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Michael Bearden
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Diane Crookham-Johnson
Oskaloosa

Angela English
Dyersville

Rosie Hussey
Clear Lake

Mike May
Spirit Lake

Mary Ellen Miller
Mason City and
Wayne County

Hannah Rens
Student Member
Sioux City

Brad A. Buck
Director and
Executive Officer

Minutes
State Board of Education Meeting
October 30, 2014

The State Board of Education meeting was held on Thursday, October 30, 2014, in the Grimes State Office Building, State Board Room, Des Moines, Iowa. The following State Board members were present: Charlie Edwards, Mike Knedler, Mike May, Mike Bearden, Diane Crookham-Johnson, Brooke Axiotis, Mary Ellen Miller, Angela English, and Hannah Rens. Iowa Department of Education staff members present were: Brad Buck, Ryan Wise, Shan Seivert, Nicole Proesch, Jeff Berger, David Tilly, Mary Delagardelle, Amy Williamson, Thomas Mayes, Dianne Chadwick, Cale Roe, Sandra Dop, Janet Boyd (via video conferencing), and Jody Crane. Also in attendance were: Tom Hinrichs, Farragut Community School District, and Terry Kenealy, Hamburg Community School District; Tim Crellin, Legislative Services Agency; and Jason Chapman, Iowa House Republication Staff.

STATE BOARD BUSINESS MEETING

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

It was moved by Mary Ellen Miller and seconded by Mike Knedler that the October agenda be approved. The motion carried unanimously.

COMMUNICATION

Public Comment

There was no public comment.

Director's Report

Brad Buck, Director, Iowa Department of Education (Department), reported that he has participated in a statewide Teacher Leadership and Compensation (TLC) system listening tour. The purpose of the tour is to hear about things that are working well in districts and to see if there are trends that are emerging as TLC plans are implemented.

Buck distributed a document from the Davenport Community School District TLC listening tour and indicated that Davenport is using a modified Teacher Advancement Program (TAP) system. The TAP system has been in existence for 13 years and was a foundational part of the conversation for TLC.

Buck provided an update on the early literacy initiative. Over 130,000 children have been screened, which represents over 90 percent of the elementary schools in the state. The Department is working on a preliminary analysis of the results emerging from that screening tool. The Department has distributed a customer satisfaction survey to schools regarding how the system is being implemented.

Buck indicated that the focus of the 2015 legislative platform will center around the Governor's and Department's priorities, including the TLC system and the early warning system.

CONSENT AGENDA

Mike Bearden made a motion and Angela English seconded to approve the consent agenda. The motion carried unanimously.

BOARD ACTION/DISCUSSION AGENDA

Report on Farragut Community School District and Hamburg Community School District Visits

Jeff Berger, Deputy Director, and Amy Williamson, Chief, Bureau of School Improvement, reported on the Phase I fiscal visit for the Farragut Community School District (CSD) and the Phase II accreditation visit for the Farragut CSD and Hamburg CSD.

On December 17, 2013, the School Budget Review Committee (SBRC) recommended the Department conduct a fiscal Phase I review of the Farragut CSD (that included the Hamburg CSD because they were a sharing partner). In conjunction with the fiscal review and in response to longstanding noncompliance issues in both the Hamburg CSD and Farragut CSD, it was determined that the Department would conduct a Phase II accreditation visit immediately following the fiscal review. As a result of these visits, the Department issued Phase II reports for both districts and required the districts to provide the Department with a written plan of action. The SBRC issued a fiscal Phase I visit report for the combined districts as well. Written plans for correction were submitted to the Department. The SBRC will require the districts to submit corrective action plans related to negative unspent balances by November 14, 2014.

Williamson provided an overview of the Department and State Board's (Board) authority under Iowa Code section 256.11(10).

Williamson talked in-depth about the Phase I and Phase II monitoring processes. She indicated that February 16, 2015, is the proposed deadline for the Department to receive

the corrective action plans from each district and explained how the February 16 date was determined. Upon completion of the corrective action plans, Department staff will revisit the schools the following week and report to the Board in March 2015. If the corrections are not made, the Board could grant the districts conditional accreditation or choose to dissolve one or both of the districts.

Williamson shared information about the accreditation history for both the Hamburg and Farragut districts and action requested of the Board.

Berger talked about the fiscal situation in both of the districts, the Iowa state aid formula, the emotional effect on communities/districts in these positions, how there are other Iowa districts in the same situation, phasing out of the budget guarantee, budgeting options for school districts, the role of and process used by the SBRC, the Board's connection to the SBRC, the early warning system, the coincidence that the program side was having concerns as well as the financial side, the need for districts to provide viable programs, and next steps with the SBRC.

