (IYS) online in the future. This option is being researched because an online survey would cost the state considerably less, ensure its continuation, and would allow schools to receive their data in about half the time currently required to clean data, analyze results, and generate reports.

This team would like input from the field on issues and concerns about an online option. We ask that you visit <http://survey.aea267.k12.ia.us/survey/4144/2c88/> to complete a very short questionnaire that will provide this team with important information to continue their research.

If you would like to take a short version of the IYS to get a sense of what the survey might look like electronically, visit <http://survey.aea267.k12.ia.us/survey/4132/c949/>. For other questions or information about the Iowa Youth Survey, contact Jane Todey, jane.todey@iowa.gov, 515/281-8514.

Learning Supports: Making Connections

Ten schools are currently working directly with the Department of Education through a Safe and Drug Free Schools and Communities Data Grant. They are building resource management teams, mapping existing student supports, and determining ways that they can work with their communities to ensure academic success for all students.

To help support this collaborative effort at the local level, the Iowa Department of Public Health recently submitted a federal grant application designed to provide support for the communities of these 10 sites. This partnership is intended to provide technical assistance and resources to help these communities connect with and support local school efforts to meet the learning supports needs of all students and their families.

In still another collaborative venture, the Iowa Department of Human Services is working with the DE to connect their program, Community Partnerships for Protecting Children (CPPC) with schools implementing supports for learning. CPPC is the community equivalent of Learning Supports. Local programs engage parents, youth, social service professionals, faith ministries, local business, etc. to build a continuum of care and support for children, youth, and parents in their neighborhoods. With this new awareness of common goals, DHS believes that school/community teams will begin to link goals, efforts, and resources for the good of the children and youth in their communities.

For more information on Learning Supports and the Iowa Collaboration for Youth Development, contact Jane Todey at jane.todey@iowa.gov or 515/281-8514, or visit the ICYD website at: www.icyd.org.

Learn about Positive Behavior Supports

The Iowa Behavioral Alliance, an initiative of the Iowa Department of Education, will host a Positive Behavior Support (PBS) Information Forum via ICN on Monday, March 27, 2006, from 3 p.m. to 4:30 p.m. for schools interested in learning more or starting PBS. To request an ICN site at a location near you, contact Mary Bartlow at mary.bartlow@drake.edu. Questions? Contact Beth Buehler, beth.buehler@iowa.gov, 515/281-7143.

QUALITY TEACHING

High School Summit Follow-up Survey

Participants at the 2nd Annual High School Summit are encouraged to go online to http://www.aea13.org/programs_services/surveys/IA/summit.htm to fill out a quick survey about the sessions you attended. Please share with anyone on staff who attended the summit and ask that they use this to complete a survey on the sessions attended. Your comments and input will help shape the planning for next year's Summit. Questions? Please contact Mark Draper, mrdrapear@aea13.k12.ia.us or Warren K. Weber at warren.weber@iowa.gov.

High School Summit Electronic Handouts and Power Points Available Online

Handouts and presentations from the High School Summit are now available online at <http://www.iowaaea.org/highschool/resources/summit06/index.html>. This website is being developed to host a number of high school improvement resources that will be added over the next several months. Questions? Contact Mark Draper at mrdrapear@aea13.k12.ia.us or Warren K. Weber at warren.weber@iowa.gov.

Iowa Evaluator Approval Training

The DE has proposed as part of the Teacher Quality legislation that the evaluator approval *renewal training* be offered by the Department of Education beginning in fall 2007. This training will apply to the renewal of the evaluator's license.

The renewal training will result in each participant earning two (2) staff development credits. SAI will continue to be a partner in this project, and they will provide two staff development credits upon the successful completion of the training.

To renew both the new evaluator's license and an administrative endorsement still requires four (4) credits. As a result, any person wanting to renew both the evaluator's license and their administrative endorsement will have to obtain two (2) credits from the renewal training *and* two (2) additional credits from other sources by the time your current license expires. The additional credits can be a combination of AEA licensure renewal credits and/or university credits.

