



A MONTHLY JOURNAL
FOR IOWA EDUCATORS

School Leader Update

Join the competency-based conversation

Iowans who want to learn about competency-based education but don't have a seat at a Dec. 8 state conference in Des Moines can stay connected online. A website created to share information is available now and will be kept active after the Research to Action Forum, which is hosted by the Iowa Department of Education and sponsored by the Regional Educational Laboratory Midwest.

Sign up for the site at <http://bridgeevent.ning.com/>. Also, join a live conversation on Twitter using the hashtag #IAcomped. The Dec. 8 conference will be videotaped. A link to the video will be posted to the Department's web site, www.educateiowa.gov, at a later date. Stay tuned.



Why are these educators smiling? See page 7.

December 2011

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Stay focused on the big picture in education

When I was growing up, my mom and dad made an extra effort to keep the true meaning of the holidays – love and giving – front and center in our family festivities. They knew how easily the big picture can get lost in the tinsel and the toys. I'm reminded of that not just because the holidays are upon us, but because I also see parallels to education policy: It's tempting to fixate on the details and lose sight of the big picture. The big picture in education means dramatically elevating and improving Iowa's school system.



Jason Glass, Director

I have traveled the state with members of the Branstad-Reynolds administration to hear what Iowans think about the Governor's education blueprint. We've decided that a key part of the blueprint – the four-tier salary structure – will become a topic of study rather than a part of legislation in 2012. Our commitment to this strategy for attracting and supporting talented educators and creating teacher leadership roles and peer support systems hasn't wavered; but changes that involve compensation in education have enormous cost implications. Because of this, we need to move strategically and thoughtfully. A statewide task force will convene in January to study teacher leadership and compensation. Please drop me a note at Jason.Glass@iowa.gov if you'd like to be considered for serving on this task force.

For the 2012 session, we will bring a comprehensive education package for consideration. Work continues on these proposals, which Gov. Branstad and Lt. Gov. Reynolds will present to legislators in January.

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Deadline looms for Chapter 12 waiver/exemption requests

Note to school districts: Chapter 12 waiver and exemption requests for the 2012-13 school year are due before Jan. 1.

Send the completed form and all attachments to: Del Hoover, Deputy Administrator, Bureau of Accreditation and Improvement Services, Iowa Department of Education, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa, 50319-0146.

Waiver / Exemption	Form	Board Approval or Hearing	Deadline
Chapter 12 – General Accreditation Standards 281-IAC 12.9	Paper document located at: http://educateiowa.gov/index.php?option=com_content&task=view&id=483&Itemid=530	Board minutes that demonstrate that the local school board has approved the request.	Jan. 1 preceding the school year for which the waiver is requested.

Initial license converted to professional administrator license

People who have been hired by school districts to serve in positions such as dean of students or school improvement leaders may wish to convert the initial administrator license to a professional administrator license. The Board of Educational Examiners met with School Administrators of Iowa on the issue.

The BOEE will convert an initial administrator license to a professional administrator license when all of the following criteria are met:

1. The applicant has a valid initial administrator license.
2. The applicant had an administrator contract with the district during the year(s) claimed on the application.
3. The applicant was reported on BEDS as an administrator during the year(s) claimed on the application.
4. The applicant has the required administrative experience:
 - a. One year in a public school
 - b. Two years in a private or out-of-state school
5. The applicant completes the conversion application:
 - a. Section II completed by supervising administrator stating that:
 - i. Applicant has successfully completed required one year of experience; and
 - ii. Applicant has successfully completed a mentoring and induction program; and
 - iii. Applicant meets or exceeds all Iowa School Leadership Standards; or
 - b. Section III completed by supervising administrator stating that:
 - i. Applicant has successfully completed required two years of experience;
 - c. \$85 fee submitted with the application.

For further information, contact Mike Cavin, BOEE licensure consultant, at mike.cavin@iowa.gov or 515.281.3437.

