UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Jason Glass
Director
Iowa Department of Education
Grimes State Office Building
East 14th & Grand Streets
Des Moines, Iowa 50319-0146

FEB - 8 2011

Dear Director Glass:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Iowa Department of Education during the week of October 25, 2010. As indicated in our letter to you dated July 22, 2010, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under Parts B and C of the Individuals with Disabilities Education Act (IDEA). Section 616 of the IDEA requires the Department to monitor States with a focus on: (1) improving early intervention and educational results and functional outcomes for infants, toddlers, children, and youth with disabilities; and (2) ensuring that States meet the program requirements, particularly those most closely related to improving early intervention and educational results for children and youth with disabilities.

The purpose of the verification visit is to review the State's systems for general supervision, collection of State-reported data, and fiscal management, as well as the State's systems for improving child and family outcomes and protecting child and family rights. OSEP developed critical elements that were used to guide its evaluation of Iowa's general supervision, data, and fiscal systems. The Enclosures to this letter describe the scope of OSEP's review of the State's systems and briefly outline relevant statutory and regulatory requirements for each critical element. Generally, the Enclosures to this letter do not include descriptions of the State's systems because this information is available on the State's Web site in the Iowa State Performance Plans. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the verification visit, are provided in the Enclosures to this letter.

Based on document review as well as interviews at the State, Area Education Agency (AEA), and local district levels, OSEP cannot determine if the State is ensuring that any AEA or district implementing Response to Intervention (RTI) strategies is appropriately using RTI and that use of RTI is not delaying or denying timely initial evaluations for children suspected of having a disability. OSEP is requiring that the State provide documentation of the steps it is taking to ensure that any AEA or district implementing RTI strategies is appropriately using RTI and that use of RTI is not delaying or denying timely initial evaluations for children suspected of having a disability. In addition, for Part C State Performance Plan/Annual Performance Report (SPP/APR) Indicator 1 the State collects data on timely service provision based on the projected dates of services and not on the actual dates of early intervention services (as required by the measurement for SPP/APR Indicator 1). OSEP is requiring that in its FFY 2010 APR, due on February 1, 2012, the State must confirm that its SPP/APR Indicator 1 data are based on the actual (not projected) dates of service provided to each child included in the measurement for that indicator.

In its letter dated April 29, 2010, the Department granted the State's request for a waiver of its responsibility to maintain the level of State financial support for special education and related services, pursuant to 20 U.S.C. 1412(a)(18)(B) and 34 CFR §300.63(c) in the amount of $38,102,897. Although the State received a waiver, the State has a continuing obligation to ensure that a free appropriate public education (FAPE) is made available to all children with disabilities as required in 20 U.S.C. 1412(a)(1) and 34 CFR §300.101. In order to determine whether the State was, in fact, continuing to make FAPE available to children with disabilities, OSEP also conducted, in conjunction with the verification visit, a focused monitoring review related to the provision of FAPE.

OSEP would like to recognize effective practices being implemented in the State that are designed to improve results for infants and toddlers, children and youth with disabilities. Early ACCESS leadership (Part C), which includes statewide regional grantee liaisons, service coordinators and early childhood supervisors, work collaboratively with the Executive Committee, comprised of signatory agency administrators. This practice ensures Iowa is able to maintain and implement a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families.

The State's complaint resolution database is extensive and contains data regarding requests for all options for resolving disputes including mediation, due process hearings and State complaints. Dispute resolution consultants utilize the database to monitor each request for proper implementation of requirements, monitor timely compliance with corrective actions and closely follow timeline requirements for both the Part B and Part C programs.

The State's I-STAR database is a Web-based application for both Part B and Part C data collection and reporting that is housed at the Iowa Department of Education. The system has multiple functions including: an on-site monitoring tool for file reviews; automated determination of need for corrective action, based on results of file reviews; corrective action tracking and verification; dashboard for State-level and local-level real time view of current status relative to corrective action plans and individual corrections for Indicator B-15 and Indicator C-9 APR data reports; parent survey collection; post-secondary outcomes data collection; and local district profiles on SPP/APR indicator data.

Iowa created a fiscal accountability system that includes a Web-based reporting program. The State calculates Part B amounts for AEAs and districts (e.g., excess costs, Coordinated Early Intervening Services (CEIS), local-level maintenance of fiscal effort (MOE), nonpublic school proportionate share) to ensure AEAs and districts comply with the fiscal requirements of IDEA. The same process is conducted at the AEA/program level for Part C. The SEA requires detailed information on the obligation and intended use of funds in local applications and requires that local accounting programs utilize specific account codes to identify expenditures. AEAs are also required to submit quarterly reports of expenditures, and additional financial information annually through the Special Education Supplement (SES). Expenditures are monitored closely to ensure compliance to financial requirements and there is no opportunity for AEAs and Districts to miscalculate available funds.

Additionally, OSEP appreciates the cooperation and assistance provided by your State staff and others, including staff from the ASK Resource Center and parents of children and youth with disabilities in providing feedback and input on the State's systems for special education. We look forward to collaborating with all stakeholders and actively working with the State to

improve results for children and youth with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call your OSEP State Contact, Kimberly Mitchell, at 202-245-7453.

Sincerely,

Melody Musgrove, Ed.D.
Director
Office of Special Education Programs

Enclosures
cc: Martin Ikeda
Director of Special Education

LauraBelle Sherman-Proehl
Chief, Early Childhood Services

Julie Curry
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