Please review your current evaluator's license/administrative endorsement expiration date. It may be useful for you to plan back from the date in order to know how much time you have to acquire the two (2) evaluator renewal training credits (beginning Fall 2007) and the two (2) other credits needed, in order to be prepared to apply for a renewal of the new evaluator's license/administrative endorsement on time.

The two (2) credits of evaluator approval renewal training in combination with two (2) other licensure renewal and/or graduate credits will allow for the renewal of the evaluator's license and an administrative endorsement.

When the training begins, priority will again be given to those people who have current and direct responsibility for evaluating licensed personnel, including teachers with initial licenses, career teachers, and coaches, and will be based on the date of expiration of their current evaluator's license.

An update will be provided once legislative decisions are final. Please direct questions to Warren Weber, warren.weber@iowa.gov.

Superintendent's Evaluator License a Possibility

Currently the Department of Education, School Administrators of Iowa, and the Iowa Wallace Grant are working with one another to investigate the possibility of a separate evaluator training for superintendents. The

focus of that training will be on the Iowa Leadership Standards and the Superintendent's responsibility for the evaluation of principals. More details will be available as the work continues this spring. Please contact Warren Weber at warren.weber@iowa.gov with any questions.

Learn Strategies to Help Students in Poverty

Research on strategies that schools have used to overcome the effects of poverty will be featured in the next statewide Alternative Education Conference scheduled for April 3 and 4, Marriott Hotel, Downtown Des Moines. Dr. Robert Barr and Dr. William Parrett from the Center for School Improvement in Boise, Idaho, will present the latest research on overcoming poverty drawn from 19 major national studies. The complete program is available at www.iaae.net.

Information and online registration for the conference is provided at www.dropoutprevention.org. Questions? Contact Ray Morley at ray.morley@iowa.gov, 515/281-3966.

Submit Candidates for Iowa's Teacher Talent Pool

The Iowa Department of Education maintains a file of classroom leaders that consists of a cadre of distinguished teachers and principals. These educators may be considered for membership on advisory boards and task forces, as well as candidates for special recognition programs. Your recommendations will identify educators who will be of great value to your community and state and who may also ultimately receive prestigious recognition.

We are very fortunate to have a rich base of veteran educators represented in our current talent pool. They have been and continue to be a valuable resource in our state efforts. What is particularly lacking at this time is representation from educators relatively new to the profession who demonstrate unusual instructional and leadership ability. Such persons exhibit strong potential for professional leadership and inspiring presence that impacts students, colleagues, and community.

Do you know a relatively new educator who is illustrative not only of our state's, but also the nation's best? A minimum of five years in education is a must. Eligible candidates are building-level personnel, typically classroom teachers as opposed to specialists, and are recognized by peers and supervisors as unique in their growth. Previous recognition is not required. In fact, of special interest are educators who are outstanding but have not received other recognition.

Please provide CONFIDENTIAL, succinct, and specific information regarding one to three candidates on the attached nomination form. All questions must be answered, preferably typewritten. Please include a one-page narrative with this form that addresses how the candidate meets the criteria mentioned in this letter, and also a resume from their personnel file. **We ask that you keep this recommendation confidential and do not share it with the individual.** Complete information must be sent by May 8, 2006 to: Rosanne Malek, Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319-0146.

KU SIM sign-up for next year

The Strategic Instruction Model (SIM) was developed at the University of Kansas, Center for Research on Learning, and is often referred to as the KU Initiative. The KU Learning Strategies are designed to help low achieving students perform independently using grade level materials. The Content Enhancement Teaching Routines are designed to help teachers present content using methods that ensure better understanding, content retention, and performance on tests. Both components are research based and many of the strategies have been in use throughout the United States for over 25 years.

Professional Development is available for middle and high schools that:

- have been identified as in need of assistance.
- are on the watch list.
- or those middle or high school that self identify a need in reading and writing.

In order to be qualified to deliver professional development in this initiative, participants must become KU certified professional developers, and attend all of the sessions.

