

Red Tape Review Rule Report (Due: September 1, 2023)

Department Name:	Education	Date:	August 30, 2023	Total Rule Count:	7
IAC #:	281	Chapter/ SubChapter/ Rule(s):	72	Iowa Code Section Authorizing Rule:	273.3, 273.10
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

This rule benefits Iowa students in all 9 area education agencies (AEAs) (including the 71,723 Iowa infants, toddlers, and children with disabilities who received Early ACCESS and special education services in the most recent reporting year).

Is the benefit being achieved? Please provide evidence.

Iowa's students receive direct services from Iowa's nine AEAs.

What are the costs incurred by the public to comply with the rule?

Iowa's AEAs absorb the costs of compliance with the standards in this rule, which is defrayed by the annual AEA appropriation and receipt of federal and other state funds.

What are the costs to the agency or any other agency to implement/enforce the rule?

The Department is responsible for monitoring this chapter, which is supported by its general operating budget and federal administrative funds.

Do the costs justify the benefits achieved? Please explain.

Yes. Iowa's students, especially students with disabilities, receive AEA services.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

Iowa Code chapter 273 requires rules.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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The Department proposes removing restrictive terms that do not add value and statutory language that is repeated verbatim.

RULES PROPOSED FOR REPEAL (list rule number[s]):

Rule 72.3 (unnecessary)

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

See below. The Department proposes adding a rule of application in rule 72.1 that it “will give greatest attention to AEA programs and services that have the greatest relationship to improving student achievement.”

***For rules being re-promulgated with changes, you may attach a document with suggested changes.**

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	1058
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	85

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

None noted.

Proposed New Chapter 72

**CHAPTER 72
ACCREDITATION OF AREA EDUCATION AGENCIES**

281—72.1(273) Scope. Area education agencies are subject to accreditation by the state board of education as specified in Iowa Code sections 273.10 and 273.11. These rules apply to the accreditation of area education agencies. In applying this chapter, the department will give greatest attention to programs and services that have the greatest relationship to improving student achievement.

281—72.2(273) Definitions.

“*AEA*” is an acronym for area education agency.

“*Agencywide goals*” means cross-divisional desired targets to be reached over an extended period of time, derived from an agencywide needs assessment and state and local student learning needs, and upon which services are focused.

“*Baseline data*” means information gathered at a selected point in time and used thereafter as a basis from which to monitor change.

“*Board*” means the Iowa state board of education.

“*Department*” means the Iowa department of education.

“*Director*” means the state director of the department of education.

“*Equitable*” means that services provided by an AEA are accessible to all schools and school districts within the agency’s service region.

“*External knowledge base*” means what is known, such as research and student achievement data, from the state or the nation about how learners in other settings perform and respond in a content area such as reading, mathematics, or science, as well as what is known about developing a learning environment that will support the desired student performance and response in a content area such as reading, mathematics, or science.

“*Indicators of improvement*” means internal data the agency uses to determine how well its continuous improvement processes are implemented.

“*Indicators of quality*” means external data sources which measure the effectiveness of services.

“*School*” means an accredited nonpublic school.

“*School district*” means a public school district.

“*State indicators*” means the school and school district indicators defined in chapter 281—12.

281—72.3(273) Standards for services. An AEA shall provide services that meet these standards as evidenced by the descriptors following each standard. These services are to be accessible to all schools and school districts within the agency’s service region.

The AEA will:

72.3(1) Deliver services for school-community planning, including assistance in assessing needs of all students, developing collaborative relationships among community agencies, establishing shared direction, implementing actions to meet goals, and reporting progress towards goals.

72.3(2) Deliver professional development services for schools, school districts and AEA instructional, administrative, and support personnel. The AEA anticipates and responds to schools' and school districts' current needs; supports research-based educational practices; aligns with school and school district comprehensive long-range and annual improvement goals; uses adult learning theory; supports improved teaching; uses theory, demonstration, practice, feedback, and coaching; and addresses professional development activities as required by the Iowa Code or administrative rules.

72.3(3) Support curriculum, instruction, and assessment services that address the areas of reading, language arts, mathematics, and science but may also be applied to other curriculum areas. These services support the development, implementation, and assessment of rigorous content standards in, reading, mathematics, and science. The AEA assists schools and school districts in analyzing student achievement data as well as data about the learning environment, compares those data to the external knowledge base, and uses that information to guide school and school district goal setting and implementation of actions to improve student learning.

72.3(4) Address the diverse learning needs of all children and youth, including services that address gifted and talented students, English learners, and meet the unique needs of students with disabilities who are eligible for special education. Services provide support to schools and school districts and include special education compliance with Iowa administrative rules for special education.

72.3(5) Provide services that support age-appropriate, multicultural, gender-fair approaches to the educational program pursuant to Iowa Code section 256.11. These services assist schools and school districts to take actions that ensure all students are free from discriminatory acts and practices; to establish policies and take actions that ensure all students are free from harassment; to incorporate into the educational program instructional strategies and student activities related to responsibilities, rights, and the respect for diversity which are necessary for successful citizenship in a diverse community and a global economy; and to incorporate on an ongoing basis activities within professional development that prepare and assist all employees to work effectively with diverse learners.

72.3(6) Deliver media services. These services align with school and school district needs, support effective instruction, and provide consultation, research and information services, instructional resources, and materials preparation and dissemination to assist schools and school districts to meet the learning needs of all students and support local district media services. These services support the implementation of content standards in, but not limited to, reading, mathematics, and science. These services also support and integrate emerging technology.

