



A MONTHLY JOURNAL  
FOR IOWA EDUCATORS

# School Leader Update

July 2010

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## STATE BOARD asks educators about future

What does 21st century  
learning look like?

How can we personalize  
student learning?

What are the opportunities  
for innovation?

These are just some of the  
questions the State Board  
of Education considered at  
its annual retreat in June.

To learn more about what  
new technology  
recommendations and the  
results of a panel  
discussion of Iowa  
educators and the role of  
technology in education,  
visit the State Board of  
Education blog at [http://  
iaeducation.wordpress.co  
m](http://iaeducation.wordpress.com).



## New members join State Board of Education

I am pleased to announce that two new members have been appointed to the State Board of Education.

Michael Knedler of Council Bluffs has joined the State Board. Mike taught history, government, and economics for 32 years at Iowa Western Community College before retiring in 2002. At that time he received the Iowa Outstanding Faculty Award from the Iowa



*Kevin Fangman,  
Acting Director*

Association of Community College Trustees. Since retirement, he has served on the Pottawattamie County Empowerment Board and has been involved in many other boards and community activities. Mike received his Ph.D. in higher education from Iowa State University.

In addition, Corey Anderson of Norwalk has joined the State Board as its student member. He will be a senior next year at Norwalk Community School District. He is very involved in academics, band, sports, and community activities. He also has an interest in politics, leadership, and service.

Both Mike and Corey were able to participate in the State Board's annual retreat in June.

The State Board consists of ten members: nine voting members and one nonvoting student member.

I would also like to announce that the Iowa Department of Education has hired Dr. Marty Ikeda as Chief of the Bureau of Student and Family Support Services. Marty has a great deal of expertise and experience in the area of special education and we are pleased that he is able to take on this leadership role. Please see page two for more information.

We have also interviewed candidates for the Chief of the Bureau of Teaching and Learning Services and I plan to make an announcement about this position in the next few weeks.

As we move forward, please know that we, at the department, are committed to providing high quality service to all of you during this time of transition.

- Kevin Fangman

## IOWA YOUTH SURVEY 2010

The Iowa Youth Survey (IYS) district registration is still open.

IYS is the primary source of data for school climate, risky behaviors, and student perceptions of peers, schools, family, and community. The data is used statewide at the district, county, area education agency (AEA), and state level. School participation is important so that the data is truly representative of students in Iowa.

Registration forms were emailed to all superintendents on April 26, 2010. Please email or fax the Agreement to Participate and AEA release forms to Linda McGinnis. If you did not receive the forms, contact McGinnis and she will provide you with the registration forms as well as the Passive Parental Consent form.

A webinar will be held in September 2010, with details about how to administer the online survey.

For more information, contact Linda McGinnis, Prevention Consultant, Iowa Department of Public Health, 515-281-5444, or fax 515-281-4535, or email [lmcginni@idph.state.ia.us](mailto:lmcginni@idph.state.ia.us).

## Special education state funding waiver

In January 2010, the Iowa Department of Education (DE) requested that the U.S. Department of Education waive its requirement that a state continue its funding of special education at the same level it provided in the year prior. The purpose in submitting this request was to help reduce the impact on Iowa schools of an overall reduction in state funding in 2010. Iowa received the waiver.

On October 8, 2010 Governor Culver signed Executive Order 19, requiring a 10 percent across-the-board cut

in state spending for fiscal year 2010. As a result of these spending cuts, the DE determined that Iowa would not meet the federal requirement that a state maintain the amount of state financial support for special education and related services it provided the previous year.

State support for fiscal year 2010 would be approxi-

mately \$38 million or 7.25 percent less than the previous year.



The U.S. Department of Education Secretary may waive the requirement for a state, for one fiscal year at a time, if the Secretary determines that, "Granting a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the state." [34 C.F.R. §300.163(c) (1)]

Under the requirements of the Individuals with Disabilities Education Act (IDEA) Part B regulations, only state funds can be used to determine the level of state financial support. Because the American Recovery and Reinvestment Act of 2009 funds are federal funds, they could not be used to meet state financial support and avoid requesting a waiver.