The Iowa Department of Education has committed to supporting the SIM Initiative for several years. We are currently in the second year of implementation and have more than 60 participants consisting of both AEA personnel and teachers from 10 schools and school districts. Planning for next year is underway, and AEAs and districts are again invited to consider participation in this initiative. The SIM Initiative is a multi-year commitment,

and consideration must be given to the time and resource allocation needed when assigning teachers and AEA personnel to participate in and sustain this initiative.

New participants must attend 15-17 days of professional development the first year and 8-10 in the following years. Participants are expected to implement their learning under the direction of a mentor and subsequently to provide professional development to other teachers.

For additional information or to add participants, contact Kara Krohn at kara.krohn@iowa.gov, 515/281-7145.

Apply for AP Test Fee Reimbursement

Advanced Placement Test Fee Reimbursement funding is available from a grant awarded by the U.S. Department of Education. The total amount available to the state is \$17,928. The funds are to be used to encourage low-income students to take Advanced Placement exams by providing reimbursement for Advanced Placement test fees. Details are presented in the attached Instruction Packet. The deadline to submit test fee reimbursement requests is May 26, 2006. Please share this information with your high school AP coordinator. Questions? Please contact Rosanne Malek 515/281-3199 rosanne.malek@iowa.gov.

Institute Materials Available Online

Visit <http://www.state.ia.us/educate/ecese/tqt/wi/index.html> to get the handouts and presentations from the Winter Institute, including the presentation by Pam Pfitzenmaier on trends in state-level data and efforts to respond to these trends, tools for considering the characteristics of effective school improvement plans, ways to revise CSIPs, practical technical assistance on conducting teacher evaluations, and a self-assessment process for improving professional development plans.

New Tool for Improving District/Building Professional Development

The *District/Building Profile for the Iowa Professional Development Model* is now available on the DE web site at <http://www.state.ia.us/educate/ecese/tqt/tc/prodev.html>. The purpose of this profile is to guide the district/building administrators, the Professional Development (PD) Leadership Team, and the PD provider in conducting an optional self-analysis of the effectiveness of their district/building professional development. By reviewing what is in place for PD at the district and building level, district leaders have an opportunity to make adjustments and add supports to ensure that the professional development provided to teachers results in improved instructional practices and increased student achievement. This rubric is offered as a tool to analyze and describe the status of PD plans, processes, and learning opportunities. Questions? Contact Deb Hansen, deb.hansen@iowa.gov, 515/281-6131.

Selecting a Professional Development Trainer

At this time of year many districts are considering their professional development plans for next year and beginning to select trainers to deliver the professional development. To ensure that your professional development will improve teaching practices and result in increased student learning and gains in student achievement the training and learning opportunities must be designed carefully. Selecting the right trainer is an important step in this process. Before you select a trainer for delivering professional development, there are several critical variables that you should consider. (These suggestions refer to trainers for the district/building wide professional development.)

- The trainer delivers content/strategies that addresses the target set for PD based on student data. You should ask the trainer to provide very specific information about the model/program/strategies that he or she intends to present to your staff (What are the knowledge and skills that teachers need to change their practices? How will the trainer enhance teachers' knowledge and skills?)
 - What will the teachers and students do differently as a result of this training? What skills will students acquire that will improve how they approach learning? Will this learning contribute to decreasing gaps in achievement (as per the CSIP?) How will students' response to learning be measured throughout the training cycle? Do our current formative assessments measure this? If not, what assessments will we need to add? How much growth should we expect?
 - Has the trainer provided this training in other districts like yours? What has been the track record for getting student results? Have other schools/districts studied their implementation and student results? Has this training yielded student benefits?