72.3(7) Supplement and support effective instruction for all students through school technology services. These services provide technology planning, technical assistance, and professional development, and support the incorporation of instructional technologies to improve student achievement. These services support the implementation of content standards in, but not limited to, reading, mathematics, and science. These services support and integrate emerging technology.

72.3(8) Deliver services that develop leadership based upon the Iowa Standards for School Administrators under chapter 281—83. Leadership services assist with recruitment, induction, retention, and professional development of educational leaders. AEAs develop and deliver leadership programs based on local and state educational needs and best practices.

72.3(9) Deliver management services if requested. If the AEA provides management services to school districts, the services will conform to the provisions of Iowa Code section 273.7A.

72.3(10) Maintain a program and services evaluation and reporting system, consistent with the provisions of this chapter.

72.3(11) Provide support for school district libraries in accordance with Iowa Code section 273.2(4).

72.4(12) Provide support for early childhood, birth to three, service coordination for families and children to meet health, safety, and learning needs, including service coordination under 281—Chapter 120.

281—72.4(273) Three -year statewide strategic plan. Each AEA will complete a three -year statewide strategic plan as referenced in Iowa Code section 273.2, subsection 9.

281—72.5(273) Annual budget and annual progress report. Each AEA will submit to the board an annual budget pursuant to Iowa Code section 273.3 and provide an annual progress report pursuant to Iowa Code section 273.2 subsection 9.

An AEA will annually submit a written progress report to its schools and school districts and the department and make the report available to the public. The report will include the following information:

72.5(1) Agencywide goals. Progress, at a minimum, toward the progress toward the three year plan as referenced in Iowa Code 273.9 subsection 9.

72.5(2) Indicators of quality. Aggregated agencywide data will include baseline data and trends over time for the following

indicators of quality from, at a minimum, the state indicators, the statewide customer service survey, school and school district school improvement plans, and school and school district annual progress reports:

a. Targeted assistance. An AEA assists schools and school districts with specific student, teacher, and school needs evidenced in local school improvement plans by:

1. Addressing teacher, school and school district needs.
2. Responding to student learning needs.

b. Improved student learning. An AEA assists schools and school districts in:

1. Improving student achievement in mathematics.
2. Improving student achievement in reading.
3. Improving student achievement in science.
4. Reducing student achievement gaps in mathematics.
5. Reducing student achievement gaps in reading.
6. Reducing student achievement gaps in science.
7. Reducing dropout rates.
8. Preparing students for postsecondary success.
9. Planning to ensure that students complete a core program.

c. Improved teaching. An AEA assists schools and school districts in improving teaching in the following areas:

1. Mathematics.
2. Reading.
3. Science.

d. Resource management. An AEA assists schools and school districts:

1. By delivering cost-efficient services.
2. By timely delivery of services.

e. Customer satisfaction with services. An AEA determines customer satisfaction through:

1. High levels of participation.
2. High levels of customer satisfaction with quality of AEA services.

f. Annual progress report review process. The annual progress report toward the three year plan as referenced in Iowa Code 273.2 subsection 9 of an AEA will be reviewed by a team appointed by the director. Following the review of an AEA's report, feedback will be provided to the agency and state board.

281—72.6(273) Comprehensive site visit; accreditation process.

72.6(1) On-site review. An accreditation team will conduct one or more on-site reviews of the AEA's progress toward agencywide goals and determine if services meet the standards in this chapter. Prior to an on-site review of an AEA, the accreditation team will have access to the AEA's three year plan as referenced in Iowa Code 273.2 subsection 9, annual progress report, and annual budget as well as any other information collected by the department relating to the AEA.

72.6(2) Accreditation Process. Accreditation is governed by Iowa Code section 273.11, subsections 3 through 6, and the following paragraphs.

a. *Accreditation status.* After completion of the comprehensive site visit under this rule, the board will grant continuation of accreditation if all standards and other requirements are met. If the board determines that an AEA has not met all standards and other requirements, the board will grant conditional accreditation to the agency.

b. *Conditional accreditation.* If the board grants conditional accreditation, the department will notify the administrator of the AEA and each member of the board of directors of the AEA within 15 days. The notice will contain a description of the accreditation deficiencies.

c. *Remediation plan.* Upon granting of conditional accreditation by the board, the director, in cooperation with the board of directors of the AEA, will establish a remediation plan. The remediation plan is to describe how the AEA will correct deficiencies to meet accreditation standards and establish a timeline and deadline date for correction of the deficiencies. The remediation plan is subject to the approval of the board. The AEA remains conditionally accredited during the implementation of the remediation plan.

d. *Implementation of remediation plan.* At intervals prescribed in the remediation plan or at the request of the director, the accreditation team will revisit the AEA, determine whether the deficiencies in the accreditation standards are being or have been corrected, and make a report and recommendation to the director and the board. The board will review this report and recommendations and determine whether the deficiencies have been corrected.

e. *Failure to correct deficiencies.* If the deficiencies have not been corrected within the time stipulated in the remediation plan, the board shall remove accreditation of the agency. At the hearing before the board, the AEA may be represented by counsel and may present evidence. The board may provide for the hearing to be recorded or reported. If requested by the AEA at least 10

days before the hearing, the board will provide for the hearing to be recorded or reported at the expense of the AEA. Within 30 days after the hearing, the board will render a written decision approving or removing the accreditation. Action by the board at this time is final agency action for the purposes of Iowa Code chapter 17A. The department will notify the administrator of the AEA, each member of the board of directors of the AEA, and the schools and school districts served by the AEA of the decision of the board.

f. Response to removal of accreditation. After removal of accreditation of the agency, the AEA board of directors will make provisions for the continuation of services to schools and school districts subject to approval by the state board of education.

These rules are intended to implement Iowa Code sections 273.10 and 273.11.