



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 14th & Grand Streets
Des Moines, IA 50319-0146

NOV 14 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 B for the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments that the State 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 State'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 February 25, 2005 letter responding to the Iowa Department of Education's (IDE) FFY 2002 APR required the State to provide information and data in the following areas in the FFY 2003 APR: General Supervision, including identification and timely correction of noncompliance and timely resolution of formal written complaints; information regarding 34 CFR §300.146 relating to suspension and expulsion, including what constitutes a discrepancy; and information regarding collection of data on preschool performance outcomes. During the week of July 11, 2005, OSEP conducted a visit to Iowa to verify the effectiveness of its State systems for general supervision and data collection under Parts B and C of IDEA and its statewide assessment system. OSEP has issued a letter under separate cover, which summarizes the results of that visit.

General Supervision

Identification and timely correction of noncompliance

OSEP's February 2005 letter directed the State to provide the following in the FFY 2003 APR: data indicating that it ensured correction of noncompliance it identified through monitoring, as

soon as possible, not to exceed one year of identification, including the results of the corrective action plan tracking database, or a plan to ensure correction of this noncompliance, including strategies, proposed evidence of change, targets, and timelines to correct the identified noncompliance, as soon as possible, but not later than one year from the date that OSEP accepted the plan. On pages 2-6 and 14-15 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area. The State reported that special education monitoring occurred within the Area Education Agency (AEA) accreditation process. AEA accreditation reviews were scheduled with selected AEAs. On page 5 of the FFY 2003 APR, IDE explained that through local educational agency monitoring, special education monitoring is fully integrated in the general school improvement process. When noncompliance issues are identified, the local educational agencies (LEAs) are required to develop a Corrective Action Plan (CAP) to correct the identified issues. AEAs provide LEAs support and technical assistance when CAPs are required. Each LEA plan is developed with the AEA and approved prior to implementation. LEAs have 30 days upon receipt of their reports to correct individual noncompliance and one year to correct systemic noncompliance. After the plan has been completed, the AEA notifies the State educational agency (SEA) that the LEA has remedied noncompliance issues and has met requirements with supporting evidence. On page 6 of the FFY 2003 APR, IDE explained that through AEA monitoring, during the AEA Accreditation process, the AEAs are required to develop a CAP. AEAs are given one year to correct any systemic issues that are identified. On page 21 of the FFY 2003 APR, IDE explained that subsequent to full implementation, an AEA's Special Education Director submits a letter to the SEA, documenting that all non-compliant, systemic issues have been addressed. At that point the file is closed. If the CAP does not effectively remediate the systemic issues identified, sanctions are applied. On page 23 of the FFY 2003 APR, IDE indicated that all activities relevant to monitoring identified in the FFY 2002 APR were completed with the exception of a database to track corrective action plans, due to problems with the software.

During OSEP's verification visit to IDE during the week of July 11 2005, OSEP found that IDE developed a plan to ensure correction of noncompliance by conducting verification visits to each AEA, to determine: (1) if they provided follow-up with the LEAs monitored regarding compliance concerns; and (2) whether CAPs were implemented that included targets, strategies, proposed evidence of change or timelines. On page 15 of the FFY 2003 APR, the State indicated that it provided follow-up of CAPs, all plans were completed and verification visits were to begin in May 2005.

OSEP found during the verification visit that IDE's focused monitoring process included procedures to ensure the timely identification and correction of IDEA noncompliance. However, records provided during the verification visit (as reflected in OSEP's letter summarizing the results of that visit) indicated that IDE had not received documentation that all districts monitored during 2003-2004 implemented and completed improvement plans. Therefore, in the verification letter issued today under separate cover, OSEP has requested that IDE identify the results of its plan to ensure the timely correction of identified noncompliance, including the results of verification visits to AEAs and the results of its corrective action tracking database, within 60 days from the date of that letter.

