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Sister Jude Fitzpatrick
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Michael L. Knedler
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Valorie J. Kruse
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Mike May
Spirit Lake

Max Phillips
Woodward

LaMetta Wynn
Clinton

Edgar Thornton
Student Member
Iowa City

Brad A. Buck
Director and
Executive Officer

Minutes
State Board of Education
September 26, 2013

The State Board of Education meeting was held on Thursday, September 26, 2013, in the Grimes State Office Building, State Board Room, Des Moines, Iowa. The following State Board members were present: Rosie Hussey, Charlie Edwards, Mike May, Mike Knedler, Valorie Kruse, Sister Jude Fitzpatrick, Diane Crookham-Johnson, LaMetta Wynn, and Edgar Thornton. Iowa Department of Education staff members Brad Buck, Ryan Wise, Amy Williamson, Sharon Hawthorne, Geri McMahon, Jeff Berger, Staci Hupp, Kent Farver, Jeremy Varner, Mike Cormack, Marietta Rives, Thomas Mayes, Del Hoover, Byron Darnall, Dave Tilly, Nicole Proesh, Larry Bice, and Jody Crane were also in attendance. Also in attendance were: Governor Terry Branstad, Lt. Governor Kim Reynolds, and Linda Fandel, Governor's Office; Frank Hilton; Pamela Coleman, Educational Testing Service; Nancy Halferty, Graceland University; Emily Piper and Gary Sinclair, Iowa Association of School Boards; Greg Ebeling, Pella Community School District; Dave Herold, Allamakee Community School District; Jodi Grover; Richard Lee, WHO Radio; Joel Pedersen, Cardinal Community School District; Mike Haluska, Decorah Community School District; Ottie Maxey, Ballard Community School District; Bridget Godes, Senate Majority Caucus Staff; Dale Crozier, MFL MarMac and Eastern Allamakee Community School Districts; Christy Wolfe, Iowa Association of Colleges for Teacher Preparation/Coe College; John Parker, Legislative Services Agency; D.T. Magee, Board of Educational Examiners; Bill Gustoff, Network of Iowa Christian Home Educators; Jon Sheldahl, Joy Prothero, and Dona Goettsche, Great Prairie Area Education Agency; Mike Wiser, Lee Newspaper; Joyce Russell, Iowa Public Radio; Darwin Danielson, Radio Iowa; and Mary Jane Cobb, Iowa State Education Association.

WORK SESSION - PARAEDUCATOR PREPARATION PROGRAM APPROVAL REVIEW OVERVIEW

Marietta Rives, Consultant, Bureau of Educator Quality, led the State Board (Board) through a work session on the paraeducator preparation program approval review. The work session provided an overview of the current standards and process used to review and recommend approval for paraeducator preparation programs.

Rives asked Board members to review the definition of “paraeducator” and discussed its meaning. She also reviewed a PowerPoint that addressed:

- The requirements under the Reauthorization of the Individuals with Disabilities Education Act (IDEA), and the establishment of the No Child Left Behind (NCLB) Act requirement to address in-service and pre-service preparation of all personnel including paraeducators.
- The distinction between highly qualified vs. certified paraeducators.
- The number of instructional paraeducators working in Iowa public schools and area education agencies (AEAs).
- The variety of roles certified paraeducators serve in.
- The different certificate options available. The certifications options are:
    - Generalist, Level 1, PreK-12
    - Early Childhood, PreK-3
    - Special Needs, PreK-12
    - Library, Media, Technology, PreK-12
    - Career and Transitional Programs, Grades 5-12
    - English as a Second Language, PreK-12
    - Speech-language Pathology, PreK-12
    - Vision Impairments, PreK-12
    - Advanced Paraeducator, PreK-12
- The number of AEAs and community colleges that offer paraeducator certification programs in Iowa and the number of paraeducators those entities have certified.
- The current approval process.

Rives also reviewed a document titled “Overview of the Paraeducator Program Approval.”

There was discussion about whether paraeducators receive specialized training if they are going to work in a particular field, e.g., special education, English as a Second Language; what the cost is for the certification program; and the need to pay paraeducators as professionals if they are expected to be professional.

