



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

Honorable Judy Jeffrey  
Director of Education  
Iowa Department of Education  
Grimes State Office Building  
East 14<sup>th</sup> & Grand Streets  
Des Moines, IA 50319-0146

SEP 29 2005

Dear Director Jeffrey:

The purpose of this letter is to respond to Iowa's March 25, 2005 submission of its Federal Fiscal Year (FFY) 2003 Annual Performance Report (APR) under the Individuals with Disabilities Education Act (IDEA) Part C for the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments that Iowa made during the reporting period, compared to established objectives. The Office of Special Education Programs (OSEP) has designed the APR under the IDEA to provide uniform reporting from States and result in high-quality information across States.

The APR is a significant data source for OSEP in the Continuous Improvement and Focused Monitoring System (CIFMS). The APR falls within the third component of OSEP's four-part accountability strategy (i.e., supporting States in assessing their performance and compliance, and in planning, implementing, and evaluating improvement strategies) and consolidates the self-assessing and improvement planning functions of the CIFMS into one document. OSEP's Memorandum regarding the submission of the APRs directed States to address five cluster areas: General Supervision; Comprehensive Public Awareness and Child Find System; Family Centered Services; Early Intervention Services in Natural Environments; and Early Childhood Transition.

Iowa's APR should reflect the collection, analysis, and reporting of relevant data, and include specific data-based determinations regarding performance and compliance in each of the cluster areas. This letter responds to Iowa's FFY 2003 APR. OSEP has set out its comments, analysis and determinations by cluster area.

### ***Background***

The conclusion of OSEP's January 10, 2005 FFY 2002 APR response letter required the State to provide information and data regarding General Supervision, including identification and timely correction of noncompliance; Early Intervention Services in Natural Environments; and Early Childhood Transition. The information provided by the State is addressed in the appropriate sections below.

## ***General Supervision***

### Identification and timely correction of noncompliance

OSEP's January 2005 letter requested the State to provide the following: (1) a summary of all monitoring conducted since March 31, 2004, including: (a) a summary of all Part C noncompliance findings made by the State during this time, listed by entity; and (b) an analysis of the monitoring report findings; (2) a summary of all the State's follow-up correction and enforcement activities, including a list of any corrective action plans that were submitted to, and approved by, the lead agency; and (3) the data submitted by providers when the State determined that the provider corrected the identified noncompliance.

On pages 2-4 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance for this area. The lead agency scheduled site visits in June 2004 and another in December 2004 for two of the 12 regional grantees with the lowest ranks in targeted areas of focused monitoring, including: Public Awareness and Child Find, Early Intervention Services in Natural Environments, and Early Childhood Transition. Both regions received noncompliance citations in the area of Public Awareness and Child Find. When noncompliance citations were identified, the regional grantees were required to develop a Continuous Improvement Plan (CIP) to correct the identified citations. Regional grantees had 30 days upon receipt of the lead agency report to correct individual noncompliance and one year to correct identified systemic noncompliance. The regional grantees submitted CIPs that were approved by the lead agency and the regional grantees submitted revised procedures and evidence that the noncompliance was corrected within required timelines. The lead agency verified correction and provided letters of verification to the regional grantees. OSEP appreciates the work of the State in ensuring compliance with these requirements and providing the data required by OSEP's January 2005 letter. OSEP looks forward to reviewing the State's data in this area in the State Performance Plan (SPP), due December 2, 2005.

### Dispute resolution

On pages 4-23 of the FFY 2003 APR, the State included data and analysis for this area. No complaints, mediations or hearings were filed with the lead agency for the reporting period. To ensure that families were aware of their rights under IDEA, the lead agency selected three additional regional grantees to conduct family interviews. Of 27 families selected, 24 responded positively to the indicator: "Inform families of the availability of advocacy services and explain family rights." OSEP appreciates the work of the State in ensuring compliance with these requirements. OSEP looks forward to reviewing the State's data in this area and in reviewing the State's data regarding the percent of mediations held that resulted in mediation agreements and the percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements, in accordance with indicators #12 and #13 in the SPP.

### Personnel

On pages 24-29 of the FFY 2003 APR, the State included data and analysis for this area. The lead agency provided a sufficient number of administrators, service coordinators, teachers,

service providers, paraprofessionals, and related services providers to meet the identified early intervention needs of infants, toddlers and their families. Due to an increasing child count, the lead agency staff, Iowa DHS Medicaid Program, and regional liaisons continued efforts to increase the number of Medicaid providers. Data indicated that all eligible children and families referred for early intervention services in the 12 regions were assigned a service coordinator. The lead agency reported an increase in the numbers of infants and toddlers served as well as an increase in the number of service providers, which included service coordinators and paraprofessionals. OSEP appreciates the State's efforts to ensure performance in this area.