Iowa pursued the waiver to avoid losing an additional \$38 million in federal IDEA-Part B funding for fiscal year 2011. Iowa students will continue to have access to the special education services they need.

Under Iowa law, school districts *must provide* the special education services outlined in a student's Individualized Education Plan. Districts with a lack of special education funds may use their cash reserves or property taxes to fund these services.

For more information, please visit [http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=2019%3Aiowa-special-education-waiver-request&catid=540%3Afiscal&Itemid=1598](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=2019%3Aiowa-special-education-waiver-request&catid=540%3Afiscal&Itemid=1598) or contact Steve Crew at (515) 281-6285 or [steve.crew@iowa.gov](mailto:steve.crew@iowa.gov).

## Placement decisions, disabled students

The Iowa Department of Education retained Dr. Judy Schrag, Ed.D., a former Director of the U.S. Department of Education's Office of Special Education Programs, to draft a white paper on making placement decisions for students with disabilities.

The document answers ten frequently asked questions about placement decisions. The document is available at [http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=2015%3Aplacement-of-students-ages-3-21-with-disabilities-under-the-idea&catid=674%3Astate-guidance&Itemid=1](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=2015%3Aplacement-of-students-ages-3-21-with-disabilities-under-the-idea&catid=674%3Astate-guidance&Itemid=1).

For more information, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

## Special education budget guidance

The Iowa Department of Education (DE) has issued a brief guidance document that describes the limits in taking cost into account when providing special education.

The document provides general principles, as well as examples of impermissible practices, for example, shortening school days of children with disabilities to save on transportation costs. The document is available at [http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1925%3Aspecial-education-services-in-difficult-budgetary-times&catid=674%3Astate-guidance&Itemid=1](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1925%3Aspecial-education-services-in-difficult-budgetary-times&catid=674%3Astate-guidance&Itemid=1).

For more information, please contact the DE Bureau of Student and Family Support Services at 515-281-3176.

## Special education services information

The Iowa Department of Education issued a guidance document that explains that when one parent requests that special education services be terminated, those services must end, even when the other parent wants services to continue.

The document also provides guidance about how to determine whether one parent has sole power to make educational decisions. That guidance may be useful to school leaders in other contexts where parents disagree about key education decisions.

The guidance document is available at [http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=2014%3Arevocation-of-consent-for-continued-services&catid=674%3Astate-guidance&Itemid=1](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=2014%3Arevocation-of-consent-for-continued-services&catid=674%3Astate-guidance&Itemid=1).

For more information, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).



### NEW BUREAU CHIEF Student and Family Support Services

Dr. Marty Ikeda has accepted the position at the Iowa Department of Education (DE) as Chief of the Bureau of Student and Family Support Services.

Dr. Ikeda received his doctorate from the University of Oregon and has an extensive background in assessment and working with programs that support students with disabilities.

Dr. Ikeda began work at the DE in 2006 as an assessment consultant. He was promoted to an administrative consultant in the fall of 2007 and has managed the budgeting and allocation of Part B funds, and has supported consultants on projects in the areas of behavior and assessment. Prior to coming to the DE, he was an administrator, special projects coordinator, and school psychologist for Heartland Area Education Agency.





## WORK PERMITS Reminder

Iowa Workforce Development (IWD) has made online child labor work permits available to all public and private Iowa schools.

This will allow schools to meet their legally-mandated responsibilities under Iowa Code 92.11 more quickly and easily. No more costs associated with mailing permits and the process is less time-consuming.

The system has been thoroughly tested and has been used successfully by pilot schools across the state and all IWD offices.

Online instructions are available, plus contact information from the pilot schools so any questions that you may have can be answered. There will also be telephone and in-person training sessions for school districts so that the system can be used statewide by the 2010-2011 school year.

The information needed is as follows: School District, Superintendent, Issuing Officer Name, Issuing Officer Title, School, Street, City, Zip, Issuing Officer Phone, Issuing Officer Fax if available, Issuing Officer Email.