State Board members reviewed, discussed, and provided feedback to the following sections included in Iowa Administrative Code 281 Chapter 80: Organizational and Resource Standards, Diversity, and Paraeducator Candidate Performance Standards. The feedback discussion focused on what the standards mean, what evidence the Board would like to have brought back to them; and what, if any, additional information the Board would like the Department to collect.

Rives reviewed a series of questions that she receives from the field.

The Board requested that Rives work with Department staff and return with recommendations for the Board to consider regarding the process.

STATE BORD BUSINESS MEETING

State Board President Rosie Hussey welcomed new Iowa Department of Education Director Brad Buck.

Hussey called the meeting to order at 10:30 a.m.

It was moved by Valorie Kruse and seconded by Mike Knedler that the September State Board meeting agenda be approved. The motion carried unanimously.

COMMUNICATION

Public Comment

Emily Piper representing the Iowa Association of School Boards (IASB) made public comment in support of the Chapter 97 rules – Supplementary Weighting (Operational Sharing). IASB is in agreement with the Department and will seek a legislative session delay when these rules go before the Administrative Rules Review Committee (ARRC) in November.

Pella Community School District Superintendent Greg Eberling offered public comment opposing the Chapter 97 rules – Supplementary Weighting (Operational Sharing). If the rules move forward and there is not a legislative session delay, then the rules go into effect as written. He asked the Board to reject the rules so districts can operate under what the current law says.

Superintendent Dave Herold from the Allamakee Community School District gave public comment opposing the Chapter 97 rules – Supplementary Weighting (Operational Sharing). He talked about sharing of staff and other staffing changes his district made in accordance with the law. He urged the Board to deny the rule and go back to the intended use of the bill.

Superintendent Mike Haluska of the Decorah Community School District made public comment opposing the Chapter 97 rules – Supplementary Weighting (Operational Sharing). He talked about shared and staffing changes his district made to be in compliance with the law. He urged the Board to do no harm when it comes to the law.

Superintendent Joel Pedersen representing the Cardinal Community School District gave public comment that opposed the Chapter 97 rules – Supplementary Weighting (Operational Sharing). He talked about shared and staffing changes his district made to be in compliance with the law and how the changes they made are critical to what districts are expected to do.

MFL MarMac Community School District and Eastern Allamakee Community School District Superintendent Dale Crozier shared his history on this issue and made public comment in support of the Chapter 97 rules – Supplementary Weighting (Operational

Sharing). He talked about the original intent of the law and indicated there was bipartisian support this past legislative session to pass it in this manner.

On a separate issue, Bill Gustoff representing the Network of Iowa Christian Home Educators provided public comment in support of the Chapter 31 rules – Competent Private Instruction, Independent Private Instruction, and Dual Enrollment. He indicated that the rules as written are a good approach to the law that was passed by the Iowa Legislature. He said it's been a cooperative relationship trying to address all concerns.

Director's Report

Director Brad Buck introduced himself and talked about his past experience. He stated that he has been meeting with external stakeholders and has been getting to know the Department's internal environment.

CONSENT AGENDA

Mike May moved and Sister Jude Fitzpatrick seconded to approve the consent agenda. The motion carried unanimously.

Proposed Decision – *In Re Open Enrollment of Samantha H.*

Nicole Proesch, Legal Counsel, Office of the Director, presented a proposed decision – *In Re Open Enrollment of Samantha H.* She requested that the Board approve the proposed decision affirming the decision of the local school board of the Dallas Center-Grimes Community School District (DCG) which denied the open enrollment application filed on behalf of Samantha H.

