



DATE: May 18, 2007

TO: Superintendents
School Board members
Principals
Teachers
Other interested stakeholders

FROM: Judy Jeffrey, Director

SUBJECT: 2007 Legislative action

The 2007 Legislative session was a landmark year. Education was a key priority and all sectors of education reaped many benefits from this focus on educational issues and funding. In an effort to keep you informed of the resulting changes, we've provided below a brief synopsis of legislative action related to education. Please note that four themes are included in this letter: 1) policy issues, 2) funding changes, 3) mandated studies, and 4) additional grant opportunities.

We, at the Iowa Department of Education (DE), understand that these changes will likely prompt discussions and require adjustments to local policy and procedures. Please know that we want to assist you in this process. Therefore, we will provide in the upcoming months detailed guidance specific to several issues outlined in this document. In addition, please feel free to contact our consultants with questions or concerns you may have.

Note: There are still several bills that are yet unsigned. If changes occur to those bills that impact this guidance, we will let you know in a subsequent letter. At this point, we do not anticipate any changes to those bills that will affect this guidance.

Policy Issues

1. Educator (Teacher & Administrator) Quality – [SF 277](#)

Separate guidance on the policy changes included in SF 277 will be issued. These separate pieces of guidance will address 1) Inclusion of AEA staff in Teacher Quality and 2) Administrator Quality expansion.

Additionally, the attached guidance that is accompanying this SLU provides more detail on the following issues included in the Educator Quality bill - SF 277:

- Funding for Professional Development
- Attendance Center Professional Development Plans
- Teacher Quality Committee responsibilities
- Changes to Minimum Teacher Salaries
- Changes to Market Factor Incentives provisions
- Requirements related to mandated counselors, nurses and teacher librarians including waiver information and the inclusion of some nurses in Teacher Quality funding
- Changes to dates of agreement on fund distribution
- Changes to mandatory topics of bargaining
- Changes to Intensive Assistance Program requirements

Additionally, SF 277 includes the following policy changes:

- Phase out of the National Board Certification Program.

Effective January 1, 2008. All applicants prior to that date and current National Board Certified teachers participating in this stipend program will continue to have the state's financial obligation met until the original commitment expires.

- Teacher Background Checks

School districts must now conduct a background check on every new certified employee prior to the issuance of an initial contract. This is in addition to the background check performed by the Board of Educational Examiners prior to the issuance of any provisional or standard license or renewal of a standard license.

School districts may request the background check from the Division of Criminal Investigation (DCI) or from a qualified background screening company accredited by the national association of professional background check screeners. The background check shall include a fingerprint packet, a national criminal history check, a review of the sex offender registry, the central registry for child abuse information, and the central registry for dependent adult abuse information. The intent of this new requirement is minimal screening of the available criminal databases. The school district may charge the teacher a fee for this service.

- Change in definition of "Teacher" under Teacher Quality

Any individual who holds a practitioner's license issued by the BOEE or a statement of professional recognition (SPR) issued by the BOEE, who holds a position that requires a license or SPR, and who is employed in a non-administrative position by a school district or AEA is now included in Teacher Quality programming. The statement of professional recognition can only be given to a person with a Bachelor's degree or higher.

- Expansion of Administrator Quality

Separate guidance is forthcoming, but the expansion of Administrator Quality creates a new Iowa Code chapter 284A that mirrors the policy included in the Teacher Quality program. This expansion builds on the new administrator mentoring and induction enacted in 2006 to include statewide Standards for School Leaders, administrator professional development plans, and standards-based administrator evaluations.

2. School District Sharing Incentives – [SF 447](#)

Additional guidance on these requirements will be issued separately in the near future. Several parts of this legislation will require the Department to adopt rules to further define the processes included in the statute. HF 447 contains three primary functions:

a. Reinstatement of Whole Grade Sharing and Reorganization Incentives

Prior statute relating to these incentives sunsets June 30, 2006. This bill reinstates these incentives until June 30, 2014.

b. Creation of Operational Sharing Incentives

In order to provide additional funding to increase student opportunities and redirect more resources to student programming, school districts may create new operational sharing opportunities with other governmental entities including cities, townships, counties, merged areas, area education agencies, Regents' institutions and other governmental subdivisions. Operational sharing opportunities are defined as the superintendent, business management, human resources, transportation or operation/maintenance. These incentives are maximum five-year incentives that automatically reduce by 20% each year over the life of the incentive. Districts must demonstrate cost savings realized each year to have the incentive continue. These incentives sunset on June 30, 2014. The Department will adopt rules to govern these incentives.

c. Statewide School District Efficiencies Study

During 2007-08, the Department shall conduct a statewide study that “facilitates discussion between school district leaders in order to support rigorous and relevant student programming and efforts to increase student achievement through identification and realization of sharing and efficiency of operations efforts with other governmental entities. The process is intended to identify potential areas of additional sharing, to promote reductions in costs of operations, and create additional resource availability. A report to the General Assembly is due by March 15, 2008.