#### Collection and timely reporting of accurate data

On pages 30-33 of the FFY 2003 APR, the State included data and analysis for this area. The lead agency and regional grantees used the Information Management System (IMS) for the collection and timely reporting of accurate data under Section 618 of the IDEA. The IMS provided the regional grantees with data organized around the service delivery system for special education and early intervention services. The lead agency provided information regarding data sharing between partnering agencies, (Iowa Department of Public Health, University of Iowa, and the Iowa Department of Human Services) that increased data management across systems and facilitated a seamless exchange of data and interaction among agencies. Completed activities for the reporting period included: developing an evaluation plan for the general supervision enhancement grant (GSEG); completing an assessment of data elements; and purchasing appropriate hardware and software for data analysis. Hardware and software for data analysis were ordered in June 2004 and existing data were incorporated into the new software in July 2004. The GSEG enabled the lead agency to significantly further its efforts for an interagency, web-based data management system. OSEP appreciates the work of the State in ensuring compliance with these requirements. OSEP looks forward to reviewing the State's data in this area in the SPP, due December 2, 2005.

#### ***Comprehensive Public Awareness and Child Find System***

On pages 35-61 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure performance and compliance in this area. The State reported: (1) a process to track child find data was developed; (2) policies and procedures were developed; (3) collaboration with other programs and agencies; (3) a central point of entry was maintained; (4) public awareness materials were developed and distributed; and (5) regional activities were monitored. The lead agency provided trend data for the last six years that indicated consistent increases in the number and percentage of infants and toddlers from birth to age three that received early intervention services. The number and percentage of children served more than doubled, from 964 (.89%) in 1998 to 2136 (1.88%) in 2003. Regional grantees and lead agency consultants reviewed the referral source data. The most common referral sources statewide (32%) and by regional grantee (range 21-50%) were parents and family members. Statewide, health professionals from hospitals, high-risk follow-up programs, Child Health Specialty Clinics, and public and private health agencies accounted for 39% of referrals to the early intervention program in 2003-2004.

Trend data indicated a consistent increase in the number and percentage of infants with disabilities under the age of one receiving early intervention services. The percentage and number of infants under the age of one receiving early intervention services significantly increased from 126 in 1998 (.12%) to 323 in 2003 (.85%). Data for each regional grantee indicated consistent increases within the regions; with three exceptions for regional grantees that remained stable over the past 2 years, and a decrease for two regional grantees. OSEP appreciates the State's efforts to ensure performance and compliance in this area and looks forward to reviewing updated child count data in the SPP, due December 2, 2005.

### *Family Centered Services*

On pages 63-72 of the FFY 2003 APR, the State included data and analysis regarding activities conducted to increase the capacity of families who have infants and toddlers with IFSPs, to enhance their children's development. To determine the family's capacity to enhance their child's development, the lead agency collected and analyzed IFSP data obtained from the Iowa Information Management System (IMS), the number and type of family trainings provided, and results from a family survey. In addition, the State provided information regarding their continued focus and provision of training to increase the family's capacity to enhance outcomes for their infants and toddlers. The Parent Educator Connection (PEC), an Iowa SEA initiative that works with families, educators, and community partners to promote success for all children and youth with disabilities, supported building the capacities of families with children through activities such as personal contacts, training, IFSP and IEP meetings, and the statewide PEC Conference.

The lead agency reviewed IFSPs and service coordination logs to monitor the provision of family centered services being implemented. Record reviews were conducted in May and June of 2004 to verify families were assisted in gaining access to early intervention services and resources. The lead agency provided data that indicated a steady increase in the number of family trainings provided that resulted in ongoing support to families to build capacity and increase family outcomes for their infants and toddlers. OSEP recognizes Iowa's extensive training and efforts to build families' capacity to enhance their children's development. However, OSEP is unable to determine from the data provided, if the training families received and family centered services implemented actually built families' capacities. The survey included questions about whether services were individualized and whether family supports were identified, included in the IFSP, and provided. Also, data were provided regarding the number and types of early intervention trainings and services that were provided. However, data did not indicate whether the families believed their capacity to enhance their children's development was increased due to the trainings and provision of family supports or whether or not service providers recognized improvement in the child's development due to the families' abilities to enhance the development of their child. OSEP looks forward to receiving data in the SPP regarding indicator # 4.

