

# Iowa Department of Education

J.D. Arnett

Legal Counsel

Legislative Services Agency

# Outline

- ▶ History.
- ▶ General information related to the State Board of Education, Department of Education, and Director of the Department of Education.
- ▶ General duties of the State Board of Education and the Director of the Department of Education.
- ▶ Divisions of the Department of Education.
- ▶ Specific duties of the Department of Education.
- ▶ The Department of Education's role in PK-12 education.

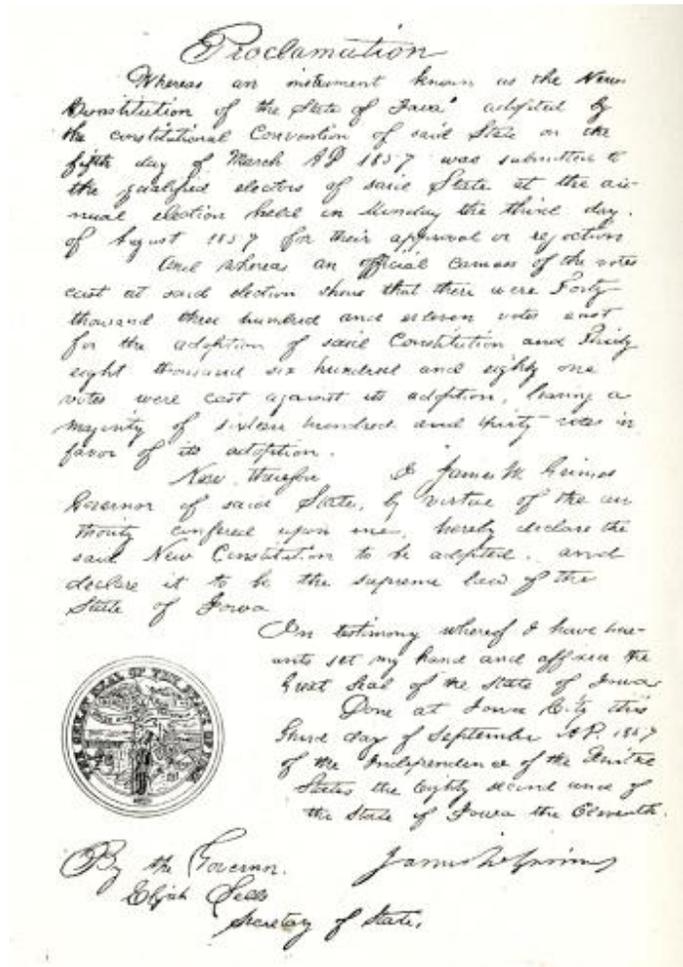


# ▶ History

# 1846 Constitution

- ▶ “[P]rovide for the election by the people of a superintendent of public instruction, who shall hold his office for three years, and whose duties shall be prescribed by law . . . .” Iowa Const. of 1846, art. IX, § 1.





# 1857 Constitution

- ▶ “The educational interest of the state, including common schools and other educational institutions, shall be under the management of a board of education . . . .” Iowa Const. art. IX, div. 1, § 1.
- ▶ “The board of education shall have full power and authority to legislate and make all needful rules and regulations in relation to common schools, and other educational institutions . . . .” Iowa Const. art. IX, div. 1, § 8.

# 1864 Iowa Acts, ch. 52

- ▶ The General Assembly may, at any point after 1863, “abolish or re-organize said Board of Education, and provide for the educational interest of the State in any other manner that to them shall seem best and proper.” Iowa Const. art. IX, div. 1, § 15.
- ▶ 1864 Iowa Acts, ch. 52, abolishes the Board of Education and creates a state officer position: the Superintendent of Public Instruction. 1864 Iowa Acts, ch. 52, §§ 1-2.
- ▶ *District Township of the City of Dubuque v. City of Dubuque*, 7 Iowa 262 (1858).

# 1913 Iowa Acts, ch. 103

- ▶ Governor is required to nominate, subject to confirmation by the Senate, a Superintendent of Public Instruction. 1913 Iowa Acts, ch. 103, §1.
- ▶ Implemented qualification requirements applicable to the Superintendent of Public Instruction. 1913 Iowa Acts, ch. 103, §2.
- ▶ The Superintendent of Public Instruction's office is known as the "Department of Public Instruction." 1913 Iowa Acts, ch. 103, §3.