- Does this model/program have a research base that has been published? Ask for the studies (not just a bibliography) and an explanation from the trainer about how the studies justify the replication of this approach in a district like yours. For information on the types of studies that are appropriate for showing that a practice got student effects see (<http://www.state.ia.us/educate/ecese/tqt/tc/prodev/definitions.html>).
- Does the training design have the needed components to help teachers transfer new practices into their classrooms?
 - Will the trainer offer distributed training through the year (vs. “one-shot” sessions)?
 - Does the trainer intend to monitor how often and how well teachers are applying what they are learning?
 - If the trainer is not able to monitor, then who within the school/district will monitor and get ongoing technical assistance from the trainer?
 - Does the trainer plan to adjust their training to help your teachers to fully implement or is it a one-size-fits all delivery design?
 - Will the trainer visit classrooms to look for implementation?
 - Who will be involved with the trainer from the school/district to visit classrooms to have the trainer build sustainability?
 - Will the trainer provide multiple demonstrations or does the training design rely on lecture/presentations to convey the information?
- How will the school/district contract with the trainer to allow all of this to happen?
 - Will there be additional costs to the district for training materials, subscriptions, books, etc?
 - Professional development for improving student achievement may take more than one year. How will multiple years of training and support be provided by the trainer?

Anecdotal information from the field suggests that there are trainers who demand sizeable honoraria for presentations that may look good in a brochure and promise results. Careful consumers will spend the time to determine whether the trainer can deliver what the district needs to get results. If you already have a presenter working with you who has been unable to get the desired student outcomes, you may need to revisit your design and build in the missing elements. Visit www.state.ia.us/educate/ecese/tqt/tc/pdmtm/state.html for suggestions on professional development design.

Register for Mentoring & Induction Institute

The third annual Iowa Mentoring & Induction Institute will feature Ellen Moir as the Monday evening keynote. Ellen is the executive director of the New Teacher Center at UC-Santa Cruz. The Institute will be April 10-12 at UNI. During the two-day seminar, April 11-12 with Bruce Wellman and Laura Lipton, participants will learn about practical tools, specific templates, and technical tips for educators who help others develop into successful teachers. PK-16 educators, beginning teachers, and mentors are invited to register online at www.vpaf.uni.edu/events/mentor. Questions? Contact Mary Beth Schroeder Fracek, mary.schroederfracek@iowa.gov 515/281-3160.

LEGAL LESSONS

The contact for all Legal Lessons items is Carol Greta, carol.greta@iowa.gov; 515/281-8661.

Supplementary Weighting for Dual Credit Courses

Iowa Code section 257.11(3) sets the criteria by which a district may request supplementary weighting for dual credit courses for which it contracts. This law was amended in 2002. One of the criteria **formerly** was that the instructor of the dual credit course had to “meet community college licensing requirements.” The **present** criteria is that the course must be taught “by a community college-employed instructor.”

This means that in order for a district to receive supplementary weighting for dual credit courses with community colleges, the instructor must be employed by the community college. If the district pays the salary of the instructor of a dual credit class supplementary weighted dollars cannot be generated.”

The DE currently is preparing a Q&A for guidance on dual credit and expects to distribute it to districts and community colleges later this spring.

Remember the Rules for Early Dismissal or School Closure

As high school basketball tournament time nears, it's important to remember the rules for school dismissal or closure:

1. If a school doesn't have 5.5 hours of instruction on the day of early dismissal, the school must make up the day. The 27.5 hour rule does not apply.
2. Canceling classes or dismissing early for just the high school does not save a school from having to make up the day. The rule about closing one attendance center only and not having to make up the day just applies to those situations when the attendance center had to be closed due to an emergency such as a broken gas line or whooping cough contagion that affects a single building.
3. Schools do not have to make up the day if all attendance centers remain open and students are welcome to attend under the direction of properly certified instructional staff.

New Resource on the Education of Foster Children

A document on the "Education of Foster Children in Iowa" is now available as an attachment to this issue of School Leaders Update and on the DE's website at <http://www.iowa.gov/educate/foster/index.html>. This is a resource for use by school personnel, DHS workers, and foster parents. It is the result of collaboration between representatives of the DE, DHS, and the Iowa Foster & Adoptive Parents Association. The goal of the document is to achieve a common understanding among educators and care providers of the rights and responsibilities of all parties. Please feel free to copy the document (it's nine pages long) and distribute among your staff who most commonly deal with issues regarding foster children.