Nonpublic certified enrollment and textbook services

In previous years, districts had the opportunity to view the resident nonpublic student count within the Certified Supplementary Weighting data collection. With the change in reporting supplementary weighting information within Project EASIER, the resident nonpublic student count is now available on a spreadsheet at this link:

http://educateiowa.gov/index.php?option=com_content&task=view&id=1431&Itemid=2411.

The link also includes spreadsheets showing the nonpublic student count by nonpublic school and by Area Education Agency. A link can be found at the bottom of the page for the textbook services. Textbook services payments went to districts in mid-November. For more information, contact Denise Ragias at denise.ragias@iowa.gov or 515-281-4741.

Dropout Verification and Winter EASIER

The Dropout Report for all public school districts opens Monday, Dec. 5. This application displays all dropouts from Oct. 1, 2010 through Sept. 30, 2011. See Addendum E in the 2011-12 EASIER Data Dictionary for information about the definition of a dropout. The application is similar to the dropout report in prior years. A tutorial link will be provided on Dec. 5 to all EASIER contacts who have a current email address on the EASIER/BEDS/ID Contact Persons application.

The Dropout Report is the basis for the annual dropout rate calculated for each school. This is not the same as the Dropout Prevention/Modified Allowable Growth application. However, both applications have the same deadline: Thursday, Dec. 15. The Winter EASIER testing window opens Monday, Dec. 12, and remains open through Wednesday, Jan. 4. The testing window allows for the opportunity to ensure your student and course information passes the error checks.

Once again, Winter EASIER will require public school districts and nonpublic schools in EASIER to submit data for all students in grades 3 through 12 with preschool through grade 2 optional for submission purposes. Tutorial links will be sent to all EASIER contacts on Monday, Dec. 12. December is the testing window only. The production site opens in January for Winter EASIER.

Important Dates to Remember:

December 5 – December 15	Dropout Report
December 12 – January 4	Winter EASIER testing window
January 9 – January 31	Winter EASIER collection period
January 9 – January 31	CTE Courses in a Program
February 6	Save the date for a statewide SIF conference in Ames

Are you a green school?

You've heard of Blue Ribbon Schools. Now the U.S. Department of Education is looking for Green Ribbon Schools. The new program honors public and private schools that have (or are working hard to get) energy-efficient buildings, environmentally-friendly classrooms and healthy students who have grasp of environmental and sustainability issues.

The Iowa Department of Education will release an application and timeline soon. In the meantime, read up on the Green Ribbon Schools program at www2.ed.gov/programs/green-ribbon-schools. Contact Gary Schwartz, the Department's facilities consultant, at 515-281-4743 or gary.schwartz@iowa.gov for more information.



A new online resource for teachers

U.S. Secretary of Education Arne Duncan announced a new federal online national resource, The Learning Registry, during a recent State Educational Technology Directors leadership meeting. The registry will help teachers find and share content with other educators. It will be a valuable addition to the Iowa Online Digital Repository.

The Learning Registry is a new approach to capturing, sharing and analyzing learning resource data to broaden the usefulness of digital content to benefit educators and learners. The site can be found at <http://www.learningregistry.org/>.

Students can help ‘Write Women Back Into History’

To give students a deeper and more relevant appreciation of women’s roles in history and to celebrate March as Women’s History Month, the Iowa Commission on the Status of Women, the Iowa Department of Education and the State Historical Society of Iowa invite students to enter the 28th annual Write Women Back Into History Essay Contest.

Students in grades 6-9 are encouraged to choose a woman, preferably from Iowa, from any historical period, past or present, and write about the accomplishments of her life and how she has made a difference to the student and to society.

Winners will be honored during a ceremony at the State Capitol in March. Cash prizes are available. All entrants will receive a certificate of participation signed by Gov. Terry Branstad.

Guidelines can be found on the Women’s History Page of the ICSW website, www.women.iowa.gov. Contact Lori Schrader-Bachar at ICSW for more information: 515-281-4470 or 800-558-4427 or by e-mail, lori.schraderbachar@iowa.gov.

Program takes girls from the classroom to the Capitol



High school girls from across Iowa can compete for a chance to shadow female legislators and to learn how state laws and budgets are developed and passed.