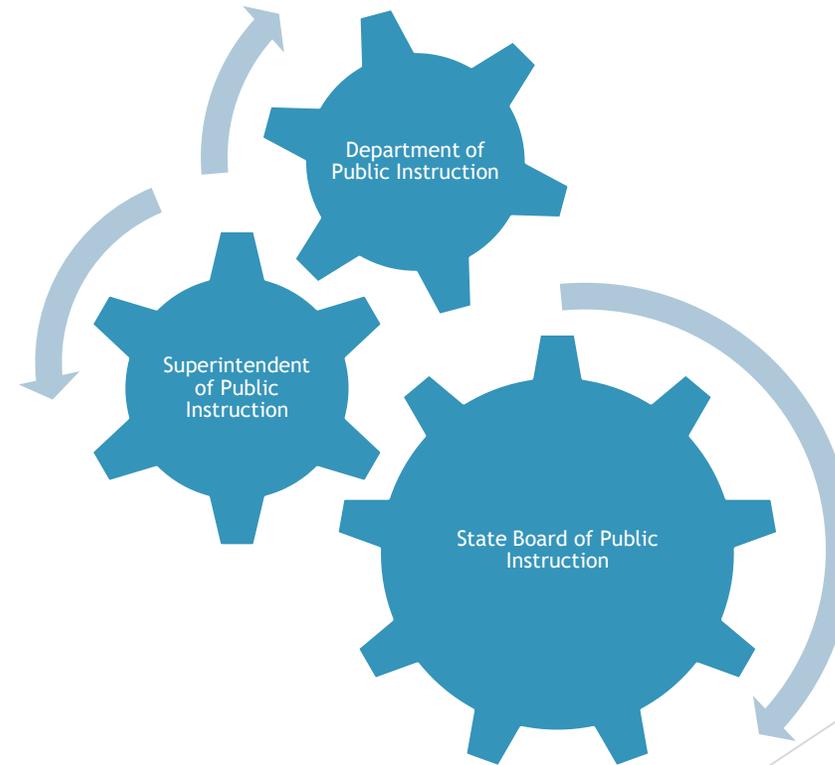
# 1945 Iowa Acts, ch. 131

- ▶ Created a Division of Special Education within the Department of Public Instruction. 1945 Iowa Acts, ch. 131, §1.
- ▶ Division of Special Education is required to promote, direct, and supervise special education for children with disabilities. 1945 Iowa Acts, ch. 131, §1.



# 1953 Iowa Acts, ch. 114

- ▶ Established State Board of Education. 1953 Iowa Acts, ch. 114, §1.
- ▶ Required to State Board of Education to appoint Superintendent of Public Instruction. 1953 Iowa Acts, ch. 114, §11.
- ▶ Established Department of Public Instruction. 1953 Iowa Acts, ch. 114, §29.



# 1965 Iowa Acts

## Chapter 226

- ▶ Implemented minimum required curriculum. 1965 Iowa Acts, ch. 226, §2.
  - ▶ Nursery school.
  - ▶ Kindergarten.
  - ▶ Grades 1-6.
  - ▶ Grades 7 and 8.
  - ▶ Grades 9-12.

## Chapter 247

- ▶ Established the community college system and gave the State Board of Public Instruction some oversight authority over the system. 1965 Iowa Acts, ch. 247, §§1, 5, 7, 27.

# 1986 Iowa Acts, ch. 1245

- ▶ State Board of Public Instruction → State Board of Education. 1986 Iowa Acts, ch. 1245, §1403.
- ▶ Superintendent of Public Instruction → Director of the Department of Education. 1986 Iowa Acts, ch. 1245, §§1408, 1409.
- ▶ Governor now appoints members of the State Board of Education and the Director of the Department of Education. 1986 Iowa Acts, ch. 1245, §§1403, 1408.
- ▶ State Board retains many of the same duties and responsibilities. 1986 Iowa Acts, ch. 1245, §§1407, 1435, 1470, 1476.

# 1989 Iowa Acts, ch. 265



- ▶ Established the Board of Educational Examiners as an autonomous board no longer under the State Board of Education. 1989 Iowa Acts, ch. 265, §2.
- ▶ However, membership includes the Director of the Department of Education. 1989 Iowa Acts, ch. 265, §3.

# 1993 Iowa Acts, ch. 48

- ▶ Added the Division of Libraries and Information Services, which was required to:
  - ▶ Coordinate interregional interlibrary loan and information network.
  - ▶ Distribute state publications to libraries.
  - ▶ Give advice and counsel to libraries.
  - ▶ Foster public awareness. 1993 Iowa Acts, ch. 48, §18.
- ▶ Added the Public Broadcasting Division, which was required to “plan, establish, and operate educational radio and television facilities and other telecommunication services to serve the educational needs of the state.” 1993 Iowa Acts, ch. 48, §39.

