

Minutes State Board of Education March 23, 2023

Brooke Axiotis
Des Moines

Rodney Bradley
Denison

Cindy Dietz
Cedar Rapids

Cassandra Halls
Carlisle

Brian J. Kane
Dubuque

Mike May
Spirit Lake

Mary Meisterling
Cedar Rapids

Nathan Peterson
Iowa City

John Robbins
Iowa Falls

Alaina Whittington
Student Member
Diagonal

Chad L. Aldis
Director and
Executive Officer

The State Board of Education (State Board) meeting was held on March 23, 2023, in person at the Iowa Department of Education, Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa.

State Board members present were Brooke Axiotis, Rod Bradley, Cassandra Halls, Brian Kane, Mike May, Nathan Peterson, John Robbins and Alaina Whittington.

Iowa Department of Education (Department) staff members present were Chad Aldis, Shan Seivert, Mark Ford, Jeremy Varner, Earl Whipple, Thomas Mayes, Rachel Bosovich, Heather Doe, Eric St Clair, Cassandra Cline, Jillian Dotson, Eric Heitz, Kimberly Villotti, Amy Stegeman, Janet Boyd, Bill Roederer, Maryam Rod Szabo, Kelly Faga, Stephanie TeKippe, Amy Gieseke, Jina Brincks, Song Luong, Patricia Townsend, Isbelia Arzola, Dennis Harden, Chris Dzurick, Heather Meissen, Jen Rathje, Lora Vargason, Naiki Adams, Holli Marolf, Veronica Anderson, Shaela Meister, Tom Deeter, Jeanette Thomas, Lisa Albers, Kala Shipley, Barb Guy, Marianne Rodrigues, Jeff Fletcher, Amy Vybiral, Bryan Bauer, Steve Ervin and Carol McMains.

Also in attendance were: Eric Henely; Marge Welch, Lindsay Stoaks, Barb Godden and Wayne Pantini, Southwestern Community College; Grant Gerlock, Iowa Public Radio; Carrie Weber, Ahlers & Cooney P.C.; Kurt Subra, Heartland Area Education Agency; Dar Danielson, Radio Iowa; Cynthia Knight, Beth Stephas, Forrest Dawkins, Timothy Johnson and Corey Lunn, Choice Charter School; Matthew Molumby, Julie George, Steve Milder, Charlie Sieck and Alan Streitmatter, West Central Charter School; Lucas Grundmeier and Katie Akin, Des Moines Register; Katie Grieving, Decoding Dyslexia Iowa; Vanessa Grossl; Amanda Aldis; Jill Heinrich and Beth Globokar, Cornell College; Brittany Garling, Angela Hunter and Renee Fensom, Buena Vista University; Linh Ta, Axios; Christine Trujillo, Gilbert Community School District; Kimberly Walsh; Lauren Linekin; Bridget Godes, Iowa Senate Democratic Caucus; Monica Welander; and Ryan Wise, Drake University.

State Board Business Meeting

John Robbins called the meeting to order at 9:00 a.m.

The meeting was conducted in person, with remote access information provided in the notice of meeting.

Motion: Brooke Axiotis made a motion and Cassandra Halls seconded to approve the meeting agenda.

Vote: The ayes were unanimous. The motion carried.

Communication

John Robbins made a statement regarding limiting the time of public comment based on the number of speakers.

Public Comment

Cynthia Knight, Choice Charter School (Choice Charter), provided background regarding Choice Charter and thanked the State Board for the opportunity to change the lives of students in Iowa.

Forrest Dawkins, shared information regarding his rewarding work as a mentor with Choice Charter.

Katie Greving, Decoding Dyslexia Iowa, provided comment regarding dyslexia, the Dyslexia Task Force and literacy curriculum programs.

Timothy Johnson, shared information regarding his background and work as a Gifted and Talented Coordinator with Choice Charter.

Director's Report

State Board president John Robbins welcomed new Iowa Department of Education Director, Chad Aldis.

Director Aldis provided information regarding his background and shared that he looks forward to learning what is working well at the Department as well as tackling any challenges. The Director outlined the Department's priorities to: 1) implement the laws of the state faithfully; 2) focus on outcomes, putting students and transparency first; and 3) recognize and embrace our role as a supporting agency.