### *Early Intervention Services (EIS) in Natural Environments (NE)*

#### Service coordination

On pages 74-81 of the FFY 2003 APR, the State included data and analysis regarding its performance in this area. The roles and responsibilities of service coordinators were monitored by the lead agency through record reviews, service coordinator interviews, and family interviews to ensure all families had access to a service coordinator that facilitated ongoing, timely early intervention services in natural environments. The results of the service coordinator interviews indicated service coordination occurred adequately with appropriate support from the regional grantees regarding resources in rural areas, and the service coordinator process allowed the direct service providers to effectively do their jobs. Service coordinators provided suggestions that were noted as unique to the region and were addressed by State staff. Families reported that service coordinators provided access to services and resources, provided coordination of evaluations and assessments, used family centered practices, and ensured families were informed of their rights. OSEP appreciates the State's efforts to ensure performance in this area.

#### Evaluation and identification of needs

On pages 82-88 of the FFY 2003 APR, the State included data and analysis demonstrating compliance in this area. To determine whether timely evaluation and assessment was occurring for the identification of child and family needs to enhance the development of the child, the lead agency collected data from IFSP file reviews to determine if initial IFSP meetings were held within 45 days of referral. Ten IFSPs were selected and reviewed from each of three regional grantees. Data provided indicated 93% of the reviewed IFSPs met the 45-day timeline. Monitoring data indicated that of ten IFSPs not developed within the 45-day timeline, documentation explaining the circumstances for delay was provided on eight IFSPs. Two regional grantees met the 45-day requirement with 100% compliance; one regional grantee lacked documentation for the 45-day delay for two IFSPs reviewed and was cited for noncompliance. A corrective action plan was submitted, approved, and implemented, and the lead agency received documentation of correction within required timelines. Monitoring data was also provided indicating that all three regional grantees reviewed included required early intervention services needed on the IFSPs. Two regional grantees documented "other" services for 100% of the reviewed IFSPs. One consistently did not include "other" services and was cited for noncompliance. Two regional grantees had evidence of year-round services; one did not and was cited. The regional grantees were required to submit a revision of their 2004-2005 CIPs to address the noncompliance and provide corrective actions. The lead agency approved submitted plans and received documentation of corrections within required timelines. OSEP appreciates the State's efforts to ensure compliance in this area.

#### Individualized family service plans (IFSPs)

On pages 89-97 of the FFY 2003 APR, the State included data and analysis regarding its performance and compliance in this area. To ensure that documentation of all services necessary to meet identified needs of the child and family was included on IFSPs and that required early intervention services, as identified on IFSPs, were available, the State reported the following

activities: (1) developed coordinated interagency guidance for referral through evaluation; (2) revised IFSP form and procedures; (3) continued development of the interagency data system; and (4) provided guidance to regional grantees regarding transportation services.

The lead agency also provided monitoring data that indicated all three regional grantees monitored provided early intervention services documented on the IFSPs. Two regional grantees documented "other" services for 100% of the IFSPs reviewed. One consistently did not and was cited for noncompliance. Two regional grantees had evidence of year-round services. One did not and was cited. The regional grantees with citations submitted a revised CIP that included the corrective actions. The lead agency approved submitted plans and received documentation of corrections within required timelines. OSEP appreciates the State's efforts to ensure compliance in this area and looks forward to reviewing updated data in accordance with indicator #1 in the SPP.

### Natural environments

OSEP's January 2005 letter requested updated correction data in the FFY 2003 APR for one grantee identified in the FFY 2002 APR as noncompliant with the requirement that individual family service plans (IFSPs) list early intervention services in natural environments or include appropriate child-based justifications as required in 34 CFR §303.344(d)(1)(ii). On pages 98-104 of the FFY 2003 APR, the State included data and analysis demonstrating 100% correction of noncompliance in this area. The lead agency completed the following activities to ensure that early intervention services were provided in natural environments and met the unique needs of eligible infants and toddlers and their families: (1) developed coordinated interagency guidance for referral through evaluation; (2) revised IFSP form and procedures; (3) continued development of the interagency data system; and (4) provided guidance to regional grantees regarding transportation services. The lead agency identified IFSP monitoring needs and developed an IFSP process to document justifications when services were not provided in the natural environment. The revised IFSP document and procedures were implemented within all regions in Spring/Summer 2004. Regional IFSP trainings that preceded regional implementation included technical assistance related to data coding to increase accuracy of data collection for analysis.

The lead agency conducted IFSP reviews in Spring 2004 to monitor implementation of IDEA Part C requirements in three regions. The file review tool that included natural environment requirements was piloted and found effective in identifying areas of noncompliance. Data indicated that Iowa primarily provided 95% of early intervention services in the infant/toddler's natural environment, 91% in the home and 4% in settings for typically developing peers. Transportation services were provided for 13% of families needing intervention services out-of-home in 2003. Data indicated IFSPs reviewed for two regional grantees consistently included statements of the natural environments and justifications, as needed. One regional grantee's IFSPs did not consistently include a statement of the natural environment or justification, as needed, and the grantee was cited. Further analysis revealed the citation was an IFSP documentation issue rather than a setting choice concern and the regional grantee was required to submit a revision of its 2004-2005 CIP that included corrective actions and timelines. The lead agency approved the plan, corrections were completed within timelines and verified by the lead

agency. In addition, follow-up technical assistance was provided to regional grantee liaisons to address and emphasize IFSP documentation. OSEP appreciates the work of the State in ensuring compliance with these requirements and providing the data required by OSEP's January 2005 letter.