Please provide this information to Gail A. Sheridan-Lucht at [gail.sheridan-lucht@iwd.iowa.gov](mailto:gail.sheridan-lucht@iwd.iowa.gov). After receiving this information, IWD will email a user ID and password to the contact person with step-by-step instructions.

## Recent special education decision

Parents of children with disabilities who have special education disagreements with schools have the right to request a hearing before an Administrative Law Judge (ALJ). Federal special education law requires these decisions to be made publicly available, so parents and educators can learn how the law has been applied. School leaders may wish to closely review the decision described here, in which the school and area education agency (AEA) prevailed.

The following case is one such example. The case challenged the educational program for a young man with autism. The appellant claimed that the Individualized Education Program (IEP), 1) perpetuated a long-term pattern of stagnation and regression, 2) was not individually tailored to meet the student's needs, 3) failed to reduce the student's discrepancy with peers, 4) utilized progress monitoring measures that were not objective or technically valid, and 5) included educational interventions not based on peer-reviewed research to the extent practicable.

ALJ Susan Etscheidt ruled for the school district and AEA, finding that the IEP developed for this student's junior year was reasonably calculated to provide educational benefit. Progress monitoring data and testimony of individuals who had frequent and direct contact with the student showed he had made progress on IEP goals. The goals and progress monitoring measures were appropriate. The student did not require a smaller school setting with intensive instruction provided by individuals with specialized expertise. The district's program was individually tailored to meet the student's unique needs.

The document outlining this case is available at <http://www.iowa.gov/educate/images/stories/appeals/book25dec232.pdf>. For more information, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

## IDEA Part B ARRA payment schedule

The Iowa Department of Education has adjusted the Individuals with Disabilities Education Act (IDEA) Part B American Recovery and Reinvestment Act (ARRA) payment schedule to immediately release the remaining available funds to schools, due to statewide financial conditions and the 10 percent across-the-board cut. The deciding factors included:

- Some districts have spent their entire allocation of IDEA and Title I ARRA funds in the current year, though 40 percent of the IDEA funds and 50 percent of the Title I funds have not been distributed. In the case of IDEA, this could result in increased property taxes because state and local special education funds, instead of the IDEA ARRA funds, are used for expenses already incurred by the schools.
- Because a large number of schools have "spent" more of their IDEA ARRA funds than they have received, they are not able to utilize the maximum amount in the Maintenance of Effort Reduction process.
- Area education agencies will receive their IDEA ARRA funds based on the original payment schedule subject to specific need adjustments.

For more information, contact Steve Crew at 515-281-6285 or [steve.crew@iowa.gov](mailto:steve.crew@iowa.gov).

# Iowa Department of Education contact list for retirees

Recently, more than 30 individuals retired from the Iowa Department of Education (DE). As it moves forward in hiring individuals to fill these positions or reassign duties to current employees, the DE would like to provide a list of contacts for those seeking program information for areas once covered by the retirees.

The individuals below will either directly assist you or serve as a contact point for a bureau or division and will determine which department consultant can best assist you.

The department will be updating its Customer Service Guide located on its website at [http://www.iowa.gov/educate/index.php?option=com\\_content&view=category&id=562&Itemid=1506](http://www.iowa.gov/educate/index.php?option=com_content&view=category&id=562&Itemid=1506). This will be the central point of information regarding who is assigned to each program area. The guide will be fully updated in mid-July.

