

Iowa  
**SPECIAL EDUCATION  
ADVISORY PANEL**  
Annual Report 2010-2011



**VISION STATEMENT**

All children in Iowa, as members of communities, shall receive opportunities and needed supports for meaningful lives and quality education experiences.

State of Iowa  
**Department of Education**  
Grimes State Office Building  
400 E 14<sup>th</sup> St  
Des Moines IA 50319-0146

### **State Board of Education**

Rosie Hussey, President, Clear Lake  
Charles C. Edwards, Jr., Vice President, Des Moines  
Sister Jude Fitzpatrick, West Des Moines  
Eric Goranson, Des Moines  
Michael L. Knedler, Council Bluffs  
Valorie J. Kruse, Sioux City  
Ana Lopez, Pella  
Max Phillips, Woodward  
LaMetta Wynn, Clinton  
Brandon Bolte, Student Member, Ankeny

### **Administration**

Jason E. Glass, Director and Executive Officer of the State Board of Education  
Gail M. Sullivan, Chief of Staff

### **Division of PK-12 Education**

Kevin Fangman, Administrator

### **Student and Family Support Services**

Marty Ikeda, Bureau Chief  
Amy Williamson, Administrative Consultant  
Frank Forcucci, Administrative Consultant  
Steve Crew, Administrative Consultant  
Eric Neessen, Consultant

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the *Iowa Code* sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688) Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.).

If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, 400 E 14<sup>th</sup> St, Des Moines IA 50319-0146, telephone number 515/281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, 111 N. Canal Street, Suite 1053, Chicago, IL 60606-7204.

# Table of Contents

Mission Statement, Purpose, Duties	3
Membership	4
Indicator Updates	6
Presentations to the Panel	8
Related Activities	15
Meeting Dates	15
Acronyms/Terms	16
Contact information	17

# SPECIAL EDUCATION ADVISORY PANEL

---

## MISSION STATEMENT

The Iowa Special Education Advisory Panel serves as a resource to advise the Iowa Department of Education on behalf of all children with special needs and their families. This Panel engages in dialogue regarding philosophies and policies, including best practices and special education compliance that result in successful outcomes for persons with disabilities. (2007)

---

## PURPOSE:

“The purpose of the Iowa Special Education Advisory Panel is to provide policy guidance with respect to special education and related services for children with disabilities.”

## DUTIES:

- a) Advise state education agency on unmet needs;
- b) Comment publicly on any rules and regulations proposed by the state;
- c) Advise State Education Agency (SEA) in developing evaluations and reporting data to the U.S. Department of Education Secretary under section 618 of the Act;
- d) Advise SEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of this Act;
- e) Advise SEA in developing and implementing policies relating to the coordination of services.

34 C.F.R. §300.169 (2006)

---

## 2010-2011 MEMBERSHIP

Membership of the Panel consists of representatives from both public and private sectors who, by virtue of their position, interest, and training, can contribute to the education of children with disabilities. A majority (51%) of the members of the Panel must be individuals with disabilities or parents of children with disabilities. The Director of the Iowa Department of Education (DE) appoints members to the Special Education Advisory Panel (SEAP).

---

### Executive Committee:

Michelle Laughlin– Chair  
 Paul Greene – Vice-Chair  
 Marty Ikeda – Bureau Chief, Student and Family Support Services  
 Eric Neessen – Panel Facilitator

### Bureau Staff:

Amy Williamson – Administrative Consultant (DE)  
 Frank Forcucci – Administrative Consultant (DE)  
 Steve Crew – Administrative Consultant (DE)  
 Sonia Lewis, Beth Buehler-Sapp, and Meagan Murphy – Panel Secretaries (DE)

### Panel Members:

Vote	Panel Member	Representation	Term Ending
1	Ruth Allison	Vocational Rehab Services	2013 2 <sup>nd</sup> Term
2	Erik Anderson*	Individual with disability	2011 2 <sup>nd</sup> Term
3	Jeff Anderson	State Child Welfare Agency responsible for Foster Care	2012 1 <sup>st</sup> Term
4	Lucy Evans*	Parent of child with a disability Administrator	2012 2 <sup>nd</sup> Term
5	Jennifer Gomez*	Parent of child with a disability High School guidance counselor	2013 2 <sup>nd</sup> Term
6	Diana Gonzalez	State Board of Regents	2010 appointed
7	Vicki Goshon*	Parent of child with a disability Teacher	2012 2 <sup>nd</sup> Term
8	Paul Greene* (Vice Chair)	Parent of child with a disability	2012 2 <sup>nd</sup> Term
9	Lynn Helmke	Urban Education Network	2013 1 <sup>st</sup> Term
10	Dawn Jacobsen*	Parent of child with a disability Higher education preparing special education personnel	2012 1 <sup>st</sup> Term

