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FEDERAL JUDGE BLOCKS IOWA BOOK-BANNING LAW

Vague language makes SF 496 unenforceable

Olivia Naber
Head Editor-in-Chief

Several books returned to WBHS shelves after a federal judge blocked the enforcement of a 2023 Iowa book-banning law.

Kim Reynolds signed Senate File 496 into law on May 26, 2023. The law called for the removal of books describing or visualizing a “sex act” in grades K-12 and restricted discussion and education relating to sexual orientation and gender identity in grades K-6.

Penalties for violating SF 496, ranging from a written warning to termination and teaching license removal, were set to roll out January 1, 2024, but federal judge Stephen Locher granted an injunction against the law December 29, 2023, blocking punishments from taking effect. The same day, Reynolds released a statement criticizing Locher’s decision.

“I’m extremely disappointed in today’s ruling,” Reynolds said. “Instruction on gender identity and sexual orientation has no place in kindergarten through sixth grade classrooms. And there should be no question that books containing sexually explicit content — as clearly defined in Iowa law — do not belong in a school library for children. The fact that we’re even arguing these issues is ridiculous.”

After SF 496 passed, several Iowa schools removed books from school libraries and classrooms before the 2023-24 school

year to comply with the law.

While only half a dozen books left WBCSD shelves, other school districts found more titles in violation of the law. The Iowa City Community School District removed 68 books, including critically acclaimed novels such as Alice Walker’s *The Color Purple*, Juno Dawson’s *This Book is Gay*, John Green’s *Looking for Alaska*, and 8 novels by popular fantasy author Sarah J. Maas.

Other schools went further. Urbandale schools created a list of over 400 books to be removed from shelves, while Mason City schools employed artificial intelligence chatbot ChatGPT to determine which books violated the law. In total, over 500 different books left at least one school library across the state.

The variety in how schools enforced SF 496 is a key factor in the injunction against it. The court stated that because the law is “incredibly broad”, there is “widespread disagreement among school districts regarding which books should be removed to comply with the law.”

They explained that unclear standards of what is considered “age-appropriate” and the lack of “adequate guidance” on how to follow the law caused the over-removal of a wide variety of books—including historical classics, modern award-winners, and non-fiction books aimed at helping adolescents avoid sexual assault and make safe decisions about sex.

Rather than targeting individual books to be removed (as was the case with several previous bans), the Iowa legislature set rules in place that took hundreds of titles from Iowa schools. Such sweeping legislation has never been put forth in previous bans; in the words of the court, “the Iowa Legislature has used a bulldozer where school boards in prior cases merely employed a scalpel.”

The vague language used in SF 496 put educators in an unfortunate dilemma; how does one determine the line between legal and illegal literature? Because educators had to decide whether to remove a book that is slightly questionable or possibly face disciplinary actions (including termination and loss of teaching license), the court found that

SF 496 likely violated educators’ due process rights.

Vague language also caused issues with properly enforcing the part of the law restricting discussion on gender identity and sexual orientation for grades K-6.

“Gender identity” as defined by law includes both transgender and cisgender students, and “sexual orientation” as defined by law includes heterosexuality, homosexuality, and bisexuality. This means that any discussion on any sexual orientation or gender identity, including heterosexuality and cisgender men and women, must be removed to fully comply with the law.

Teachers would have to go to extreme lengths not to make any mention of gender or sexuality. This includes removing any mentions of “boys” or “girls” (even if that identity is in line with a person’s biological sex); not using the prefixes “Mr.,” “Ms.,” and “Mrs.”; not mentioning a teacher’s spouse or significant other (therefore revealing a teacher’s sexual orientation); referring to any students with any gendered pronouns whatsoever; and having “boys” or “girls” sports teams in grades K-6.

While this was very likely not what legislators intended and not how schools would enforce this, the court had to consider only the language explicitly used in the law.

Locher did not grant an injunction against an additional part of the law requiring that schools notify a parent if a student requests to be called by a different name or set of pronouns.

“The Iowa Legislature has used a bulldozer where school boards in prior cases merely employed a scalpel.”

NEW, IMPROVED FAFSA FORM ROLLS OUT WITH UNINTENDED DIFFICULTIES

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The new and improved 2024-25 Federal Application for Student Aid is now available and shorter to complete than ever, but it’s not without several issues to boot.

In the past, the FAFSA opened during October of each year, but the new form’s creation and implementation pushed the opening date to December 31. The Department of Education also announced that the opening date would be a “soft opening” while they continued to work on certain glitches and bugs.

The form, meant to make the process easier and more students eligible for aid, experienced several technical issues for several days after the soft opening. Between notifications about the form being down for maintenance and screens saying that the form was experiencing heavy traffic, it took students anywhere from a few minutes to a few days to do so much as enter the form.

WBHS FAFSA Issues

Several West Branch Seniors set out to tackle the form as soon as it opened with varying results.

