



A MONTHLY JOURNAL
FOR IOWA EDUCATORS

School Leader Update

December 2009

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CONDITION OF EDUCATION report released

The Iowa Department of Education recently released *The Annual Condition of Education Report* for 2009.

Student enrollment statewide continues to decrease and the state's student population has become more diverse. Since Iowa released its first report two decades ago, more of our four-year-old children are attending preschool and more of our high school students are taking higher-level courses. In addition, Iowa students continue to do well on many indicators of achievement.

For more information, visit the [DE website](#).



Opportunity for input on Race to the Top

I am encouraged about Iowa's position as a competitor for Race to the Top funds.

Through the highly competitive Race to the Top application process, the U.S. Department of Education will provide grants to encourage and reward states and districts that are creating the conditions for education innovation and reform. It is anticipated that the USDE will award funds to only 7-10 states.

The Iowa Department of Education (DE) looks forward to collaborating with many people and organizations through the application process so that together we will deliver the strongest possible proposal. An advisory group has been formed and includes representatives from the School Administrators of Iowa, the Iowa State Education Association, State Board of Education, Iowa's community colleges, Iowa area education agencies, Iowa school districts, Iowa legislative education committees, the Iowa Business Council, the Iowa Parent-Teacher Association, and others. Work teams responsible for shaping the plans for specific sections of the application are also being formed and include representatives from these organizations and the DE.



Judy Jeffrey, Direc-

As plans progress and criteria for districts to participate is set, the DE will post more information on how to participate on its website at www.iowa.gov/educate.

The DE will be providing information about the Race to the Top program and Iowa's application process through webinars held for Iowa school leaders on December 7 from 1:30-2:30 p.m. and again on December 8 from 3:30-4:30 p.m. The content of the webinars will be identical and we are offering it on two dates to maximize participation. Instructions on how to access the webinar will be posted on the DE website soon.

Additional webinars for Iowa's teachers and school board members will also be held. These dates are still being confirmed and will be provided when available.

For more information on Race to the Top, please see page 4.

—Judy Jeffrey, Director

JEFFREY RECEIVES national education technology award

Iowa Department of Education Director Judy Jeffrey has received the 2009 State Policy Maker Award from the State Educational Technology Directors Association (SETDA).

Jeffrey was honored for her vision and leadership in the use of educational technology to build a rigorous and robust learning experience positioning Iowa's students to compete in the 21st century, according to SETDA.

Jeffrey understands the importance of maximizing the potential of technology for teaching and learning, according to SETDA. She is constantly looking for ways that technology can be integrated into the teaching and learning environment.

Following Jeffrey's speech, Principal Rex Kozak and students Brodie Beadle and Trent Harem from East Marshall High School and Frank Scaglione from Waukee High School, who is also a student-member of the State Board of Education, shared first-hand how technology in their schools has changed their education and their plans for the future.

Districts help reduce achievement gap

Four school districts were honored by the State Board of Education for improving gaps in student achievement. Boone, Forest City, Shenandoah, and Webster City community school districts each received a Breaking Barriers to Learning and Teaching Award.

The award was created by the State Board of Education to recognize successful efforts to eliminate achievement gaps by improving instruction, curriculum and programs, and professional development opportunities for school staff.

"Many of the districts honored this year have helped low-income students gain greater success on our

state test," said State Board of Education President Rosie Hussey. "I think now, as Iowa faces challenging economic times, this award highlights the significant role our schools play in not only helping each child succeed, but our communities and state as a whole grow and remain strong."

Districts earned the award if they made significant improvement among any subgroup of students in at least two grade levels, without allowing any other subgroup of students to decline significantly.

This year, the Board also gave special recognition to school districts that have a high number of students in the groups often identified as being part of the achievement gap. The achievement gap in education refers to the disparity in academic performance between groups of students.

Among the districts with the highest percentage of low-income, special education, and minority students and the highest percent of English language learners in the state, the State Board honored the districts that have the highest percent of students proficient on the Iowa Testing Program tests in reading and math.

Please visit the Iowa Department of Education [website](http://www.iowa.gov/educate) for the complete list.



(Clockwise from top left) Forest City Superintendent Darwin Lehmann and Forest City School Board member Susan Shaw accept their Breaking Barriers award from State Board President Rosie Hussey; Boone High School Principal Dave Kapfer, left, and Boone Franklin Elementary Principal Dan Gould; Webster City Curriculum Director Linda Williams, left, Superintendent Mike Sherwood, and Webster City Middle School Principal Becky Hacker-Kluver; Shenandoah Middle School Principal Monte Munnsinger, left, Shenandoah Elementary School Principal Becky Pringle, and Superintendent Richard Profit.