Last Name	First Name	Bureau	Please Contact	Phone
Allison	Randy	Student & Family Support Services	Michelle Ray	515-281-5494
Andersen	Thomas	Accreditation & Improvement	Becky Griglione	515-281-3170
Anderson	James	Information Technology Services	Marcia Krieger	515-281-5293
Bakken	Rod	Nutrition, Health & Transportation Services	Patti Harding	515-281-4754
Borlin	Kathy	Division of PK-12	Tana Mullen	515-281-3333
Brees	Nancy	Internal Administrative Services	Tammy White	515-281-3905
Cameron	Mary	Teaching & Learning Services	Linda Choate	515-281-3061
Christensen	Nancy	Nutrition, Health & Transportation Services	Patti Harding	515-281-4754
Clark	Gloria	Early Childhood Services	Malinda Hugh-Reynolds	515-281-3021
Dykstra	Dennis	Student & Family Support Services	Sonia Lewis	515-281-4030
Erickson	Becky	Planning, Research, Development & Eval.	Kim Wilson	515-281-3757
Foelske	Roger	Career & Technical Education Services	Stephanie Weeks	515-281-8260
Hansen	Deborah	Teaching & Learning Services	Linda Choate	515-281-3061
Herrity	Joseph	Teaching & Learning Services	Ruth Jones	515-281-5313
Higdon	Marlene	Community Colleges Services	Tom Beasley	515-281-3490
Huffman	Haila	Teaching & Learning Services	Ruth Jones	515-281-5313
Irwin	Lois	Accreditation & Improvement	Becky Griglione	515-281-3170
Jeffrey	Judy	Director's Office	Kathy Petosa	515-281-3436
Jones	Sandy	Community Colleges Services	Jennifer McAbee	515-281-3503
Kelley	Gretchen	Teaching & Learning Services	Linda Choate	515-281-3061
Krohn	Kara	Teaching & Learning Services	Mary Smith	515-242-6014
Keul	Marsha	Information Technology Services	Linda Kaster	515-281-3977
Lynch	Norma	Student & Family Support Services	Julie Carmer	515-281-7144
Maurer	Steven	Student & Family Support Services	Beth Buehler	515-281-7143
Michelson	Lana	Student & Family Support Services	Sonia Lewis	515-281-4030
Patrick	Brenda	Career & Technical Education Services	Patricia Vrbán	515-281-3125
Reese	Jim	Teaching & Learning Services	Linda Choate	515-281-3061
Schmidt	Wanda	Internal Administrative Services	Sandy Sandvick	515-281-4755
Shykowski	Sharon	Community Colleges Services	Barb Ledvina	515-282-5036
Thorius	Julia	Nutrition, Health & Transportation Services	Patti Harding	515-281-4754
Twedt	Joan	Student & Family Support Services	Mary Bartlow	515-281-5614
Van Cleve	Toni	Student & Family Support Services	Sonia Lewis	515-281-4030
Wendland	Janet	Nutrition, Health & Transportation Services	Patti Delger	515-281-4754
Willems	Arlie	Accreditation & Improvement	Becky Griglione	515-281-3170
Willis	Sharon	Director's Office	Deborah Darge	515-281-5295
Wilson	Dee Ann	Student & Family Support Services	Michelle Ray	515-281-5494



## Reviewing the Core Issues

Iowa takes a look at the Common Core and how it aligns to the Iowa Core.

This month the Iowa Department of Education (DE) is undertaking a review of the Common Core State Standards, which were released on June 2, 2010, and how they align with the Iowa Core.

The development of the Common Core State Standards was a voluntary, state-led effort coordinated by the National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO). The purpose of this effort was to develop standards that each state could adopt voluntarily to provide a common set of standards across states.

The Common Core State Standards were developed to be aligned with college and work expectations, to include rigorous content and skills, and to be internationally benchmarked. The Common Core State Standards initiative encompasses standards for English language arts and mathematics.

When the initiative started over a year ago, Iowa signed a letter of support for this effort. In it, then Iowa Department of Education Director Judy Jeffrey stated that she believed a common set of standards across states is needed because today's reality is not about one state competing with another, but a nation that must compete with the world.

Now that the final version of the Common Core State Standards has been released, Iowa must decide whether or not the state will adopt them as our state standards. We must also look at how they align with the work we are already embarked on with the Iowa Core, which provides a common set of skills and concepts in literacy, math, science, social studies, and 21st century learning skills (civic literacy, financial literacy, technology literacy, health literacy, and employability skills) that all Iowa students must know by the time they graduate from high school. These must be implemented in high schools by 2012-2013 and in kindergarten through eighth grade by 2014-2015.

A team, including individuals who helped develop the Iowa Core, will be undertaking this review in July.