Director Aldis provided updates regarding Safe+Sound Iowa, a free anonymous K-12 school safety reporting program, as well as critical incident mapping services offered to schools as part of the Governor's school safety initiative. He also shared information regarding the state agency alignment and education savings account bills.

Consent Agenda

Rod Bradley requested corrections to the minutes from the January and March 2023 State Board meetings.

Motion: Brian Kane made a motion and Rod Bradley seconded to approve the consent agenda with the changes noted.

Vote: The ayes were unanimous. The motion carried.

Appeal 5168: In Re Eric and Christine Henely v. Gilbert Community School District (Appeal of Proposed Decision)

Thomas Mayes, General Counsel, shared information regarding Appeal 5168: In Re Eric and Christine Henely v. Gilbert Community School District. Appellants challenged the decision of the Gilbert Community School District (District) board of directors to update its handbook to require permission to video record on District property or at District events, without the consent of a District employee. The Administrative Law Judge's (ALJ) decision affirmed the handbook language, and the Appellants timely filed a formal notice of appeal. The parties were present for oral argument.

Eric Henely, representing the appellants, shared the basis of the appeal. His argument challenged whether the text of the District policy should give unbridled discretion to school officials to determine when recording should be allowed and when not allowed. Appellants requested the State Board reverse the decision and strike down the District policy as unconstitutional under the First Amendment. Henely also described threats and intimidation by school staff during his son's IEP meetings.

There was discussion regarding State Board authority to adjudicate constitutionality, rationale for videotaping IEP meetings, audio recording of IEP meetings, public meetings, privacy protection, other school districts' videotaping policies and appeal rights.

Carrie Weber, attorney for the appellee, introduced Christine Trujillo, Superintendent, Gilbert Community School District. Weber shared background regarding a history of appellant complaints creating tension. She responded to the appellant's arguments and vehemently disagreed with the appellant's characterization of his treatment during IEP meetings. Weber urged the State Board to affirm and adopt the proposed decision.

There was discussion regarding disruption due to videotaping IEP meetings, rationale for recording meetings, prior District board handbook language, local board discretion and staff comfort and privacy.

Trujillo shared that the District has worked diligently with the appellant to ensure they are providing the best possible service and education to the student.

There was discussion regarding First Amendment rights, the right to privacy, the audio recording option available to the appellants, the distinction between audio and video recording in terms of candor and comfort level and abuse of discretion.

Motion: Mike May made a motion and Brian Kane seconded that the State Board affirm the proposed decision.

Vote: A roll call vote was taken. Aye: Axiotis, Bradley, Halls, Kane, May and Robbins. Nay: Peterson. The motion carried, 6-1.

Appeal 5165: In Re Nicholas Flood v. Kirkwood Community College (Appeal of Proposed Decision)

Thomas Mayes, shared information regarding Appeal 5165: In Re Nicholas Flood v. Kirkwood Community College. Appellant received a sanction for violating the Kirkwood Community College academic integrity policy in a computer coding class. After hearing evidence and reviewing the arguments of the parties and counsel, the ALJ recommends affirming the decision of Kirkwood Community College.

Neither of the parties were present for oral argument.

Motion: Nathan Peterson made a motion and Brooke Axiotis seconded that the State Board affirm the proposed decision.

Vote: A roll call vote was taken. Aye: Axiotis, Bradley, Halls, Kane, May, Peterson and Robbins. The ayes were unanimous.

Executive Order 10; Special Meeting Date

The Department is required to review all of its administrative rules by September 2023 under Governor Reynolds's Executive Order 10. The Department anticipates completion of much of this work, on a rolling basis, before September 2023. After that review is complete, the State Board must either give notice of its intended action to repeal-and-reserve or repeal-and-replace each of the Department's chapters by December 31, 2023.

Thomas Mayes suggested the State Board consider holding a special meeting in December to complete the work regarding rulemaking.

The State Board agreed to hold December 14, 2023 as a special meeting date, if needed, to accomplish work related to administrative rules.

There was discussion regarding the Board of Educational Examiners (BoEE) retaining its rulemaking authority.

Southwestern Community College Interim Accreditation Report

Amy Gieseke, Chief, Bureau of Community Colleges, presented the Interim Accreditation Report for Southwestern Community College (SWCC), an associate-degree granting institution.