Samantha and her family reside in the Johnston Community School District (JCSD). Samantha transferred from DCG to JCSD for the 2012-2013 school year. During the first few months, Samantha was picked on while riding the bus. Samantha communicated these incidents to administration in October of 2012 and the incidents stopped. Samantha was still not happy at JCSD and in late April of 2013 Samantha was diagnosed with depression. Samantha's mother communicated the diagnosis to Samantha's school counselors, but admits she never provided the district with the specifics of Samantha's health needs that were caused by the depression. Rather than provide the district with the opportunity to meet Samantha's needs, she filed a late application for open enrollment alleging that Samantha had a serious health condition that the resident district could not adequately address.
.
The local school board denied the late filed open enrollment application believing that DCG would not be a good fit for Samantha given her previous enrollment experience. The evidence at the hearing before the administrative law judge showed that JCSD was never given an opportunity to try to meet Samantha's needs prior to the open enrollment application being filed. A parent cannot claim that a serious health condition exists that may only be addressed by granting a late-filed open enrollment request.

Thus, it was recommended that the State Board affirm the denial of the open enrollment application.

Board members had several concerns and questions regarding the proposed decision. The districts' response was discussed, as well as the timing of the medical diagnosis and the open enrolment laws.

> **Motion:** Valorie Kruse made a motion and Charlie Edwards seconded that the State Board approve the proposed decision affirming the decision of the local board of directors of the Dallas Center-Grimes Community School District denying the open enrollment application filed on behalf of Samantha H.
>
> **Vote:** Nay: Hussey, Edwards, Crookham-Johnson, Fitzpatrick, Knedler, Kruse, May, and Wynn. The motion failed.

Proesch indicated she will inform the Board of the next steps.

Rules: Chapter 31 – Competent Private Instruction, Independent Private Instruction, and Dual Enrollment (Notice)

Mike Cormack, Policy Liaison, Office of the Director, reported that the Chapter 31 rules - Competent Private Instruction, Independent Private Instruction, and Dual Enrollment conform to House File 215.

Isaiah McGee, Consultant, Bureau of School Improvement, stated that he worked on these rules with Thomas Mayes and Nicole Proesch as well as with representatives that work with home school related issues.

McGee indicated that the Department is aware of the discussion and debate around the home school legislation; however, the Department must write the rules to reflect the law that passed this year. House File 215 was a very comprehensive law that included items related to teacher leadership and compensation, afterschool programming, student learning, independent accreditation, and the aspect of creating a new category in home schooling. The Department is working in a variety of policy areas to reform rules to reflect these legislative changes.

McGee explained that the Department does not have a position on the merits of the law, but is required to develop specific rules in terms of how the law is enacted. The Department has worked diligently with districts and other entities that are advocating for home schooling to make sure there is an approach that makes sense for everyone involved.

There was a question regarding the 148-day requirement that is in the definitions section and how that number was determined. There was discussion regarding section 31.2(3) and how the Department will be monitoring the progress of students, whether the Board would be violating their rulemaking authority if they drafted rules that required reporting if that wasn't a requirement in the law, whether a district would be held accountable if they

didn't try to identify all students in their district, and the Board's responsibility to issue rules.

Cormack stated that the Department distributes an annual guidebook that both districts and the home school community use for guidance in this policy area for instruction on how best to put the new law changes into practice. These rules are a companion to that instructional guide which is already in the field, due to the July 1 enactment date of the legislation.

McGee stated there is a law in place that is already in effect. There are home school families that are currently utilizing this option. The rules give better clarity to how that goes into place. Without these rules there will be a lot of confusion and frustration from districts and families.

Cormack said there's been a lot of interaction and staff time on these rules which is an attempt to avoid chaos and to also make the rules reflect what the law and guidebook say.

There was discussion about how the Board is obligated to write rules to enforce the law.

> **Motion:** Charlie Edwards made a motion and LaMetta Wynn seconded that the State Board give public notice of its intent to amend Chapter 31.
>
> **Vote:** A roll call vote was taken: Aye: Hussey, Crookham-Johnson, Fitzpatrick, Knedler, May, and Wynn. Nay: Edwards and Kruse.

Rules: Chapter 12 – General Accreditation Standards (Independent Accreditation) (Adopt)

Mike Cormack, Policy Liaison, Office of the Director, reported that the Chapter 12 rules – General Accreditation Standards (Independent Accreditation) conform to House File 215. These rules did not generate discussion at the ARRC meeting. There was public comment at the hearing speaking to the quality of the accreditation of the present schools and the belief was that the rules were not needed due to that quality. While those concerns were heard, these rules are reflective of the intent of the law.

