

**Minutes
State Board of Education
August 5, 2021**

Brooke Axiotis
President
Des Moines

Bettie Bolar
Vice President
Marshalltown

Brian J. Kane
Dubuque

Michael L. Knedler
Council Bluffs

Mike May
Spirit Lake

John Robbins
Iowa Falls

Georgia Van Gundy
Waukee

Kimberly Wayne
Des Moines

Hannah Groos
Student Member
Norwalk

Ann Lebo
Director and
Executive Officer

The State Board of Education (State Board) meeting was held on August 5, 2021, in person at the Iowa Department of Education, Grimes State Office Building, State Board Room, 400 E. 14th Street, Des Moines, Iowa.

State Board members present were Brooke Axiotis, Bettie Bolar, Hannah Groos, Brian Kane, Mike Knedler, Mike May, John Robbins, Georgia Van Gundy and Kimberly Wayne.

Iowa Department of Education staff members present were Ann Lebo, Shan Seivert, Amy Williamson, Thomas Mayes, Renee Jerman, Brad Niebling, Heather Doe, Jay Pennington, Maryam Rod Szabo, Larry Bice, Tom Cooley, Kassandra Cline, Lisa Albers, Holly Barnes, Bryan Bauer, Janet Boyd, Buffy Campbell, Emily Cataldi, Matt Eddy, Destiny Eldridge, Janice Evans, Amy Gieseke, Dennis Harden, Eric Heitz, Alison Jepsen, Hannah Walsh, Sara Nickel, Marietta Rives, Pam Spangler, Earl Whipple, David Canaday and Carol McMains.

Also in attendance were Heidi Doellinger, Robert Reason and Ann Foegen, Iowa State University; Steve Weidner, Swisher & Cohrt; Nina Forcier, Forcier Law Office, PLLC; Miriam Van Heukelem, Ahlers & Cooney, PC; Tom Anderson; Carrie Warren; Dave Epley, House Democratic Caucus; TJ Schneckloth, Lisa Stevenson, Jake Klipsh, Willie Barney, Ben Driscoll, Nicole Talbot and Brenda Thie, Davenport Community School District; Dan Gosa, Linda Hayes, and Karen Kline-Jerome, Davenport Community School District Board; Theophilus Bowie, WOI; Lora Vargason and Michael Guanci, Legislative Services Agency; Alysha Ahlf; Katie Akin, Iowa Capital Dispatch; Katherine Mott; Erma Arp; Rebecca Bates, American Institutes for Research; Allison Beck, Black Hawk College; Sarah Beckman; Peter Bissinger; Kimberlee Bogs; Jill Bonrud; Kate Boonstra; Sue Cahill, Marshalltown Community School District; Adam Callanan; Claire Celsj, Iowa Legislature; Susan Chronister; Dena Claire, Urbandale Community School District; Sharon Clark; Linda Craddick, Central DeWitt Community School District; Brenda Crawford; Lucas Grundmeier;

Tracy Fahrion; Amanda Freese; Brad Freese; Eric Freese; Mary Freese; Grant Gerlock, Iowa Public Radio; KaSondra Giardina; Lizzie Gillman; Jodi Grover, Upper Iowa University; Katie Gunn; Amber Gustafson; Laurie Haman, Clear Creek Amana Community School District; Erica Hayden; Samantha Hernandez; Jenny Hipskind; Kim Hofmann and Shane Williams, Mississippi Bend Area Education Agency; Kelli Hunter; Tanya Keith; Heidi Kelley, Algona Community School District; Jonathan Kimpson; Grace King, The Gazette; Celeste Kopp; Andy Kopsa; Katy Krapfl; Amy Landwehr; Sandy Lange; Jill Lehmann; Rhiannon Lillquist; Katherine Mandelbaum; Maple Miller; Sara Moninger; Seth Mott; Jill Neas; Kerri Nelson, Shenandoah Community School District; Sarah Ohrt; Susie Olesen, Iowa School Finance Information Services; Kristin Patrick, Osage Community School District; Erin Perry, West Des Moines Community School District; David Pitt; Linda Reddy; Ian Richardson; Jesse Richardson-Jones; Amanda Roberson, Central Rivers Area Education Agency; Lee Rouse, WHO; Jean Schilling, Central Springs Community School District Board; Kara Schneider; Renee Sorge; Megan Srinivas; Elizabeth Stanick; Jenny Turner, Heartland Area Education Agency; Mara Van Ee; Beth Van Tuyl; Tony Voss, Hudson Community School District; Greg Wickenkamp; Sara Willette; Andrew Wind, Waterloo-Cedar Falls Courier; and Ryan Zeskey.