The third-annual Capitol Girls program will convene in Des Moines on Feb. 8. The day begins at 7:30 a.m. with an inside look at the Iowa General Assembly and general guidelines to follow. Girls will be introduced in both the Iowa Senate and Iowa House of Representatives, and then paired with legislators. The day will conclude at 2 p.m.

Lunch is included. Space is limited. To participate, girls must complete [this application](#) and submit it via e-mail to women@iowa.gov or by fax to 515-242-6119 by January 13.

IDPH uses social media to target addiction

The Iowa Department of Public Health has launched a new tool for protecting the health of Iowa’s youth.

Please visit the [Prevent Iowa Youth Addiction Facebook](#) page and click the “Like” button to stay informed and contribute to the discussion about some new (and not-so-new) dangers facing Iowa’s youth. During this launch, there will be a special emphasis on new products the tobacco industry is test marketing. Called “dissolvables,” these smokeless tobacco products closely resemble mints, toothpicks and breath strips.

Some of these items are already being sold in Iowa alongside other products you may have seen, including snus (a type of smokeless tobacco) and e-cigarettes. This development is particularly dangerous to children in terms of addiction, nicotine poisoning, school performance and future tobacco use.

To learn more and to contribute to the discussion, visit www.facebook.com/preventiowayouthaddiction.



Early Childhood Preschool Programs

Past due: State preschool reporting requirements

Districts that have missed the Sept. 15 reporting deadline for the Statewide Voluntary Preschool Program (SWVPP) must report immediately for the current school year. State law requires that districts provide updated preschool information to the Iowa Department of Education. The information is entered into the Early Childhood Application via the Department's Secure Reporting Site.

Districts are required to include information about the preschool program contact, district assurances (including partner collaboration, preschool integration and professional development), curriculum/assessment, preschool sessions and session program standards. The number of children by age is not required because this information is obtained through EASIER reporting.

Information pertaining to early childhood special education (ECSE) also is required to be entered on this site for SWVPP districts.



Additional guidance about reporting can be found on the Data Reporting Requirements webinar and script on the SWVPP website at http://educateiowa.gov/index.php?option=com_content&task=view&id=940&Itemid=1279.

For more information, contact Judy Russell at 515-281-4705 or Judy.Russell@iowa.gov or Penny Milburn at 515-281-7844 or Penny.Milburn@iowa.gov.

Guidance on religious instruction in preschools

Faith-based preschools must adhere to Iowa law, which says no religious instruction may take place during the 10 hours of class time paid through the Statewide Voluntary Preschool Program (SWVPP).

The following guidance is provided to answer questions from the SWVPP districts partnering with faith-based preschools. Pursuant to Article I, Section 3 of the Iowa Constitution, religious instruction is restricted during the time that is funded through state dollars: "The general assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates for building or repairing places of worship, or the maintenance of any minister, or ministry."



The district and faith-based partners must ensure that there is no interruption (no "sprinkling") of SWVPP instructional time for any faith-based purpose. Non-secular icons may remain in the preschool classroom; however, these items may not be included in, or alluded to, conversation or instruction during SWVPP.

For more information, please contact Judy Russell at 515-281-4705 or Judy.Russell@iowa.gov or Penny Milburn at 515-281-7844 or Penny.Milburn@iowa.gov.

Student Health and Nutrition

LPNs cannot take RN's place

School districts are reminded that the school nurse must be at least a registered nurse; a licensed practical nurse cannot be substituted.

An Iowa LPN can be in schools in only one of two ways: 1) supervised in the same building by the RN; or 2) caring for one specific student with the supervision determined by the RN.

According to Iowa law:

The Iowa Code and the Iowa Administrative Code govern the delivery of safe, effective and accessible student health services in Iowa schools.

The Iowa Code 152 and 655 Iowa Administrative Code (IAC), Chapter 6 address the definition and the scope of practice of the Licensed Practical Nurse (LPN).

An Iowa LPN may practice nursing in the school setting under the supervision of a registered nurse (RN) or physician. The RN or physician shall be in the proximate area [655 IAC, Chapter 6, 6.3(7)"b"].

