

## UEN Statement Implementation of Return-to-Learn Plans July 24, 2020

The Honorable Kim Reynolds,  
Governor, State of Iowa  
Adam Gregg, Lt. Governor  
Dr. Ann Lebo, Director, Department of Education  
CC: Linda Fandel

Schools are the gathering place of the community, with thousands of students, parents, staff, vendors, and volunteers entering our buildings every day. We have seen evidence in some Iowa communities of community spread accelerated in similar settings. Retirement homes, packing plants, prisons all have a common element with schools; lots of people, especially in our urban schools, in small spaces. As leaders of the state's largest school systems, we are convinced that local school boards are in the best position to examine local health data trends and determine if returning to a normal in-person instructional model is appropriate or if it's too soon and would place our students, their families, our staffs, and communities at further risk.

We thank you for support to date: the flexibility to use virtual learning as directed by our local return-to-learn plans rather than making up snow days and respecting parents' decision to select a virtual option. We appreciate and confirm statements from your press conference last Friday, indicating that every district, every community is different and no one size fits all. We also agree that some element of grace for all is required, as none of us at the state or local level has experience with a global pandemic. Your staff, the staff at the Department of Education and our local staffs, have all been working extraordinary hours under great uncertainty and we are grateful for all of that effort. We are, however, deeply concerned that your July 17 proclamation and subsequent DE guidance go too far in restricting local authority, leave us waiting for health metric clarity that should already be known, too close to the start of the school year for us to shift course dramatically.

- **Return to Learn Plans:** SF 2310 directed us to prepare Return-to-Learn plans that encompassed several approaches. Although we would prefer to have school in person for all students, our hybrid plans balance that priority with safety for staff and students. The Legislature directed us to create the plans and submit them to the DE by July 1 in accordance with your public health emergency, still in place. Thousands of hours of staff time, including public forums and discussion with stakeholders, worked to create never-before implemented options that balance the primacy of in-person instruction with student and staff safety. We continue to consult with our local public health departments and follow CDC/Public Health guidance in our social distancing plans as SF 2310 requires.
- **DE approval not in the legislation:** Your proclamation inserted the requirement of DE approval for transition in and out of any models of instruction in our RTL plans. SF 2310 gave this power to school boards. Inserting this burdensome step is also in direct contradiction of Iowa Code 274.3.
- **Deference to Local Authority:** Iowa Code [274.3](#) Exercise of Powers gives local school boards any broad and implied authority not inconsistent with state law. It further directs a liberal interpretation of laws to effectuate the purposes of local control. Local school boards have considered the meaning of instruction primarily in person. In-person instruction is the most important (primary), and core coursework is the primary concern when in person. DE's

interpretation that “primarily” means 50% of all instructional time, further limited to a two-week period, is overly restrictive and does not defer to nor respect local decision-making or capacity for large systems to adjust quickly.

- **Big system transitions take time.** We already have thousands of students registered for classes and are still working on the domino decision of staff assignments based on those registrations. We have thousands of staff with health conditions that put them at risk of COVID exposure (and thousands of students and their families in the same situation.) Getting each student assigned to the right classroom/courses with the right staff with the right certification in the right position is complicated. The timing of this proclamation is not workable for our large systems, especially our large high schools supporting well over 1,000 students.
- **Return to School Guidance:** Initial DE/DPH return-to-school guidance was vague and left decision making up to local districts. We accepted that responsibility and planned accordingly. Additional delay until Aug. 1 for new return to school health guidance is too late. We have already studied CDC metrics (such as 14 days of continued decline in new COVID-19 cases in our communities) that should be confirmed before opening up further in-person instruction beyond our capacity to socially distance.

We would relish the opportunity to discuss all of the intricacies of urban schools, including our rationale for many of our Return-to-Learn plans with the Department and your staff.

Our essential purpose is to educate students. UEN schools will continue to do everything in our power to address instructional and economic impacts in our communities. Thank you for your leadership commitment to keep our students, staff, and their families safe, while we collectively prepare them for the future.

**Urban Education Network Member School Districts**

Ames - Cedar Falls - Cedar Rapids - College Community - Council Bluffs - Davenport  
Des Moines - Dubuque - Ft. Dodge - Iowa City - Linn-Mar - Mason City - Marshalltown  
Muscatine - Ottumwa – Sioux City - Southeast Polk - Waterloo

**UEN Contacts:**

UEN Chair, Vickie Murillo, Council Bluffs, [vmurillo@cbcsc.org](mailto:vmurillo@cbcsc.org) (712) 328-6446

UEN Past Chair, Dr. Paul Gausman, Sioux City, [gausmap@live.siouxcityschools.com](mailto:gausmap@live.siouxcityschools.com) (712) 279-6667

UEN Chair-Elect, Noreen Bush, Cedar Rapids, [nbush@crschools.us](mailto:nbush@crschools.us) 319-558-2216

Legislative Analyst, Margaret Buckton, [margaret@iowaschoolfinance.com](mailto:margaret@iowaschoolfinance.com) (515) 201-3755 cell