K12 Inc. Making Contacts with Iowa Administrators (Again)

A company that offers virtual schooling – K12 Inc. – is contacting school administrators in Iowa promising to help districts "attain new funding, increase NCLB scores, retain students, and serve new students without the need for another facility." The company sells curricular materials, but all such materials are for online learning.

Bear in mind that Chapter 12 accreditation rules provide as follows:

1. To be a "day of attendance," a student must be "present and under the guidance and instruction of the instructional professional staff." 281—IAC 12.1(10).
2. A "day of school" is similarly defined as a day during which the district is in session and students are "under the guidance and instruction of the instructional professional staff." 281—IAC 12.1(8).

There is also legislation pending from the DE that requires schools and school districts to offer all elementary coursework and secondary core coursework through direct (face-to-face) instruction.

The DE makes no comment about the quality of the materials offered for sale by K12 Inc. Just be aware that the DE knows of no way that purchasing the materials will assist a district to "attain new funding."

Seeking Relief from Rule Limiting Transportation Riding Time

Administrative rules that are not mandated by a statute (legislation found in the Iowa Code) may be waived by the DE. Such is the case with rule 281—IAC 43.1(3), which states as follows:

"The riding time, under normal conditions, from the designated stop to the attendance center, or on the return trip, shall not exceed 75 minutes for high school pupils or 60 minutes for elementary pupils."

These limits may be waived upon request of the parents. A waiver from this rule, which is not based on a statute, may be sought if the following are true:

1. The district has had complaints from parents. (If your ride times exceed the rule but parents are understanding about this, do not seek a waiver.)
2. The district has exhausted all reasonable means of coming into compliance with the riding time limits without success.
3. The riding time limits are a barrier to sharing or reorganization efforts.

Once a district has determined that requesting a waiver is its last resort, the district should follow the procedure in 281—IAC Chapter 4 for filing a petition for waiver. Here's the link to Chapter 4 rules:

<http://www.legis.state.ia.us/Rules/Current/iac/281iac/2814/2814.pdf>.

Three Notes about the Open Meetings Law (Iowa Code Chapter 21)

1. Applicability of Open Meetings Law to Advisory Committees

In 1993, Iowa Code section 21.2(1)(h) expanded the definition of “governmental body,” for purposes of the Open Meetings Law, to include “[a]n advisory board, advisory commission, advisory committee, task force, or other body created by statute or executive order of this state or created by an executive order of a political subdivision of this state to develop and make recommendations on public policy issues.” The Attorney General’s office has always maintained – and the DE agrees – that “advisory bodies created by school boards ... to develop and make recommendations on public policy issues are included within the expanded definition of government bodies subject to the Open Meetings Law.”

The Iowa Attorney General’s office was recently asked whether its opinion remains valid in light of the Iowa Supreme Court decision in a recent case involving a negotiating committee of the Vision Iowa Board, Mason v. Vision Iowa Board, 700 N.W.2d 34-9 (Iowa 2005), which held that the negotiating committee to Vision Iowa was not subject to Chapter 21. The Attorney General’s office concluded that the Vision Iowa decision does not alter its analysis. Therefore, committees created by action of a local school board are subject to the requirements of Chapter 21, even though they lack decision-making authority.

2. When to Hold a Closed Session regarding a Personnel Matter

Iowa’s Open Meetings Law permits a public school board to go into closed session to “evaluate the professional competency” of an individual under certain conditions. Evaluation of an individual’s professional competency includes hiring decisions, performance evaluations, and disciplinary matters. The conditions required to go into closed session are as follows:

- The individual must request the closed session.
- The closed session must be limited to employment decisions, performance evaluation, or discipline. The closed session must be necessary to prevent needless and irreparable injury to the reputation of the individual.

Once properly in closed session, a board MAY NOT discuss any individual other than the person who requested the closed session unless such discussion is merely incidental and necessary to a full discussion of the primary individual’s professional competency.