"Proximate area" means that the RN analyzes the qualifications of the LPN in relationship to nursing needs of the client in determining the appropriate distance within the building and the time necessary to be readily available to the LPN [655 IAC, Chapter 6, 6.1(152)].

The LPN may provide nursing care to a specific student following the student's health plan under the supervision of, and as delegated by, a RN employed by the school district [655 IAC, Chapter 6, 6.6(2)].

To access 655 Iowa Administrative Code, Chapter 6, go to the Iowa Board of Nursing at www.nursing.iowa.gov, click on Iowa Law and Administrative Rules and follow the directions as printed. Direct questions and comments to charlotte.burt@iowa.gov.



Flu for you?

It's not too late to be vaccinated for seasonal influenza.

Vaccinations are especially important for those with risk factors such as heart disease, lung disease and diabetes. Also at risk are women who are pregnant and the very young and very old, according to the Iowa Department of Public Health.

The influenza vaccine is recommended for everyone 6 months of age and older. The vaccine is the best defense against influenza. It's also important to take steps to help prevent the spread of illness. Remember the 3Cs: Cover your coughs and sneezes; clean your hands frequently; and contain germs by staying home when you're ill.

Flu is a respiratory illness caused by viruses. It spreads easily and can cause mild to severe illness.

Contact your health care provider or local health department to check vaccine availability. More information can be found at www.idph.state.ia.us/Cade/Influenza.aspx.

Send comments and questions to charlotte.burt@iowa.gov.



Ten Iowa school districts honored for 'Breaking Barriers'

Ten school districts from across the state were honored Nov. 16 by the State Board of Education for significant progress in closing gaps in student achievement.

The Breaking Barriers to Learning and Teaching Award was created by the State Board. Each year, the award recognizes successful efforts to eliminate achievement gaps with improved instruction, curriculum and programs for students, as well as professional development for school staff.

This year's recognized districts are Atlantic, Centerville, Central Decatur, Clinton, Colfax-Mingo, Hampton-Dumont, Lewis Central, MFL-MarMac, Sergeant Bluff-Luton and Spencer.

"These districts have helped a diverse group of students achieve," said State Board of Education President Rosie Hussey. "Their continued efforts will benefit not only their own students, but also their communities and the state for years to come."

Districts are honored with the Breaking Barriers award if math or reading proficiency improves by 20 percent or more among specific subgroups of students without a decline of more than 5 percent in any other subgroup of students. Student subgroups include English Language Learners, minorities, low-income and special education students.

The districts that met these criteria are:

Reading

- Atlantic: Grades 3 and 6 (socio-economic status)
- Centerville: Grade 5 (socio-economic status)
- Central Decatur: Grades 4 and 8 (socio-economic status)
- Clinton: Grade 6 (Individualized Education Plan)
- MFL-MarMac: Grade 7 (socio-economic status)
- Spencer: Grades 3 and 5 (socio-economic status)

Mathematics

- Sergeant Bluff-Luton: Grade 8 (socio-economic status)
- Colfax-Mingo: Grade 8 (socio-economic status)
- Hampton-Dumont: Grade 11 (socio-economic status)
- Lewis Central: Grade 5 (socio-economic status)



Carlene Bergeson, a Hampton-Dumont math teacher, holds her district's award during the Nov. 16 ceremony.



State Board member Max Phillips presents an award to Centerville Superintendent Anthony Ryan.



State Board member Valorie Kruse (center) smiles as Board member Michael Knedler looks on.



Legislative Update

Contact Mike Cormack for all legislative items: mike.cormack@iowa.gov or 515-281-3399.

Cormack at the Capitol

Teaching on a daily basis, as I did for the past 10 school years, had unique rewards and challenges. Now, instead of planning for my next lesson, I've joined in the department's work on the education blueprint for transforming the state's education system. This process also has unique rewards and challenges. It's not always easy to turn an idea into law. Through solid work from this department, listening to public input and ultimately working through the legislative process, we aim to make positive changes to help Iowa students succeed. This will not be an easy process, but it will be worth it.