Identification and correction of noncompliance is an indicator in the SPP under section 616 of IDEA. In preparation for the submission of the SPP on December 2, 2005, the State should carefully consider its current data collection against the requirements related to this indicator in the SPP packet to ensure that data will be responsive to those requirements. In the SPP, the State must submit: (1) responsive baseline data regarding the percent of noncompliance related to monitoring priority areas and indicators; (2) the percent of noncompliance related to areas not included in the above priority areas and indicators corrected within one year of identification, including the number of findings of noncompliance made related to monitoring priority areas and indicators; (3) and the number of findings not included in the above priority areas and indicators and the number of corrections completed as soon as possible but in no case later than one year from identification.

Formal written complaints

OSEP's February 2005 letter directed the State to provide data demonstrating that complaints were resolved within the timelines required at 34 CFR §300.661. On pages 7-9 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area. On page 15, the State provided data that indicated the number of complaints filed increased from five in 2002-2003 to ten in 2003-2004. Although the number of filed complaints doubled, the actual number of complaints investigated remained consistent at two. The two investigations that were conducted occurred within the 60-day timeline. The SEA attributed the low number of complaints investigated to the use of its preappeal conference process. The preappeal conference was instituted to encourage early resolution of disputes by offering a mediation process prior to any party requesting a hearing or filing a complaint. The outcome of a preappeal conference is a written settlement agreement between all parties.

In 2003-2004, five of ten complaints were resolved through preappeal conferences or were withdrawn. Three were dismissed because of a lack of jurisdiction. When noncompliance was identified, the SEA required a CAP. Implementation of the CAP was monitored by the AEA and the SEA. Follow-up activities included technical assistance and documentation that any activities included in the CAP were implemented and completed within specified timelines. The SEA could impose sanctions if the CAP was not implemented and completed within the specified timelines. As of the FFY 2003 reporting period, sanctions had not been required. 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 SPP, due December 2, 2005.

Mediation

On pages 9-11 and 28 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area. When a complaint was filed at the SEA, complainants were informed of two mediation options for resolving differences in a manner that promoted cooperative and collaborative relationships: (1) the resolution facilitator process, and (2) the preappeal conference. The State reported that 22 mediations were not related to due process hearing requests and 12 mediations were related to hearing requests for the FFY 2003 reporting period. A "shepherd" was assigned to oversee each written settlement agreement. Mediators

met quarterly, reviewed all data collected by the SEA, and examined ways to improve the statewide dispute resolution system. Three months subsequent to a preappeal or mediation, the SEA sent follow-up surveys to all parties to determine whether the settlement agreements were implemented. Of 22 surveys sent to LEAs from July 1, 2003 through June 30, 2004, 77% replied. Of the 77% (17) that replied, 88% (15) reported that agreements were implemented. OSEP appreciates the work of the State in ensuring compliance with these requirements and looks forward to reviewing the State's data regarding the percent of mediations held that resulted in mediation agreements, in the SPP due December 2, 2005.

Due process hearings and reviews

On page 16 of the FFY 2003 APR, IDE noted that in a 2003 U.S. Government Accountability Office (GAO) publication (*Special Education Numbers of Formal Disputes are Generally Low*) is the statement: "We met with SEA officials in Iowa because the state was identified by experts in the area for having innovative strategies in alternative dispute resolution." On pages 12, 24 and 31 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area. In 2003-2004, four of 14 requested due process hearings were held. Ten were withdrawn because the issues were resolved prior to the hearing. All four fully adjudicated hearings were held within the timelines required at 34 CFR §300.511. The SEA reviewed hearing decisions to determine patterns in noncompliance and continually reviewed data with mediators and administrative law judges (ALJs) to improve the effectiveness of its dispute resolution system. The SEA reported that all decisions were implemented.

On page 24 of the FFY 2003 APR, Iowa reported that the number of hearings held remained low due to the State's emphasis on resolving differences early and informally. These efforts included: (1) the availability of preappeal conferences without requesting a hearing; (2) statewide resolution facilitators available in each AEA; (3) 600-700 people completed dispute resolution training that was available at no cost to AEAs and LEAs; (4) quarterly inservices were held for ALJs and mediators; (5) complaint procedures required parties to consider using the resolution facilitator or the preappeal processes; (6) evaluations and follow-up surveys were completed following preappeal conferences and mediations; and (7) the Parent-Educator Connection (PEC) was available in each AEA. 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.