<b>11</b>	<b>Julie Jensen</b>	Local Official-Homeless Assistance Act Administrator of programs for children with disabilities	2011 2 <sup>nd</sup> Term
<b>12</b>	<b>Jane Kinney</b>	Private school representative	2011 1 <sup>st</sup> Term
<b>13</b>	<b>Ron Koch*</b>	Parent of child with a disability Administrator of programs for children with disabilities	2013 1 <sup>st</sup> Term
<b>14</b>	<b>Michelle Laughlin*</b> (Chair)	Individual with a disability Private university	2011 2 <sup>nd</sup> Term
<b>15</b>	<b>Andree (Andy) Lawler*</b>	Parent of child with a disability	2013 1 <sup>st</sup> Term
<b>16</b>	<b>Jeff Miller</b>	Administrator of programs for children with disabilities	2012 1 <sup>st</sup> Term
<b>17</b>	<b>John O'Brien</b>	Juvenile Corrections	2011 1 <sup>st</sup> Term
<b>18</b>	<b>Doug Penno</b>	AEA Director of Special Education	2012 1 <sup>st</sup> Term
<b>19</b>	<b>Keri Osterhaus</b>	Department for the Blind	2009 appointed
<b>20</b>	<b>Beth Rydberg*</b>	Parent of child with a disability Protection & Advocacy	2011 2 <sup>nd</sup> Term
<b>21</b>	<b>Sandra Smith</b>	Adult Correctional Facility	2011 1 <sup>st</sup> Term
<b>22</b>	<b>Vinnie Smith*</b>	Parent of child with a disability Teacher – general education	2012 1 <sup>st</sup> Term
<b>23</b>	<b>Ruth Stieff*</b>	Parent of child with a disability	2011 1 <sup>st</sup> Term
<b>24</b>	<b>Karen Thompson*</b>	Parent of child with a disability PTI (Executive Director)	2013 1 <sup>st</sup> Term
<b>25</b>	<b>Ramona Valencia*</b>	Parent of child with a disability	2012 1 <sup>st</sup> Term
<b>26</b>	<b>Kelly Von Lehmden*</b>	Parent of child with a disability	2012 1 <sup>st</sup> Term
<b>27</b>	<b>Lisa Woiwood*</b>	Parent of child with a disability	2011 1 <sup>st</sup> Term

NOTE: Of the 27 members, 16 members are individuals with disabilities or parents of children with disabilities (=59%).

---

## INDICATOR UPDATES

One of the responsibilities of the Special Education Advisory Panel (SEAP) is to review the Annual Performance Report (APR) indicator data, provide input, and set targets. This year the SEAP was also asked to provide input in revising Iowa's current State Performance Plan (SPP). Listed below is a summary of the FFY 2009 APR information that was discussed during meetings this year.

---

B1 – The percent of students with IEPs graduating from high school with a regular diploma fell from 84.38% last year to 80.10% this year.

B2 – The percent of youth with IEPs dropping out of high school when compared to students without IEPs increased from 15.25 last year to 19.90 this year. The current target is set for 14.08. The SEAP members were asked to approve the targets through 2013, which they did.

B3A – The percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's adequate yearly progress targets for the disability subgroup were reviewed and targets were approved.

B3B – The participation rate for children with IEPs has a measurable and rigorous target already set. This target was met.

B3C – This indicator measured the percent of students with IEPs proficient on regular and alternate academic achievement standards. Measurable and rigorous targets are set and not open for change. Targets were not met in any grade or subject; however, improvements were seen in reading grades 3,8,11 and math grades 3-6.

B4A – The percent of districts having a significant discrepancy in the rates of suspension and expulsion of children with disabilities for greater than 10 days in a school year was lower last year than in previous years. The goal was met. The SEAP members were asked to approve the current targets, which they did.