STATE BOARD WORK SESSION – COMPETENCY-BASED LEARNING

Brad Niebling, Chief, Bureau of Learning Strategies and Support, provided information on work related to competency-based education (CBE) that has taken place in Iowa, the research behind CBE, and potential paths forward for the State Board.

A PowerPoint was presented that addressed:

- Overview of CBE
- What is CBE?
- Does CBE Work?
- Is CBE an all or nothing approach?
- Iowa Code and Guidance Supporting CBE
- Results of the CBE Pilot
- Where are we at now with CBE?

There was discussion regarding the information presented.

STATE BOARD BUSINESS MEETING

Bettie Bolar called the meeting to order at 10:00 a.m.

Mike Knedler made a motion and Kimberly Wayne seconded to approve the agenda. The motion carried.

This meeting was conducted in person, with remote access information provided in the notice of the meeting, as permitted by section nine of Governor Reynolds' proclamation of May 26, 2020.

Bettie Bolar turned the gavel over to Brooke Axiotis.

COMMUNICATION

Public Comment

Jenny Turner, Claire Celsi, Jesse Richardson-Jones, Jean Schilling, Erin Perry, Brad Freese, Sara Willette, Lizzie Gilman, Tanya Keith, Linda Reddy, Jonathan Kimpson and Sue Cahill provided public comment regarding the ban on mask mandates.

Elizabeth Stanek provided public comment regarding extracurricular interscholastic competition.

Andy Kopsa provided public comment regarding mitigation strategies available to school districts.

Director's Report

Director Lebo shared that Rodney Bradley was recently appointed to the State Board and that Mindi Nguyen has joined the Department as Equity Coordinator. She provided an update on funding provided by the federal government and the partnership with the University of Iowa for the Iowa Center for Mental Health in Schools. Director Lebo also shared information regarding the Council Bluffs Early Learning Center and Iowa e-Learning Central.

There was discussion regarding the electronic sharing of materials with the State Board members and the possibility of the Department providing laptops for members to use for Board business.

CONSENT AGENDA

Bettie Bolar made a motion and Mike May seconded to approve the consent agenda. The motion carried.

BOARD ACTION/DISCUSSION AGENDA

State Board 2021-22 Priorities and Goals

Director Lebo shared information regarding the State Board goals and priorities and discussed the Board's responsibility, the responsibility of the Department, action items, how goals are measured, and how the Department's work is aligned with each goal.

State Board Subcommittees

There was discussion regarding the role of the Board, Board member engagement, and operating guidelines including the function of committees and subcommittees.

Educator Preparation Program Approval – Iowa State University

Larry Bice, Administrative Consultant, Bureau of School Improvement, introduced Heidi Doellinger, Director of Educator Preparation at Iowa State University (ISU). ISU provides teacher and administrator preparation programming on their Ames campus. The program review and on-site visit were conducted in spring 2020.

Bice reviewed and discussed report findings, which included commendations/strengths, concerns, and recommendations regarding each of the 281 Iowa Administrative Code (IAC) Chapter 79 standards.

Doellinger responded to questions regarding the needs of diverse learners, curriculum mapping, monitoring, assessment, preparedness, and multi-tiered systems of supports (MTSS).

Motion: Mike Knedler made a motion and John Robbins seconded that the State Board award full approval to the Iowa State University Practitioner Preparation Program through the next review scheduled for the 2026-2027 academic year.

Vote: The motion carried.

In re: Expulsion of D.L. (Hudson Community School District)

Thomas Mayes, General Counsel, presented *In re: Expulsion of D.L. (Hudson Community School District)*. Mayes reviewed the highlights of his proposed decision. There was discussion regarding the student's accumulation of credits and the Hudson Community School District (CSD) board policy on social media.

Attorney Nina Forcier, Forcier Law Office, PLLC, provided oral argument on behalf of the student. Attorney Steve Weidner, Swisher & Cohrt, presented oral argument on behalf of Hudson CSD.

There was discussion regarding a zero tolerance policy for drugs and guns, social media posts, and services the student will receive as outlined in his IEP.