Guide to Senior Year Plus released

The Iowa Department of Education (DE) has released a guide to Senior Year Plus for educators and educational administrators.

The 44-page guide provides the requirements for Senior Year Plus in Iowa Code and administrative rule along with guidance, frequently asked questions, and other information related to college credit opportunities for high school students.

Signed into law and made effective in 2008, Senior Year Plus serves as an umbrella for several programs designed to provide high school students access to courses that have the potential to generate college credit including Postsecondary Enrollment Options (PSEO), concurrent enrollment (courses offered through sharing agreements between districts and community colleges), Advanced Placement (AP®), and career academies. Senior Year Plus standardized many program requirements, providing consistency in expectations for students, teachers, schools, and postsecondary institutions.

The guide and other information related to Senior Year Plus programs may be found on the DE website at: http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1856&Itemid=2596.

For more information, contact Jeremy Varner (515-281-3866 or jeremy.varner@iowa.gov) or Tom Cooley (515-242-5132 or tom.cooley@iowa.gov).

Iowa quality of life recruits educators

Iowa ranks 2nd nationally in the “Happiness Index” according to MainStreet.com. Iowa is first in the nation in quality of life according to a 2006 study by Forbes. Morgan Quitno ranked Iowa as the 6th most livable state in 2007.

These and other indicators of Iowa’s well-being can be valuable tools in recruiting and retaining educators from a new generation of professionals, who rank quality of life as a key factor in career decisions.

In an attempt to assist educational agencies in reaching out to Generation X and Y candidates, the Iowa Department of Education (DE) has developed a website containing multiple strategies and resources designed to appeal to young educators.

Located at http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1879&catid=1042&Itemid=2607 and entitled *Innovative Recruitment for Special Education Support & Related Services*, the website was designed to assist area education agencies in recruiting qualified staff for hard-to-fill special education positions.

However, the site can be a useful resource for any educational agency seeking to recruit teachers and other educational professionals.

For more information, contact Norma Lynch at 515-281-6038 or norma.lynch@iowa.gov.



MORE HIGH SCHOOL students enroll in community colleges

The number of high school students taking advantage of opportunities to enroll in community college coursework increased markedly this year, according to the recently released *Iowa Community Colleges Fall Enrollment Report*.

The number of jointly enrolled students increased 13.2 percent to 26,111 students.

Overall enrollment in Iowa’s 15 community colleges exceeded 100,000 for the first time in their 43-year history.

According to the annual report released by the Iowa Department of Education, enrollment increased 14.3 percent —the fastest pace for enrollment growth since 1975.

The *Iowa Community Colleges Fall Enrollment Report* showed enrollment at Iowa’s 15 community colleges was 100,736 students on the 14th day of the semester.

Last year, the state’s community colleges enrolled 88,104 students.



Race to the Top

Iowa works to apply for millions in federal funds for education reform.

Expanding successful programs. Implementing ground-breaking reforms. Supporting the Iowa Core Curriculum. Iowa has an exciting and important opportunity to develop and fund innovative efforts to improve education throughout our state.

That is why Governor Chet Culver and Iowa Department of Education (DE) Director Jeffrey are leading an aggressive effort by the state of Iowa to apply for the highly competitive Race to the Top funds. This work may lead to millions of dollars for Iowa to support improvements and innovations in education over the next four years.

What this means to Iowa leaders is the potential for more funding to support Iowa's current efforts to reform education in our state, such as the Iowa Core Curriculum. It also means the potential to improve and expand our work as well as implement new plans that move us to our goal: Iowa students becoming productive citizens of our state and successful participants in the global community.

The Race to the Top Program, part of the American Recovery and Reinvestment Act, represents \$4.35 billion that the federal government has dedicated to support education reform by states. The funds, which are awarded through a competitive application process, may mean between \$60 to \$175 million for Iowa.

This is a critical opportunity to enhance the education we provide Iowa students.

The program requires states—along with their partners in education—to build a comprehensive and coherent plan around four areas of reform:

- Adopting standards and assessments that prepare students to succeed in college and the workplace, and to compete in the global economy;
- Building data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction;
- Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most; and
- Turning around our lowest-achieving schools.

