



STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

DEPARTMENT OF EDUCATION
RYAN M. WISE, DIRECTOR

TO: AEA Directors of Special Education
LEA Superintendents
Partner Organizations
FR: Barbara Guy, State Director of Special Education
DA: December 22, 2017
RE: Graduation Requirements for Children with Disabilities - Changes Required by ESSA
Rulemaking Open for Comment: **REVISED TIMELINES**

On December 19, 2017, I wrote to inform you of a required change in practice that the Iowa Department of Education will be phasing in over time. This concerns graduation requirements for children with disabilities. I informed you of a pending rulemaking action, and of a public hearing on January 8, 2018. Due to scheduling conflicts and difficulties, that public hearing is postponed and will be rescheduled to later in the spring of 2018. The period of public comment will be extended to the date of the rescheduled public hearing. I will separately inform you of that new hearing date. Implementation timelines will be adjusted accordingly.

As I previously wrote, this change is required by an amendment made to the Individuals with Disabilities Education Act by the Every Student Succeeds Act. That federal amendment changes the definition of a “regular high school diploma”:

[T]he 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, and 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.

To that end, the State Board of Education began rulemaking process to amend Iowa’s special education rules to conform to ESSA-required language. The Department is expressly seeking public comment on how to implement this new requirement. The Department seeks comments from educators and families on the following non-exhaustive list of topics: scaling and

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implementing this change (including timelines), technical assistance and decision-making tools needed for IEP Teams, resources currently available to help IEP Teams make these decisions, potential barriers to implementation, communication strategies, the relationship between this rule and course catalogues or Carnegie units, sample policy language for school boards, and tools for superintendents and secondary school principals.

The State Board's notice of rulemaking is at this link (please disregard the public hearing date): <https://www.educateiowa.gov/sites/files/ed/documents/2017-11-15%20Chapter%2041.pdf>.

Interested individuals may make written comments on the proposed amendment, directed to Thomas A. Mayes, Attorney II, Iowa Department of Education, Third Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515) 242-5614; e-mail thomas.mayes@iowa.gov; or fax (515)242-5988. The public comment closing date and the date of the public hearing will be announced later.

This is an important change in rules that has the potential to affect every student with an IEP. I appreciate your participation and input as we move forward with this work.