Isaiah McGee, Consultant, Bureau of School Improvement, described the changes that were made to the rules from the Notice stage to the Adopt stage. Specifically, under section 12.10(3) the names of the accrediting agencies have been added to provide clarity to all parties involved.

There was discussion regarding section 12.10(4) *Criteria for recognizing an agency as a "reliable authority concerning the quality of education offered by a school,*" the ARRC "wordsmithing" process, and the main issue of contention about the licensure of teachers.

Cormack reported that the Legislature grandfathered in the five agencies that are listed in the rules and gave a pathway for other agencies to enter this field. If that happens, those agencies will need to get State Board approval.

McGee reminded the Board that this law will sunset in 2020.

> **Motion:** Mike Knedler made a motion and Charlie Edwards seconded that the State Board adopt the changes to Chapter 12.
>
> **Vote:** The motion carried unanimously.

Rules: Chapter 97 – Supplementary Weighting (Operational Sharing) (Adopt)

Mike Cormack, Policy Liaison, Office of the Director, presented the Chapter 97 Rules – Supplementary Weighting (Operational Sharing). Cormack stressed the importance of the rules and encouraged the Board to approve them.

Cormack reported on the public comment received and discussions that occurred at the ARRC meeting where there was dialogue on the potential cost of this program should the current rules be expanded in scope. The ARRC discussed the strong possibility of a referral of these rules back to the Legislature on a session delay.

Cormack provided background and stated that this has been an existing program and was originally funded at $13 million. When legislators were presented the bill, they were told that the cost would be approximately $16 million and that this would include an expansion of roles and eliminating the scale back. The Department was not asked to provide a fiscal note on this bill.

Unfortunately, legislators were mistakenly misinformed and it was discovered that the cost could be approximately $82.5 million. It was originally thought that 180 school districts would participate; however, a petition was received indicating 230 districts' interest in the program. It was also shared that a third of that cost is supported by property tax. If this law goes forward, there will be a $30 million property tax hit statewide and an estimated cost of $82.5 million overall for this expansion.

Cormack further explained that two parts in this law are in conflict. One side talks about educational opportunities. The other side of the law pertains to cost savings from operational sharing. While educational opportunities might increase under the law without restriction, it would not support the other part of the law concerning cost restrictions.

Cormack stated that the Department is committed to making this law work and it appears there is support for a legislative session delay. If needed, the Department will ask for a session delay.

Nicole Proesch, Attorney, Office of the Director, explained that if these rules are not approved by the State Board there will be a law in place, but no rules governing the law which leaves it wide open for discussion in terms of implementation.

Motion: Charlie Edwards made a motion and Diane Crookham-Johnson seconded that the State Board adopt the changes to Chapter 97.

There was discussion regarding each district's ability to interpret the law if the rules are not passed; the Board's authority to revisit the rules if nothing changes in the Legislature; the Board's responsibility and the need to hold the Legislature, Governor's Office, and the Department accountable for a legislative session delay to occur; the ramifications to districts if the Board votes in favor of the rules; and if this rule moves forward and there is assurance there can be some change, could that change include a provision for support for the districts that moved forward in good faith this year.

Vote: The motion carried unanimously.

Cormack said that he will share the Board's concerns at the November ARRC meeting. He thanked the superintendents in attendance for their input, respecting their time in attending the meeting. Hussey also commended those in attendance and pointed to the length of this discussion item as proof that they were taking their input seriously.

Area Education Agency Accreditation – Great Prairie AEA

Sharon Hawthorne, Consultant, Bureau of School Improvement, introduced Great Prairie AEA representatives: Jon Sheldahl, Dona Goettsche, and Joy Prothero.

Hawthorne reported that the AEA accreditation standards are based on the eight standards that are outlined in Iowa Administrative Code 281 Chapter 72. She talked about the accreditation process which includes conducting interviews, a document review, and a wrap up.