3. Voluntary access to statewide quality 4 year old preschool programming – [HF 877](#)

HF 877 creates a statewide quality 4 year old program to be administered by school districts in collaboration with various stakeholder partners. Funding for this program is \$15 million in 2007-08 ramping up to over \$60 million in 2010-11. **Separate, detailed guidance will be issued on the implementation of this programming including rules development and grant RFP information.**

As this is a 4-year ramp-up, not all districts will have access to this programming in the initial years of the program. To get programs running quickly, the initial year of participation in this programming is a grant, which reverts to formula funding for approved programs beginning in the 2nd and subsequent years. Funding follows the student with no resident district requirements and is provided at 0.6 percent of the state per pupil cost. Approved programs must support an approved set of program standards, deliver programming based on developmental learning standards, and use licensed teachers.

Pertinent timelines for this implementation include:

State Board of Education Meeting –Notice of Intended Action and Adoption of Emergency Rules	May 29
DE Website posting of Rules for public comment	June 1
Application and directions available (see posting on DE Website with information that Letters of Intent are due June 15)	June 1
School Leader Update	June 1
Broadcast statewide ICN to review legislation and the application process (not an interactive ICN; an FAQ document will be available on DE Website)	June 5 (9:00-10:30)
Letters of Intent due (districts submit Letter of Intent; form available on DE Website)	June 15
Train readers for applications submitted	June 28
Head Start Summits for Collaboration Guidance in 4 to 6 regions of state	June 4-15
Applications due to Department of Education	July 2
Committee Reads Applications	July 9
ICN Public Hearing of Rules for public comment	July 10
DE Determination of Application Awards	July 16

DE Notify All Applicants of Awards	July 17
Voluntary Statewide Preschool Program Governor's Summit for those districts awarded first year funding	July 25
Contracts issued (potentially)	Sept
Districts begin preschool programs (to assure certified enrollment count)	Prior to and no later than Oct 1, 2007

4. Disability History Week – [SR 39](#)

This resolution designates the third week of October, 2007 as Disability History Week in Iowa. Schools are encouraged to conduct disability awareness activities during this week. Look for more information on resources and materials that can be used for these activities in the October School Leader's Update.

5. Teacher Job Opening Web Site – [SF 588](#)

The Department continues to maintain a web site, per statute, that makes available statewide teacher job openings. Interested parties can access that web site at <http://www.iowaeducationjobs.com/>.

6. Statewide Core Content Standards and Model Core Curriculum Expansion – [SF 588](#)

The language included in SF 588 contains several provisions:

- Grants authority for the State Board of Education to adopt statewide core content standards in reading, mathematics, and science. This requirement applies to school districts and accredited nonpublic schools. The adopted standards must align to the approved standards submitted to the US Department of Education under Iowa's NCLB Accountability Plan.
- Provides resource to expand Iowa's existing 9-12 Model Core Curriculum in literacy, mathematics, and science to grades K-8 and to include Social Studies and 21st Century Learning Skills (Civic Literacy, Technology Literacy, Health Literacy, Financial Literacy, and Employability Skills).
- Aligns expectations for 8th grade planning to support the implementation of the Model Core Curriculum
- Requires the Department to conduct a study of school district readiness to implement the Model Core Curriculum

7. ICN Course Supplemental Weighting - [SF 588](#)

SF 588 provides limited authority for certain ICN courses to generate additional supplemental weighting to reimburse the institution and the instructor for the delivery of coursework using the ICN. Only courses delivered using the ICN

network's video services are eligible. The Department will work with the ICN to identify which courses are eligible to generate supplemental weighting. This information will be available prior to the start of school in the fall. The supplemental weighting will not be available until 2008.

8. Changes to driver education delivery - [SF 588](#)

The provision of driver education is now the responsibility of the receiving district, not the resident district, in open enrollment situations. Resident districts may provide driver education to students who are open enrolled out, but are no longer compelled to do so.