Director Jason Glass has been clear that the blueprint is a starting point. Gov. Terry Branstad, Lt. Gov. Kim Reynolds, Director Glass and Linda Fandel, special assistant for education in the Branstad-Reynolds administration, have traveled the state extensively to present the plan and to listen to public comments. Public input now, as well as into the session, is important for policymakers in both the legislative and executive branches. Hopefully, you have had the opportunity to attend one of the town hall or online meetings to help provide that input. Regardless of your views on the blueprint, the laws that come from it will be influenced by the people of this state. Take advantage of every opportunity you have to let your expertise and opinion help shape this document. Always feel free to share your thoughts with me throughout this process, too.

Change is difficult. Change is particularly difficult to achieve in our government. It is meant to be that way. Any law that emerges through our legislative process will have many eyes and fingerprints on it. We have a system that was designed to achieve consensus. I learned from experience in the Legislature that it was easier to stop an idea from becoming law than it was to actually pass legislation. The vast majority of ideas do not become law under our process, which mirrors the system that Congress uses for our federal government. Again, it was designed to be that way so that what becomes law does, in some measure, reflect the will and consensus of Iowans. Change also is difficult sometimes just because we are used to doing things a certain way. Clearly, if the education blueprint were to become law, it would be a dramatic change in this state. Recently, I watched the fantastic film, "Moneyball," which shared the story of Billy Beane, the Oakland A's general manager. Beane changed how he selected players for his team from a scout-based system to one based on statistics. He was ridiculed initially, but later vindicated for making major changes in how his sport operated. History gives us many examples of people who faced scorn for rejecting conventional ways of thinking, only to be proven right over time. There's always comfort in keeping things the way they are. Sometimes, that is with good reason. I just hope when Iowans review the education blueprint, sound reasons are given for adopting or rejecting the document. I hope that everyone is open-minded and won't reject it simply because it is a new way of thinking.

Director Glass shared the results of the current National Assessment of Educational Progress scores for our state. While other states showed extensive growth, Iowa's scores unfortunately were stagnant. I truly believe all Iowans, both inside and out of the educational field, want our students to succeed at their highest level. Both Director Glass and I hope that when future assessments of Iowa students are conducted, that we will not have similar results. We believe there is a system problem, not a problem of any group or individual, that needs to be addressed.

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One of the most common comments I received as a legislator was that the Legislature should just pass a law to do something. That is sometimes easier said than done. For any idea to become law, it must pass in exact form from both chambers of the Iowa General Assembly, after passing through one or more committees in each legislative body, and then be signed into law by the Governor. Rightfully so, legislation must be reviewed and approved by many elected officials throughout the process. In making law, the role of this department is to assist elected decision-makers with information throughout their work and, after they have made their policy decisions, execute any laws into practice through administrative rules and enforcement.

Lawmakers ultimately will decide whether to keep our current system, pass the ideas that are being proposed in the blueprint or to make other changes to educational law. The Iowa Department of Education can propose ideas but cannot pass law. That power rightly lies in the elected legislative members and the Governor through the power they receive from the people. Whether you are supportive of all, some or none of the proposed changes, study this topic extensively and stay involved in the process.

As the policy liaison for the department, I will do my best in this column to keep you updated on this major piece of legislation. There will likely be at least two bills to monitor: Proposed changes to existing Iowa educational code and a related legislative piece for funding these changes.

Changing any law isn't easy. To put into place the changes suggested by the blueprint, many current Iowa laws will need to be changed or replaced. In my former role as a social studies teacher, I would have told my students that's how our system should operate. In my current role, I will do my best to remember that as we work with elected officials, who are trying to make the best public policy decisions they can in education.





Legal Lessons

Contact Carol Greta for all Legal Lessons items: carol.greta@iowa.gov or 515-281-8661.

Gender balance requirement, administrative rules and student publications

Gender Balance on LEA, AEA Committees

Effective Jan. 1 is the amendment to Iowa Code section 69.16A, requiring that statutory boards and committees appointed by Local Education Agencies and Area Education Agencies be gender-balanced "if not otherwise provided by law."