Applications and awards for this funding happen in two phases. The deadline for Phase 1 applications is January 19.

To develop the state's application, the DE will look to Iowa's educators and our partners to provide input and feedback on our plans. The DE will also provide updates on our progress. Please visit www.iowa.gov/educate for developments and opportunities to provide input.

Race to the Top Webinars

The first opportunity to learn about the Race to the Top program and Iowa's application process will be a webinar held for Iowa school leaders once on December 7 from 1:30-2:30 p.m. and held again on December 8 from 3:30-4:30 p.m. The webinar will be posted on the Iowa Department of Education website within 24 hours of the second airing.

The content of the webinars will be identical and they will be offered on two dates to maximize participation.

Instructions on how to access the webinar will be posted on the DE website soon.



WRITE WOMEN back into history

To give students a deeper and more relevant appreciation of women's roles in history and celebrate March as Women's History Month, the Iowa Commission on the Status of Women (ICSW), Iowa Department of Education, and the State Historical Society of Iowa invite students to enter the 26th 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 in a ceremony at the State Capitol in March 2010. Cash prizes are available. All entrants will receive a certificate of participation signed by the Governor.

[Guidelines](#) can be found on the Women's History Page of the ICSW website, www.women.iowa.gov.

For more information, contact Lori Schrader Bachar at ICSW, 515-281-4470 or 800-558-4427 or by e-mail, lori.schraderbachar@iowa.gov.

Updated Chapter 12 matrix

The Chapter 12 Matrix document was recently updated and is now available on the Iowa Department of Education website at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=1558&Itemid=2342.

This document provides regulatory guidance regarding the general accreditation standards contained in Chapter 12 of Iowa Administrative Code and is intended to provide clear and consistent interpretation for determination of non-compliance.

If you have comments or questions regarding this document, contact Tom Cooley at 515-242-5132 or tom.cooley@iowa.gov.

Student Health and Nutrition

Verification summary report available

The verification summary report for free and reduced price meal eligibility will be open on the Child Nutrition Programs (CNP) 2000 system on December 1, 2009. The deadline for making verification reports is January 15, 2010.

If you have questions or problems with the report, contact Nancy Christensen at 515-281-5663 or nancy.christensen@iowa.gov.

The deadline for submitting reports for *hawk-i* was November 30, 2009. Public schools districts are required by Iowa law to make these reports. If your public district has not yet made the report, contact Nancy Christensen at 515-281-5663 or nancy.christensen@iowa.gov for assistance. Districts will receive follow up to ensure that this requirement is met.

Influenza 2009-2010 update

The Iowa Department of Education thanks schools for their dedicated work during the 2009 influenza season. Your work prevented advancing the school interventions to the increased severity strategies. The reported school absenteeism, 10 percent and above, is decreasing slightly. *We must continue our watchfulness and prevention strategies.* This includes persuading students and staff to get their seasonal influenza vaccine through community providers, and, when appropriate, the H1N1 vaccine through the local public health agency. Also important is recognizing the warning signs that indicate the need to contact a health care provider, such as difficulty breathing, chest pain, blue color of the lips, vomiting, and the inability to keep liquids down.

The Iowa Department of Public Health reminds us, *our actions* to clean hands frequently, cover coughs and sneezes with a tissue or sleeve, and contain germs by staying home when ill significantly impact keeping our students, fellow staff, family, friends, and other Iowans healthy. The cooler, dryer winter weather and holidays provide the possibility for additional influenza cases and continued vigilance must continue through the spring. Additional resources and new materials are continually available on the Iowa Department of Public Health, Department of Education, and Centers for Disease Control and Prevention websites. For questions, contact Charlotte Burt at 515-281-5327 or charlotte.burt@iowa.gov.

Early Childhood Preschool Programs

DE response to district QPPS data

The Iowa Quality Preschool Program Standards (IQPPS) verification visits in 2008-2009 indicated that many districts required technical assistance with Standard 4 – Assessment of Child Progress. This standard addresses the use of systematic formal and informal ongoing assessment to provide information of children's learning and development. The assessment process includes two-way communication with families and should be sensitive to the cultural contexts in which children develop. Assessment results are then used to drive teaching and instruction, which is individualized to each child, and to improve the preschool program.

As a result of this verification visit data, the Area Education Agency (AEA) Early Childhood Leadership (Early Childhood Network and early childhood special education consultants) are participating in training regarding early childhood assessment and instruction. National expert Dr. Kristie Pretti-Frontczak, from Kent State University, has provided training for summarizing, interpreting, and using assessment information for planning and instruction. AEA Early Childhood Leadership participants will be inviting other early childhood partners to engage in this training process.