9. Reporting of inappropriate teaching assignments and potential implications for BOEE professional practice complaints resulting from inaction to resolve these situations - [SF 588](#)

Provisions in this language include:

- A requirement that the Department of Education and Board of Educational Examiners create a mechanism to annually compare teaching assignments to licensing categories.
- Requires a teacher who is assigned to teach a course for which they are not properly licensed to report that misassignment to the administrator responsible for making teacher assignments. Failure to report this misassignment could result in a professional practices complaint against the teacher to the BOEE.
- Requires an administrator who misassigns a teacher to teach a subject in which they are not properly licensed to correct the issue or face a possible professional practices complaint with the BOEE.
- Grants permission for Department of Education to file professional practices complaints directly to the BOEE for misassignments and other misconduct beyond misassignments
- Grants permission for the BOEE executive director to file professional practices complaints directly on misassignments.

10. Update of local school board discipline policies - [SF 588](#)

Requires districts to ensure that certain provisions relating to student discipline are included in local school district discipline policies. A new sample policy will be developed. Chapter 12 rules will be updated.

11. Mandate for school districts to release free/reduced lunch lists to the Hawk-I program – [HF 909](#)

School districts must now release the district's free and reduced lunch list to the Hawk-I program annually. The list shall not include names of students where the

parent has indicated on the free/reduced application form that the information should not be released.

12. Lead Screening prior to the age of 6 – [HF 158](#)

Parents must provide evidence of the completion of a lead screen to the school district prior to the age of 6. The school district must forward this evidence to the Department of Public Health within 60 days of the start of school. A variety of exceptions and waivers are available. School districts may provisionally enroll a student after the age of 6 in certain circumstances. The Department of Public Health will be developing rules for this screening this summer.

13. Fiscal Phase II Visits – [HF 317](#)

This bill grants the School Budget Review Committee the authority to recommend to the State Board of Education that a “Phase II” accreditation visit be conducted with schools that carry a negative unspent balance for two or more consecutive years. The State Board has the ability to decide whether a Phase II visit should be conducted.

14. Update of local Human Growth and Development Curricula – [HF 611](#)

The statute requires the following:

- The Department must compile resources on sexual health literacy and human growth and development that are age-appropriate and research based and must make those resources available to school districts.
- School districts and accredited nonpublic schools must use this set of resources to update local Human Growth and Development curricula.

Resources will be compiled and made available in the 2007-08 school year.

15. High School students can serve on election boards in certain circumstances – [HF 618](#)

Students who are 17 or older and meet certain criteria may staff election centers during elections.

16. Adjustments to 28E contract provisions – [HF 808](#)

HF 808 adds additional accountability provisions to 28E contracting procedures, but does remove the requirement for filing the 28E contract with county recorders.

17. Dental screening prior to the age of 6 – [HF 906](#)

Parents must provide evidence of the completion of a dental screen to the school district prior to the age of 6. The school district must forward this evidence to the Department of Public Health within 60 days of the start of school. A variety of exceptions and waivers are available. School districts may provisionally enroll a student after the age of 6 in certain circumstances. This bill does not enact until the 08-09 school year.

18. Antibullying and Anti-harassment Policies – [SF 61](#)

Districts must adopt local policies that ensure sexual orientation is a protected class of students. An updated sample policy will be made available, as will updated Technical Assistance on procedure implementation. Data collection will be necessary on incidents of bullying and harassment. These data elements will be included in BEDS. Chapter 12 will be updated to include these provisions.

19. Inclusion of sexual orientation to civil rights law – [SF 427](#)

Additional guidance is forthcoming from the Department of Civil Rights.

Funding

- Empowerment funding - \$23,781,594 – same as FY07
- Nonpublic textbooks - \$664,165 - \$25,545 above FY07
- Community College funding - \$171,962,414 - \$12,383,170 over FY07
- Nonpublic transportation - \$8,604,714 – same as FY07
- Vocational Education salaries - \$553,758 – same as FY07
- School Food Service - \$2,509,683 – same as FY07
- Vocational Education Programming - \$2,936,904 – same as FY07
- Educational Excellence program - \$55,469,053 – same as FY07
- IJAG - \$600,000 – same as FY07
- State Library - \$1,801,761 – \$335,000 above FY07
- Library Service Areas - \$1,586,000 – \$209,442 above FY07
- Enrich Iowa Libraries - \$1,823,432 – \$125,000 above FY07
- Early Intervention/Class Size - \$29,250,000 – same as FY07
- Shared Visions program - \$12,606,196 – \$1,335,196 above FY07
- Department of Education administration - \$7,919,382 – \$2,000,000 and 10 FTE above FY07 (Includes \$1.5 million for expansion of Model Core Curriculum)
- Instructional Support levy - \$14,428,271 – same as FY07
- School Foundation Aid - \$2,144,102,359 – \$101,009,496 above FY07
- IPTV - \$9,813,174 - \$398,047 above FY07
- Vocational Agriculture Youth Organization - \$50,000 – same as FY07
- Before/After school grant program - \$1,000,000 - \$850,000 over FY07