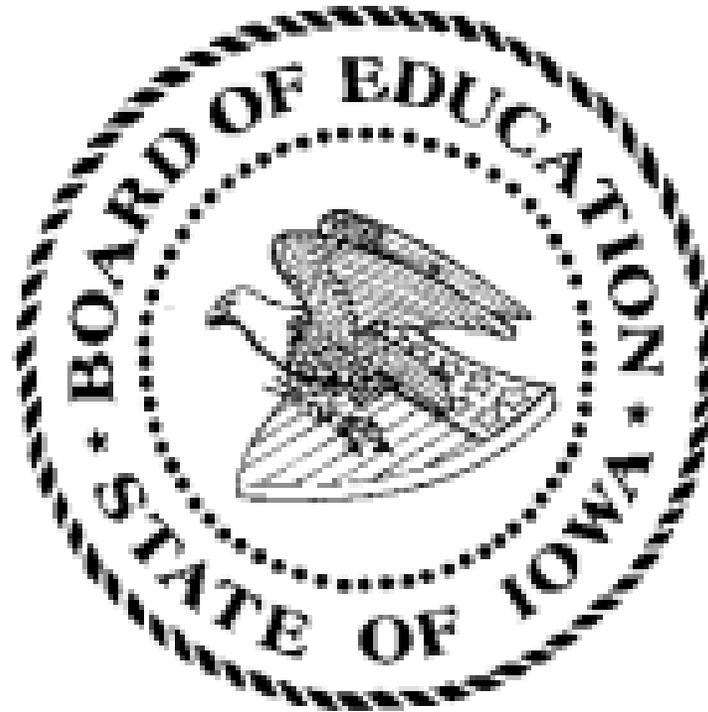
# 2023 Iowa Acts, ch. 19

- ▶ Moved the Iowa School for the Deaf and the Iowa Educational Services for the Blind and Visually Impaired program from the State Board of Regents to the Department of Education. 2023 Iowa Acts, ch. 19, §2479.
- ▶ Created the Innovation Division and moved the STEM Collaborative Initiative from the University of Northern Iowa to this new division. 2023 Iowa Acts, ch. 19, §2515.
- ▶ Created the Higher Education Division and housed all the following within the new division:
  - ▶ College Student Aid Commission.
  - ▶ Board of Educational Examiners.
  - ▶ Community Colleges Bureau.
  - ▶ Community Colleges and Postsecondary Readiness Bureau. 2023 Iowa Acts, ch. 19, §2521.
- ▶ Moved the Division of Libraries and Information Services to the Department of Administrative Services. 2023 Iowa Acts, ch. 19, §§1360-1382.

General Information Related to  
the State Board of Education,  
Department of Education, and  
the Director of the  
▶ Department of Education