#### Early childhood outcomes

OSEP's January 2005 letter requested a plan to report data (whether collected through sampling, monitoring, or other methods) or actual data on the percentage of children participating in the Part C program who demonstrate improved and sustained functional abilities in the five developmental Part C areas. The lead agency is in the process of improving a State accountability system that would give it the capacity to measure progress on children's abilities in the five developmental areas. On pages 105-111 of the FFY 2003 APR, the lead agency included progress on the following activities: (1) developing and implementing a Parent Satisfaction Survey in order to assess parent beliefs regarding their child's progress and outcomes; (2) developing a plan with an advisory committee to use IFSP results to enter, collect and analyze child outcome data; and (3) deciding that any of the five required OSEP functional ability areas not targeted for intervention on the IFSP would be annually reviewed using a State accountability framework.

In addition, the lead agency: (1) monitored the improved and sustained functional abilities of children with disabilities (birth to age three) using data from IFSPs; (2) made progress toward the stated 2002-2003 APR activity to develop the capacity to enter, collect and analyze child outcome data using IFSP information; and (3) collected and analyzed trend data for the past five years to study reasons children exit Part C. Data indicated an increase in the percent of enrolled children who exited Part C before reaching age three because they improved their functional abilities, met their goals and no longer required services. The SPP instructions establish a new indicator in this area, for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. Absence of this information at that time will be considered in OSEP's annual determination on the status of the State's performance and compliance required under section 616(d) of the IDEA. The State should carefully review the instructions to the SPP in developing its plans for this collection.

#### ***Early Childhood Transition***

OSEP's January 2005 letter requested updated data on notification to local educational agencies (LEAs) under 34 CFR §303.148(b)(1). If the data indicated noncompliance, the State was to submit its plan, including strategies, proposed evidence of change, targets and timelines to address the noncompliance within a reasonable period of time not to exceed one year from OSEP's acceptance of the plan. On pages 113-114 the lead agency included the following information regarding notification to the LEA(s): data were collected from IFSP file reviews in three regions regarding LEA attendance at transition planning meetings to pilot a monitoring tool. Limited monitoring data showed LEA attendance at transition meetings did not consistently occur; but the tool did not answer the question of whether lack of attendance was related to a lack of notification to LEAs regarding transition meetings.

The lead agency developed a plan to address the noncompliance for notification to the LEA. The monitoring tool was revised to increase reliability and accuracy of monitoring transition planning meeting requirements. Two of the three regional grantees were cited for noncompliance regarding notification to the LEA. Cited regional grantees amended their CIPs that were reviewed and approved by the lead agency. Lead agency staff monitored each grantee and concluded that the noncompliance was corrected within timelines.

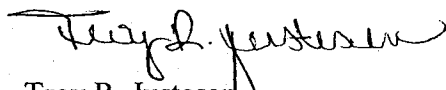
OSEP's January 2005 letter requested the State to update data regarding the transition planning conference under 34 CFR §303.148(b)(2)(ii). On pages 119-120 of the FFY 2003 APR, the lead agency provided data indicating whether this requirement was met. All three regional grantees monitored were cited for noncompliance. Regional grantees amended their CIPs that were reviewed and approved by the lead agency. The lead agency staff monitored each grantee and concluded that the noncompliance was corrected within timelines. OSEP appreciates the work of the State in ensuring compliance with these requirements and providing the data required by OSEP's January 2005 letter. OSEP looks forward to reviewing the State's updated data in response to the early childhood transition indicator in the SPP.

### *Conclusion*

IDEA 2004, §616, requires each State to submit a State Performance Plan (SPP) that measures performance on monitoring priorities and indicators established by the Department. These priorities and indicators are, for the most part, similar to clusters and probes in the APR. OSEP encourages the State to carefully consider the comments in this letter as it prepares its SPP, due December 2, 2005.

OSEP recognizes that the APR and its related activities represent only a portion of the work in your State and looks forward to collaborating with you as you continue to improve results for infants and toddlers with disabilities and their families. If you have questions, please contact Kimberly Mitchell at (202) 245-7453.

Sincerely,



Troy R. Justesen  
Acting Director  
Office of Special Education Programs

cc: Lana Michelson  
Julie Curry