

**Iowa Special Education Advisory Panel**  
**February 16, 2018**  
**Facilitators: Nancy Ankeny-Hunt**  
**Panel Secretary: Cayanna Reinier**

**Present:** Jennifer Aldrich, Valerie Baker, Craig Barnum, Carma Betz, Cynthia Blackard, Heather Brand, Kate Cole, Donita Dettmer, Margaret Joan Ebersold, Elizabeth Hockey, Wendy Parker, Melanie Patton, Kelly Ramus, Bryan Sage, Beth Rydberg, Karen Thompson, Kathleen VanTol, Kelly Wallace, Sandra Smith, Joel Weeks, Doug Wolfe, David VanHorn

**Department Staff Present:** Barb Guy, Nancy Ankeny-Hunt, Cayanna Reinier

**Presenters:** Meredith MacQuigg, Doug Wolfe, Thomas Mayes, Phil Wise

**Not Present:** Chelsie Engelbart, Susan Etscheidt, Aryn Kruse, Christina McFadden, Erin Torruella, Jason Yessak, Mary Jackson, Keri Osterhaus, Ruth Frush

## Opening/Minutes

Doug makes the first motion and Craig seconds to approve the minutes. All were in favor; minutes from January 12, 2018 and agenda for this meeting is approved.

## Differentiated Accountability – Measures and Support Levels Changes to Disproportionality – Indicator B4, B9, and CEIS

Changes adopted into regulation last year:

- Identification
  - Historically 6-21
  - Now 3-21
- Placement:
  - Historically - General Education Less Than 40%, 40%-79% and 80% or more, Separate Facility, Residential Facility, Home or Hospital Bound, Correctional Facility, Parentally Placed in Private School
  - Now - Separate School and Residential Facilities combined, General Education Less Than 40%
- Discipline:
  - Historically – Removed more than 10 days (combination of in or out of school; out of your regular setting).
  - Now - Separate School and Residential Facilities combined, General Education Less Than 40%
  -

Standard Methodology:

- We are now required to use a Risk Ratio – Risk for Race Ethnicity/Risk for Non-Race Ethnicity
- Example of using removal category:

- Risk for Race Ethnicity = Number of Black Students Removed / Number of Black Students
- Risk for Non-Race Ethnicity = Number of Non-Black Students Removed / Number of Non-Black Students
- Risk Ratio of 1 indicates that students in a given racial or ethnic group are no more likely than students from all other racial or ethnic groups to be removed.

The calculations that was used for 2017-2018 data was:

- Risk Ratio (Risk for Race Ethnicity / Risk for Non-Race Ethnicity) of 3.5 or Higher. Interpreted as a student of the race ethnicity group is three and a half times more likely to experience an outcome.
- Minimum of 10 students of a Race Ethnicity Group
- Minimum n sizes and risk ratio limits are as rigorous (or more) as other states nationwide. These limits help to ensure that the test is sensitive enough to detect an issue, but not so sensitive that districts are misidentified

#### IDEA Part B Desk Audit Components

- Outcome of Review of Policies, Practices and Procedures for Indicator B4A and B4B – Removals Greater Than 10 Days for All IEP Students and For IEP Students by Race Ethnicity
- Outcome of Review of Policies, Practices and Procedures for Indicator B9 – Identification of Students by Race Ethnicity
- Outcome of Review of Policies, Practices and Procedures for CEIS, Coordinated Early Intervening Services
- Implementation Support Rubric
- The SPD work that is focusing on SDI for literacy is in the third year of the five year grant.
- The original purpose of the grant was that at the end of five years we would know what needed to be scaled up and how to scale it up as it pertains to SDI for literacy.
- We are in over 100 buildings focusing on either: Preschool, K-6 Literacy, Significant Disabilities, Assistive Technology, or a combination of these options.
- What we are learning from these districts and what we are learning from ESSA is that we need to change our direction on the SPD grant.
- We are going to target scale up for years 2019 and 2020.
- What we will do in 2018-2019 is not take any new sites, but instead concentrate on developing our infrastructure which will include:
  - Providing support for coaches
  - Getting people to understand SDI framework in itself
  - Making sure there is supports for these schools

## Legislative Updates

- Yesterday was the first funnel.
- All of the Department of Education Bills passed the first funnel. They are:
  - American Sign Language as a World Language
  - Annual code correction bill
  - Allow parents of homeschool and nonpublic schools the ability to purchase Iowa Learning Online courses
  - Teacher leadership and compensation bill
- Another big bill that passed funnel was to extend the SAVE fund to 2050.
- Two bills that failed to survive funnel are:
  - School Choice
  - A bill that made the Iowa Core Voluntary
- There currently is a bill that would require the reduction on AEA's from 9 to 5 within a year. What is actually going to happen is that within 5 years the number of AEA's will be reduced from 9 to 7.