B4B – This indicator measures the percent of districts that have (a) a significant discrepancy, by race or ethnicity, in the rate of suspension and expulsion of children with disabilities for greater than 10 days in a school year, and (b) have policies, procedures, and practices that contribute to the significant discrepancy. The results indicate that 8 districts had an average rate of suspension/expulsion more than 2% above the state average for the racial categories of: 4 African American, 3 Caucasian, and 1 Hispanic. A set of required reviews will be required for these districts along with a set of assurances.

B5A – The percent of students with IEPs ages 6-21 inside the regular class 80% or more of the day did not increase. Six of 10 AEAs met or showed improvement, but the target was not met. The SEAP members recommended changing the target in 2012-2013 from 75% to 80%.

B5B – The percent of students with IEPs ages 6-21 inside the regular class less than 40% of the day stayed the same. Nine of 10 AEAs showed improvement, and the target was met. The SEAP members recommended changing the target in 2011-2012 to 11% and 2012-2013 to 10%.

B5C – The state met the target for the percent of students with IEPs ages 6-21 served in public or private separate schools, residential placements, or homebound or hospital placements. Eight of 10 AEAs met the target and nine AEAs showed improvement. The SEAP members recommended changing the target from 3.60% to 3.3% in 2011-2012 and to 3.1% in 2012-2013.

B7 – This indicator measures the percent of preschool children with IEPs who demonstrate improved positive social-emotional skills; acquisition and use of knowledge and skills; and use of appropriate behaviors to meet their needs. The SEAP members recommended that the targets should be set so that in 10 years, 90% of children will meet each target.

B8 – The percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities decreased from 71.37% the previous year to 65.79% this year. The overall target was not met. The SEAP members were asked to approve the current targets, which they did.

B9 – There were two AEAs with disproportionate representation of racial and ethnic groups in special education and related services as a result of inappropriate identification. One AEA was cited for not appropriately identifying their students. That AEA will be required to receive additional support and technical assistance to make necessary corrections.

B11 – The percent of children with parental consent to evaluate who were evaluated and had eligibility determined within 60 days increased from 97.74% last year to 98.04% this year. The target of 100% was not met. Five AEAs showed improvement and one AEA was substantially below compliance.

B12 – This indicator measures the percent of children referred by Part C prior to age three, who were found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. Although the target of 100% was not met, substantial compliance was met (above 95%).

B13 – The percent of youth with IEPs ages 16 and above with IEPs that meet several measureable postsecondary requirements increased to 66.48% this year. The compliance indicator target of 100% not met nor was minimal compliance target of 75% met. Three AEAs met minimal compliance goals; 5 of 10 AEAs showed improvement.

B14A – The percent of youth who are no longer in school, had IEPs in effect at the time they left school, and were enrolled in higher education within one year, improved from 25.7% to 34.09%. The SEAP members recommended increasing the target by 4% for 2010-2011.

B14B - The percent of youth who are no longer in school, had IEPs in effect at the time they left school, and were enrolled in higher education or competitively employed within one year,

improved from 48.65% to 53.03%. The SEAP members recommended increasing the target by 4% for 2010-2011.

B14C – The percent of youth who are no longer in school, had IEPs in effect at the time they left school, and were enrolled in higher education or some other postsecondary education, training, competitively employed or in some other employment within one year decreased from 84.14% to 83.99%.

B15 – The percent of identified noncompliance corrected no later than one year from identification was 100%. The target was met.

B16 – The percent of signed written complaints with reports issued that were resolved within a 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint was 100%. The target was met.

B17 – The percent of due process hearing requests that were decided within the 45-day timeline or the extended timeline approved by the administrative law judge was 100%. The target was met.

B18 – The percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. There were no resolution sessions held, so this indicator was met.

B19 – The percent of mediations held that resulted in mediation agreements was 76.19%. The goal for this indicator was 75%, so the target was met. The SEAP members were asked to approve the current targets, which they did.

B20 – The percent of state-reported data that are timely and accurate was 100%. The target was met.

---

## PRESENTATIONS TO THE PANEL

During the year, DE staff and others involved with specific programs or projects were invited to present to the SEAP. Members were frequently asked to provide feedback or make recommendations on discussion topics. The following is a brief synopsis of the presentations and topics discussed during this past year.