3. When the Above does Not Apply

Student discipline hearings sometimes devolve into a discussion of whether a school employee properly interacted with a student. The Iowa Supreme Court heard one such case about eight years ago. A student appealed his one-day suspension to the local school board and, as is the student’s right, requested an *open* hearing. The student’s suspension arose from an incident between the student and a teacher’s aide, the student being suspended for calling the aide a vulgar name. The aide, who was disciplined also but less harshly, feared that the family would use the open meeting to question the way she handled the incident. She asked for a closed meeting. The board, relying on advice of legal counsel, voted to go into closed session.

The Iowa Supreme Court said that the local board was wrong to go into closed session. The issue before the local board was what to do about the student, not the aide. The meeting was not to evaluate the aide’s professional competency nor was it to decide issues of her appointment, hiring, performance or discharge. The local board was wrong to override the student’s request for openness. [Schumacher v. Lisbon School Board, 582 N.W.2d 183 (Iowa 1998).]

To avoid an instance where the issues before a local board are truly dual (which was not the case before the Supreme Court), schedule separate hearings for the discipline of a student and the performance of an employee.

Athletic Eligibility Update

On March 2, the State Board of Education will vote on final adoption of the athletic eligibility rule changes. There are rumblings that the Legislature may take some action to keep the changes from going into effect. Barring any legislative action, the changes will be effective July 1, 2006.

Special Education Hearing Summary

This case involved an 18-year-old young man who had excelled in his educational program at a Des Moines high school. Last February, the student was observed lighting a cigarette outside the main entrance to the high school by an associate, who asked the student to go to the office. When the student refused, the associate reported the incident to the vice principal, who went to the student. The student admitted he was smoking, but when asked by the vice principal to empty his pockets, the student refused and a serious altercation ensued, ending when the student ran from the building. A white flask containing alcohol fell from his coat pocket. The student was charged with a public offense, taken into custody, and charged with four violations of the DMICSD discipline policy. Following an investigation by the expulsion review team, the principal recommended to the Board of Directors that the student be expelled.

The Appellants asked for a meeting to determine if the student's preexisting diagnosis of ADHD was related to the misconduct. The student had been receiving private services for ADHD since middle school. A manifestation determination review was held, and the majority of the team concluded that the student's disability impaired his ability to control the behavior subject to the disciplinary action, and that the misconduct was a direct manifestation of his disability. The administration team members did not agree that the behavior was a direct manifestation, and recommended expulsion.

At the expulsion hearing, the local board reviewed the facts, including the manifestation determination, and concluded that "the school was unaware of the student's diagnosis or the course of any treatment" and that "the fact that (the student) has the diagnosis of ADHD does not, in and of itself, prove that he is impaired by his condition." The Board found that the student "does not suffer from a physical or mental impairment that substantially limits a major life activity," was "not a disabled student such that he should not be held accountable for his conduct." The Board's decision was to expel the student and to transfer him to an alternative location where he could complete the course work necessary for graduation and receive a diploma. He was not allowed to graduate with his class.

Following the expulsion, the appellants filed for a due process hearing, alleging that the DMISD violated the IDEA by taking that disciplinary action of expulsion. They argued that the DMICSD board did not have the legal authority to override the IEP team decision. The Appellees argued that the student was not an individual with a disability and was thereby ineligible for IDEA protections.

Held: For the school district

The Administrative Law Judge (ALJ) concluded that the Appellants had not requested an IDEA evaluation and, importantly, a procedurally and substantively valid evaluation was not conducted to determine the student's eligibility for IDEA services. The "expedited evaluation" that the Appellants asserted was conducted did not meet the procedural or substantive requirement of IDEA for eligibility determination. Absent an adequate evaluation to establish the student's disability and his need for special education services, the ALJ concluded that the student and his parents could not assert rights under the IDEA – including the constitution of an IEP team, the provision of special education, or refuge from expulsion. The manifestation determination review procedures apply only to individuals found eligible prior to misconduct or to individuals deemed eligible following misconduct based on an evaluation triggered by reasons to suspect a disability or a request for evaluation during the disciplinary period. The Appellants' argument that the DMICSD did not have legal authority to override the manifestation determination and subsequently expel the student without special education services failed since the student was not eligible for IDEA services or procedural protections for disability-related misconduct. The DMICSD and Heartland AEA prevailed on all substantive issues of the appeal, and the student's expulsion remained effective.