The Department conducted the interview portion of the evaluation on October 5-6, 2022. The report reflects the review team's observations and determinations made during SWCC's interim visit. As mandated by Iowa Code section 260C.47, the accreditation team, including two external peer reviewers, assessed SWCC's compliance with eight Iowa State Accreditation Standards via a structured process of document review and interviews. The team also reviewed the most recent Higher Learning Commission (HLC) regional accreditation report to ensure that

any findings have been addressed. Iowa's process has been designed not to duplicate HLC's accreditation process.

A presentation was provided outlining the state accreditation cycle and process, SWCC's institutional profile and state standards.

Lindsay Stoaks, Vice President of Instruction, introduced Barb Godden, Vice President of Institutional Effectiveness and Wayne Pantini, Vice President of Economic Development, SWCC.

A presentation was shared outlining SWCC's strategic plan, regional training center partnerships, SkillsUSA competition outcomes, student success rate, transfer rate and graduation rate.

Motion: Brian Kane made a motion and Mike May seconded that the State Board grant continued accreditation for Southwest Community College through the next comprehensive site visit in fiscal year 2028.

Vote: The ayes were unanimous. The motion carried.

Buena Vista University Educator Preparation Program Approval

Maryam Rod Szabo, Administrative Consultant, Bureau of Community Colleges, presented the Buena Vista University (BVU) Educator Preparation Program Report. BVU provides teacher and professional school counselor preparation programming.

The Department conducted a program review and site visit in April 2022 under Iowa Administrative Code 281-79. BVU has met Chapter 79 standards without condition.

Discussion topics included diversity, the Teacher & Paraeducator Registered Apprenticeship (TPRA) Program, graduation rates, recruiting minority candidates and previous issues at satellite locations.

Brittany Garling, Dean, School of Education, BVU, shared information regarding programming, the TPRA program and cross population of PhD-trained faculty.

Motion: Mike May made a motion and Rod Bradley seconded that the State Board grant full approval to the Buena Vista Educator Preparation Program through the next review scheduled for the 2028-2029 academic year.

Vote: The ayes were unanimous. The motion carried.

Cornell College Educator Preparation Program Approval

Maryam Rod Szabo presented the Cornell College (Cornell) Educator Preparation Program Report. Cornell provides teacher and professional school counselor preparation programming.

The Department conducted a program review and site visit in March 2022 under Iowa Administrative Code 281-79. Cornell has met Chapter 79 standards without condition.

Jill Heinrich, Professor of Education, Cornell, shared information regarding student coursework and advisors.

Motion: Mike May made a motion and Rod Bradley seconded that the State Board grant full approval to the Cornell College Educator Preparation Program through the next review scheduled for the 2028-2029 academic year.

Vote: The ayes were unanimous. The motion carried.

Business, Finance, Marketing and Management Career and Technical Education Standards

The State Board adopted standards for all Career and Technical Education (CTE) service areas in September 2019. The standards required a refresh due to the changing nature of the workforce.

Dennis Harden, Chief, and Chris Dzurick, Consultant, Bureau of Career and Technical Education, provided a review of the organization of the current CTE programs in Iowa and the process for standards development.

There was discussion regarding feedback gathered from stakeholders.

Motion: Brian Kane made a motion and Nathan Peterson seconded that the State Board adopt the Business, Finance, Marketing and Management Career and Technical Education standards.

Vote: The ayes were unanimous. The motion carried.

Annual Report on Citations and Corrections

Eric Heitz, Administrative Consultant, Bureau of School Improvement, and Barb Guy, Chief, Bureau of Student and Family Special Education Services, presented the Annual Report on Citations and Corrections, a new report required by the Legislature. The Department regularly monitors all state accredited districts and nonpublic schools through a variety of methods. Findings from the 2021-2022 monitoring reviews were shared.

There was discussion regarding the types of noncompliance issues found, reporting of federal noncompliance and use of this report going forward.

Board Reports

Brooke Axiotis provided information obtained from the Iowa PBS legislative breakfast.

Alaina Whittington shared information regarding her involvement with the Ringgold County Gold Center.

Brian Kane is serving on and attending meetings of the National Association of State Boards of Education Public Education Committee.

Nathan Peterson shared information on his involvement with the West High School peer-to-peer tutoring program.

John Robbins was recently elected to serve on a local bank board of directors.

Cassandra Halls provided an update on the Spencer Chamber of Commerce collaborating with the local school district to launch a business-sponsored work-based learning program.