Motion: Brian Kane made a motion and Bettie Bolar seconded that the State Board affirm the decision of the Hudson Community School District Board to suspend D.L. for the 2020-21 school year and expel him for the 2021-22 school year.

Vote: A roll call vote was taken. Aye: Brooke Axiotis, Bettie Bolar, Brian Kane, Mike Knedler, John Robbins, and Kimberly Wayne. Nay: Georgia Van Gundy. The motion passed.

In re: Open Enrollment of C.H. (Ames Community School District)

Thomas Mayes presented *In re: Open Enrollment of C.H. (Ames Community School District)*. Mayes reviewed the request for open enrollment from Ames CSD, filed after the March 1 deadline, which claimed harassment as the reason, and shared highlights of his proposed decision.

The unrepresented parent of C.H. presented oral argument. Attorney Miriam Van Heukelmen, Ahlers & Cooney PC, provided oral argument on behalf of the school district.

There was discussion regarding further hearings and State Board jurisdiction.

Motion: Kimberly Wayne made a motion and John Robbins seconded that the State Board reverse the decision of the Ames Community School District and remand this matter for further consideration.

Vote: A roll call vote was taken. Aye: Brooke Axiotis, Bettie Bolar, Brian Kane, Mike Knedler, John Robbins, Georgia Van Gundy, and Kimberly Wayne. Nay: None. The motion passed.

Rules: Chapter 97 – Supplementary Weighting and Chapter 98 – Financial Management of Categorical Funding (Notice)

Thomas Mayes presented the proposed amendments to Chapter 97 – Supplementary Weighting and Chapter 98 – Financial Management of Categorical Funding.

House File 847 and House File 868 make changes to supplementary weighting due to additional functions or positions eligible for operational sharing, adds the teacher leadership supplement as an eligible source from which transfers to the flexibility account may be made, and establishes a flexible student support program. The proposed amendments implement those provisions.

Motion: Kimberly Wayne made a motion and Georgia Van Gundy seconded that the State Board give notice of intended action to amend Chapters 97 and 98.

Vote: The motion carried.

Rules: Chapter 60 – Programs for Students of Limited English Proficiency (Notice)

Thomas Mayes presented the proposed amendments to Chapter 60 – Programs for Students of Limited English Proficiency, which implement House File 605, creating two levels of weighting for students who are English learners (intensive and intermediate).

There was discussion regarding the move from a single weighting.

Motion: Bettie Bolar made a motion and Mike Knedler seconded that the State Board give notice of intended action to amend Chapter 60.

Vote: The motion carried.

Rules: Chapter 15 – Online and Virtual Learning (Adopt)

Thomas Mayes presented the proposed amendments to Chapter 15 – Online and Virtual Learning, which removes the ability for students receiving independent private instruction to participate in certain forms of online learning. The proposed rule making conforms to statutory requirements.

Motion: Bettie Bolar made a motion and Kimberly Wayne seconded that the State Board adopt amendments to Chapter 15.

Vote: The motion carried.

Rules: Chapter 31 – Private Instruction and Dual Enrollment (Adopt)

Thomas Mayes presented the proposed amendments to Chapter 31 – Private Instruction and Dual Enrollment, which incorporate statutory changes that are within the jurisdiction of the Department and State Board; remove obsolete references to Iowa Acts that have subsequently been codified; and make nonsubstantive wording changes regarding special education eligibility.

There was a discussion regarding private instruction and assessments.

Motion: John Robbins made a motion and Brian Kane seconded that the State Board adopt amendments to Chapter 31.

Vote: The motion carried.

Rules: Chapter 36 – Extracurricular Interscholastic Competition (Notice)

Thomas Mayes presented the proposed amendments to Chapter 36 – Extracurricular Interscholastic Competition, which incorporate statutory changes to athletic eligibility for certain transfer situations and make changes in light of current family law practice.

There was discussion regarding the transfer rule versus open enrollment as well as academic eligibility.

Motion: John Robbins made a motion and Mike Knedler seconded that the State Board adopt amendments to Chapter 36.

Vote: The motion carried.

School Budget Review Committee Update

Kassandra Cline, Consultant and School Budget Review Committee Liaison, Bureau of School Business Operations, provided a summary of the School Budget Review Committee (SBRC) hearing held on June 17, 2021.

