

Iowa Part C Verification Visit Letter

Enclosure

Scope of Review

During the verification visit OSEP reviewed critical elements of the State's general supervision, data and fiscal systems, and the State's systems for improving child and family outcomes and protecting child and family rights.

Methods

In reviewing the State's systems for general supervision, collection of State-reported data,¹ fiscal management, and the State's systems for improving child and family outcomes and protecting child and family rights, OSEP:

- Analyzed the components of the State's general supervision, data, and fiscal systems to ensure that the systems are reasonably calculated to demonstrate compliance and improved performance
- Reviewed the State's systems for collecting and reporting data the State submitted for selected indicators in the State's Federal Fiscal Year (FFY) 2008 Annual Performance Report (APR)/State Performance Plan (SPP)
- Reviewed the following—
 - Previous APRs
 - The State's application for funds under Part C of the IDEA
 - Previous OSEP monitoring reports
 - The State's Web site
 - Other pertinent information related to the State's systems²
- Gathered additional information through surveys, focus groups or interviews with—
 - The Part C Coordinators
 - State personnel responsible for implementing the general supervision, data, and fiscal systems
 - Early intervention services (EIS) program staff, where appropriate
 - State Interagency Coordinating Council
 - Parents and Advocates

Description of the Part C System

The Iowa Department of Education (IDE) is designated as the State lead agency for Part C of IDEA and Early ACCESS is the Part C system with collaboration between four State agencies, known as the Signatory Agencies, which are the: IDE, Iowa Department of Public Health, Iowa Department of Human Services, and University of Iowa Child Health Specialty Clinics. There are ten regional grantees that also serve as the Area Education Agency (AEA) in the State and are the early intervention service (EIS) programs for SPP/APR reporting purposes in the State.

¹ For a description of Iowa's general supervision and data systems, see the State Performance Plan (SPP) on the State's Web site.

² Documents reviewed as part of the verification process were not reviewed for legal sufficiency, but rather to inform OSEP's understanding of your State's systems.

I. General Supervision Systems

Critical Element 1: Identification of Noncompliance

Does the State have a general supervision system that is reasonably designed to identify noncompliance in a timely manner using its different components?

To effectively monitor the implementation of Part C of the IDEA by EIS programs/providers, as required by IDEA sections 616, 635(a)(10)(A), and 642 and 34 CFR §§303.500 and 303.501, the State must have a general supervision system that identifies noncompliance in a timely manner.

OSEP Conclusion

Based on the review of documents, analysis of data and interviews with State and local personnel, OSEP concludes that Iowa does have a general supervision system that is reasonably designed to identify noncompliance in a timely manner using its different components. However, without also collecting data at the local level including interviewing parents of eligible children, OSEP cannot determine whether the State's systems are fully effective in identifying noncompliance in a timely manner using its different components.

Required Actions/Next Steps

No action is required.

Critical Element 2: Correction of Noncompliance

Does the State have a general supervision system that is reasonably designed to ensure correction of identified noncompliance in a timely manner?

To effectively monitor the implementation of Part C of the IDEA by EIS programs/providers, as required by IDEA sections 616, 635(a)(10)(A), and 642, 34 CFR §§303.500 and 303.501, the State must have a general supervision system that corrects noncompliance in a timely manner. In addition, as noted in OSEP Memorandum 09-02, Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act, dated October 17, 2008 (OSEP Memo 09-02), in order to verify that previously identified noncompliance has been corrected, the State must verify that the EIS program and/or provider: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected noncompliance for each child, unless the child is no longer within the jurisdiction of the EIS program and/or provider.

OSEP Conclusion

Based on the review of documents, analysis of data and interviews with State and local personnel, OSEP concludes that Iowa does have a general supervision system that is reasonably designed to correct noncompliance in a timely manner using its different components. However, without also collecting data at the local level including interviewing parents of eligible children, OSEP cannot determine whether the State's systems are fully effective in correcting noncompliance in a timely manner using its different components.

Required Actions/Next Steps

No action is required.

Critical Element 3: Dispute Resolution

Does the State have procedures and practices that are reasonably designed to implement the dispute resolution requirements of IDEA?

The State must have procedures and practices that are reasonably designed to implement the following IDEA Part C dispute resolution requirements: the State Complaint procedures in 34 CFR §303.512; and the mediation and due process procedure requirements in 34 CFR §§303.419 through 303.425 (as modified by IDEA sections 615(e) and 639(a)(8)).

The State reported in its FFYs 2007 and 2008 SPP/APRs that it received no complaints or due process hearing requests during FFYs 2007 and 2008.

OSEP Conclusions

Based on the review of documents, analysis of data and interviews with State and local personnel, OSEP concludes that Iowa does have procedures and practices that are reasonably designed to implement the dispute resolution requirements of IDEA. However, given that Iowa did not receive any complaints or due process hearing requests during FFYs 2007 and 2008, OSEP cannot determine whether the State's procedures and practices for due process hearings would be effective in ensuring timely resolution of such requests.

Required Actions/Next Steps

No action is required.

Critical Element 4: Improving Early Intervention Results

Does the State have procedures and practices that are reasonably designed to improve early intervention results and functional outcomes for all infants and toddlers with disabilities?

The State must have procedures and practices that are reasonably designed to improve early intervention results and functional outcomes for all infants and toddlers with disabilities.

OSEP Conclusions

Based on the review of documents, analysis of data, and interviews with State and local personnel, OSEP concludes that Iowa has policies and practices that are reasonably designed to improve early intervention results and functional outcomes for infants and toddlers with disabilities.

Required Actions/Next Steps

No action is required.

Critical Element 5: Implementation of Grant Assurances

Does the State have procedures and practices that are reasonably designed to effectively implement selected grant application requirements, i.e., making local determinations and publicly reporting on EIS program performance, comprehensive system of personnel development (CSPD), and State-level interagency coordination?

