

TITLE I  
GENERAL INFORMATION—  
DEPARTMENT OPERATIONS

CHAPTER 1  
ORGANIZATION AND OPERATION

[Prior to 9/7/88, see Public Instruction Department[670] Ch 49]

**281—1.1(17A,256) State board of education.** The state board of education, authorized by Iowa Code chapter 256, is the governing and policy-forming body for the department of education.

**1.1(1) Membership.** The board consists of nine voting members appointed by the governor, with approval of two-thirds of the members of the senate, with not more than five members from the same political party, and not more than five members of the same gender. Effective May 1, 2003, the board shall also consist of one nonvoting student member as outlined in rule 281—1.2(17A,256). The nonvoting student member shall be appointed without regard to political affiliation. The nonvoting student member shall not be considered for purposes of constituting the necessary quorum.

**1.1(2) Officers.** The board shall elect from its voting members a president and a vice president, each to serve a term of two years.

**1.1(3) Terms.** The voting members of the board are appointed for six-year terms, from May 1 to April 30, with the terms of three members expiring every two years. There is no statutory limitation to the number of terms a voting member may serve. The nonvoting student member shall serve a one-year term, from May 1 to April 30, as described in subrule 1.2(1).

**1.1(4) Meetings.** The board is required to hold no fewer than six meetings each year. The majority of the meetings are held in the state board room at the department of education in Des Moines, which is located on the second floor of the Grimes State Office Building on the corner of East 14th Street and Grand Avenue. By notice of the regularly published meeting agenda, the board may hold meetings in other areas of the state.

**1.1(5) Compensation.** All voting board members and the nonvoting student member are entitled to receive their necessary expenses while engaged in official duties. In addition, they shall be paid a per diem at the rate specified in Iowa Code section 7E.6. If the student member's parent or guardian provides supervision pursuant to subrule 1.2(4), the parent or guardian shall receive necessary expenses but not the per diem. Per diem and expense payments shall be made from appropriations to the department of education.

**1.1(6) Additional board functions.** In addition to its functions as the state board of education, the board constitutes:

- a. The state board for vocational education, Iowa Code section 256.7(2).
- b. The state board for vocational rehabilitation, Iowa Code section 259.3.
- c. The state board for community colleges, Iowa Code section 260C.3.

**1.1(7) Advisory groups.** The following advisory groups have been established by statute to provide advice to the state board in the indicated areas:

- a. Nonpublic schools advisory committee, Iowa Code section 256.15, to advise the board on matters affecting nonpublic schools.
- b. Community college council, Iowa Code section 256.31, to assist the state board of education with substantial issues which are directly related to the community college system.

**281—1.2(17A,256) Student member of state board of education.** The governor shall appoint a public high school student to serve as a nonvoting member of the state board of education.

**1.2(1) Term.** The nonvoting student member shall serve a term from May 1 to April 30. The student member may serve a second year as the nonvoting student member without having to reapply for the position if the student has another year of high school eligibility remaining before graduation. A vacancy in the membership of the nonvoting student member shall not be filled until the expiration of the term.

**1.2(2) Qualifications.** At the time of making application, the nonvoting student member shall meet all of the following qualifications:

a. The student must be a full-time, regularly enrolled tenth or eleventh grade student in an Iowa school district.

b. The student must have been regularly enrolled as a full-time student in the district of present enrollment for at least two consecutive semesters or the equivalent thereof.

c. The student must have a minimum cumulative grade point average in high school of 3.0 on a 4.0 scale (3.75 on a 5.0 scale).

d. The student must demonstrate participation in extracurricular and community activities, as well as an interest in serving on the state board.

e. The student must have the consent of the student's parent or guardian, as well as the approval of the student's district.

**1.2(3)** *Application process.* The application process for the nonvoting student member is as follows:

a. The department shall, on behalf of the state board, prepare and disseminate application forms to all school districts in Iowa. In addition to the application itself, the student shall submit all of the following:

(1) A consent form signed by the student's parent or guardian.

(2) An approval of the application signed by the superintendent of the student's district of enrollment or the superintendent's designee.

(3) A letter of recommendation from a high school teacher from whom the student received instruction.

(4) A letter of recommendation from a person in the community familiar with the student's community activities.

b. The number of applicants in a year from any one district is limited as follows:

(1) If district enrollment for grades 10 through 12 is less than 400 students, there may be no more than one applicant from the district.

(2) If district enrollment for grades 10 through 12 is from 400 to 1199 students, there may be no more than two applicants from the district.

(3) If district enrollment for grades 10 through 12 is 1200 students or more, there may be no more than three applicants from the district.

c. All applications shall be submitted on or before February 1 of the year in which the term is to begin. Applications may be hand-delivered or postmarked on or before February 1 to the Iowa Department of Education, Office of the Director, Grimes State Office Building, Des Moines, Iowa 50319-0146.

d. All applications shall be initially screened by a committee to be appointed by the director of the department. The initial screening committee shall select not more than 20 semifinalists. If fewer than a total of 20 applications are received, the initial screening process may be omitted, at the discretion of the director of the department.

e. The applications of the semifinalists shall be reviewed by a committee appointed by the president of the state board. The committee shall submit a list of two to five finalists to the governor, who shall appoint the student member from the list submitted by the committee on behalf of the state board of education.