A consolidation vote is scheduled for December 2, 2014.

There was discussion regarding other procedural options, how the corrective action plans will be impacted if the districts choose to consolidate, if this is a short-term solution, concern regarding student achievement and children being properly served, and the districts' new leadership.

Terry Kenealy, Superintendent, Hamburg CSD, and Tom Hinrichs, Superintendent, Farragut CSD, provided comments and responded to questions from the Board. The discussion centered around how long each of the superintendents had been serving in their current role, if they had prior knowledge of the accreditation site visit and financial concerns, future plans to resolve the issues, why the communities didn't hire one superintendent for both districts, what can be learned from this experience that would improve the opportunities and options for other schools that will be facing this in the future, the Board and local school board responsibilities, the need for the focus to be on the students and not the money and saving communities, concern with the deadline dates for action, the number of students that have transferred to other districts, whether the local school boards understand the severity of this situation, education problems being faced in rural Iowa, and whether there are consequences for deadlines not being met to the Board's satisfaction.

> **Motion**: Mike May made a motion and Mike Knedler seconded that the State Board take action to allow the Hamburg Community School District to implement the corrective actions required of them using the action plan submitted by the district and amended as recommended in the Department's analysis by February 16, 2015.
>
> **Vote**: The motion carried unanimously.

Motion: Diane Crookham-Johnson made a motion and Angela English seconded that the State Board take action to allow the Farragut Community School District to implement the corrective actions required of them using the action plan submitted by the district and amended as recommended in the Department's analysis by February 16, 2015.

Vote: The motion carried unanimously.

Department staff will conduct a follow-up visit to the districts immediately following the completion date of the corrective action plan to determine if the requirements of the plan have been met. If the conditions outlined in the Phase II report have not been met at that time, the Department may return to the Board with a recommendation for dissolution of the districts.

There was additional discussion regarding what other states have done to deal with these types of situations, whether changes are needed to the current rules, the process that was used to inform districts and local boards, the need to give districts in the same position the sense of urgency, whether the Hamburg and Farragut districts have access to other funding options, and the need for the Board to work closer with local school boards.

In Re Open Enrollment of S.K. (Waukee Community School District)

Nicole Proesch, designated Administrative Law Judge and Legal Counsel, Office of the Director, presented *In re Open Enrollment of S.K. (Waukee Community School District).* She indicated that the Board's authority falls under Iowa Code § 282.18(5) and 290.1 which allows the Board the ability to hear appeals that involve situations where someone is claiming either harassment or bullying or a serious medical condition. This appeal was filed on the basis of bullying and harassment.

She reported that S.K. and her mother reside in the Dallas Center Grimes Community School District (DCG). S.K. has attended DCG since 2006. Beginning in 2011, S.K. began reporting to her mother that some of the kids were bullying and harassing her by calling her ugly and stupid. This behavior continued in 6th and 7th grade. One student in particular was the bully and his friends would join in the name calling. During the 2013-2014 school year, S.K.'s 8th grade year, the name calling continued and the students made additional inappropriate comments. The students also began flicking their pencils at S.K. On occasion S.K. would react with a loud outburst and get into trouble for her behavior. S.K. reported at least four incidents to the school counselor over the course of a few months.

Before Christmas break of the 2013-2014 school year, S.K. and her mother considered filing an open enrollment application, but decided not to because of support offered by her peers. After returning from break, S.K. reported no further incidents, but expressed the opinion that she felt an aura of hatred toward her. S.K. began getting sick in February 2014 and missed several days of school. On May 19, 2014, S.K. and her mother filed an open enrollment application from DCG to the Waukee Community School District (WCSD). WCSD made a limited inquiry with DCG and denied the application on June 9, 2014.

In reviewing an open enrollment decision involving a claim of repeated acts of harassment under Iowa Code § 282.18(5) the Board has set out four criterion that all must be met in order to overturn the decision of the local board. Under the first criterion, the appellant was not able to show that the harassment occurred after March 1 or that the extent of the harassment was not known until after the deadline. Even if they had shown the first criterion was met, under the second criterion, the evidence did not support a finding of pervasive harassment under the law. Finally, under the third criterion, the behavior appeared to stop after Christmas break. The evidence at the hearing before the administrative law judge showed that the first, second, and third criterion were not met and therefore the appeal fails. Thus, it was recommended that the Board affirm the denial of the open enrollment application.