The State must have procedures and practices that are reasonably designed to ensure that the State is effectively implementing the following grant application requirements: (1) making local determinations for, and publicly reporting on, EIS program performance pursuant to IDEA sections 616 and 642; (2) implementation of a CSPD pursuant to IDEA section 635(a)(8) and 34

CFR §303.360; and (3) State-level interagency coordination to ensure that methods are in place under IDEA sections 635(a)(10), 637(a)(2) and 640 and applicable provisions in, 34 CFR §§303.520 through 303.528.

OSEP Conclusion

Based on the review of documents, analysis of data and interviews with State and local personnel, OSEP concludes the State does have procedures and practices that are reasonably designed to implement the selected grant application requirements.

Required Actions/Next Steps

No action is required.

II. Data Systems

Critical Element 1: Collecting and Reporting Valid and Reliable Data

Does the State have a data system that is reasonably designed to collect and report valid and reliable data and information to the Department and the public in a timely manner?

To meet the requirements of IDEA sections 616, 618, 635(a)(14), and 642 and 34 CFR §303.540, the State must have a data system that is reasonably designed to collect and report valid and reliable data and information to the Department and the public in a timely manner.

OSEP Conclusions

Based on the review of documents and interviews with State personnel, OSEP concludes that Iowa has a data system that is reasonably designed to collect valid and reliable data and information, to report the data and information to the Department and the public in a timely manner.

Required Actions/Next Steps

No action is required.

Critical Element 2: Data Reflect Actual Practice and Performance

Does the State have procedures that are reasonably designed to verify that the data collected and reported reflect actual practice and performance?

To meet the requirements of IDEA sections 616, 618, 635(a)(14), and 642 and 34 CFR §303.540, the State must have procedures that are reasonably designed to verify that the data collected and reported reflect actual practice and performance.

IDE's data system collects all Individual Family Service Plan (IFSP) data for every child eligible under Part C of IDEA. IDE uses these data to collect and report data on the APR indicators and to report data required under IDEA section 618. However, while reviewing the data with IDE staff during the on-site visit, OSEP staff pointed out that the dates the State collects in its database were the IFSP projected service dates and the IFSP meeting date, and not the actual dates the IFSP services were initiated, as required by the measurement in SPP/APR Indicator 1. Data for reporting on timely initiation of services in Indicator 1 of the Part C SPP/APR must be calculated using the IFSP meeting date compared to the actual date a service provider provides the service.

IDE staff acknowledged that IDE had been using the projected service date on the IFSP, instead of the actual start date for IFSP services. On December 8, 2010, IDE submitted preliminary monitoring data for FFY 2009 using a sampling of records from each of its EIS programs that reflect the actual (not projected) dates of service. The State indicated it will present the final data in its FFY 2009 APR, due February 1, 2011, and also discuss any findings of noncompliance. The State also stated that plans are being developed to collect these data from its Web-based IFSP database for subsequent years. OSEP will respond separately to the State's FFY 2009 SPP/APR Indicator 1 data.

OSEP Conclusions

Based on the review of documents and interviews with State personnel, OSEP concludes that Iowa has procedures that are reasonably designed to verify that the data collected and reported reflect actual practice and performance, except that for its data for SPP/APR Indicator 1 it 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).

Required Actions/Next Steps

In its FFY 2010 APR, due on February 1, 2012, the State must continue to 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. OSEP will respond to the State's FFY 2009 Indicator 1 APR data when it responds to the FFY 2009 APR.

Critical Element 3: Integrating Data Across Systems to Improve Compliance and Results

Does the State compile and integrate data across systems and use the data to inform and focus its improvement activities?

To meet the requirements of IDEA sections 616, 618, 635(a)(14), and 642, 34 CFR §303.540 and OSEP Memorandum 10-04: Part C State Performance Plan (Part C – SPP) and Part C Annual Performance Report (Part C – APR), the State must compile and integrate data across systems and use the data to inform and focus its improvement activities.

OSEP Conclusions

Based on the review of documents and interviews with State personnel, OSEP concludes that Iowa compiles and integrates data across systems and uses the data to inform and focus its improvement activities.

Required Actions/Next Steps

No action is required.

III. Fiscal Systems

Critical Element 1: Timely Obligation and Liquidation of Funds

Does the State have procedures that are reasonably designed to ensure the timely obligation and liquidation of IDEA funds?

The State must have procedures that are reasonably designed to ensure the timely obligation and liquidation of IDEA funds, as required by the General Education Provisions Act (GEPA), its implementing regulations in the Education Department General Administrative Regulations

(EDGAR) (including 34 CFR Parts 76 and 80), and the applicable sections of Office of Management and Budget (OMB) Circulars A-87 and A-133.

OSEP Conclusions

Based on the review of documents and interviews with State personnel, OSEP concludes that Iowa has procedures that are reasonably designed to ensure the timely obligation and liquidation of IDEA funds.

Required Actions/Next Steps

No action is required.

Critical Element 2: Appropriate Use of IDEA Funds

Does the State have procedures that are reasonably designed to ensure appropriate use of IDEA funds?

The State must have procedures that are reasonably designed to ensure appropriate use of IDEA Part C funds in the State that are consistent with the requirements of GEPA, EDGAR (including 34 CFR Parts 76 and 80), OMB Circulars A-87 and A-133, IDEA section 638 and 34 CFR Part 303.

OSEP Conclusion

Based on the review of documents, analysis of data and interviews with State and local personnel, OSEP concludes that Iowa does have procedures and practices that are reasonably designed to ensure appropriate use of IDEA funds.

Required Actions/Next Steps

No action is required.