---

### **Presentation from Bureau Chief – Marty Ikeda**

Marty presented “the big picture” of special education in Iowa. His presentation included questions that the group was asked to consider in order to stimulate discussion on ways of improving services to students with special needs in Iowa:

- How many children enter school ready to learn?

- How many children go through schools in safe and caring environments?
- How many children leave school ready for life?
- Do all schools have universal screening in reading, math, and behavior?
- Do all schools have tiered interventions, done with integrity, as part of general education?
- Do all schools have teachers of students with IEPs who monitor progress frequently against grade level instruction?
- Do you know your job?
- Are you part of a team?
- Do you have the resources you need to be successful?
- How can you help kids if you don't *know* them?

Marty proposed this goal to the group: "Eliminate the achievement gap for students with disabilities by 2020." The SEAP members felt this was a lofty goal worthy of supporting.

The comments and questions received from the panel in response to Marty's challenge were sent out to the panel between the October and December meetings. The panel was asked to review these comments and rate each one on the level of importance. The results were as follows:

Rank	Topic	# of responses <sup>1</sup>
1	gen ed not having enough knowledge about the IEP goals and services	9+3=12
2	ways to promote the message Marty has presented to other educators and parents	5+6=11
3	ensure high expectations and apply grade level standards and benchmarks	5+6=11
4	concern about paperless IEPs not being shared with the parents	4+7=11
5	ensure parents are included and are decision-makers in the IEP process	5+5=10
6	a process of checks and balances: teachers write and implement IEPs and are held accountable by the state (no longer rests on AEA staff)	4+5=9
7	transition services from elementary to MS	4+5=9
8	ways to share success stories out to the field	3+6=9
9	resolving disputes between school/AEA and parents	0+9=9
10	state leadership change doesn't always result in real change	3+5=8
11	how to build leadership capacity within the SEAP membership	1+7=8

<sup>1</sup> Column disaggregated by: *very important, urgent + important, address soon* = Total

12	legislative input	2+5+7
13	exiting kids from special education	2+5+7
14	extended school year services	2+5=7
15	weighted matrix	1+6=7
16	help children understand their disabilities and needed services	2+4=6
17	AEA/LEA role in monitoring the IEP services of children in parochial school	2+3=5

### **Review of APR – Marty Ikeda**

Marty reviewed the purpose and layout of the State’s APR booklet. He described the 20 indicators that the State must report to OSEP and the difference between performance and compliance indicators. He described the APR from FFY 2008 and the sections which included the summary of the indicator, the data that were collected and how; the targets that were set, whether those targets were met, the improvement activities developed to ensure that those targets are met or maintained, and the explanation of the progress or slippage that occurred. The FFY 2008 Indicator Summary was reviewed as well.

### **Indicator Summaries for the Year – Amy Williamson**

Amy proposed that APR indicator data would be sent out to members prior to meetings for review. All the indicators would be approved at each meeting via a consent agenda. Additionally, specific indicators would be selected for more in-depth discussion by the panel. The recommendation was that the panel would receive the indicator information ahead of time for review and discussion points could be brought to the meetings. Amy introduced a plan to extend the SPP targets and goals for two additional years based on requirements from OSEP.

### **Disproportionate Representation – Cheryl Merical**

Cheryl provided the panel with information on disproportionate representation by race and ethnicity of children with disabilities. Cheryl described how Iowa determines whether there is a disproportionality issue by using a weighted risk ratio: based on this, overrepresentation is determined if the weighted risk ratio is 2.0 while underrepresentation is 0.25. AEA 10 and 11 were identified as having overrepresentation for African-American students. These AEAs are required to review policy, procedures and practices regarding to identification process. If these areas are found, revisions must be made, corrective action plans developed, and then reported to the Feds. If policy, procedures and practices are found to be appropriate, even when disproportionate representation occurs, no additional steps are taken.

## **OSEP Verification Visit Preview – Amy Williamson**

Amy reviewed the visit Iowa received from the Office of Special Education Programs (OSEP) in October 2010. Amy stated the reason for this year's visit from OSEP was due to Iowa's granted request from OSEP for a waiver of Maintenance of State Financial Support for 2009-2010. OSEP reviewed Iowa's general supervision, fiscal, and data system. The OSEP team visited five AEAs and five school districts within those AEAs. Interviews were scheduled with these groups, as well as with the DE staff. Amy also reviewed the Critical Elements Analysis Guide (CrEAG): which is how OSEP determined if Iowa ensures IDEA compliance.