For AEAs, this applies to the advisory group to be appointed by each AEA board of directors under section 273.15. That section of the Iowa Code already states that the advisory group must be gender-balanced, so this should pose no challenge. As of Jan. 1, all of these advisory groups should already be gender-balanced.

For LEAs, there are three groups affected: School Improvement Advisory Committee, Teacher Quality Committees and Local Advisory Council for Vocational Education.

There are two exceptions in the gender balance requirement law:

1. An individual whose term expires prior to Jan. 1 may be reappointed, even if the reappointment continues an inequity in gender balance.
2. An individual may be appointed, even if the appointment does not achieve gender balance, if the LEA demonstrates it has made a good faith (but unsuccessful) effort for a period of three months to appoint a qualified person whose appointment would comply with the gender balance requirement.

Limits Raised on Public Bids/Competitive Quotes

Also effective Jan. 1: The bid limit and competitive quote limit under public bid law are raised. The competitive bid limit is raised from \$100,000 to \$125,000. The competitive quote limit for school districts with populations less than 50,000 is increased from \$46,000 to \$48,000. The competitive quote limit for school districts with populations greater than 50,000 is increased from \$67,000 to \$69,000. Districts can also access this information at the following website: http://www.iowadot.gov/local_systems/publications/bid_limits.htm

Action on DE Administrative Rules

The State Board of Education met on Nov. 16 in Des Moines. The State Board voted to give public notice of its intent to amend the following chapters of administrative rules. It is anticipated that these proposed rule changes will be adopted by the State Board at its meeting in Des Moines on Jan. 26.

- *12, Accreditation Standards*
 - Proposes to rescind the rule that requires schools to have proof of physical exams in each employee's personnel file (with the obvious exception of bus drivers).
 - Proposes to add terms and conditions by which a school district or accredited nonpublic school may confer secondary credit to students enrolled in 7th or 8th grade.
 - Adds 21st century learning skills to accreditation requirements.
- *99, Business Procedures and Deadlines (NEW chapter of rules)*
 - This new chapter compiles annual deadlines of many reports due to the DE from LEAs and AEAs.

Legal Lessons continued

-Reminds LEAs and AEAs of possible consequences of not submitting a timely report.

- *97, Supplementary Weighting*

-To match the statute, this rule changes the grade levels for a regional academy from grades 9-12 to grades 7-12.

-Also to conform to the statute, the districts in a regional academy must submit to the DE their agreement as to how they plan to use the supplementary weighting.

The State Board terminated the rule regarding transportation for concurrent enrollment courses until the DE gets more clarification from the Legislature as to who must make available transportation to and from the community college for concurrent enrollment courses.

Finally, at its Nov. 16 meeting, the State Board of Education *adopted* amendments to the following chapters of administrative rules:

- *22, Senior Year Plus*

-Item 1 expands the criteria by which a student under competent private instruction may be deemed “proficient” under Iowa Code section 261E.3, subsection 1, paragraph e. The additional means were detailed in the September School Leader Update.

-Items 2 and 3 amend the definition of, and details regarding, regional academies. A regional academy may now include grades 7 and 8, as well as 9-12. The regional academy must still be established and hosted by a school district, but the list of possible partners is expanded to include other school districts, community colleges, other post-secondary institutions and private businesses.

- *102, Investigating Incidents of Abuse of Students by School Employees*

-The adopted amendment conforms to recent legislation that requires schools to place on administrative leave any employee who is accused of physically or sexually abusing a student. The Administrative Rules Review Committee of the Legislature has asked the Education Committees of the House and Senate to re-visit this law. In the meantime, the State Board was required by the legislation to adopt this rule.

The above summaries above are not intended to be exhaustive. The rules calendar on the DE’s website includes links to the full wording of all specific changes. The rules calendar is at http://educateiowa.gov/index.php?option=com_content&task=view&id=75&Itemid=4213.