IQPPS tip of the month

Statewide Voluntary Preschool Programs implementing Iowa Quality Preschool Program Standards (IQPPS) must meet Standard 6 – Teaching, Criterion 6.4. This criterion addresses requirements for teacher associates in preschool programs and BOTH bulleted items listed must be met:

Assistant teachers—teacher aids (staff who implement program activities under direct supervision) have a high school diploma or GED and:

- 50 percent of assistant teachers-teacher aides have at least a Child Development Associate Credential (CDA) or equivalent;
- 100 percent of assistant teachers-teacher aides who do not have at least a CDA are enrolled in a program leading to a CDA or equivalent, are actively participating in the program, and are demonstrating progress toward the CDA or equivalent.

Additional information regarding this standard/criteria can be found at the Iowa Department of Education (DE) website at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=940&Itemid=1279 under Early Childhood; Statewide Voluntary Preschool Program for Four-Year-Old Children; 2009-10 Application Documents and Guidance; Qualifications for Preschool Teacher Associates.

For more information about the Statewide Voluntary Preschool Program for Four-Year-Old Children, contact Judy Russell (515-281-4705 or Judy.Russell@iowa.gov) or Penny Milburn (515-281-7844 or Penny.Milburn@iowa.gov).



CAPITOL GIRLS

Your students are invited to be a part of Capitol Girls on February 10, 2010! High school girls from across Iowa will convene in Des Moines to learn about the workings of the Iowa General Assembly and have an opportunity to shadow women legislators and learn about how state laws and budgets are developed and passed.

The day will begin at 7:30 a.m. with an inside look at the Iowa General Assembly. Girls will be introduced in both the Iowa Senate and Iowa House of Representatives, and then paired with legislators. Following lunch, participants will have the opportunity to hear from lobbyists and others about the law-making process. We will also discuss the Girl Scouts project on Relational Aggression. The day will conclude at 4:00 p.m.

Space is limited to 30 girls. Please complete the application at the end of the publication and submit to women@iowa.gov by December 18, 2009 to be considered.



Legislative Update

The contact for all legislative items is Konni Cawiezell (konni.cawiezell@iowa.gov or 515-281-3399).

Looking to the 2010 legislative session

'Tis the season for holiday cheer, but there will be none for the problems legislators will be facing at the start of the 2010 legislative session. They will return to Des Moines on Monday, January 11 with the monumental task of finding over \$1 billion of new money, of which approximately half is in school aid, to balance the state's budget for 2011. Along with the budget, legislators will be working on any new policy initiatives on a reduced timeline. Ordinarily the second year of the general assembly is 100 days, but because of budget concerns and cost savings, the plan is for an 80 day session.

From the 10 percent across-the-board cut that school districts received in October, you know the

importance of school leaders staying engaged in the legislative process. The Iowa Department of Education (DE) provides many resources to help you stay up to date including the DE's web page dedicated to bills of interest and legislative briefings. We will also use the *School Leader Update* to provide monthly updates on the legislative process including any related legislation that has passed and been signed by the Governor.

School leaders are encouraged to begin conversations with their legislators on your local budget situation. Please take the time to explain to them the impact that budget reductions are having on your ability to deliver your education programs. The DE looks forward to working with you this legislative session and please don't hesitate to contact us with questions, concerns, or conversations you've had with legislators.

Websites of Interest: www.iowa.gov/educate www.legis.state.ia.us

Change to State Excise and Hotel/Motel Tax

As of July 1, 2009, rooms rented directly to schools are subject to both the 5 percent state excise tax and the local hotel/motel tax (up to 7 percent). For more information please see the Iowa Department of Revenue's Summary at: <http://www.iowa.gov/tax/educate/HotelMotelTaxSummary.html>.

State Board sets legislative agenda for upcoming session

At its September 9 meeting, the State Board of Education approved its priorities for the upcoming session of the Iowa Legislature.

As the state of Iowa continues toward economic recovery, the State Board is calling for funding stability for the education of Iowa's students from preschool to higher education. The Board recognizes that fulfilling this type of commitment will be a difficult charge but believes the investment must be made for Iowa's future.