# State Board of Education

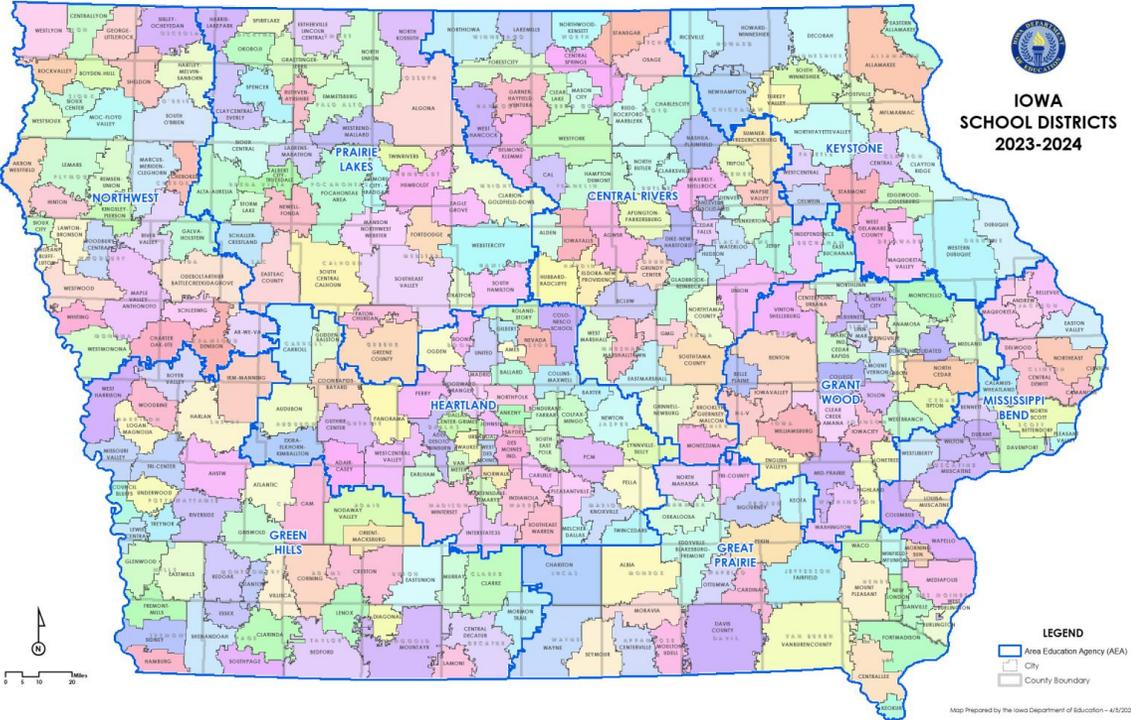
- ▶ Nine members
  - ▶ Seven voting members.
    - ▶ Appointed by the Governor, subject to Senate confirmation. Iowa Code §256.3(1).
    - ▶ Six-year terms. Iowa Code §256.3(3).
  - ▶ Two nonvoting members.
    - ▶ Director of the Department of Workforce Development. Iowa Code §256.3(1).
    - ▶ Student member. Iowa Code §256.5A.
- ▶ “Adopt and establish policy for programs and services of the department pursuant to law.” Iowa Code §256.7(1).



# Director of the Department of Education

- ▶ Appointed by the Governor, subject to confirmation by the Senate.  
Iowa Code §256.8.
- ▶ Serves at the pleasure of the Governor. Iowa Code §256.8.
- ▶ Must “possess a background in education and administrative experience . . . .” Iowa Code §256.8.
- ▶ Is required to:
  - ▶ “Carry out programs and policies as determined by the state board.” Iowa Code §256.9(1).
  - ▶ “Employ personnel and assign duties and responsibilities of the department.” Iowa Code §256.9(4).

# Department of Education



► “The [Department] is established to act in a policymaking and advisory capacity and to exercise general supervision over the state system of education including all of the following . . . .” Iowa Code §256.1.



# General Duties of the State Board of Education and the Director of the ▶ Department of Education

# General Duties of the State Board of Education

- ▶ Prescribe standards and procedures for the approval of teacher preparation programs. Iowa Code §256.7(3)(a).
- ▶ Adopt and update a five-year plan for the achievement of educational goals. Iowa Code §256.7(4).
- ▶ Hear appeals of persons aggrieved by decisions of school boards. Iowa Code §256.7(6).
- ▶ Prescribe various guidelines for kindergarten through grade three before and after school and summer child care programs. Iowa Code §256.7(11).
- ▶ Adopt rules and a procedure for accrediting apprenticeship programs. Iowa Code §256.7(13).
- ▶ Adopt rules relating to the statewide summative assessments. Iowa Code §256.7(21)(b).
- ▶ Adopt core curriculum and core content standards and establish high school graduation requirements. Iowa Code §256.7(26)(a).

# General Duties of the Director of the Department of Education

- ▶ Administer federal funds for educational and rehabilitation purposes. Iowa Code §256.9(7).
- ▶ Conduct research on educational matters. Iowa Code §256.9(9).
- ▶ Recommend revisions to school laws. Iowa Code §256.9(10).
- ▶ Interpret school laws and rules related to school laws. Iowa Code §256.9(16).
  - ▶ *Hills & Dales Child Dev. Ctr. v. Iowa Dep't of Educ.*, 968 N.W.2d 238 (Iowa 2021).
  - ▶ *Iowa Ass'n of School Bds. v. Iowa Dep't of Educ.*, 739 N.W.2d 303 (Iowa 2007).
- ▶ Determine the condition of schools under the supervision of the department. Iowa Code §256.9(20).
- ▶ Classify schools under the supervision of the department and formulate suitable courses of study. Iowa Code §256.9(24).
- ▶ Develop standards and instructional materials for before and after school programs. Iowa Code §256.9(31).
- ▶ Provide resources relating to implementation of nutritional guidelines. Iowa Code §256.9(34).
- ▶ Develop and implement a management information system. Iowa Code §256.9(44).
- ▶ Develop standards for school administrators. Iowa Code §256.9(47).
- ▶ Grant waivers from statutory obligations in certain cases. Iowa Code §256.9(53).
- ▶ Develop and distribute a comprehensive state mathematics plan. Iowa Code §256.9(73).