## **OSEP Verification Visit Summary – Amy Williamson**

Amy provided a review of the OSEP verification visit, the areas they reviewed, the overall impressions, etc. Some of the comments made by the OSEP "field" teams were as follows: strengths -attitudes were great and everyone was working hard, relationship between state and AEAs, collaborative teaching efforts. Concerns - mental health issues, RtI efforts in general education, parents having the right to request an evaluation at any time, funding cliff when the ARRA dollars end, quality of secondary transition. The OSEP "lead" team assigned to review the DE made the following comments: strengths –data collection capability, state responsiveness when problems are identified, cooperation between Part B and Part C, fiscal system set up, dispute resolution process. Concerns – quality of the IEPs are not monitored, the use of the term "preappeal" for mediations, more training needed on differentiated instruction, more training for children with autism.

## **Condition of Education 2010 Review – Marty**

Marty reviewed the Iowa Condition of Education report with the panel and highlighted some interesting results. The data revealed the minority and suburban populations are growing, while rural populations are declining. Overall the student population has decreased slightly. The special education rate is 12.6%, which is very similar to the past three years. The achievement gap between students with disabilities and all others is apparent – how significant it is, we are not sure. Statewide, people understand the need to improve the achievement results for students with disabilities.

## **General Supervision – Amy Williamson**

Amy discussed the responsibility of each state for providing general supervision for monitoring and enforcing the implementation of Part B of IDEA. These areas of general supervision authority include:

1. state performance plan
2. policies, procedures and implementation
3. integrated monitoring activities,
4. fiscal management – funds are distributed and used in accordance with federal and state requirements
5. data on processes and results – data should be used for decision-making about program improvement

6. improvement, correction, incentives and sanctions – states must make determinations annually and authority to enforce regulations, policies and procedures
7. dispute resolution – resolution of disputes are timely, issues are tracked, effectiveness is evaluated, assurance that parents understand their rights
8. technical assistance and professional development – technical assistance and professional development are directly linked to SPP and improvement activities and are used to correct noncompliance and improve results

Amy also reviewed the general supervision responsibilities of the AEAs and LEAs.

### **Sharing Best Practices for Addressing Indicators – Paul Greene**

Paul led a discussion about how we identify good practices that are occurring across the state. The assumption is that if we are to reach people in the field, we need to connect with them directly. The purpose behind this effort would be to identify practices that work and recognize those who are doing a good job.

### **Rules and Revisions to Special Education Rules – Thomas Mayes**

Thomas provided an update on the proposed amendment to be taken to the Board of Education on January 27, 2011. The first amendment to Chapter 41 includes changing the terms “mental disability” to “intellectual disability” and “preappeal conference” to “mediation conference.” The second amendment to Chapter 41 to be adopted clarifies the enforcement actions taken by the Department are mandatory, not permissive. The amendment to Chapter 103 creates an internal policing mechanism to situations involving seclusion (“time out” rooms) and restraint of students. Complaints can be made under IDEA or a complaint to the local Board of Education at the district level or both. Both amendments would take effect on March 31, 2011.

### **AEA Taskforce Final Report Summary – Marty Ikeda**

Marty reviewed the report issued on the behalf of the Iowa House required to “convene a task force to review the present mission, structure, governance, and funding of the AEA system.” This report provided finance, governance, and structure recommendations. The full report can be found on the DE website.

### **Autism Council Report – Josh Cobbs**

Josh presented to the group via a Skype connection from Sioux City to review the Autism Council’s priorities. Seven legislative priorities were identified that included issues such as eligibility categories, waivers, community living, healthcare, insurance plans, and sibling training. The report also identified additional efforts needed to accurately identify prevalence rates of students with autism, provide opportunities for meaningful employment opportunities, and create a centralized website whereby parents can access resources and navigate available services.