This includes improving the education system by continuing to support the implementation of the [Iowa Core Curriculum](http://www.iowa.gov/educate) and supporting efforts to promote innovative school practices. It also includes continued funding of the Statewide Voluntary Preschool Program for Four-Year-Old Children, which is critical to nurturing the success of all Iowa's children.

From preschool to the workplace, the State Board seeks improved and expanded opportunities to develop Iowa's workforce. This includes supporting the implementation of 21st century skills and improving science, technology, engineering, and mathematics (STEM) opportunities.

Funding priorities include providing a 2 percent allowable growth rate for the 2010-2011 school year. They also include maintaining the statewide average teacher salary, which is currently below the national average. Priorities also include increasing funding for Iowa's community colleges by approximately \$14 million; increasing the community college levy authority; insuring that area education agencies are adequately funded; and supporting adequate staffing for the Iowa Department of Education.



Legal Lessons

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

FERPA and H1N1 Disclosures

There are **no** Family Educational Rights and Privacy Act (FERPA) implications from reporting the number of absences from a school when personally identifiable information about a student is not released. This summary addresses only those questions local education agency (LEA) (nonpublic elementary and secondary schools are not subject to FERPA) might have regarding the release of personally identifiable information regarding a student.

As a general rule, a parent (or eligible student) must provide active (i.e., written) consent before a LEA discloses personally identifiable information from the student's education records unless a statutory exception applies. A sample consent form is provided below. The sample consent form and the FAQs all are from guidance from the U.S. Education Department (USDE) that appears on its website at <http://www.ed.gov/policy/gen/guid/fpco/pdf/ferpa-h1n1.pdf>. NOTE: At this time, officials with the Iowa Department of Public Health indicate that they do not intend to ask for personally identifiable information regarding students. Because of the changing nature of H1N1, we are providing this information, so schools will have the information but in hopes that schools do not need to refer to this information.

Sample Consent Form for Disclosures by [name of School District] to [name of Health Department]

The [SCHOOL DISTRICT] will seek to keep students healthy and safe this fall and through the school year. As part of this effort, we will be collaborating with the [LOCAL] Health Department to help track student absences. This effort will enable us to identify unusual clusters of disease and provide information to the school community, and particularly students at high risk, about illnesses. These efforts will also help the health community assess the spread of disease and potentially allocate scarce medical resources.

Pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, parental consent is required before personally identifiable information from your child's education records may be disclosed to [the health department], absent a health or safety emergency or another exception to the requirement of consent. If your child is age 18 or over, he or she is an "eligible student" and has to provide consent for disclosures of information from his or her education records.

Please note that information about your child may be shared with the Health Department without your consent, *if* school officials determine that there is a significant and articulable threat to the health or safety of your child or other individuals and that the Health Department needs to know the information to protect the health or safety of your child or other individuals.

I, _____, hereby agree to allow [SCHOOL DISTRICT NAME] to disclose [specify records] on _____ [Student Name] to _____ [name of Health Department] for the purpose of [state purpose of disclosure].

You may withdraw your consent to share this information at any time. This request should be submitted in writing and signed.

Signature of Parent, Guardian, or Eligible Student

Date

Q1. Are there exceptions to FERPA that would permit a school to disclose personally identifiable information on affected students without consent in the case of an H1N1 outbreak?

A: Yes. FERPA permits school officials to disclose, without consent, personally identifiable information from education records to appropriate parties in connection with an emergency, if knowledge of that information is necessary to protect the health or safety of the student or other individuals. This exception is limited to the period of the emergency. The school district must determine that there is an articulable and significant threat to the health or safety of the student or other individuals and that certain parties need personally identifiable information from education records to protect the health or safety of the student or other individuals.

Q2. Does the Public Health Emergency declared by the Secretary of Health and Human Services (HHS) on October 1, 2009, constitute a “health or safety emergency”?

A: Yes. The Department considers the declaration made by the HHS Secretary on October 1, 2009, that there is a public health emergency involving the H1N1 flu outbreak as serving as a rational basis for a school to determine that an emergency exists, so long as there is a *current outbreak* of H1N1 in the particular school or school district.

Q3. May health records or other education records maintained by a school be shared, without consent, with the public health department in the absence of a declared Public Health Emergency if school officials believe that H1N1 poses a serious risk to the health or safety of an individual student?