Personnel

On pages 33-41 of the FFY 2003 APR, the State included data and analysis regarding its efforts in this area. IDE reported a sufficient number of administrators, special education teachers, related service providers, paraprofessionals, and other providers to meet the identified educational needs of all children with disabilities. The State reported the following activities were completed to maintain an adequate supply of fully certified educators for children with disabilities: (1) maintained legislative requirement that all teachers be licensed; (2) revised the Multicategorical Resource-Regents Endorsement Initiative (MCR-REI) (assists Class C multicategorical resource teachers to move into full endorsement through tuition support for required coursework provided by partnering with universities and providing an advisor) to reflect Iowa's

new licensure system; and (3) developed and launched a recruitment and retention study to examine staffing trends of special education teachers. OSEP appreciates the work of the State in ensuring performance in this area.

Collection and timely reporting of accurate data

On pages 42-44 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area. The SEA used the Information Management System (IMS) for the collection and timely reporting of accurate data under section 618 of the IDEA. The SEA provided the AEAs and their LEAs with data regarding the service delivery system for special education services. The Special Education Advisory Panel (SEAP), Directors of Special Education, and the SEA administrative team selected least restrictive environment (LRE) as a priority area for improvement in ensuring the accuracy and quality of LRE data. An additional IMS data validation check was implemented in August 2003 to improve the quality of LRE data entry, and LRE definitions and reporting procedures were clarified. The web-based individualized education program (IEP) application required users to complete specific steps to calculate LRE. The computerized formula calculated LRE, thus reducing errors due to hand calculation. Exit, discipline, and personnel data were also identified as priority areas in need of improvement. Several IMS exit codes were redefined and a new code was added in October 2003. A new guide for reporting discipline was written and distributed to the AEAs for 2003-2004. State personnel database files were reviewed to improve data reporting for the Personnel 618 Table. Ongoing training was provided to the IEP team members and AEA data personnel to ensure the accuracy and quality of data. OSEP appreciates the work of the State in ensuring compliance with these requirements and looks forward to reviewing the State's data in this area in the SPP due December 2, 2005.

Early Childhood Transition

The instructions to this cluster ask States to determine whether children who participated in the Part C program who are found eligible for services under Part B of IDEA have an IEP or IFSP in effect by their third birthdays (34 CFR §300.132(b)). On pages 48-50 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance and improve performance in this area. The SEA reported completion of the following activities: (1) funding from the OSEP General Supervision Enhancement Grant (GSEG) was used to assist in expanding the comprehensive electronic interagency data system; (2) interagency stakeholders (including Part B & C partners) identified transition data elements needed to determine transition planning meeting dates, participants attending the transition meeting, and the percentage of children transitioning from Part C to Part B with an IEP effective by age three; (3) the SEA and a group of stakeholders revised the individualized family service plan (IFSP) to include appropriate transition data; and (4) training was provided to regional grantee liaisons and AEA IFSP/IEP trainers who provided training to service coordinators and special education teachers and service providers.

On pages 48-50 of the FFY 2003 APR, the State provided additional data indicating that, in 2003-2004, 369 of 488 children exiting Part C services at age three were found eligible under Part B of IDEA and IEPs were developed by their third birthdays, 32 children were found not

eligible and exited to other programs, and 74 exited without referral to other programs. The State reported 13 children did not have their eligibility determined under Part B by their third birthdays for one of the following reasons: (1) service coordinators did not begin the transition process in time; (2) LEA representatives were off contract and unavailable during summer months; or (3) although eligibility was determined, service coordinators confused coding definitions; therefore, codes were incorrectly reported. IDE provided the strategies described above to ensure that all children transitioning from Part C of IDEA who were found eligible for services under Part B of IDEA had IEPs developed and implemented by their third birthdays. OSEP appreciates the work of the State in improving compliance and performance in this area and looks forward to reviewing the State's data in this area in the SPP due December 2, 2005.

