

Iowa Special Education Advisory Panel

Date: November 22, 2019

Facilitator: Nancy Hunt

Panel Secretary: Beth Buehler-Sapp & Celina Turner

Present: Cynthia Blackard, Dawn Bonsall, Polly Brekke, Kate Cole, Lori Frieden-Janke, Valerie Harmon, Elizabeth Hockey, Jessica Iverson, Mary Jackson, Kim Neal, Keri Osterhaus, Bryan Sage, Rachel Terry, Karen Thompson, David Van Horn, Daniel Van Sant, Joel Weeks, and Doug Wolfe

Department Staff Present: Barb Guy, Nancy Hunt, Celina Turner, and Beth Buehler-Sapp

Absent: Jennifer Aldrich, Jennifer Anderson, Jodi Bonnett, Heather Brand, Rhonda Haitz, Pam Litterer, Kelly Ramus, Shannon Kathleen Tackes, Jason Yessak, Ruth Frush, and Sandra Smith

Presenters: Deb Thomas, Thomas Mayes, Margaret Jensen Connet, and Kim Drew

Public Comment: Kari Dugan commented on Special Education Mediation. Gina Hale commented on Special Education Mediation.

Handouts for the meeting:

- [Agenda](#)
- [Minutes from 9/13/19 meeting](#)
- [Conditions for Learning Survey Overview](#)
- [Conditions for Learning Parent Survey Draft](#)

Welcome/Introductions

The meeting was called to order by Elizabeth Hockey at 9:00 a.m.

New Special Education Consultants introductions: MeLissa Lawson & Tori Carsrud. MeLissa Lawson currently works with assistive technology and universal learning. Tori Carsrud currently works with the deaf and hard of hearing.

New SEAP secretary introduction: Celina Turner.

Approval of Consent Agenda

Minutes from the September 13, 2019, meeting were reviewed. No edits were made. Jessica Iverson made a motion to approve the consent agenda. Valerie Harmon seconded the motion. Motion approved.

Dispute Resolution and Impact of Mediation – Deb Thomas

[Dispute Resolution Training Update](#)

[Dispute Resolution Options](#)

[Impact of Mediation](#)

[Stories from Mediation & Lessons Learned](#)

Deb Thomas has been a state mediator for 10 years. She is also an adjunct professor at Drake University. In total, she has 45 years of experience, in which 37 years have been spent working with parents of children with disabilities.

The mediation training/process is overseen by Deb Thomas and Thomas Mayes. They have 10 state mediators who meet quarterly for review. Last year there were between 40 to 60 mediations.

When DE staff recently visited Davenport, they provided mediation trainings to approximately 560 people. These trainings included instruction on meaningful parent participation and acknowledgement that parents/guardians are not the only ones who grieve.

Deb Thomas provided the Dispute Resolution Training update. She also presented eight different cases about mediation that included what brought people to mediation, how the cases were or weren't resolved, and the lessons learned from each case. She stated that mediation is not well received if there is no follow-up or the parties involved don't have open and active communication.

Deb Thomas spoke about Iowa's five dispute resolution processes. These processes include:

- AEA Mediation
- State-level Mediation
- Mediation
- Due Process
- Complaint

Go to the [Dispute Resolution](#) page on the DE website for more detailed information.

The parent/guardian has to feel there is a violation of rights on some level to file a complaint. After a complaint is filed, an answer will be received and a corrective action plan will be formulated within 45 to 60 days. Deb Thomas commented that in regards to mediation, decision-making goes back to FAPE with regard to compliance and non-compliance. She also commented that problems can arise within mediation due to truancy timelines. Deb Thomas clarified that AEA Mediation is different than Facilitated IEPs. Facilitated IEPs are used in situations where the disagreements are minor in nature and where the IEP team is having difficulty following the IEP process.

For parents/guardians who wish to bring an advocate with them to the mediation, contact the Family and Educator Partnership (FEP), ASK Resource, or Disability Rights Iowa.

Deb Thomas provided an IDEA Dispute resolution Training update. The AEAs take a two-day training that is more advanced. The parents/guardians are not involved in this training, but FEP

and Ask Resource are present in these trainings. (See Dispute Resolution Training handout linked above.)

Chapter 103 Discussion – Thomas Mayes

Thomas Mayes provided an update regarding Chapter 103, which details Corporal Punishment and Seclusion and Restraint and influences the use of Least Restrictive Environment (LRE). Thomas Mayes also spoke briefly regarding the four changes that occurred between the Chapter 103 rules that were rejected by the State Board in August and the rules that went out for public comment. These four changes include:

- Size of the room (PIMA)
- Seclusion and Restraint in response to threat of injury
- Parent notice
- Department-initiated gathering of student-level data

Written or oral comments in response to the revised rules must be received by the Education Department by 4:30 p.m. on January 7, 2020. Comments can go to Nicole Proesch at nicole.proesch@iowa.gov or (515) 281-8661. A public hearing will be held from 11:00 a.m. to noon on January 7, 2020, at the Grimes State Office Building in Des Moines.

Conditions for Learning and Parent Survey – Margaret Jensen Connet

[Conditions for Learning Survey Overview](#)

[Conditions for Learning Parent Survey Draft](#)

Margaret introduced the Conditions for Learning parent survey. The survey for parents of students in 3rd - 5th grade will have items that are similar to those on the Survey that is taken by students. It will assess parent perceptions of student engagement, safety, and the overall school environment. SEAP members are asked to participate in a focus group. The purpose of the Focus Group is to help the Department determine the content and delivery method for the survey being developed for parents of students in 3rd – 5th grade. It will include the draft questions being proposed for the survey and a facilitator will be gathering feedback regarding the questions.

She asked the panel for the following in regard to the parent survey:

- Overall reaction to the survey
- Advice for getting as many parents to participate in the survey as possible
- Advice for how to engage parents in using the results
- Input for whether any questions should be added to the survey

Universal Tier Resources – Kim Drew

[Functional Behavior Assessment \(FBA\)](#) & [Behavior Intervention Plan \(BIP\)](#) brochures
[Universal Tier Resources](#)

Kim dispersed the FBA and BIP brochures but did not ask for any edits or suggestions to the content. The goal of the Universal Tier Resources is that every family across the state has the same information. The Universal Tier Resources use family friendly language that will benefit both parents and teachers.

SEAP Public Comment on Chapter 103

A question was posed to the Panel: “Does SEAP itself as a whole wish to provide a public comment?” The Panel was tasked with deciding whether to respond to the rule changes by holding a special Panel meeting, forming a sub-committee to write a response on behalf of the group, or not responding at all. The panel decided to form a sub-committee to oversee the SEAP public comment.

Karen Thompson moved to form a sub-committee. Cynthia Blackard seconded the motion. Motion approved.

The sub-committee will include Bryan Sage, Doug Wolfe, and Lori Frieden-Janke.

After the sub-committee meets to discuss the public comment, there will be a special one-hour Zoom meeting for the Panel to review.

Announcements

The Iowa Learning Academy will be held June 9-12, 2020. The Special Education symposium will be rolled into the Iowa Learning Academy and will take place June 9-11, 2020. One of the main presenters will be attorney Jim Walsh, who is an expert on Seclusion and Restraint and LRE.

Future Agenda Items to Discuss

None

Lori-Frieden Janke made a motion to adjourn the meeting. Keri Osterhaus seconded the motion. Motion approved. Meeting adjourned at 2:50 p.m.

Next Meeting: January 10, 2020

9:00 a.m. – 3:00 p.m.

Grimes State Office Building, B100

Facilitator: Nancy Hunt

Minutes: Celina Turner