A: Yes. If school officials, taking into account the totality of the circumstances, determine that an **articulable and significant** threat exists to the health or safety of a student or other individuals, they may disclose information to the appropriate officials, without consent, who need the information to protect the health or safety of the student or other individuals. Public health department officials may be considered “appropriate parties” under this exception, even in the absence of a formally declared health emergency. Typically public health officials and trained medical personnel are among the types of appropriate parties to whom information may be disclosed under FERPA’s health or safety emergency provision.

Q4. May schools disclose without consent the names, addresses, and phone numbers of absent students to the health department so that the health department may contact their parents in order to assess the students’ illnesses?

A: FERPA only permits the nonconsensual disclosure of contact information of absent students to the public health department in specific circumstances, such as in connection with a health or safety emergency or in connection with a subpoena if the school makes a reasonable effort to notify the parents or eligible students of the subpoena before complying with it.

Q5. If a school includes a student’s name as “directory information,” why does the school still need written consent to disclose the name of the student to appropriate parties?

A: While FERPA generally permits the nonconsensual disclosure of properly designated “directory information” (name, address, phone number, grade level, etc.) on those students whose parents have not opted out, it does not permit a school to disclose “directory information” on students that is linked to non-directory information. For instance, a school may not disclose “directory information” on all students who are receiving special education services or those who have been absent from school.

Q6. If the school determines that a health or safety emergency exists, may it disclose without consent personally identifiable information on students to the media?

A: No. FERPA only permits disclosures of personally identifiable information from students' education records under the health or safety emergency provision to "appropriate parties" (such as public health officials) whose knowledge of the information is necessary to protect the health or safety of students or other individuals in the school community. While the media may have a role in alerting the community of an outbreak, they are not "appropriate parties" under FERPA's health or safety emergency provision because they generally do not have a role in protecting individual students or other individuals at the school.

"Appropriate parties" in this context are normally parties that could provide specific medical or safety attention, such as public health and law enforcement officials.

Q7. May the school identify a particular child as having the H1N1 flu virus to parents of other students in the school?

A: In most cases, it is sufficient to report the fact that a child in the school (or class) has been determined to have the H1N1 flu virus, rather than specifically identify the student who is infected. Classroom notification is an effective method of informing parents of an illness in the classroom. For settings in which parents are primarily doing drop-offs and pick-ups, posting signs on the doors may be effective. In other settings, sending home or e-mailing a notification may also be effective. These methods serve to notify parents of a potential risk, which may be particularly important for children who are vulnerable to infection, and to alert parents to look for symptoms in their own children. Absent a health or safety emergency, school officials may not disclose to parents of other students information about a particular student without first securing consent. There may be situations during a health or safety emergency, however, in which schools may determine that parents of students are appropriate parties to whom to disclose the identity of a student infected with H1N1. For example, school officials may determine that it is appropriate to disclose the identity of a student with H1N1 to parents of other students if parents need to know this information to take appropriate action to protect the health or safety of their children. In this situation, parents may need to have this information in order to take appropriate actions to ensure the health or safety of their child, especially parents who have children who are at high risk of developing H1N1 complications or with health challenges. School officials should make the determination whether a disclosure of the student's name is necessary to protect the health or safety of the student or other individuals or whether a general notice is sufficient. Please note that nothing in FERPA prevents schools from telling parents and students that a specific teacher or other school official has H1N1 because FERPA protects the privacy of students' education records, not records on school officials.

Q8. Is the school required to record disclosures of information submitted to the public health department or other outside parties, even in connection with a health or safety emergency?

A: Yes. FERPA generally requires that schools maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Moreover, when making a disclosure under the health or safety emergency provision in FERPA, schools are specifically required to record the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and the parties to whom the school disclosed the information. The record must be maintained with the education records of each student as long as the records are maintained.



HITCHHIKERS and school buses

The question has arisen whether there are any laws about school bus drivers picking up hitchhikers.

As a matter of fact, yes.

It is a violation of Iowa Code section 285.11(2) and (6) to allow a school bus to transport any persons other than pupils and school employees (including volunteers such as field trip chaperones).

Allowing non-authorized persons to hitch a ride subjects a school district to forfeiture of transportation costs AND subjects a superintendent or school board that knowingly permits a school bus to be operated in violation of any school transportation law to conviction of a simple misdemeanor. (Iowa Code section 285.15)

Permissible Christmas activities

It's that time of year! The lists below are, of necessity, generalizations. If a public school administrator has a question about a more specific activity, the administrator is encouraged to contact his/her school attorney.