Parent Involvement

On pages 53-66 of the FFY 2003 APR, the State included data and analysis demonstrating continued compliance in this area. Special educators provided services and support to families of children with disabilities through the Parent-Educator Connection (PEC). PEC program coordinators from each AEA met regularly throughout the year to plan and prioritize family and educator needs. The top five issues or topics for which parents and educators requested information from the PEC were ranked in the following order: (1) implementation of IEPs; (2) behavior issues including interventions; (3) communication through home-school partnerships; (4) disability-specific information: autism, attention deficit hyperactivity disorder (ADHD), behavior, etc.; and (5) resource referral and availability of PEC services. A variety of training opportunities were provided for parents and educators to receive requested support and information.

The State provided monitoring data that demonstrated LEAs were compliant regarding parent notification and parent attendance at IEP meetings. Noncompliance in this area decreased from 11 findings in 2001 to two findings in 2004. OSEP appreciates the State's efforts in this area. 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. OSEP looks forward to reviewing the State's plan for collecting data, in the SPP.

Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)

Disproportionality

On pages 68-78 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area. On page 68 of the FFY 2003 APR, IDE identified the following performance indicators: The percentage of children with disabilities receiving special education, by race/ethnicity, is comparable to the percentage of children, by race/ethnicity, in the State's general student enrollment. In each particular education setting, the percentage of children, by race/ethnicity, is comparable to the percentage of children, by race/ethnicity, in the State's general student enrollment.

As OSEP noted in its February 2005 letter responding to IDE's FFY 2002 APR, the proposed use of numerical goals based upon race raises serious concerns under Federal civil rights laws and the United States Constitution and is not an appropriate way to address the potential

compliance problems that significant disproportionality may indicate. Any proposed use of numerical goals/targets based upon race, even where the numerical goal is based upon comparable numbers in the general population, raises the same legal concerns.

On pages 73-74 of the FFY 2003 APR, the State reported Black children were 1.69 times more likely than all other children to be identified for special education. Asian/Pacific Islander children were .48 times less likely than other children to be identified for special education. Asian children with disabilities were under-represented and Black children with disabilities over-represented in the separate facilities educational environment. Black children with disabilities were over-represented in the two highest levels of restrictive educational placements. Black children with disabilities were 1.78 times more likely than children in all other groups to be placed outside of the regular class for more than 60% of the day and 2.75 times more likely to be placed in a separate facility than all other groups of children. With respect to placement, only one category, combined separate facilities, was identified beyond the acceptable range of racial/ethnic groups in an educational environment. Asian students were under-represented and Black (not Hispanic) students were over-represented in the educational environment of combined separate facilities.

Section 300.755(b) requires that when the State determines that there is significant disproportionality regarding the identification or placement of children with disabilities, the State provides for the review and, if appropriate, revision of the policies, procedures, and practices used in identification or placement to ensure that the policies, procedures, and practices comply with the requirements of Part B and are race-neutral. The State reported the following activities were completed to address disproportionate representation of children from minority groups in special education: (1) LEA data were reviewed to study disproportionate representation in special education; (2) technical assistance was provided to AEAs and LEAs regarding the implementation of practices and programs designed to promote equity; (3) implementation of the Instructional Decision-Making Model was expanded; (4) the SEA continued building capacity to implement school-wide support for social and affective development (Learning Supports and School-wide Positive Behavior Supports); (5) the SEA redesigned the Success4 initiative to implement a continuum of learning supports; and (6) the SEA supported bridging cultural gaps through parent involvement.