### **Waukee Autism and Behavior Study – Roxanne Cumings, David Tilly, Stacy Volmer, Andrea Matheson**

The study was initiated in order to determine what the most “effective” schools did to address concerns with students who had both challenging behaviors and autism. Waukee is a district with 541 students who have IEPs. Data were collected from multiple data sets including PBIS implementation data, online survey responses from special education staff, reviews of IEPs, FBAs and BIPs. The findings of this study are that students in Waukee receive quality PBIS

support; students with IEPs receive individualized programs of high quality. Additionally, teachers in Waukee who implement behavioral interventions feel confident in their role supporting students with autism who have behavioral needs, and feel supported by the district.

### **Transition to the Title 1 Graduation Rate – Amy Williamson**

Amy described the new graduation requirements to the panel. A five year calculation will be applied to the new formula. This change has resulted in an approximate 10% increase in the graduation rates for students with IEPs and ELL populations.

### **APR Determinations– Amy Williamson**

OSEP sets compliance targets and standards for the following indicators: 9, 10, 11, 12, 13, 15, 16, 17, and 20. Substantial compliance for all these indicators can be met three ways: 1) at least 95% rate is achieved for *compliance* indicators, 2) at least 75% rate is achieved for *performance* indicators, or 3) all performance indicators are above 95%, with the exception of a single indicator being above 90%. Based on the data, OSEP determines if a state meets requirements, needs intervention, needs substantial intervention, needs assistance. These determinations could result in the AEAs or districts losing funds, receiving technical assistance, or being identified as a high-risk grantee which would result in the imposing of special conditions. The list of performance indicators are 1, 2, 3B, 3C, 5 that could be applied for AEAs and school districts. These indicators can be based on the targets set by NCLB requirements or based on the rate of improvement. The panel was asked for guidance as to whether the performance indicators should be applied to the AEAs and the school districts. The panel agreed that both the AEAs and the school districts should be held to all the indicators. The “determination” for each indicator would be made on an individual basis.

### **Overview and Request for Direction – Marty Ikeda**

Marty presented to the group about where the state of special education is at, what the DE’s responsibilities are, and asked where we need to be going. He reiterated the challenge and goal to eliminate the achievement gap for students with disabilities by 2020. He stated that the DE has the authority to set policy and establish funding, but that is it. Marty reiterated his challenges from earlier in the year regarding the need for screening data, tiered instructional supports, and ongoing progress monitoring. In addition to this, Marty provided information on the following:

- OSEP Verification Letter regarding our use of Rtl and that our process may be delaying evaluations for children suspected of having a disability. This finding has caused the state to rescind the Special Education Eligibility Standards (2006) and revise them. The draft of the proposed eligibility standards was shared with the group.
- Rtl will be rolled out via general education. The IDM process that is currently in place will be replaced by Rtl efforts.

### **Response to Intervention process – Amy Williamson**

Amy provided an overview of the Rtl process. The DE has made a commitment to implement this process at a more rigorous level throughout the state. More information will be coming in the coming days.

### **Eligibility Standards – Thomas Mayes**

Thomas presented the new eligibility standards to the panel. The panel expressed concern that the new standards are: not written in a parent friendly manner; that timely professional development is provided to training institutions, AEAs, and parent advocacy groups; and that consistent understanding and practice occurs statewide.

The panel felt that parent groups or focus groups should be considered. The proposed standards are as follows:

- 1) Qualified professionals must be part of all decisions about a child's special education eligibility.
- 2) All special education decisions are based on sound data.
- 3) When a public agency suspects that a child might have a disability that might require special education, the agency seeks parental consent for an initial evaluation.
- 4) Children and parents receive procedural protections whenever special education eligibility is questioned, reviewed, or established.
- 5) Evaluations are fair, thorough and comply with the requirements of special education law.
- 6) To be eligible for special education, a child must have a "disability."
- 7) If a child's low performance is due to lack of opportunity to learn or due to cultural or language difference, the child does not have a "disability."
- 8) To be eligible for special education, a child must need special education, and that need must be because of a disability.
- 9) A child's evaluation is sufficiently comprehensive to determine the nature of the eligible individual's special education needs.
- 10) If a child is eligible for special education services, the child's IEP team uses evaluation data to draft an IEP that addresses the needs identified in the evaluation.