With this review, the DE is tentatively scheduled to present a recommendation to the State Board of Education at its July 29, 2010 meeting. The State Board has the authority to approve standards for the state.

A preliminary review, which was provided at the State Board's retreat in June, showed that there are many similarities between the Iowa Core and the Common Core State Standards. For example, both state that in high school all students will learn concepts in probability and statistics.

Many of these similarities are not surprising given that developers of both the Common Core State Standards and the Iowa Core reviewed the same national and international research and resources, such as National Assessment of Educational Progress (NAEP).

There are also some differences. One is that the Common Core is laid out grade by grade, whereas the Iowa Core is provided in grade spans, such as grade six through eight.

States do have the option to add to the Common Core State Standards, which Iowa may do if it adopts the standards.

A key similarity is the goal of both the Common Core and the Iowa Core: To ensure Iowa students are well-prepared for either furthering their education after high school or embarking on a career.

### Core Facts

- For more information on the Common Core State Standards, visit [www.corestandards.org](http://www.corestandards.org).
- For more information on the Iowa Core, please visit <http://www.corecurriculum.iowa.gov/Home.aspx>.
- For updates on the State Board of Education meeting, visit [http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1667&Itemid=2474#Calendar](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1667&Itemid=2474#Calendar).

## Student Health and Nutrition

### Iowa Medication Administration Course now offered online

The Medication Administration in Iowa Schools course is available online to Iowa district school employees. The course contains basic medication administration step-by-step procedures designed for school personnel to whom authorized health practitioners have delegated the administration of medication at school and in school activities.

The Medication Administration in Iowa Schools is an online education course designed to partially meet laws and assist schools to provide student medication administration safely and effectively. Upon successful completion of the 17 units with a 100 percent score, the employee prints a certificate, and takes it to the school nurse to complete the skills demonstration portion and successfully complete certification.

To access the course, go to the Heartland Area Education Agency (AEA) home page at <http://www.aea11.k12.ia.us>. You will need the district code for the AEA professional development system. See detailed, online instructions below. For questions, contact your AEA or Heartland Professional Development at 1-800-255-0405, 14701.

*Directions to access the online training at the new location:*

1. Go to the Heartland home page at <http://www.aea11.k12.ia.us>
2. Click on the link to *Online Trainings* under *Home* tab.
3. Click on the link for the entrance to *Online Training System*.

*Register in the system:* The first time in the new system, everyone must register (even if you have completed trainings before).

1. Click on the *Register into the System* button at bottom of the page.
2. Fill in your first and last name.
3. Enter either your social security number or your driver's license number using the one you have used at Heartland in the past, or you will not have access to your old records.
4. Choose your own personal username and password (*not* the one supplied by your AEA). The system gives you some hints to find an acceptable one. Please retain your username and password for future use.
5. Enter your email and click *Submit Student Information* button. You are now registered into the training system.

*Login and Log out:* The next time you come to the site, you will enter your username and password and click Login button. To log out of the system, click on the *log out* button located in the upper right corner.

*Forgot your username or password?* On the Welcome page, you can recover your username and password. Click on *Recover user information* and enter the information requested. The information will be sent to the email address you provided when you registered.

*To register for a course:*

1. From the *Course Catalog* selection list, click the *Register* button for the training you wish to take.
2. On the map of Iowa, be sure to click the AEA serving your school district.
3. From the dropdown menu, choose the district that you are in, enter your nursing license number if applicable and the password given to you by your school district or AEA. Click *Submit*.

Just like before, you can log out of your course before you have finished and then login to resume.

*To resume a course:*

1. Click on *Active Courses* link.
2. Click on *Resume* button next to the course.

*To change personal information* click button with your name on it in upper right corner.

*To print a certificate:* To print out a certificate, click on *Course Certificates* and then click on course title. On the screen below, you will see a button that allows you to print the certificate.

*To retake a course:* Click *Retake* button next to the course that has not expired and refer to directions above under *to register for a course*.

For questions, contact: Your AEA or Heartland Professional Development, 1-800-255-0405, ext. 14701.