On pages 74-78 of the FFY 2003 APR, IDE reported that State staff reviewed State and local policies, procedures and practices to identify factors associated with disproportionality. The State addressed concerns regarding disproportionality by conducting activities that ranged from reviewing LEA data to providing training and building capacity across the statewide educational system. The SEA provided leadership and technical assistance to AEAs and LEAs to implement practices and programs that promoted equity and reduced risk factors associated with disproportionality in special education. These initiatives included school-wide approaches to early academic intervention and support in general education, school-wide support for social and affective development (Learning Supports and School-wide Positive Behavior Supports), and bridging cultural gaps through parent involvement (the Parent Training and Information Center's Cultural Outreach Project). OSEP appreciates the State's efforts in this area. The SPP instructions establish two new indicators in this area, for which States must provide baseline data in the FFY 2005 APR, due February 1, 2007. The State should carefully review the instructions

to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State's plan for collecting data around indicators #9 and #10, in the SPP.

Graduation and drop-out rates

On pages 79-84 of the FFY 2003 APR, the State included data and analysis regarding its efforts to improve performance in this area. Data indicated a gradual increase in the percent of students with disabilities that graduated with a regular high school diploma. The graduation rate increased from 59% in 1996-1997 to 73% in 2002-2003; the highest rate of 74% occurred in the 2001-2002 school year. Data indicated a 13% decrease in drop-out rates for students with disabilities from 36% in 1996 to 23% in 2003. The continued improvement in graduation and drop-out rates in Iowa was attributed to completion of the following activities: (1) schools implementing effective drop-out prevention programs were identified; and (2) LEA data were collected during monitoring site visits regarding the effect of attendance policies. The data analysis led to the development of the Iowa Behavior Alliance, a partnership between Drake University, Iowa State University and the Iowa Federation of Families for Children's Mental Health established to reduce high school drop-out rates, suspensions, and expulsions. Also, a subgroup, the Dropout Prevention Advisory Group, was formed to focus specifically on drop-out prevention programs with special attention to the problems of students with significant social, emotional or behavioral problems. The Dropout Prevention Advisory Group developed a process to nominate sites with decreasing drop-out rates. Twelve sites were nominated and staff were interviewed regarding successful strategies that were implemented in the schools. Interviewees included AEA administrators, Iowa Alternative School Coordinators, Decategorization Coordinators, and Juvenile Court Officers. Eighteen interventions and strategies to reduce drop-out rates were identified. The Iowa Behavioral Alliance website outlines each of the nominated sites, demographics of the school site, and lists the strategies and interventions the LEA site implemented to reduce the student drop-out rate.

Project EASIER was in its pilot phase for coordinating a statewide system to collect data for children with and without disabilities. Data analysis and comparable graduation and drop-out rate data were estimated to be available for children with and without disabilities by November 2005. In collaboration with the AEA Special Education Directors, the City Schools Administrators, and the Urban Network Directors, IDE will designate members for a statewide workgroup. The purpose of the Graduation and Dropout Workgroup will be to identify trends and issues, collect information regarding positive strategies that work for increasing graduation rates and decreasing dropout rates, and make recommendations to IDE. A reference document will be developed and distributed to share identified strategies with AEAs and LEAs to increase the graduation and decrease dropout rates of students with disabilities in Iowa. The dropout prevention advisory group will continue to identify schools implementing effective interventions to decrease dropout rates. OSEP appreciates the State's efforts to improve performance in this area and looks forward to reviewing the State's data in this area in the SPP, due December 2, 2005. Graduation and dropout are indicators in the SPP under section 616 of IDEA.

In preparation for the submission of the SPP on December 2, 2005, the State should carefully consider its current data collection against the requirements related to this indicator in the SPP packet to ensure that data will be responsive to those requirements. The State must submit data

and information regarding the percent of youth with IEPs graduating from high school with a regular diploma compared to the percent of all youth in the State graduating with a regular diploma and the percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school, in the SPP.