Hawthorne reviewed the strengths, areas for concern, and recommendations included in the report. She indicated that the AEA Customer Survey continues to coincide with the school year the responders are being asked to address.

Hawthorne said that AEA 267 and Prairie Lakes AEA are scheduled for an accreditation site visit during the 2013-2014 school year.

Based on the findings included in the accreditation summary report, Hawthorne recommended that Great Prairie AEA be granted full accreditation.

There was a discussion about whether there is a process to follow-up on recommendations, the success of the early intervention programs offered at the AEAs, and if Great Prairie's previous accreditation visit report is considered when looking for the change that is necessary to meet students' needs.

Motion: Mike Knedler made a motion and Valorie Kruse seconded that the State Board grant continued accreditation to Great Prairie AEA.

Vote: The motion carried unanimously.

Great Prairie AEA staff responded to a question about how Competency-based Education is being rolled out in their AEA.

Workforce Training and Economic Development Fund

Jeremy Varner, Administrator, Division of Community Colleges, and Kent Farver, Chief, Bureau of Community College Education, presented the Workforce Training and Economic Development Fund Plans for Fiscal Year 2014-2015.

Varner reported that this is the first time this has come before the State Board. With the passage of House File 604, administration of the Workforce Training and Economic Development Fund was transferred to the Department from the Iowa Economic Development Authority. At this time, the Department is following the process that is already in place and rules will be promulgated in the future.

Each community college is required to annually prepare and submit two-year plans outlining planned activities to be supported by the fund for State Board approval. In future years, these plans will be accompanied by an annual progress report.

This year, the appropriation totaled $15.3 million which is approximately 90 percent more of what it had been the prior year. It's an important source of funding to support skilled worker training (both credit and career technical education programs), non-credit worker training programs, and other efforts that help prepare skilled workers in the state particularly in economic development targeted industries. It is an important funding stream for community colleges.

Farver talked about the transition period and provided an overview of the fund. The Department anticipates that all of the plans will be reviewed by the State Board. At this time, the funding has not been distributed to the community colleges. If Board members have any feedback, they were asked to contact the Department and their comments will be incorporated into the reports. The funds will then be distributed quarterly to the community colleges.

Varner said that the Board will receive a financial piece showing what the money was spent on. Community colleges are allocating back 1 percent of their funds that will be used to build an outcome reporting system that will be able to describe the educational workforce outcomes.

Farver reported that a Department staff person will be assigned to oversee this fund and to review the data reporting process.

> **Motion**: Sister Jude Fitzpatrick made a motion and LaMetta Wynn seconded that the State Board approve the community colleges' two-year plans.
>
> **Vote**: The motion carried unanimously.

Schools in Need of Assistance (SINA)/Districts in Need of Assistance (DINA) Status Update for the 2013-2014 School Year

Amy Williamson, Chief, Bureau of School Improvement, provided a status update for SINA/DINA. Each year at this time, the No Child Left Behind (NCLB) act requires that determinations be given to all schools and districts in the state about where they stand in regard to Adequate Yearly Progress (AYP). If schools/districts miss AYP for two years in a row, they are put on the SINA/DINA list. If schools/districts make AYP for two years, they are removed from the list.

Williamson talked about a document that shows the highest designation for schools in the state for reading and math. She explained that this only affects schools that receive Title I funds because by law they are the only ones that are subject to corrective action. There is a list on the Department's website that shows every school that has received a SINA/DINA designation.

Williamson also described in detail a SINA timeline and a DINA timeline that shows the corrective action for schools. She explained that because NCLB targets are going up significantly, there are 100 more schools on the SINA/DINA list this year.

Williamson stated that the Department is working hard with Response to Intervention, the Iowa Core, and the Teacher Leadership and Compensation System to bring achievement up in all of the schools and not just those that are using Title I funds.

There was discussion regarding when schools would have to start taking corrective action; if there is any anticipated change under NCLB; if all students are counted when taking tests to show proficiency; and if 100 percent of the schools/districts will be in need of assistance, when 100 percent of the students are expected to be proficient.