The State Board recognized student member Alaina Whittington and thanked her for service.

Fiscal Year 2023-2024 Annual Budget Approval for Area Education Agencies

Jina Brincks, Consultant, Bureau of School Business Operations, provided information regarding the Area Education Agencies' (AEAs) proposed budgets for fiscal year 2023-2024.

Iowa Code section 273.3, subsection 12, requires that the State Board review the proposed budget for each AEA and either grant approval or return the budget without approval with comments by May 1. The State Board shall give final approval only to budgets submitted by AEAs accredited by the State Board or that have been given conditional accreditation by the State Board. All nine AEAs are full accredited for the 2022-2023 school year.

Kurt Subra, Chief Financial Officer, Heartland AEA, provided an overview of AEA finances.

There was discussion regarding special education funding, AEA-provided special education services, speech development and solvency ratio.

Motion: Brian Kane made a motion and Brooke Axiotis seconded that the State Board approve the Area Education Agency budgets for fiscal year 2023-2024.

Vote: The ayes were unanimous. The motion carried.

West Central Charter High School Renewal

Janet Boyd, Consultant, Bureau of School Improvement, provided information regarding the renewal of the West Central Charter High School (West Central), which has operated as part of the West Central Community School District under Iowa Administrative Code 256F since 2005.

Staff and students from West Central shared their experiences.

There were discussions regarding class size, finances, offer-and-teach exemptions, outreach, community college partnerships, sports and music programs, academic rigor and enrollment.

Motion: Mike May made a motion and Brian Kane seconded that the State Board grant renewal of the West Central Charter High School through the end of the 2026-2027 school year.

Vote: The ayes were unanimous. The motion carried.

Charter School Monitoring Report

Kassandra Cline, Chief, Bureau of School Business Operations, and Janet Boyd provided a report regarding two charter schools approved by the State Board to begin in school year 2022-2023 – Choice Charter and Hamburg Charter High School (Hamburg).

Pursuant to Iowa Code 256E.3 and Iowa Administrative Code r. 281-19.13, the State Board is required to monitor performance and compliance of each approved charter school. The report to the State Board is based on incremental reporting provided by each charter school including the following components: student enrollment, programming, student success, staffing, finance and local board meetings.

Boyd presented information from a recent in-person visit to Hamburg and a virtual visit to Choice Charter.

Cline outlined the State Board's authority regarding charter schools, reviewed the Department's proactive approach to monitoring charter schools and announced the creation of the Charter School Sustainability Group. The purpose of the sustainability group is to proactively assist charter schools, particularly new charter schools, as they ramp up and implement operational, fiscal, governing board and program compliance efforts.

Discussion topics included the rulemaking process and State Board representation on the sustainability group

School Budget Review Committee Update

Kassandra Cline presented the summary of action from the School Budget Review Committee (SBRC) hearing held on March 9, 2023.

Annual Condition of Secondary Career and Technical Education Report

Dennis Harden presented the Annual Condition of Secondary CTE Report, which provides information on student enrollment in courses and programs. Harden's presentation covered demographic characteristics of secondary CTE students and educators, information on career and technical student organizations, secondary career and academic planning, work-based learning and regional centers.

There was discussion regarding the percentage of minority instructors and a mentor pilot program.

Iowa Community Colleges Joint Enrollment Report, Academic Year 2022

Jeremy Varner, Chief, Division of Community Colleges and Workforce Preparation, and Jen Rathje, Consultant, Bureau of Community Colleges, shared information regarding the Iowa Community Colleges Joint Enrollment Report for Academic Year 2022.


There was discussion regarding participation rates among student subgroups, parent engagement, college and career transition counselors, concurrent enrollment and articulation.

Legislative Update


Eric St Clair, Legislative Liaison, shared that the Department has tracked 233 bills, responded to 104 fiscal notes and submitted over 30 legislative reports. The second funnel is nearing, which is a procedural deadline to narrow the focus of legislation that can be considered within the chamber. St Clair provided an update regarding the bills related to educational savings accounts, education reform and flexibility for schools, parental and student rights and state government alignment.

It was moved by Nathan Peterson and seconded by Rod Bradley to adjourn. The motion carried unanimously.

The meeting adjourned at 2:33 p.m.



John Robbins
President



Chad L. Aldis
Director