Suspension and expulsion

OSEP's February 2005 letter directed the State to provide the information required by 34 CFR §300.146, including what constituted a discrepancy when examining long-term suspension and expulsion data of children with disabilities among LEAs or compared to the rates for nondisabled children within the State. 34 CFR §300.146 requires that States examine data to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities either among LEAs in the State or compared to the rates for nondisabled children within the agencies. If the State identifies significant discrepancies, the SEA must review, and if appropriate, revise, or require affected LEAs to revise, policies, procedures and practices relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards, to ensure that these policies, procedures and practices comply with Part B of IDEA. The instructions to the 2003 APR direct States to describe which of these comparisons it did, as well as the method the State used to determine possible discrepancies, what constitutes a discrepancy, the number of agencies with significant discrepancies, and, if significant discrepancies are occurring, a description of those discrepancies and how the State plans to address them. On page 86 of the FFY 2003 APR, the State reported that the LEAs report suspension and expulsion data to the SEA. The AEA overseeing the LEAs are Iowa's LEAs for this purpose, and therefore the SEA disaggregates data by the 12 AEA's. Suspension and expulsion data of children without disabilities are not available since a statewide data system was not completely in place at the time of this report. However, the State reported that a statewide data collection and analysis system will be available with implementation of statewide Project EASIER, and data for children without disabilities will be included in the 2004-2005 APR.

The method used to determine possible discrepancies included an analysis of AEA suspension and expulsion data. The SEA defined "discrepancy" as more than a 5% difference among AEA's. Comparison data across AEA's indicated some differences in the numbers of suspensions and expulsions; however, few suspensions and expulsions occurred across the AEA's; five AEA's had no suspensions or expulsions; one AEA had a rate of two percent; and three others a rate of one percent. The SEA considered the data different between the AEA's, but not discrepant.

In addition, the State reported the following activities were completed: (1) continued capacity building at the AEA and LEA levels through the Iowa Behavioral Alliance and training of School-Wide Positive Behavioral Supports; and (2) analysis and interpretation of evaluation data regarding the training and implementation of School-Wide Positive Behavioral Supports (SWPBS). The State reported on page 91 that during 2003-2004, the Iowa Behavioral Alliance provided Positive Behavior Supports training to 22 AEA and LEA coaches and 29 different LEA teams. Positive Behavioral Supports training focused on the reduction of acting out behavior of students that can result in suspensions and expulsions. The training developed capacity of staff to conduct functional behavioral assessments and develop behavior intervention plans that utilize

positive behavior supports concepts. Fifteen SWPBS teams completed second-tier training; fourteen additional school sites completed first-tier implementation training. On page 93 of the FFY 2003 APR, the State reported that the Iowa Instructional Decision-Making Model, including the area of behavior, will be expanded from ten school pilot sites to four additional school sites. OSEP appreciates the State's efforts to ensure compliance in this area and looks forward to reviewing the State's data and information in this area in the SPP, due December 2, 2005.

Suspension and expulsion is an indicator in the SPP under section 616 of IDEA, and baseline data for indicator #4A is due December 2, 2005. In preparation for the submission of the SPP, the State should carefully consider its current data collection against the requirements related to this indicator in the SPP packet to ensure that data will be responsive to those requirements. The State must submit responsive baseline data in the SPP.

The SPP instructions also establish a new indicator in this area (#4B), 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 §616(d) of the IDEA. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State's plan for collecting this data, in the SPP.

Statewide and districtwide assessment

On pages 94-112 of the FFY 2003 APR, the State included data and analysis regarding its efforts to improve performance in this area. For statewide math assessments, data indicated the participation rate for children with disabilities was comparable to the participation rate for children without disabilities across grades 4, 8 and 11. The participation rates for children with disabilities taking the statewide math assessment were: 99.23% for 4th grade, 98.93% for 8th grade, and 96.58% for 11th grade. Participation rates for children without disabilities were: 99.10% for 4th grade, 98.49% for 8th grade, and 95.11% for 11th grade. The participation rates for children with disabilities taking the statewide reading assessment were: 98.74% for 4th grade, 99.13% for 8th grade, and 97.07% for 11th grade. Participation rates for children without disabilities were: 99.10% for 4th grade, 98.49% for 8th grade, and 95.11% for 11th grade.