Some students breezed through the form, such as Kaylee Kettler, who said she “thought it was relatively easy” because of the materials high school guidance counselor Miranda Schwickerath provided to the class of 2024.

Others hit road bumps with the site’s maintenance issues and the form’s glitches but managed to complete the FAFSA eventually.

Maryam Martin explained, “I would start filling out the form and come back to it and it wouldn’t let me open up my progress because the form was shut down again.”

Madelyn Stout expressed similar grievances, “It started out pretty simple. But now it keeps logging me out and I have to re-start.”

Despite feeling prepared well in advance, Ashlyne Nash has not been able to access the form whatsoever.

“I’ve had a super difficult time,” Nash said. “I made an account a pretty long time in advance, but then upon the launch date I attempted to log in and it said my password was incorrect.”

She worked with Schwickerath to resolve the issue and recover her account; unfortunately, their efforts were in vain. Nash hopes that the issue will be resolved sooner rather than later so she can be eligible for federal financial aid.

“At this point, I am a little wor-

ried,” she said.

The Department of Education keeps track of open and resolved issues with the form. Currently, there are 16 unresolved issues that bar students and contributors from progressing on or completing the form. Many of the current issues revolve around students not being able to progress on or complete the form after hitting certain buttons or choosing certain answer options. Currently, there are only workarounds for some of the issues and many students will have to wait until the issue is resolved to complete the FAFSA. However, students should visit the Issue Alerts page (<https://fsapartners.ed.gov/knowledge-center/topics/afsa-simplification-information/2024-25-fafsa-issue-alerts>) to check if there are workarounds for their particular issue.

2024-25 FAFSA changes

Several key changes affected the new form’s content and evaluation.

In creating a new form, the Department of Education aimed to streamline the process by reducing the number of questions to fill out. Rather than filling out over 100 questions, the new form only requires approximately 36. This reduced the amount of documentation needed on-hand for contributors to complete the form.

To reduce the number of questions, the form requires consent and approval from contributors to automatically pull financial information from the Internal Revenue Service. Without consent, students are ineligible to receive federal financial aid.

The new form also requires that every contributor, not just the student and one additional contributor like in years past, creates an FSA ID to fill out the FAFSA. To create an FSA ID, contributors must provide their Social Security Number, full name, and date of birth.

Additionally, the Student Aid Index (SAI) replaced the Expected Family Contribution (EFB), a key measurement in determining financial aid eligibility. While the two formulas are similar in many key aspects, the SAI removed the consideration of an applicant’s siblings in college. A person with siblings in college will likely earn less financial aid than if the form took this into account.

As a whole, the formulas for determining federal financial aid are being retooled to maximize the money students are eligible to receive. The Department of Education predicts that because of the changes, “approximately 610,000 more students from low-income backgrounds will receive Pell Grants.” In addition, over 1.5 million more students will be eligible for the maximum Pell

Grant amount (\$7,395).

Many students fail to complete the form because they believe their family’s income is too high to qualify; however, it is advised to fill it out anyways since more students than ever will be eligible for federal financial aid this year.

Effects on Financial Aid Timelines

The form’s initial pushback meant that students would likely not know the extent of their financial aid options until late January at the earliest, but the technical issues pushed some of these dates back even farther.

Recognizing that technical difficulties prevented many from completing the FAFSA right away, several colleges pushed back priority deadlines for maximum scholarship consideration. The University of Iowa pushed the priority deadline to today, February 15, while Iowa State University pushed their deadline to Thursday, February 22.

However, in rushing to meet the December 31 deadline, the Department of Education failed to take inflation into consideration for this year’s calculations. The regrettable error means that the Department will not send out FAFSA results to colleges until March. From there, it takes several weeks for colleges to put together aid packages. All things considered, students will likely not know the extent of their federal financial aid opportunities until April.

By this time, students have already had to make key decisions about their future education. For many schools, priority applications for things such as housing and honors have already passed or will pass soon. Many cannot afford not to apply and accept college offers; at the same time, they cannot afford the uncertainty of federal aid.

Financial aid packages are a key factor in deciding where to attend college, but the combination of issues with the new form means that many students will have to choose their future col-

Let’s Define... FAFSA terms!

FAFSA
Free Application for Federal Student Aid. Determines a student’s eligibility for federal financial aid (grants, loans, scholarships, etc.).

PELL GRANT
Need-based grant from the government for college expenses. Does not need to be paid back. Amounts range from \$740-\$7,395.

FSAID
Account used to log into and complete the FAFSA. Students AND all contributors to the form must create an FSA ID.

CONTRIBUTOR
Anyone who must provide information, consent and approval, and a signature. This includes the student, parents, stepparents and spouses.

SAI
Student Aid Index. Eligibility index number used by colleges and career schools to determine a student’s Pell Grant earnings.

lege without knowing how much they’ll be paying.

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