## High School Graduation Requirements

### High School Graduation Memo

- Within Iowa, the State setups up guidelines and requirements for all students for graduation.
- Every Student Succeeds Act (ESSA) has changed the definition of a regular high school diploma:
  - The term “regular high school diploma” means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.
- This amendment makes clear that a regular high school diploma must be fully aligned to State-required standards for graduation.
- In Iowa's case, that would be the graduation requirements set forth in Iowa Code section 256.7(26):
  - four years of English
  - three years of math
  - three years of social studies
  - three years of science (“4-3-3-3”).
- To earn a regular high school diploma going forward, a child with a disability must complete 4-3-3-3.
- It will no longer be permissible to award a regular high school diploma based solely on IEP goal attainment.
- A child may either graduate based on 4-3-3-3 or based on 4-3-3-3 plus IEP goals.

- The expectation of the individual should be rigorous, linked to the graduation standard, and the student must be making progress towards their goals.
- This is still out for public comment so no definite decision on implementation has been made.

## Panel Comments on Graduation Requirements

### Group Notes

- Carma Betz motions that SEAP write a letter to support this work. Joel Weeks seconds the writing a letter to support the work.
- Kathleen VanTol has purposed a friendly amendment that would include:
  - The SEAP panel supports this change
  - The SEAP panel recommends that the graduation requirement changes start with the freshman class of 2019
  - The SEAP panel recommends that the Department of Education provide guidelines, resources and tools for districts and teachers; and also involve families in the process to ensure families are informed.
  - The SEAP panel suggests that districts involves families and community partners in planning for implementation.
- Carma Betz and Joel Weeks support the amendment.
- Kathleen VanTol and Margaret Joan Ebersold will write the letter and then send the letter to Karen Thompson and Elizabeth Hockey to proofread and finalize.
- After the letter is finalized Margaret Joan Ebersold or Kathleen VanTol will send the letter to Nancy who will distribute it to the Panel for further comment.
- Since we do not have much time this must be done very quickly.

## Child Welfare – What’s New & Different Guiding Principles

### Iowa Child Welfare: Overview and Innovations

#### DHS Service Area Map

- The guiding principles for the Iowa Child Welfare System are:
  - Safety
  - Permanency
  - Well-Being
- Differential Response promotes shorter timeframes for DHS to assure children’s safety when the most serious allegations of abuse are made.
- The Iowa Department of Human Services (DHS) has the responsibility and legal authority to conduct a Child Protection Assessment when there is reasonable belief of the following:
  - The alleged victim is a child, and
  - There alleged perpetrator is:
    - a caretaker; or

- a person who resides in a home with the child, if the allegation is sexual abuse; or
  - a person who engages in or allows child sex trafficking, and
- The child is subjected to one or more of the eleven types of **child abuse** defined in Iowa Code §232.68:
  - Physical Abuse
  - Mental Injury
  - Sexual Abuse
  - Denial of Critical Care (DCC)
  - Child Prostitution
  - Presence of Illegal Drugs in a Child's Body (PID)
  - Manufacturing or Possession of a Dangerous Substance
  - Bestiality in the presence of a minor
  - Allows access by a Registered Sex Offender
  - Allows access to Obscene Material
  - Child Sex Trafficking
- Once a call to DHS has been made workers at Centralized Intake take all of the information and use a screening tool for each report to maintain a strict application of rules to each case.
- If an allegation meets the criteria established in code the case is assigned to receive a Child Abuse Assessment or Family Assessment.
  - Time frames are assigned according to the seriousness of the allegations.
  - Reports of serious abuse have time frames as short as one hour in which the DHS must assess a child's safety and assure caregivers are not able to expose children to harm.
- Central Intake received 50,086 reports last year:
  - 52% of all intakes met the criteria needed to open an assessment.
  - 6,368 cases were Founded/Confirmed for abuse
  - 95% of children who received a Family Assessment did not have a substantiated report within 6 months.
  - Of those children with a substantiated finding of abuse or neglect:
    - 65% for denial of critical care
- The removal of a child can occur through an ex parte court order, removal by a peace officer, or removal by a physician. The Department may request the court to enter an ex parte order to remove the child.
- A peace officer or juvenile court officer or physician or medical security personnel may take a child into custody without a court order as required under section 232.78 to avoid imminent danger to a child's life or health.
- Under section 232.78, the juvenile court may enter an ex parte order directing a peace officer or a juvenile court officer to take custody of a child before or after the filing of a petition under this chapter provided all of the following apply:
  - a) The person responsible for the care of the child is absent, or though present, was asked and refused to consent to the removal of the child and was informed of an

intent to apply for an order under this section, or there is reasonable cause to believe that a request for consent would further endanger the child, or there is reasonable cause to believe that a request for consent will cause the parent, guardian, or legal custodian to take flight with the child.