Teacher Leadership

Mary Jane Cobb, Iowa State Education Association President, reported on the process involved in the development of a document entitled *Re-Imagining School Leadership for the 21st Century*. Hundreds of Iowa State Education Association members participated in an online idea exchange which sought to answer the question, "How would you envision a greater role for teacher leadership in schools?" The exchange was monitored by VIVA (Voice Ideas Vision Action) Teachers, a nonprofit organization whose goal is to raise teachers' voices in education policy.

Cobb reviewed the following recommendations from the report and talked about proposed solutions:

1) Select teacher leaders based on input from teachers and administrators
2) Clearly define the roles of teacher leaders
3) Make teacher leaders a conduit to better professional development
4) Ensure teachers are compensated appropriately and their students are not harmed by the extra time dedicated to teacher leader duties

Ryan Wise, Director of Strategic Initiatives, Office of the Director, and Peter Ansingh, Consultant, Bureau of Educator Quality, presented information on the Teacher Leadership and Compensation System.

Wise said that his primary area of focus has been to work on the development of the teacher leadership system both in helping to lead and facilitate the task force and now working with the Commission on Teacher Leadership and the Department as the Department moves forward.

Ansingh introduced himself and shared information regarding his background.

Wise talked about the congruency of the Teacher Leadership and Compensation Task Force, the *Re-Imagining School Leadership for the 21st Century* report, and the legislation. The Teacher Leadership and Compensation System is designed to attract and retain effective teachers, promote collaboration, reward professional growth and effective teaching, and improve student achievement. The more that districts and the state can focus on the vision and what is trying to be accomplished rather than compliance issues, the more successful the system will be.

Wise indicated that the Legislature appropriated $3.5 million in planning grants that will go directly to school districts. Each district that applies for a planning grant will receive one in the amount of $5,000 plus $3.71 per pupil.

Ansingh reported on the process for districts to receive a planning grant. Currently, about half of the districts have applied and the remaining districts will receive a reminder regarding the application deadline.

Wise talked about the “Phase-in Entry” process. There will be $50 million available during 2014-2015, 2015-2016, and 2016-2017 for districts to develop their teacher leadership and compensation systems. Districts will receive $310 per pupil to implement their plans once it is approved.

Wise shared information on the tentative timeline and he also described three models for school districts to consider in developing a local teacher leadership and compensation plan. The models are:

- Teacher Career Paths Model
- Instructional Coach Model
- Comparable Plan Model

Wise talked about support that is being provided to districts and AEAs. A system design resource document is available to assist districts with the development of their plans.

There was discussion regarding the role of the AEAs, the similarities of the schools that have begun the application process, and if there’s been any pushback.

State Board Legislative Agenda for 2014 – Discussion

Mike Cormack, Policy Liaison, Office of the Director, reviewed the proposed changes to the 2014 Legislative Advocacy Agenda and State Board members provided feedback. This agenda is used to communicate funding and policy priorities to legislators, the general public, and a variety of stakeholders. He asked if there was continued support to having a brochure and the Board indicated that was the case.

Cormack indicated he would send draft language updating the agenda to the Board for their review and input for their November State Board meeting.

State Board Policy Development Priorities for 2013-2014

Mary Delagardelle, Associate Division Administrator, walked the Board through the changes made to the State Board Policy Development Priorities for 2013-2014.

The Board reviewed and discussed the changes and provided additional input. The Board's priorities for 2013-2014 are:

- Competency-based Education
- Online Learning and Other Technological Advances
- Reducing Achievement Gaps
- Improving Teacher and Leader Preparation
- Assessment

Motion: Diane Crookham-Johnson made a motion and Sister Jude Fitzpatrick seconded that the State Board adopt their priorities for 2013-2014.

Vote: The motion carried unanimously.

Delagardelle distributed a document titled *State Board Actions Related to Priorities* and there was discussion about the Board's role in accomplishing the priorities.

