

Iowa Special Education Advisory Panel

Date: January 3, 2020

Facilitator: Nancy Hunt

Panel Secretary: Celina Turner

Present: Jennifer Aldrich, Jennifer Anderson, Cynthia Blackard, Dawn Bonsall, Kate Cole, Ruth Frush, Rhonda Haitz, Elizabeth Hockey, Jessica Iverson, Mary Jackson, Keri Osterhaus, Kelly Ramus, Bryan Sage, Rachel Terry, Joel Weeks, and Doug Wolfe

Department Staff Present: Nancy Hunt and Celina Turner

Absent: Jodi Bonnett, Heather Brand, Polly Brekke, Lori Frieden-Janke, Barb Guy, Valerie Harmon, Pam Litterer, Kim Neal, Sandra Smith, Shannon Kathleen Tackes, Karen Thompson, Daniel Van Sant, David VanHorn, and Jason Yessak

Handouts for the meeting:

- [Agenda](#)
- [SEAP Public Comment Chapter 103](#)

Welcome/Introductions

The meeting was called to order by Elizabeth Hockey at 11:04 a.m.

Statement on Quorum

Elizabeth Hockey stated that an in-person quorum meeting is impossible or impractical due to the short timeline and the holiday schedule. This resulted in the majority of present SEAP members participating via Zoom.

SEAP Public Comment on Chapter 103

During the November 22, 2019, meeting, 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.

The sub-committee drafted a letter on behalf of SEAP in response to 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

The point of contention and discussion in regards to this letter centered around *Item 2: Regarding 281-103.7(2) B*. The letter stated: "We would prefer to require the parent to be notified in the 10 minutes after the occurrence (offending behavior, not seclusion/restraint)." Joel Weeks commented that the 10-minute timeframe for notification is not always reasonable in every situation. Jessica Iverson stated that the 10-minute timeframe for notification may result in the parent/guardian being contacted by a teacher/school administrator who does not have all the pertinent information. She commented that the teacher/school administrator involved in the occurrence may not always be able to call 10 minutes after the occurrence. Jennifer Aldrich questioned if there should be multiple options in regards to how the parent/guardian is contacted, such as by phone, by text, or by email, since not all parents/guardians can accept phone calls during the day.

Doug Wolfe stated that SEAP should take the strongest stance on this matter as the notification timeframe may be softened in the future when the letter is reviewed; therefore, if SEAP softens the timeframe for notification now, SEAP may end up with something they are not happy with after the public comments are reviewed. Jessica Iverson commented that requiring the parent/guardian to be notified in the 30 minutes after the occurrence is more realistic and allows the individual contacting the parent/guardian to have enough time to deescalate the situation and gather all pertinent information before contacting the parent/guardian.

Dawn Bonsall commented that the letter be changed to say "up to 30 minutes after the occurrence" to allow the teacher/school administrator involved in the occurrence to deescalate the situation and reflect. Rachel Terry suggested to instead change to letter to say "within the 30 minutes after the occurrence." Jessica Iverson moved to change the letter to say "within 30 minutes after the occurrence." Bryan Sage seconded.

Roll call on motion to change letter to say "within the 30 minutes after the occurrence" in regards to *Item 2: Regarding 281-103.7(2) B*: *Accept*: Jennifer Aldrich, Jennifer Anderson, Cynthia Blackard, Dawn Bonsall, Kate Cole, Ruth Frush, Rhonda Haitz, Jessica Iverson, Mary Jackson, Keri Osterhaus, Kelly Ramus, Bryan Sage, Rachel Terry, Joel Weeks, and Doug Wolfe. *Do not accept*: none. Motion approved.

Kelly Ramus asked how the 30-minute notification requirement affects foster parents. Doug Wolfe commented that when a child is placed in custody of DHS, the foster parent/caregiver is given the right to discuss educational matters regarding the child. He posed a question to SEAP regarding whether the biological parent should also be notified after an occurrence. Kelly Ramus commented that a letter should be given to schools to address this in order to avoid confusion around who should be contacted after an occurrence. Doug Wolfe stated that SEAP should not comment on this issue, and he asked that the Iowa Department of Education address this through public forums.

Doug Wolfe moved to accept the letter with the aforementioned change and send it to Nicole Proesch. Kelly Ramus seconded. *Aye*: Jennifer Aldrich, Jennifer Anderson, Cynthia Blackard, Dawn Bonsall, Kate Cole, Ruth Frush, Rhonda Haitz, Jessica Iverson, Mary Jackson, Keri Osterhaus, Kelly Ramus, Bryan Sage, Rachel Terry, Joel Weeks, and Doug Wolfe. *Nay*: none. Motion approved.

Future Agenda Items to Discuss

None

Jessica Iverson made a motion to adjourn the meeting. Bryan Sage seconded the motion. Motion approved. Meeting adjourned at 11:44 a.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