Visit <http://www.state.ia.us/educate/dc/ad/doc/Michael%20Brown%20Sp%20Ed%20Case.pdf> for the text of the full decision. Questions? Contact Dee Ann Wilson, deeann.wilson@iowa.gov, 515/281-5766.

FUNDING AND GRANTS

Six Iowa Districts Receive Technology Learning Grants

The Iowa Learning Technology Commission awarded \$460,000 in state grant funding to six school districts for the implementation of innovative applications of leading edge technology. Grant recipients are Sidney (\$87,763), North Cedar (\$64,290), Pella (\$96,363), Davenport (\$96,923), Clay Central/Everly (\$77,091), and Sioux Central (\$37,567). Each is required to provide matching funds from public or private, federal, state, or local financing. Grant funds will be distributed this month for use during the 05-06 and 06-07 school years. Visit the attached summary for complete details.

Preparing for Pandemic Flu

The Iowa Department of Public Health is urging school districts to be in contact with their county health officials to ensure proper preparation and coordination of efforts and response in the event of a pandemic (avian) flu outbreak. Although Iowa is not likely to see an early outbreak if the pandemic flu reaches the United States, such an outbreak would require a specifically coordinated response that demands detailed planning. IDPH continuously updates its pandemic flu information at <http://www.idph.state.ia.us/pandemic/default.asp>.

Be Cautious of Fraudulent Food Service Charges

A company calling itself AN REA Services, from West Palm, Florida, has contacted several Iowa districts to demand payment for apparently fraudulent food service charges.

The company contacts the district to say the superintendent had requested that catering supplies such as paper plates, etc., leftover from a recent meeting, be donated to the district. When the leftover supplies are delivered, the shipment includes additional items, such as plastic food service gloves, for which the district is billed. During the initial phone call, the company representative identifies him/herself as a district parent to gain credibility.

Schedule a Capitol Tour

Educators are encouraged to use the online tool at <http://www.legis.state.ia.us/tours/index.htm> to schedule tours of the State Capitol. Virtual tours also are available online at <http://www.legis.state.ia.us/Pubinfo/Tour/>, and ICN tours are available via IPTV at http://www3.iptv.org/iowa_database/cal-default.cfm. Questions? Contact Myles Kappelman, myles.kappelman@legis.state.ia.us, 515/281-6787.

Celebrate the Interstate

This year the nation will celebrate the 50th anniversary of the interstate system. The official date is June 29, 2006; 50 years from the date when the bill was signed by President Eisenhower providing funding for the development of the system. Of course, we have become a nation dependent on the system for getting us to work, to school, to be with our extended families, for recreational and business travel, and for contributing to economic development, tourism, etc. We recognize that Iowa's young people have not experienced pre-interstate travel and are most likely unfamiliar with a system often taken for granted. What was it like before the interstate? What was it like being involved in its construction? When were the sections completed in Iowa? Why is it important? What are some of the unique Iowa connections?

To assist in educating Iowans and to involve them in the celebration, the Iowa DOT has created a special Web site -- www.iowainterstate50th.com. For additional information, contact Dena Gray Fisher, 515/239-1922, dena.grayfisher@iowa.gov.

Deadlines and Dates to Remember

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| March 5 | Red Carpet Gala, Very Special Arts ; Des Moines |
| March 13 | School Budget Review Committee; Des Moines |
| March 30-31 | Iowa Association of School Business Officials Annual Meeting; Ames |
| April 3-9 | National (and State) Public Health Week |

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.