2013-2014 Academic Year, Iowa Community Colleges Tuition and Fees Report

Jeremy Varner, Administrator, Division of Community Colleges, and Kent Farver, Chief, Bureau of Community Colleges, presented the *2013-2014 Academic Year, Iowa Community Colleges Tuition and Fees Report.*

Farver talked about information that is included in the report and reviewed the highlights:

- The average tuition rates among the 15 community colleges rose 2.8 percent for the current school year.
- The average tuition and fees per credit hour among the 15 community colleges is $151.89, which is a 2.7 percent increase from the previous year.
- The range for tuition and fees is from $134.00 to $174.00 across the 15 community colleges.

- Iowa ranks third highest in the eight Midwestern states where tuition was compared as far as the expense to attend a community college. Minnesota and South Dakota rank higher than Iowa.
- In fiscal year 2012, 57.8 percent of the community colleges' unrestricted operating revenue came from tuition and fees.

There was a question if online learning is affecting attendance at community colleges.

Board Reports

Mike May had no report.

Sister Jude Fitzpatrick attended a Council of Chief State School Officers (CCSSO) Core Curriculum meeting. There was Board discussion regarding the meeting and it was indicated a final report will be forthcoming.

Edgar Thornton attended the School Administrators of Iowa Conference.

LaMetta Wynn attended a General Educational Development (GED) graduation and she has also been invited to Ashford University's graduation.

Rosie Hussey reported that in the Mason City newspaper there was an article about the Wallace Foundation and the School Administration Manager Program. In her local newspaper, there was an article about the Connections Academy.

Mike Knedler attended the Next Generation Science Standards Task Force meeting. He shared information about the task force's membership, meeting schedule, and the goal of the task force. The standards can be reviewed online and there's an opportunity to provide feedback to the task force.

He also shared information regarding the 2013 Blue Ribbon Schools.

Valorie Kruse reported that the Leadership Partnership Committee is still ongoing and working on their role. The Competency-based Education Task Force is reviewing a draft of the recommendations for the final report.

Diane Crookham-Johnson shared information from a meeting she attended at an Oskaloosa middle school where Response to Intervention was discussed.

She also plans to take 45 students to the November 4 Bullying Prevention Summit in Des Moines. She encouraged other Board members to attend.

Charlie Edwards had no report.

Governor Terry Branstad and Lt. Governor Kim Reynolds

Rosie Hussey welcomed Governor Terry Branstad and Lt. Governor Kim Reynolds. She indicated that the Board wanted to take this opportunity to share the Board's policy development priorities which are: Competency-based Education, Online Learning and Other Technological Advances, Reducing Achievement Gaps, Improving Teacher and Leader Preparation, and Assessment.

Branstad congratulated Brad Buck on his appointment as the director of the Department of Education.

Branstad reported on the 2013 legislative session and the progress made in the areas of property tax relief, education reform, and the goal for Iowa to be the healthiest state in the nation.

Branstad talked about implementation of education reform and how it will be phased in over a number of years. It will take the State Board, the Department, AEAS, and all 346 school districts focusing on improving student achievement. Iowa wants to be the best in America in terms of student achievement which will take a concerted ongoing effort over a long period of time. Branstad stated that we must have high expectations for all students in order to compete in this global economy and we know that the centerpiece of the reform was to better utilize teacher leadership to improve instruction and raise achievement.

Branstad talked about specifics of the education reform package which includes the Teacher Leadership and Compensation System, and the year-long student teacher pilot and extended learning time as part of a pilot project.

Branstad said that looking ahead to the 2014 legislative session, it is being explored how to support existing educational initiatives including the possibility of starting an academic summer program for principal leadership. This program could help develop and strengthen the leadership of principals which is important to the success of Iowa's schools.

Lt. Governor Kim Reynolds shared information about a Science, Technology, Engineering and Mathematics (STEM) summit that she and Governor Branstad recently attended. As co-chair of the STEM initiative, she also talked about highlights of STEM.

Mike May shared information and there was discussion on the Board's priority of Competency-based Education.

Valorie Kruse shared information on the Board's priority of Online Learning and Other Technological Advances.

LaMetta Wynn talked about the Board's priority of Reducing Achievement Gaps and Diane Crookham-Johnson talked about Response to Intervention which is an initiative geared toward reducing the achievement gap.