# Early Childhood Preschool Programs

## Statewide Voluntary Preschool Program

Districts receiving the final grant award year funding for the Statewide Voluntary Preschool Program for Four-Year-Old Children were announced by Governor Culver on June 9, 2010.

An additional 150 districts will offer quality preschool programming in 2010-2011,



bringing the total number of Statewide Voluntary Preschool Program districts to 326 across Iowa.

The Iowa Department of Education estimates that 21,354 four-year-

old children will participate in the preschool program in 2010-2011.

Districts must meet requirements of the Statewide Voluntary Preschool Program as defined in Chapter 16.

Newly awarded districts are required to participate in three webinars:

- Preschool Orientation—Overview and Requirements
- Preschool Orientation—Data System Requirements
- Preschool Orientation—Program Standards

The Overview and Requirements webinar was conducted on June 21, 2010 and a recording will be on the Statewide Voluntary Preschool Program website by July 13, 2010.

The Data System Requirements and Program Standards webinar will be scheduled for August and information will be sent via email to all superintendents and contact people for newly awarded districts.

For more information about the Statewide Voluntary Preschool Program for Four-Year-Old Children please contact Judy Russell (515-281-4705 or [judy.russell@iowa.gov](mailto:judy.russell@iowa.gov)) or Penny Milburn (515-281-7844 or [penny.milburn@iowa.gov](mailto:penny.milburn@iowa.gov)).



## OPEN ENROLLMENT kindergarten deadline

September 1, 2010 is the last day to file timely open enrollment applications for kindergarten students.

Please direct questions regarding open enrollment to Wilma Gajdel at 515-281-5332 or [wilma.gajdel@iowa.gov](mailto:wilma.gajdel@iowa.gov).





## Legal Lessons

The contact for all Legal Lessons items is Carol Greta ([carol.greta@iowa.gov](mailto:carol.greta@iowa.gov) or 515-281-8661).

### Level Two investigators, gift law reminder

#### Level Two Investigators

The Iowa Department of Education (DE) periodically gets asked if the agency maintains a list of Level Two investigators (of allegations of abuse by school staff against a student). We do not, and there are good reasons for this:

1. Most schools use an active member of local law enforcement. A few use private investigators. The DE has no means of maintaining a list that will be accurate from year-to-year. Local school officials know their local law enforcement members.
2. Unlike the posting of the name and contact information of a school's Level One investigator, there is no such requirement regarding a Level Two investigator. All school districts and nonpublic schools must post the name and contact information of their Level One investigators because it is those investigators to whom students and parents must have access for filing a chapter 102 complaint. But contact with the Level Two person may only be initiated by either the Level One investigator or some other school official; the contact is never initiated by a student/parent. Therefore, there is no need to post the contact information for the Level Two investigator.
3. Finally, there is not even a requirement for a school to know the identity of a Level Two investigator at the start of the school year. A school may ask different qualified investigators to serve in different instances. For instance, one member of law enforcement may have expertise in investigating sexual abuse claims. A school may determine who to ask to do a Level Two investigation after a complaint is received and the school knows with what type of allegations it is dealing.

We also get asked about training for Level Two investigators. Neither the DE nor the AEAs offer Level Two training. This is deliberate. The chapter 102 rules assume that the Level Two investigator will be a qualified investigator, trained through his/her job in law enforcement. Level Two investigators are welcome to attend the Level One training (first Monday in October... more on that in future editions of the School Leader Update), but there is no requirement that they attend. Level One investigators must attend the training every five years.

#### Recent Gift Law Question

Charlie Smithson, Director of the Iowa Ethics and Campaign Disclosure Board, was recently asked by a student travel company whether the company could invite music educators to tour the Disney World Resort in Orlando with all expenses but for a few meals paid by the travel company and Disney. The purpose would be to give music educators the opportunity to "see the performance venues in the Walt Disney World Resort parks and to experience some of the educational programs and workshops that take place there to see how they can be of benefit to their students."