There were discussions regarding the timeframe for hazard abatement, frequency of SBRC meetings, school district budgets, unspent balance, and school funding.

Summary of New Guidance for Legislative Session 2021

Amy Williamson, Deputy Director, and Thomas Mayes shared information regarding the guidance documents issued by the Department to educators statewide related to various legislation from the 2021 legislative session.

The guidance documents covered intellectual freedom, diversity training and the Pledge of Allegiance; charter schools; school accreditation and improvement changes; school finance and fiscal guidance; parent/guardian open enrollment information; open enrollment transportation assistance; 2021-2022 school district open enrollment billing chart; changes to athletic eligibility; and current physical education and home school programs.

There were discussions regarding students opting out of the Pledge of Allegiance, bullying and harassment, charter schools, and how schools are considered to be "targeted" or "in need of significant improvement."

Davenport Community School District Accreditation Update

Davenport Community School District (Davenport CSD) was placed on conditional accreditation at the May 2019 State Board meeting. Updates on the district's progress toward meeting all conditions of their accreditation will be provided at every board meeting until their corrective action plan is complete or the district is unaccredited.

The corrective action plan for 2020-2021 was revised and presented to State Board members and Davenport CSD representatives on July 17, 2020. All parties agreed to the content and terms of the plan.

The State Board voted to allow Davenport CSD to implement the corrective action plan for the 2020-2021 school year with the additional condition that if the district failed to meet any single objective in the action plan, the State Board would appoint an expert to complete the action for the district at the district's expense.

Because Davenport CSD failed to meet every objective in the action plan agreed upon between the district and the State Board for their September 2020 report, the State Board imposed additional conditions under its authority to provide temporary oversight and operational authority to the Director and the State Board in the following respect (Iowa Code section 256.11(11)(a)): the State Board voted to appoint a superintendent and chief financial officer to complete the action plan for the district at the district's expense.

The State Board's vote to provide temporary oversight and authority to the Director at the September 2020 meeting was for an initial term of six months, and was continued at the March 2021 meeting for an additional period of eight months to be revisited at the November 2021 meeting.

Amy Williamson shared a revised corrective action plan for Davenport CSD for the 2021-2022 school year. The actions have been developed by Mississippi Bend AEA staff supporting Davenport CSD in collaboration with all staff members and with direction and approval from the Department. No new actions have been added, incomplete actions have been described in greater detail, and complete actions have been noted as sustainability goals. All work will be carried out under the supervision of the Department and Mississippi Bend AEA on behalf of the State Board.

Williamson introduced TJ Schneckloth, Superintendent, Davenport CSD, who shared information regarding the district's focus on early literacy, implementation of PBIS, providing MTSS for all students, and collaborating with the Mississippi Bend AEA.

Schneckloth introduced his new cabinet members: Lisa Stevenson, Director of Learning and Results; Jake Klipsch, Instructional Leadership Director, Central Region; Willie Barney, Instructional Leadership Director, North Region; and Ben Driscoll, Instructional Leadership Director, West Region.

There were discussions regarding the upcoming school board election and Davenport CSD Board participation in workshops provided by the Iowa Association of School Boards.

Motion: Bettie Bolar made a motion and Kimberly Wayne seconded that the State Board approve the action plan as the revised, current plan for Davenport Community School District.

Vote: The motion carried.

State Board 2022 Meeting Schedule

There was discussion regarding the proposed 2022 State Board meeting dates.

Motion: Brian Kane made a motion and John Robbins seconded to approve the State Board 2022 meeting dates.

Vote: The motion carried.

Board Reports

Mike Knedler shared that on July 3, the governor ordered flags flown at half-staff in honor and remembrance of Iowa’s first African American female mayor LaMetta Wynn who also served on the State Board.


John Robbins shared that he will lead the scoring evaluation for two charter schools.

There was a discussion regarding public comment related to HF 827 prohibiting mask mandates by schools.


Brooke Axiotis made the following statement on behalf of the State Board: The Board has heard extensive comments on legislation about masks in schools this morning. This is an important topic which requires careful consideration. The Board will consider those comments, but the Board is not prepared to act on those comments today.

Mike Knedler made a motion and Kimberly Wayne seconded to adjourn the meeting.

The meeting adjourned at 3:40 p.m.



Brooke Axiotis
President



Ann Lebo
Director