# Divisions of the Department of ▶ Education

# Public Broadcasting Division

- ▶ Standards related to journalistic and editorial integrity:
  - ▶ Iowa Public Broadcasting Board appoints advisory committee. Iowa Code §256.82(3)(a).
  - ▶ Iowa Public Broadcasting Board may opt to not use a competitive selection process in certain instances. Iowa Code §256.84(8).
- ▶ Cannot compete with private sector unless certain conditions are met. Iowa Code §256.86(2)(a)(1)-(3).





# Innovation Division

- ▶ Science, Technology, Engineering, and Mathematics Collaborative Initiative. Iowa Code §256.111.
- ▶ Recruits mathematics and science teachers and provides for mathematics and science programming for K-12 students. Iowa Code §256.111(3).
- ▶ Collaborates with community colleges. Iowa Code §256.111(4).

# Higher Education Division

- ▶ Administrator of the division is responsible for:
  - ▶ Community Colleges and Post-Secondary Readiness Bureau. Iowa Code §256.121(2)(a)(1).
  - ▶ Board of Educational Examiners. Iowa Code §256.121(2)(a)(2).
  - ▶ College Student Aid Commission. Iowa Code §256.121(2)(a)(3).
  - ▶ Community Colleges Bureau. Iowa Code §256.121(2)(a)(4).
- ▶ Iowa Code § 7E.2(3)(c):
  - (1) The principal subunit of the department is the “*division*”. Each division shall be headed by an “*administrator*”.
  - (2) The principal subunit of the division is the “*bureau*”. Each bureau shall be headed by a “*chief*”.
- ▶ Iowa Code § 7E.4(2):
  - a. “*Board*” means a policymaking or rulemaking body that has the power to hear contested cases.
  - b. “*Board*” includes a professional licensing board which sets standards of professional competence and conduct for the profession or occupation under its supervision . . . .
- ▶ Iowa Code § 7E.4(3):
  - 3. “*Commission*” means a policymaking body that has rulemaking powers.

# Community Colleges and Post-Secondary Readiness Bureau

- ▶ Federal Carl D. Perkins Career and Technical Education Act of 2006.
- ▶ Iowa receives approximately \$13.9 million annually under the Act, divided between career and technical education programs delivered through schools and community colleges. *Perkins V*, Iowa Department of Education, <https://educate.iowa.gov/higher-ed/cte/perkins-v> (last visited Sept. 3, 2025).
- ▶ Career and technical education planning partnerships help schools and community colleges deliver these programs. Iowa Code §256.136.

# Board of Educational Examiners

- ▶ Consists of 13 members. Iowa Code §256.147(1).
- ▶ Licenses teachers, administrators, and others who provide educational assistance. Iowa Code §256.146(1)(a).
- ▶ Investigates, conducts hearings, and, when appropriate, disciplines licensees. Iowa Code §256.146(13), (25).



# College Student Aid Commission

- ▶ Consists of 15 members:
  - ▶ Eight voting members.
  - ▶ Seven ex officio, nonvoting members. Iowa Code §256.176.
- ▶ Supports students in pursuing educational opportunities beyond high school.
- ▶ Administers scholarship, grant, and loan forgiveness programs, including:
  - ▶ Iowa Tuition Grants Program. Iowa Code §§256.183 - 256.190.
  - ▶ Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program. Iowa Code §256.228.
  - ▶ Health Care Professional Incentive Program. Iowa Code §256.222.
  - ▶ National Guard Service Scholarship Program. Iowa Code §256.210.
  - ▶ Iowa Workforce Grant and Incentive Program. Iowa Code §256.230.

# Community Colleges Bureau

- ▶ State Board of Education adopts and establishes policies for programs and services of the department which relate to community colleges. Iowa Code §260C.4(1).
- ▶ Bureau chief is required to:
  - ▶ Make arrangements for CTE programs and AP courses. Iowa Code §260C.5(8).
  - ▶ Administer federal and state moneys. Iowa Code §260C.5(4).
  - ▶ Enter into contracts to provide additional courses for high school students. Iowa Code §260C.5(7).
  - ▶ Change boundaries of community colleges. Iowa Code §260C.5(2).
  - ▶ Prescribe uniform accounting system. Iowa Code §260C.5(9).
  - ▶ Propose rules. Iowa Code §260C.5(6).