- IDEA Part C (0-3 years) services - \$1,721,400 – new
- Early Head Start Pilots - \$400,000 – new
- Voluntary statewide access to quality 4 year old preschool programming - \$15,000,000 – new
- New Administrator Mentoring and Induction - \$250,000 – same as FY07
- Statewide Education Data Warehouse - \$1,000,000 – new
- Belin-Blank Center - \$400,000 – new
- Student Achievement Strategies Pilots - \$2,500,000 – new
- Educator Quality - \$173,943,894 - \$69,600,000 above FY07
 - This funding includes \$20,000,000 for Professional Development
 - Prior bill language relating to the equivalent of one additional PD day and Pot 2 is stricken
 - \$1.8 for Teacher Development Academy expansion
 - \$4.4 million for teacher mentoring and induction programs
 - \$1 million for Career Ladder/Pay for Performance Pilot Planning Grants
 - \$3.3 million for market factor pay
- District Sharing and Efficiencies Study - \$400,000 – new
- Community College Salary enhancements - \$2,000,000 – new
- Math/Science Education Grant - \$200,000 – new

Department of Education Statewide Studies

1. Community College Quality Faculty Plan Work Group - [SF 588](#)

Requires the Department to convene a work group to address statute/rule pertaining to Quality Faculty Plans for community college staff. A report is due to the General Assembly by January 14, 2008.

2. School District Efficiencies study – [SF 447](#)

See the above explanation of the study in the section relating to School District Sharing Incentives.

3. Project EASIER software study – [HF 468](#)

Compels the Department of Education to conduct a study of the feasibility of reducing the number of approved local district software providers from the current 14 to one or several. A report is due to the legislature in January, 2008.

4. Legislative Property Tax Study Committee - [SF 601](#)

Sanctions another two-year study of property tax reform by the legislature.

New Grant Opportunities

1. Career Ladder and Pay for Performance Pilot Planning Grants – [SF 277](#)

SF 277 allocates \$1 million dollars for 10 planning grants: 8 grants for Career Ladder pilots administered by the Department of Education and 2 grants for Pay for Performance pilots administered by the Pay for Performance Commission. The Department, in collaboration with the Pay for Performance Commission, will issue an RFP for these planning grants this summer. The grants are to be implemented in the 2007-08 school year. Additional information will follow – check the Department’s web site under grants for the RFP.

2. Math and Science Education Improvement Grant Pilot Project – [HF 829](#)

HF 829 allocates \$200,000 to an AEA for a math and science education improvement grant pilot project for the purpose of providing a regional and cooperative program to enhance PD opportunities that enhance science, technology, engineering, and math (STEM) efforts. An RFP will be issued by the end of May and the grant is to be implemented during the 2007-08 year.

3. Student Strategies and Education Opportunities Grants – [SF 588](#)

HF 588 appropriates \$2.5 million dollars for a pilot grant program designed to provide supplemental strategies and educational services to students who do not meet the grade level expectations established by the school district for English/Language Arts, social studies, mathematics, and science. Participating districts must establish a student advancement policy that addresses the criteria in the bill. Grants are to be implemented in the 2007-08 school year. The RFP will be made available by August – check the Department’s web site under grants for the RFP.

4. Before and After School Grant Program - [SF 588](#)

HF 588 appropriates \$1 million for Before/After School Grants to be made available to school districts and other public and private organizations. The 2006 Legislature initiated this grant program and this funding makes an additional \$750,000 available compared to 2006. Grants are to be implemented in the 2007-08 school year. The RFP will be made available by August – check the Department’s web site under grants for the RFP.

5. Spanish Reading Recovery Pilots - [SF 588](#)

The bill provides \$62,500 for five pilots at \$12,500 each for the implementation of the Spanish version of Reading Recovery. Districts must have a high percentage

of Hispanic students and must be currently implementing the English version of Reading Recovery. Additional information will be made available in the summer to districts with high Hispanic populations.

6. Iowa Learning Technology Commission – [SF 601](#)

Another \$500,000 was awarded to the ILTC for grants for innovative technology to be issued in the 2007-08 school year.

For additional information, please visit the Department's Legislative Update page at <https://www.edinfo.state.ia.us/web/legisupdate.asp> or contact the Department's Legislative Liaison Jeff Berger at 515-281-3399 or jeff.berger@iowa.gov