

Iowa Conducts School-Cheating Investigation Behind Closed Doors

Written by Sheena Dooley

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When cheating happens in the classroom, Iowa's top education officials are responsible for investigating the allegations and uncovering any wrongdoing.

But the public in Iowa has little insight how state leaders investigate incidents, what material is collected, and the amount of cheating taking place. They also don't know the extent of staff involvement in the cheating.

And they don't have any way of knowing that investigations are thorough and fair.

It's all legitimate under Iowa law.

The only information released to the public is whether the Iowa Board of Educational Examiners takes action on a teacher's license. Not all school employees need a teaching license, however. An unlicensed employee's role, if there was one, wouldn't be disclosed under Iowa's open-records laws.

"There is no real legitimate public policy for withholding the findings of an investigation that has been fully concluded," said Kenneth Bunting, executive director of the National Freedom of Information Coalition, housed at the University of Missouri Reynolds Journalism Institute. "It's a lot more of cover-ups than good public policy."

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The Davenport Community School District uncovered widespread cheating at Madison Elementary School earlier this year, with wrong answers erased and replaced with correct ones (RCReader.com/y/cheating). The changes were found on the state math and reading tests students in third through fifth grades must take under the No Child Left Behind law. If schools continually fail to meet ever-rising targets, they face sanctions that include replacing staff and principals.

The district recently wrapped up its internal investigation, but Superintendent Art Tate would not sit down for an interview with IowaWatchdog.org about the findings. Board President Ralph Johanson did not respond to multiple phone calls and e-mails requesting interviews.

Dawn Saul, spokesperson for the district, didn't say in an e-mail to IowaWatchdog.org last week if the investigation uncovered who was behind the cheating. She would only say that Davenport concluded its investigation after an unnamed outside organization wrapped up its own look into the matter.

The district has turned its materials over to the Iowa Department of Education and the Iowa Board of Educational Examiners, Saul said.

"We're responsible for following the law," said Staci Hupp, spokesperson for the Iowa Department of Education. "That includes upholding the three legal provisions that provided the basis for our decision not to disclose Davenport's investigative materials. ... The Davenport district must follow the law as well."

Even the district's initial disclosure of the cheating was done behind closed doors. Johanson and Ken Krumwiede, vice president of the board, sat down with Tate shortly after the allegations came to light. Tate then called remaining board members to inform them individually, Saul said.

Board members never discussed the allegations or investigation in public before putting out a statement in April after they notified the Iowa Department of Education.

The board didn't have a role in deciding how to handle the matter, including the district's hiring

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of two outside law firms to conduct the investigation, according to Saul. One of those firms then hired a third independent party to also dig into the incident.

Davenport's materials are now in the hands of the state education department, whose officials are not allowed to release them or details about their contents. If they turn up findings, the matter is turned over to the Iowa Board of Educational Examiners, which conducts its own investigation.

In cases where cause is found, the board takes action against the educator in a public meeting. The board then provides an order document with a summary of the charges and the final action taken, said board attorney Darcy Lane.

At least one lawmaker said he thinks it's fair for the investigation to take place behind closed doors, but findings need to be made public. Senator Brian Schoenjahn (D-Arlington), vice chair of the Senate Education Committee, said he wants the department to provide the legislature with a report on its final findings during the next session.

"That way it's public and all of that," Schoejahn said. "During the investigation itself you need to have confidentiality until all of the facts are known. The Department of Education needs to be able to do its job. And then when the investigation is complete, names need to be named."

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