# Division of Special Education

- ▶ Created for the “promotion, direction, and supervision of education for children requiring special education . . . .” Iowa Code § 256B.1.
- ▶ Duty and power to:
  - ▶ Supervise the special education system. Iowa Code §256B.3(1).
  - ▶ Prescribe courses of study and curricula. Iowa Code §256B.3(5).
  - ▶ Investigate and study matters related to special education. Iowa Code §256B.3(10).
  - ▶ Establish standards of performance. Iowa Code §256B.3(11).
  - ▶ Establish research and demonstration projects. Iowa Code §256B.3(12).
  - ▶ Establish a training system. Iowa Code §256B.3(13).
  - ▶ Oversee area education agencies. Iowa Code §256B.3(16).
  - ▶ Establish data collection systems. Iowa Code §256B.3(21).

# Specific Duties of the Department of

## ▶ Education

# Iowa Educational Services for the Blind and Visually Impaired Program

- ▶ Open to any resident of the state, 21 or younger, who is blind or visually impaired. Iowa Code §256.95(1).
- ▶ Department coordinates with area education agencies and school districts.
- ▶ Services are provided by teachers of the visually impaired and orientation mobility specialists.



# Iowa School for the Deaf



- ▶ Open to any resident of the state, 21 or younger, who has a hearing loss that is too severe to acquire an education in public school. Iowa Code §256.97.
- ▶ Language immersion program that provides instruction through faculty who are specialized teachers of the deaf.
- ▶ Physical campus located in Council Bluffs.

# Therapeutic Classroom Incentive Grant Program

- ▶ Competitive grants to school districts for the establishment of therapeutic classrooms. Iowa Code §256.25(1).
- ▶ The Department develops a grant application as well as selection and evaluation criteria. Iowa Code §256.25(3).



## Computer Science Professional Development Incentive Fund

- ▶ Designed to establish a foundation for success in a high-technology, knowledge-based economy. Iowa Code §284.6A(1)(a).
- ▶ A school may apply for funding for:
  - ▶ Computer science professional development activities for teachers.
  - ▶ Tuition reimbursement for teachers who are seeking computer science professional licensure. Iowa Code §284.6A(2).

# Charter Schools

- ▶ State Board of Education:
  - ▶ Approves or rejects charter school applications. Iowa Code §256E.1(4).
  - ▶ Enters into charter school contract with founding group. Iowa Code §256E.6(1).
  - ▶ Adopts performance framework that charter schools are required to follow. Iowa Code §256E.9(1).
  - ▶ Monitors charter school performance. Iowa Code §256E.10(1).
  - ▶ Develops and implements charter school contract revocation and nonrenewal standards and procedures. Iowa Code §256E.10(11).

# Area Education Agencies

- ▶ Area education agencies are under the general supervision of the Director of the Department of Education. Iowa Code §273.2(1).
- ▶ State Board of Education develops standards and rules related to accreditation of area education agencies. Iowa Code §273.11(1).
- ▶ Specific procedures apply if accreditation standards are not met. Iowa Code §273.10.



# The Department of Education's Role in

- ▶ PK-12 Education



## Statewide Voluntary Preschool Program for Four-Year-Old Children

- ▶ The State Board of Education adopts rules related to:
  - ▶ Programmatic requirements. Iowa Code §256C.3(3).
  - ▶ School district duties. Iowa Code §256C.3(4).
- ▶ The Department of Education:
  - ▶ Implements application process. Iowa Code §256C.3(5)(a).
  - ▶ Tracks student performance. Iowa Code §256C.3(5)(b).
  - ▶ Monitors the quality of educational programming. Iowa Code §256C.3(5)(c).

# Accreditation

- ▶ Educational program:
  - ▶ Required curriculum. Iowa Code §256.11(2)-(5).
  - ▶ Provide programming that meets the needs of pupils requiring special education, gifted and talented pupils, and at-risk students. Iowa Code §256.11(7).
  - ▶ Employ librarians, qualified guidance counselors, and school nurses. Iowa Code §256.11(9)-(9B).
- ▶ Monitoring process:
  - ▶ Phase I monitoring. Iowa Code §256.11(10)(a).
  - ▶ Phase II monitoring. Iowa Code §256.11(10)(b).
  - ▶ Removal of accreditation. Iowa Code §256.11(11).
- ▶ Nonpublic schools can pursue accreditation from independent accrediting agencies. Iowa Code §256.11(16).

Questions?