It is the opinion of Director Smithson that accepting such a trip IS a violation of Iowa's gift law. The company is hoping to encourage public employees to return to their school districts and use the company as the district's vendor for future trips, which is exactly what the gift law seeks to prohibit.

The Iowa Department of Education is grateful to the company for asking about the rules in advance of taking action with Iowa public educators, and to Director Smithson for keeping us in the informational loop.



## Legal Lessons continued

### Bid Law Reminder

Iowa's public bid law regarding public improvement contracts is not specific to schools (meaning, it's not an education law, so I have no expertise in the area). However, this is a reminder that Iowa Code chapter 26 is the law that addresses when a district must have competitive bids, when it must obtain competitive quotations, and when it need do neither. These are high stakes issues for which a district could be penalized if the district improperly unbundles components of a single project. School leaders are strongly urged to check with their district's attorney.

### School Officials who Conducted Strip Search of Students not given Immunity

A federal appeals court unanimously ruled last week that high school officials in Ohio who conducted a strip search of students were not entitled to immunity from the students' lawsuit alleging violations of the students' Fourth Amendment right to be free from unreasonable searches. The court ruled that the right to be free from such searches is clearly established. Iowa school officials understand that our "student search and seizure law" in Iowa Code chapter 808A contains four absolute prohibitions. A school official shall not conduct a search which involves:

- A strip search.
- A body cavity search.
- The use of a drug sniffing animal to search a student's body.
- The search of a student by a school official not of the same gender as the student.

Chapter 808A does not define "strip search." However, the U.S. Supreme Court last summer made it clear that a strip search is one that gets down to the layer of clothing that is closest to the skin. *Asking a student to remove or loosen any clothing that touches the student's undergarments is a strip search.*

## Data and Reporting

### Deadline: AYP final certification July 6

The Adequate Yearly Progress (AYP) web reporting site is now open for local area education agencies (LEAs) to access and enter their district data until July 5, 2010.

This site may be accessed at <https://www.edinfo.state.ia.us/> by entering the LEA's Basic Educational Data Survey (BEDS) password and identification. The district's superintendent must enter or open access.

The AYP timelines are as follows:

July 6-July 9: Final certification

July 19: District and school AYP status notifications will be sent to superintendents.

*\* Districts that do not certify will be automatically certified on July 9, 2010.*

## Transportation

### ONLINE TRAINING for new bus drivers

The school bus driver training course for *new* school bus drivers will be moving to an online format on August 1, 2010. This provides new drivers with the option of taking the online portion of the class from any computer.

Although the course will be primarily online and longer than the current 12-hour class, drivers will be able to take the online portion at their convenience and at their own pace (i.e. it can be done in sections over a period of time.) The new format will retain a small, instructor-led portion in order to answer additional questions and cover topics not addressed online.

Registration, scheduling, and payment will continue to be handled by community colleges. The registration fee will be set at a standard rate state-wide. More information will be included in the August School Leader Update. For questions, please contact Max Christensen at 515-281-4749 or [max.christensen@iowa.gov](mailto:max.christensen@iowa.gov).



## STATE BOARD to hold meeting

The State Board of Education will hold its next regular business meeting on July 29-30.

The meeting will be held at the Marshalltown Community College in Marshalltown.

For more information, please visit [http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1667&Itemid=2474](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1667&Itemid=2474).

## Calendar

- |          |   |
|----------|---|
| July 1   | • Special Education Web Based Claims Available              |
| July 6   | • Annual Yearly Progress final certification                |
| July 15  | • Specially Accredited School Annual Report Due             |
| August 1 | • Foster Care Claim   |
|          | • Progress Report toward reorganization due                 |
|          | • Special Education District Court Placed Claim due         |
|          | • Special Education Foster Care Claim due                   |
|          | • Special Education High Cost Fund Claim due                |
|          | • Special Education Provided to Nonpublic Schools Claim due |
|          | • Juvenile Home Claim                                       |

[Click here for a complete Iowa Department of Education Calendar](#)

*It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.). If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319-0146, telephone number 515/281-5295; or the Director of the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, telephone number 312-730-1560, fax 312/730-1576, e-mail: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)*



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