- b) It appears that the child's immediate removal is necessary to avoid imminent danger to the child's life or health. The circumstances or conditions indicating the presence of such imminent danger shall include but are not limited to any of the following:
- The refusal or failure of the person responsible for the care of the child to comply with the request of a peace officer, juvenile court officer, or child protection worker for such person to obtain and provide to the requester the results of a physical or mental examination of the child. The request for a physical examination of the child may specify the performance of a medically relevant test.
  - The refusal or failure of the person responsible for the care of the child or a person present in the person's home to comply with a request of a peace officer, juvenile court officer, or child protection worker for such a person to submit to and provide to the requester the results of a medically relevant test of the person.
- c) There is not enough time to file a petition and hold a hearing under section 232.95.
- d) The application for the order includes a statement of the facts to support the findings specified in paragraphs "a", "b", and "c."
- At completion of a child abuse assessment or CINA assessment, if the CINA criteria are met for one or more grounds, the Department will request a CINA petition be filed by the county attorney. The grounds for CINA are set forth in section 232.2(6) (a-q).
  - If the Department determines that the best interests of the child require juvenile court or court action is necessary to safeguard a child, the Department shall act appropriately to initiate the action.
  - When a child is removed and needs to be placed in foster care DHS uses:
    - Relative Care
    - Family Foster Care
    - CWES (Shelter)
    - Foster Group Care
    - Supervised Apartment Living
    - Approved "Suitable Other" Place
  - The ultimate goal is to work towards permanency:
    - The primary goal is reunification with a parent
    - The court makes a finding in every hearing that DHS is or is not making reasonable efforts to reunify the family or prevent continued removal
    - If reunification is not possible a new permanency goal must be established:
      - Adoption

- Guardianship with a relative or other suitable person
  - Another Planned Permanency Living Arrangement
- Another focus is to maintain education stability:
  - Requires a best interest determination involving child welfare and education
  - The school of origin is maintained, unless the school not in the child's best interest
  - Immediate enrollment if there is a school change
  - State and local level points of contact in education and child welfare required
- Process of Adoption:
  - State law requires a petition to terminate parental rights (TPR) be filed when:
    - The child has been in foster care 15 of the most recent 22 months.
    - The court found aggravated circumstances to waive reasonable efforts to reunify with parents and proceed to TPR
    - The parent has been convicted of a serious crime involving physical harm against the child.
    - The child is placed in the guardianship of DHS at the time of TPR.
  - DHS continues to monitor and provide services
  - The adoptive home is selected by DHS as the child's guardian.
- Adoptive families are required to be approved to adopt in order to be selected to adopt a child and must have a home study done
- DHS negotiates an adoption subsidy for a child who is determined to be special needs
- Last year DHS rolled out a statewide Transition Process for youth in out of home placement, ages 16-18. A few highlights from that training included:
  - DHS provides a checklist for transition planning to keep in each youth's file on youth ages 16 and older
  - They discuss the importance of youth-centered meetings and how the five Fostering Connections (areas of transition) are incorporated into the Part C
  - Discuss in training the importance of approval of the transition plan by the local service area Transition Committee by age 17 ½.
- The new Federal Public Law (HR 4980) instructs all states to lower the age we start the transition planning process for youth in out of home placement, to age 14.
- This aligns with other current practices that start at age 14, such as: IEP's for special education students, having youth attend their court hearings, and encouraging younger adolescents to attend AMP, which is our statewide youth council advocating for teens in care.
- Other adjustment to current practice includes having the youth complete the Casey Life Skills (CLSA) at age 14.
  - The CLSA tool is used to assess strengths and needs of youth in care to assist workers in developing a plan to help the youth develop needed life skills.
  - Workers identify a provider who can work with the youth on identified skills areas.
- Iowa Aftercare Services Network supports youth who have aged out of Foster Care. Key voluntary aftercare features include:

- Youth must be between 18 and 21 years of age and reside in Iowa
- Pre-Services “bridges” foster care to aftercare
- Youth meet face to face with a Self-Sufficiency Advocate (SSA) at least twice a month (usually more)
- Limited financial assistance (vendor payments) available
- Aftercare has proven to offer much needed support! Outcomes so far:
  - 836 young adults served (highest on record)
  - 500 young people participated each month
  - 325 of those youth received PAL
  - 47.5% have name on lease at exit (23.8% at intake)
  - 74.6% have keys to their home at exit (57.5% at intake)

## Announcements and Closing

The Special Education Symposium is June 11 and 12, 2018 in Des Moines at the Iowa Event Center. [Registration](#) is currently open. SEAP will reimburse members for travel if they would like to attend.

Kelly Ramus motions first to adjourn, Bryan Sage seconds.

Next meeting:

Friday, April 13, 2018

9:00 a.m. – 3:00 p.m.

Grimes State Office Building, B100