Remember that anyone may subscribe to the Legislature’s listserv for agency rule changes. Simply go to this link:

<http://www.legis.iowa.gov/IowaLaw/AdminCode/adminLaw.aspx>. At the middle of the page is the caption, “Additional Information & Resources.” A few lines down from that caption is “[Subscribe to Agency Rule Changes via E-mail](#).” Click on that, select the agency rules about which you want to receive email (choices include Education Department, School Budget Review Committee, Board of Educational Examiners, among 110 choices), fill in your email address and you will be the first on your block to know what is happening with administrative rules.

Applications for Student Member of State Board of Education

Applications for the student member to the State Board of Education will be available on the Department’s website within a few weeks. The student member’s term starts May 1, 2012, and ends April 30, 2013. The Board meets at least seven times during that term, with most meetings taking place in the Grimes State Office Building in Des Moines. The deadline for submitting an application with all required documents is Feb. 6.

Legal Lessons continued

Besides being a full-time, regularly enrolled 10th or 11th grade student in a public high school, the student must meet these requirements:

- Has a GPA of at least 3.0 (4.0 scale) or 3.75 (5.0 scale)
- Has attended his/her present high school at least the past two consecutive semesters (or the equivalent thereof)
- Demonstrates participation in extracurricular and community activities, as well as an interest in serving on the board

The application and all required supporting documents can be found at:

http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1667&Itemid=2474#StudentApp.

Student Publications and Iowa's Law

In 1988, the U.S. Supreme Court (*Hazelwood School Dist. v. Kuhlmeier*) gave school officials editorial control over student newspapers as long as the censorship was reasonably related to educational concerns. In reaction to that decision, Iowa was among a handful of states whose legislatures enacted a law that is more protective of the free speech of students in student publications. The law in Iowa is Iowa Code section 280.22, which states in part as follows:

280.22 Student exercise of free expression.

1. Except as limited by this section, students of the public schools have the right to exercise freedom of speech, including the right of expression in official school publications.
2. Students shall not express, publish, or distribute any of the following:
 - a. Materials which are obscene.
 - b. Materials which are libelous or slanderous under chapter 659.
 - c. Materials which encourage students to do any of the following:
 - (1) Commit unlawful acts.
 - (2) Violate lawful school regulations.
 - (3) Cause the material and substantial disruption of the orderly operation of the school.

...

5. ... Journalism advisers of students producing official school publications shall supervise the production of the student staff, to maintain professional standards of English and journalism, and to comply with this section.

...

The Iowa Supreme Court and Court of Appeals have not had occasion to interpret 280.22 until now. On Nov. 9, the Iowa Court of Appeals issued a decision that gives the benefit of any doubt about the statute's meaning to students. The Court states, "[T]he statute was intended to broaden students' expressive rights..." The full opinion may be read at http://www.iowacourts.gov/court_of_appeals/Recent_Opinions/20111109/1-587.pdf.

These decisions are heavily fact-specific. This specific case may be further appealed. But for now, public school officials are reminded that section 280.22 allows regulation of student publications (newspaper, yearbook or other student writings distributed to the student body either for free or for a fee) to the extent that the materials are obscene, libelous, encourage students to break the law, violate school rules, or substantially disrupt school, or fail to maintain professional standards of English and journalism.

Jason Glass

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In the meantime, let's stay focused on our shared goal of moving education forward in this state through bold, meaningful changes. The education blueprint released in October was a starting point for discussion. The hard work and excitement of meaningful change and progress still lies ahead of us.

This is a long-term process, not a quick fix. Please stay with me on this journey to a world-class school system. Let's keep the big picture front and center.

Thank you for your courage and commitment to students and to Iowa.

Calendar

- December 1 • Juvenile Home Requests for Educational Program Services
- December 1 • School Board Officers Report
- December 7 • Administrator—Counselor Workshop
- December 12 • Winter EASIER Test Site opens
- December 15 • Dropout Prevention Programs for MAG application deadline
- December 16 • School Association Reporting
- January 1 • Empowerment (ECI) Payment Schedule
- January 1 • Juvenile Home Educational Program Budget
- January 1 • Reorganization or Dissolution effective next July 1, last day to notify department
- January 9 • Winter EASIER test site opens
- January 9 • CTE Courses In A Program opens

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



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