Student prayer. As is true of any time of the year, individual or collective student prayer is permissible so long as the prayer does not disrupt or impede the educational mission of the district. (For instance, students cannot organize a prayer group which skips math class to pray.) The corollary to this is that any prayer led by or at the behest of a public school official is in violation of the First Amendment.

Secular aspects of Christmas. The non-religious aspects of Christmas may be part of students' lives at school to the extent that they do not otherwise violate school rules. For example, the following are permissible activities (inasmuch as they do not violate the First Amendment):

- Hanging pictures of reindeer, bells, other non-religious symbols.
- Sponsoring a "giving tree" on which students may hang hats, mittens, scarves, other items for donation to less fortunate persons.
- Handing out candy. [Remember, this does not violate either the First Amendment or state nutrition guidelines (if not provided by the school; check to see if it would violate a local school wellness policy!)]
- Sponsoring sleigh rides.

Class parties. Focus on the secular side of Christmas. Excuse all children whose families object to celebrating Christmas in any way, both those families who are of other faiths and those who are Christian, but who find the commercial aspects of the holiday to be offensive.

Caroling. Again, if the songs are secular ("Jingle Bells," "Rudolph, the Red-Nosed Reindeer," "Sleigh Ride," etc.) in nature, there is nothing about singing them that violates the First Amendment. Songs that celebrate the birth of the Christ are more problematic. In an end-of-the-year music program open to the public, religious songs may be included as selections, as long as they are selected for their musicality and are not limited to Christian-themed songs.

Displays. Aside from the utter schizophrenic nature of displays that commingle nativity scenes with Santa, displays that do not overemphasize the religious side of Christmas have been ruled by courts to not violate the First Amendment. Nativity scenes standing alone have been struck down by the courts.

Christmas trees. There is nothing sectarian about a "Christmas" tree. (Go ahead...show me where the New Testament refers to it!) The tree is not the problem. The ornamentation could be. Make sure that the ornaments are not all (or not primarily) representative of the Christian faith. Better yet, see "*Secular aspects of Christmas*" above.

Greetings. Staff and students alike are free to wish each other a sincere "Merry Christmas," "Happy Hanukkah," "Joyous Kwanzaa," etc., and *they may do so within the walls of a public school building.*

Pledging allegiance to the flag

The question has arisen whether there is anything that precludes a public school board from beginning their meetings with the pledge of allegiance.

Neither state nor federal law require or prohibit the recitation of the pledge prior to public school board meetings or prior to or during the school day itself. Iowa Code section 280.5 requires each public school district and each nonpublic school to raise the United States flag and the Iowa state flag “on all school days when weather conditions are suitable.”

If a school district decides to have the pledge recited, no student may be compelled to recite it or even to stand. This was settled by the U.S. Supreme Court in 1943 (*West Virginia State Board of Education v. Barnette*). School districts may require that students be respectfully silent during the recitation of the pledge.

Rulemaking by the State Board

At its meeting on November 18, the State Board of Education adopted amendments (all effective January 20, 2010) to the following chapters of rules:

- 41, Special Education (various miscellaneous amendments to conform to federal regulations)
- 59, Talented and Gifted Programs (technical funding corrections)
- 60, Programs for Students of Limited English Proficiency (technical funding corrections)
- 96, Statewide/Local Option Sales and Services Tax for School Infrastructure Program (technical corrections to conform to statewide penny tax)
- 100, Vision Iowa School Infrastructure Program (rescission of chapter)

The State Board also voted to give the public notice of its intent to amend the following chapters of rules:

- 21, Community Colleges (removal of accreditation pieces to chapter 24, and various miscellaneous amendments to conform to Senior Year Plus and other laws)
- 23, Adult Education (very minor, nonsubstantive edits)
- 24, Community College Accreditation (technical corrections)
- 63, Funding of Education Programs for Students in Residential Shelter Care or Detention

Facilities (updating of financial rules)

These proposed rule changes likely will be adopted by the State Board at the Board’s March 11, 2010, meeting.

All proposed rulemaking can be viewed on the DE’s website at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=75&Itemid=1.

STATE BOARD student member

Applications for the student member to the State Board of Education will be available on the Iowa Department of Education’s web site within a few weeks.

The term of the student member starts May 1, 2010, and ends April 30, 2011. 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 February 5, 2010.

