



CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF EDUCATION
KEVIN FANGMAN, ACTING DIRECTOR

DATE: October 22, 2010

TO: AEA Directors of Special Education
Community College Chief Academic Officers

FROM: Kevin Fangman, Acting Director, Iowa Department of Education
Roger Utman, Administrator, Division of Community Colleges and Workforce Preparation
Marty Ikeda, Chief, Bureau of Student and Family Support Services

RE: Clarification of Community College Participation of Youth with Individualized Education Programs

This memo is in response to numerous questions regarding participation of youth with Individualized Education Programs (IEPs) in community college programs. It is intended to clarify other options available to youth with IEPs and identify some of the considerations that must occur when these youth participate in community college programs through means other than Senior Year Plus (SYP).

Youth with IEPs may participate in Iowa community college programs in a number of ways, either for dual credit or for only high school credit. Three common methods are described here:

1. A typical way to participate for joint credit is through participation in SYP options. SYP enrollment may occur through a variety of mechanisms, including Postsecondary Enrollment Options (PSEO), concurrent enrollment courses and college-credit career academy courses. Youth with IEPs who participate in SYP opportunities must meet the academic requirements of both the postsecondary institution and the school district. More detailed guidance can be found in the Department of Education document entitled - Senior Year Plus: Guide for Educators and Educational Administrators.
2. One alternate option for youth with IEPs to participate in community college programs is through courses that are not eligible for supplementary weighting (i.e., non-SYP courses). For example, career and technical education courses used to meet school district minimum accreditation standards may be college credit, but are ineligible for supplementary weighting. Consequently, they are not considered part of SYP and the proficiency requirements of SYP do not apply for these courses. Youth with IEPs must simply meet district requirements for placement in these courses.
3. Districts may also choose to contract with community colleges for students to take courses specifically related to their IEP goals. Special education weighted funds may be used to pay for these courses when the course is needed through the IEP to provide a free and appropriate public education (FAPE). If special education funds are used to pay for a student's participation, then supplementary weighting cannot be generated for that student. The student may, however, be placed in a course that is eligible for supplementary weighting. In this instance, the college is providing a service to the district which may include putting the student with an IEP in the same classroom for high school credit, but not in the college course for college credit. In order for a student with an IEP to receive college credit from courses eligible for supplementary weighting, the student

Grimes State Office Building - 400 E 14th St - Des Moines IA 50319-0146

PHONE (515) 281-5294 FAX (515) 242-5988

www.iowa.gov/educate

Helping Communities Meet the Learning Needs of All Their Children and Adults

must meet proficiency requirements (see Senior Year Plus guide). Other typical services that fall in this classification are those commonly referred to as “four-plus programs”.

Please note public agencies shall not use state or local funding mechanisms as a barrier to a child receiving a FAPE. If a child with a disability requires a service, then the law on supplementary weighting, for example, shall not be used to deny the service to the child [20 U.S.C. § 1412(a)(5)].

If districts and community colleges jointly agree to provide contracted services through this third method, several considerations must be addressed:

1. The IEP must specifically identify the content to be learned or the skill(s) to be developed. Typically this would be done through a goal statement that allows for progress monitoring.
2. The district is obligated to follow requirements of Individuals with Disabilities Education Act (IDEA). This means ensuring that all services and supports identified in the IEP are available to the student, including accommodations and progress monitoring.
3. The community college is obligated to follow requirements of the Americans with Disabilities Act (ADA). This means they have their own procedures for identifying when accommodations are needed and are not obligated to follow IDEA requirements, i.e., what is written in the IEP. The community college may agree to provide additional services such as a modified curriculum through the contract.

If you need further clarification, please contact Barb Guy at Barbara.Guy@iowa.gov or by calling 515-281-5265.