Diane Crookham-Johnson shared information on the Board's priority of Improving Teacher and Leader Preparation.

Charlie Edwards reported on the Board's priority of Assessment. Branstad agreed with this goal and gave examples supporting the importance of high standards.

Charlie Edwards moved and LaMetta Wynn seconded to adjourn the meeting at 3:45 p.m. The motion passed.

Rosie Hussey President	Brad A. Buck Director

DRAFT

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The State Board of Education held a telephonic meeting on November 6, 2013. The following State Board members participated: Rosie Hussey, Charlie Edwards, LaMetta Wynn, Mike Knedler, Valorie Kruse, Diane Crookham-Johnson, Sister Jude Fitzpatrick, Max Phillips, and Edgar Thornton. Rob Porter, Iowa Department of Justice, also participated. The following Department of Education (Department) staff attended: Brad Buck, Ryan Wise, Nicole Proesch, and Jody Crane.

STATE BOARD BUSINESS MEETING

State Board President Rosie Hussey called the meeting to order at 2:00 p.m.

Hussey explained that this meeting is being held telephonically because it is impractical for the State Board (Board) to meet in person because of the physical location of some Board members and the fact that it would not be timely to wait until the next Board meeting.

It was moved by Valorie Kruse and seconded by Mike Knedler that the agenda be approved. The motion passed.

COMMUNICATION

Public Comment

There was no public comment.

BOARD ACTION/DISCUSSION AGENDA

Review of Previously Submitted Board Decision on Open Enrollment Appeal

Rosie Hussey reminded the Board that this item was addressed at the last Board meeting and the Board refused the decision of the Administrative Law Judge (ALJ) and the decision of the local board. She explained that she asked Department staff for clarification on next steps. As a result, the Attorney General's Office was contacted to advise the Board on this process.

Rob Porter, Assistant Attorney General, Iowa Department of Justice, said that his understanding is that there was a proposed open enrollment decision issued relating to the Dallas Center-Grimes Community School District. The proposed ALJ's decision was not appealed. It was submitted to the State Board and the Board voted to vacate the decision and then asked for next steps on the appropriate manner for moving forward.

Porter stated that under Iowa Administrative Code 6.17(7) when a proposed decision is submitted to the Board, the Board may affirm, modify, or vacate the decision, or may direct a rehearing before the director or the director's designee. Porter discussed each of these options in detail and concluded that the only grounds left under the administrative rule would be to vacate the decision.

Porter stated that his read of Iowa Code Chapter 17A says the Board has the right to vacate and substitute its own opinion for that of the ALJ. Chapter 17A also requires that opinion to be in writing. Porter shared options on how to satisfy the writing requirement. The first option would be for the Board to either draft its own ruling or assign it to the Attorney General's Office. The second option would be for the Board to assign this back to the original drafter.

Board members shared comments and the Board agreed that Charlie Edwards would work with Rob Porter to draft the Board's ruling. Porter also encouraged other Board members to share any thoughts or comments they would like to raise.

> **Motion**: Diane Crookham-Johnson made a motion and Mike Knedler seconded that the State Board assign writing responsibilities for the Board's decision in the Dallas-Center Grimes case to Charlie Edwards with assistance from the Attorney General's Office and final approval of the decision by the full Board at the next regular Board meeting.
>
> **Vote**: The motion carried unanimously.

Porter said that this situation could come up again in the future especially when the Department has its own staff serving as the ALJ. If the Department's counsel will be serving as the ALJ, that same ALJ should not be advising the Board. The Attorney General's Office can provide guidance to the Board and the Department if needed. Rosie Hussey wants to have a policy to this effect.

There was discussion regarding information that should be included in the Board's decision and next steps if the decision is appealed.

An agenda item will be added to the November 20, 2013, State Board meeting agenda that will address the Board's process for vacating ALJ decisions.

Max Phillips made a motion and Charlie Edwards seconded to adjourn the meeting. The motion passed.

Rosie Hussey adjourned the meeting at 2:30 p.m.

Rosie Hussey President	Brad A. Buck Director