### **LEA and AEA Determinations – Janell Brandhorst**

Janell shared the FFY 2009 LEA and AEA data with the panel. All the AEAs had at least one (out of four) compliance indicator that was not met, and at least three (out of 11) performance indicators that were not met. Of the 359 LEAs in the state, 317 met requirements, 18 were on the "small n" watch list; 24 were in the first year of needing assistance; and 2 were in the second year of needing assistance. The group discussed the results and what the state could consider doing to improve the results in the future. Currently OSEP does not require that the determinations are made public as far as what is needed in a corrective action plan.

### **Postsecondary Transition Planning and Data – Barb Guy**

Barb reviewed the process for secondary transition planning, which include the areas of: student interests and preferences; transition assessments; post secondary areas of living, learning, and working; course of study; annual goals; and annual services. Barb provided examples of excerpts from real IEPs from this year and five years ago to show the obvious improvement in practices occurring across the state. The data also showed an overall improvement from a score of 5% on Indicator 13 in FFY 2004 to 68% in FFY 2009. The next area of focus, according to Barb, will be "quality services for quality outcomes." The panel showed much enthusiasm and appreciation for the improved data and services that were shared. The members also recommended sharing this information with the field.

### **Significant Disabilities Project – Emily Thatcher, Amy Staples, Evette Edmister**

Emily, Amy and Evette provided a review of the project to the panel. The project is intended to help students demonstrate literacy and communication skills by providing instructional strategies that allow students with significant disabilities to access the curriculum, participate in instruction, and demonstrate progress. Ongoing professional development is being provided through guided reading, self-selected reading, writing and word level instruction. The teachers participating in this project anticipate seeing changes in their own disposition, knowledge, and practice. The next step in this project is focused on communication. It is hoped that there will be one model demonstration site in each AEA.

---

## **RELATED ACTIVITIES**

This section outlines ongoing professional development opportunities for panel members related to special education issues and the work members are asked to do as part of their duties.

---

### **Conference/Workshop Attendance**

Panel members were invited to attend conferences and workshops held in Iowa that offered opportunities for them to learn about specific topics related to special education. Expenses for travel, lodging and registrations were reimbursed. These conferences included:

- Fall Law Conference – Omaha
- Indicator 13 and 14 Performance Review and Planning Meeting – West Des Moines
- Spring Law Conference – Iowa City

---

## **MEETING DATES**

All meetings were held from 9:00am – 3:00pm at the Stoney Creek Inn in Johnston.

---

September 17, 2010

October 22, 2010

December 3, 2010

January 21, 2011

April 8, 2011

June 3, 2011

# Acronyms/Terms

**AEA** – Area Education Agency

**ALJ** - Administrative Law Judge

**APR** – Annual Performance Report (as related to a state’s “State Performance Plan”)

**ARRA** – American Recovery and Reinvestment Act of 2009

**AYP** – Adequate Yearly Progress

**DE** – Iowa Department of Education

**District** – school district (also referred to as Local Educational Agency or LEA)

**FFY** – Federal Fiscal Year

**HQT** – Highly Qualified Teacher

**IDEA, IDEA’04 or IDEA 2004** – Individuals with Disabilities Education Act of 2004

**IEP** – Individualized Educational Program

**IMS** – Information Management System

**I-STAR** – Iowa System to Achieve Results

**ITBS/ITED** – Iowa Test of Basic Skills / Iowa Test of Educational Development

**IEP** – Individualized Education Program

**LEA** – Local Educational Agency (referred to as school district or district)

**NAEP** – National Assessment of Education Progress (national standardized assessment)

**NCLB** – No Child Left Behind, a federal education law

**OSEP** – Office of Special Education Programs (Washington, D.C.)

**Panel** – Special Education Advisory Panel (also referred to as SEAP)

**Part B** – Special Education Services for Children with Disabilities Ages 3 to 21

**Part C** – Services for Children Birth through Two Years

**RtI** – Response to Intervention

**SEA** – State Education Agency

**SEAP** – Special Education Advisory Panel (also referred to as the Panel)

**SLP** – Speech and Language Pathologist

**SPP** – State Performance Plan (sometimes called the “Six-Year Performance Plan”)

## **CONTACT INFORMATION**

Eric Neessen  
Department of Education  
Grimes State Office Building  
400 E 14<sup>th</sup> St  
Des Moines IA 50319-0146  
Phone: 515-281-5766  
Fax: 515-242-6019  
E-mail: [Eric.Neessen@iowa.gov](mailto:Eric.Neessen@iowa.gov)