**1.2(4)** *Participation of student member in official board activities.* Upon appointment to the board, the student member shall, at minimum, fulfill the following requirements to remain eligible to serve:

a. The student shall maintain enrollment as a full-time student in an Iowa public school district. If the student moves or transfers from the district of application, the student must obtain the approval of the superintendent or the superintendent's designee in the student's new district of enrollment.

b. The student shall maintain a minimum cumulative grade point average in high school of 3.0 on a 4.0 scale or 3.75 on a 5.0 scale.

c. The student shall attend regularly scheduled board meetings as required of voting board members. As a nonvoting member, the student may not participate in any closed session of the board.

d. The student member's absences from school to participate in official state board activities shall not be shown by the student's district as unexcused absences. The student member's participation in

board activities outside the regularly scheduled meetings of the state board shall be approved by the president of the board and the student's superintendent or the superintendent's designee.

*e.* If the student member is a minor, the student's parent or guardian must accompany the student while the student is participating in official state board activities at a location other than the student's resident community, unless the parent or guardian submits to the state board a signed release indicating that the parent or guardian has determined that such supervision is unnecessary.

[ARC 1330C, IAB 2/19/14, effective 3/26/14]

**281—1.3(17A,256) Director of education.** The director is responsible for exercising general supervision over the state system of public education and nonpublic schools to the extent that is necessary to ascertain compliance with provisions of the Iowa school laws. The director performs the function of executive officer of the state board of education.

**1.3(1) Appointment, term, and salary.** The director is appointed by the governor, appointment subject to approval of two-thirds of the members of the senate. The director serves at the pleasure of the governor. A salary range for this position is established by the general assembly with the governor setting the specific salary from within this range.

**1.3(2) Qualifications.** The director shall possess a background in education and administrative experience.

**281—1.4(17A,256) Department of education.** The department of education is established by the general assembly to act in a policy-making and advisory capacity and to exercise general supervision over the state system of education including (1) public elementary and secondary schools, (2) community colleges, (3) area education agencies, (4) vocational rehabilitation, (5) educational supervision over the elementary and secondary schools under the control of the department of human services, and (6) nonpublic schools to the extent necessary for compliance with the Iowa school laws.

The department shall also:

1. Stimulate and encourage educational radio and television and other educational communications services as necessary to aid in accomplishing the educational objectives of the state;
2. Meet the informational needs of the three branches of state government; and
3. Provide for the improvement of library services to all Iowa citizens and foster development and cooperation among libraries.

The department of education shall act as an administrative, supervisory, and consultative agency.

**1.4(1) Organization.**

*a. Office of the director.* The director is the chief administrator of the department and serves as chief executive officer of the state board of education.

*b. Division of community colleges and workforce preparation.* The division oversees career and technical education as well as the community colleges.

*c. Division of financial and information services.* The division provides internal operations and information technology to the agency as well as planning, research and evaluation services.

*d. Division of early childhood, elementary and secondary education.* The division consists of bureaus that oversee instructional services, practitioner preparation, administration and school improvement services, and food and nutrition services.

*e. Division of library and information services.* The division is responsible for the state library, library development, and audio-visual services.

*f. Iowa public television.* This is the division of public broadcasting and related services.

*g. Division of vocational rehabilitation services.* This division provides disability determination services and related services for clients with disabilities.

**1.4(2) Organizational responsibility.** Each division is under the direction of an administrator. Each bureau is under the direction of a chief for administrative purposes.

**1.4(3) Employees.** It is the responsibility of the director to appoint all employees of the department excluding the state librarian and the employees of Iowa public television with due regard to their qualifications for the duties to be performed, designate their titles and prescribe their duties.

**1.4(4) *Mailing addresses.*** The mailing address for the state board of education and all divisions of the department, with the exception of the division of library services, the division of public broadcasting, and vocational rehabilitation services, is Grimes State Office Building, Des Moines, Iowa 50319-0146. The mailing address for the division of library services is East 12th and Grand Avenue, Des Moines, Iowa 50319. The mailing address for Iowa public television is P.O. Box 6450, Johnston, Iowa 50131. The mailing address for the vocational rehabilitation services division is 510 East 12th Street, Des Moines, Iowa 50319-0146.

**1.4(5) *Information or submissions.*** Information inquiries should be addressed to the appropriate administrator of the desired organizational unit shown in subrule 1.4(1). Requests for hearings, declaratory rulings, participation in rule-making procedures of the board, and scheduling of presentations to the board should be addressed to the director of education.

These rules are intended to implement Iowa Code section 17A.3.

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