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



Calendar

- December 1
 - Juvenile Home Request for Educational Program Services
 - School Budget Review Committee Application—Increased Enrollment, Open Enrollment Out & LEP
- December 7-16 • Dropout Verification period for all districts with any grades 7-12
- December 7 • Dropout Verification Training webinar
- December 9 • EASIER Winter Curriculum Preparation webinar
- December 14 • EASIER Winter Training webinar
- December 14 • EASIER Winter testing site opens thru January 6
- December 15 • Dropout Prevention programs for MAG — last day to submit application
- December 30 • Construction and Fire Safety Grant application deadline
- January 1 • Juvenile Home Educational Program Budget
- January 1 • Reorganization or dissolution effective on next July 1 — last day to notify Iowa Department of Education

[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



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The 26th Annual *Write Women Back Into History* Essay Contest

- What** The Iowa Commission on the Status of Women, the Iowa Department of Education, and the State Historical Society of Iowa invite Iowa's youth to gain a deeper and more relevant appreciation of women's roles in history and celebrate March as Women's History Month by participating in the *Write Women Back Into History* Essay Contest.
- Who** The contest is open to any sixth through ninth grade student, female or male, in Iowa. Each student may submit only one essay.
- When** Essays and entrance forms must be **e-mailed** to women@iowa.gov no later than **Friday, January 29, 2010**.
- Why** Cash prizes will be awarded to the first, second, and third place winner in each of the 6-7th Grade and 8-9th Grade divisions (first place - \$100, second place - \$75, and third place - \$50). Winners will be honored in a ceremony at the State Capitol in March 2010. Winners, their hometown media, and *The Des Moines Register*, will be notified prior to the ceremony (March 2010). All winners and finalists will receive a certificate of participation signed by the Governor.
- The best essays on women in Science, Technology, Engineering, and Math will also receive prizes: Women have always made significant contributions to the fields of science, technology, engineering and math, but historically those contributions have not been valued as highly as those of men. The Program for Women in Science and Engineering at Iowa State University and the Women in Science and Engineering Program at the University of Iowa will award prizes to the best essays that focus on a woman in science, technology, engineering and math. All other contest rules apply.
- How** Please read the theme information on this page and see the following page for entry guidelines and judging criteria.

2010 Theme: Writing Women Back into History

Students 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 in her work in agriculture, mechanics, science, art, volunteerism, education, politics, construction, social justice, or some other occupational or career area. Although Iowa women are preferred and encouraged, the subject of the essay may be a woman from another state or another country.

Entry Format and Criteria for Judging:

Entries should be checked for accuracy and use of standard English procedures: correct punctuation, spelling, grammar. Essays should be proofread for errors, not only with spellcheck. Essays should make use of evidence and include specific examples as to why the woman should be written into history and how she is important to others and the student. Essays should exhibit effective use of descriptive language, voice and originality. Citing of all sources, whether primary or secondary, is mandatory. Essays must adhere to all entry format rules.

Before submitting your entry, please make sure it fits the following guidelines:

- Double-spaced in an easy to read font
- Saved as a PDF, Microsoft Word document (.doc) or Rich Text Format (.rtf)
- No more than **1,000 words** not including the source list
- A source list **must** be included

A student's own thoughts on the significance of the woman's contributions are important.

Essays should identify the following:

- Why the woman should be written into history (i.e., what meaningful contributions has she made to her community, the state, nation, or world?), and
- Why she is important to the student. Students should consider what people would learn about us from this essay 50 years from now.

A successful essay will discuss why the student researched, read about, interviewed, and/or found the subject to be a role model; it should not merely be a biographical sketch.

Judges will review the essays for the following:

- Student awareness: Does the student effectively portray this woman's relevance in ordinary or extraordinary historical circumstances? Has the student convinced you of this point? (Explanation of why the woman should be written into history and how she is important to others and the student) Is it more than a biographical sketch?
- Voice and Originality: Does the essay flow and make sense? How has the student used original words and phrases to tell the story? Is the student's voice apparent? Is the essay original in voice or spirit?
- Mechanics: Does the student use correct grammar, punctuation, spelling? Are sources cited? (Accuracy and use of standard English procedures: correct punctuation, spelling, grammar)
- Adherence to all entry format rules

Judging: Winning essays will be chosen by a panel composed of Iowa authors, historians, activists, and representatives of the sponsoring agencies.

Submit the essay with a completed **entry form** to women@iowa.gov. Essays become property of the Iowa Commission on the Status of Women and will not be returned.

For more information: Lori SchraderBachar, telephone, 515/281-4470 or 800/558-4427; or e-mail, lori.schraderbachar@iowa.gov.