There was extensive discussion regarding specifics of the case and how it was determined that the behavior did not meet the criterion for harassment and bullying, if changes are needed to the open enrollment law, and other enrollment options for the family.

Thomas Mayes, Attorney, Division of Learning and Results, explained the Board's options if the motion to affirm fails. The options are: affirm, modify, or reverse the decision of the administrative law judge.

Brad Buck stated that the evidence presented indicated that the Waukee Community School District acted in accordance with the law.

> **Motion**: Brooke Axiotis 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 Waukee Community School District denying the open enrollment application filed on behalf of S.K.
>
> **Vote**: The motion carried unanimously.

Board members requested that the minutes reflect that they reluctantly approved the proposed decision. There was discussion regarding the current law and process.

Assessment

David Tilly, Deputy Director, and Mary Ellen Miller provided an update on education assessment in the state.

Tilly shared information on the work of the Assessment Task Force. There will be an Assessment Task Force meeting on November 4 where task force members will cast a vote for either the Next Generation Iowa Assessments or the Smarter Balanced Assessment Consortium. Task force members will be asked to provide a rationale for their selection. This information will be included in the final report that will be provided to the Legislature.

Tilly also talked about the process used in selecting the vendors.

The Assessment Task Force report will be presented to the Board at the January 2015 meeting. The report will not be changed based on input from the Board, but any comments or perspectives that the Board brings can be submitted in addition to the task force recommendations.

Miller led a discussion in preparation for the January 2015 Board meeting. Board members were asked to provide input to possible recommendations from the Board to the Legislature.

Board members discussed next steps moving forward.

Competency-based Education Overview

Mary Delagardelle, Associate Division Administrator; Sandra Dop, Consultant, Bureau of Standards and Curriculum; and Angela English provided an overview of competency-based education.

The purpose of this discussion was to prepare the Board for a session at the November Board meeting where members of the Iowa Competency-based Education Collaborative from Mason City and Nevada will update the Board on progress their districts have made toward competency-based pathways for their students.

Delagardelle distributed a document that identified key terms and asked Board members to review and discuss the document. Delagardelle talked about the definition of deeper learning, personalized learning, student agency, performance-based learning, competency-based education, and universal constructs.

Board members viewed and discussed a video that addressed deeper learning. The video featured Tony Wagner, Expert in Residence at Harvard University's new Innovation Lab.

Delagardelle talked about the districts that are involved in the competency-based education initiative. Specifically, she described the goals of the Competency-based Education Collaborative, the characteristics of a competency-based system, and key actions for years one and two.

English asked Board members for input regarding what they would like the Mason City and Nevada districts to demonstrate at the November Board meeting.

Iowa Core Website

Staci Hupp, Chief, Bureau of Communications and Information Services, and Brad Neibling, Consultant, Bureau of Standards and Curriculum, demonstrated the new Iowa Core website. This website was created to put resources into the hands of educators who are working to put the Iowa Core standards into practice in classrooms statewide.

The website is also intended to help increase public understanding of the Iowa Core standards for all Iowans. The website has four components: 1) searchable standards, 2) educator resources for implementation, instruction and assessment, 3) parent and community resources, and Iowa Core testimonials (Iowa Core Spotlight).

Hupp distributed a document titled *Iowa Core Website Communications Toolkit* and discussed its contents.

Board Reports

Charlie Edwards attended a National Association of State Boards of Education meeting in Denver, Colorado, with Ryan Wise.

Diane Crookham-Johnson talked about the need to create awareness and engage the community in what's happening in schools.

Brad Buck announced that work will begin on November 4 on the statewide academic standards. Under the first phase, 19 Iowans will serve on a state team to review Iowa's science standards, as well as rigorous science standards from other states, and make a preliminary recommendation for improvement early next year. The preliminary recommendation will be taken to the public for feedback. A draft of the standards will be sent to the Board in February 2015. The team will then consider public feedback before sending a final recommendation to him and to the Board.

Buck also reported that during the last legislative session, the Department asked for a $500,000 grant to look at effective practices in English Language Learner professional development as it relates to literacy. The Department received $500,000 the first year with the possibility of $1.5 million over three years depending on state appropriations. Ten districts applied and three districts have been chosen.

Mike May and Hannah Rens attended a Teacher Leadership and Compensation meeting in Sioux City.

Charlie Edwards adjourned the meeting at 3:40 p.m.

Charles C. Edwards, Jr.
President

Brad A. Buck
Director