The State provided data regarding performance of children with disabilities on the statewide regular and alternate assessments. Data indicated that the percentage of children with disabilities scoring proficient on the regular math assessment was: 40.36% in the 4th grade, 25.20% in the 8th grade, and 30.16% in the 11th grade. The percent of children with disabilities scoring proficient on the alternate math assessment was: 82.59% in the 4th grade, 73.57% in the 8th grade, and 67.37% in the 11th grade. The percent of children with disabilities scoring proficient on the regular reading assessment was: 31.64% in the 4th grade, 21.81% in the 8th grade, and 30.83% in the 11th grade. The percent of children with disabilities scoring proficient on the alternate reading assessment was: 77.72% in the 4th grade, 80% in the 8th grade, and 66.24% in the 11th grade. OSEP appreciates the State's efforts to improve performance in this area and looks forward to reviewing the State's data in this area in the SPP, due December 2, 2005.

Least restrictive environment (LRE)

On pages 114-116 of the FFY 2003 APR, the State reported the following activities: (1) refinement of the monitoring process, specifically data collection and analysis procedures; (2) completion of the LRE continuum study; (3) formation of a committee to revise the early childhood setting code definitions; (4) continuation of preschool training activities for implementation of the SEA's guidance document, *3-4-5 Thrive*; (5) development of quality program standards for preschools to improve their ability to provide quality placement options in the LRE; and (6) field-testing of a web-based IEP that automatically and accurately calculates LRE percentages. On page 115 of the FFY 2003 APR, IDE reported that data indicated that for children with disabilities, aged 3-21, the State maintained the rate for the provision of instructional services outside the general education classroom less than 21% of the time for 44-48% of children with disabilities.

The activity to refine IDE's LRE monitoring process by revising data entry codes was prompted by the SEA's awareness of inconsistent recording of LRE data on IEPs from monitoring results. IEP reviews showed that LRE data were inconsistently recorded on IEPs. Therefore, data entry codes were revised and the SEA provided technical assistance to data entry personnel. Training on the revised procedures was held for AEA and LEA personnel. A task force of stakeholders studied statewide LRE issues and concerns and recommended that the SEA and AEAs develop a monitoring process that ensured the availability of an LRE continuum and placements. The SEA reviewed placement options at AEAs and LEAs and concluded that there was availability of a continuum of placements throughout the State. With respect to preschool LRE, the State reported that it formed an ad hoc committee to clarify and revise directions for using early childhood setting code definitions (619) for IEP documentation and state data collection purposes. The committee successfully revised directions, developed case examples and determined procedures to follow for implementation. To address the difficulty in placing children in quality preschool programs, the State reported on page 116 that it had developed program standards for preschools including early care and education settings to improve provision of a full continuum of placement options in the least restrictive environment.

OSEP appreciates the State's efforts to improve performance in this area and looks forward to reviewing the State's data on preschool LRE and school-age LRE in the SPP, due December 2, 2005.

Preschool performance outcomes

OSEP's February 2005 letter directed the State to provide the following: data (whether collected through sampling, monitoring, individual IEP review, or other methods), targets for improved performance and strategies regarding the effectiveness of the preschool program, based on the extent to which early communication/language, pre-reading, and social-emotional skills of preschool children with disabilities receiving special education and related services are improving, or a plan to collect the data, including a detailed timeline of the activities necessary to implement that plan.

On pages 118-125 of the FFY 2003 APR, the State reported that it reviewed four assessments conducted to consider selection of a measure that would indicate improved functioning of preschool children with disabilities. Data from the language/literacy assessment for oral narrative research continued to inform the State about pre-literacy for kindergarten children, although the State acknowledged that data collection needed to be expanded to include children enrolled in Early Childhood Special Education (ECSE). IDE reported that it would continue to explore oral narrative assessment as a method to collect, analyze and report progress. The IEP Results Initiative primarily focused on gathering and analyzing the data for children aged 6-21. The data were not consistently collected in the IMS to provide statewide data on the goal status for preschool children receiving ECSE services. However, preliminary data indicated that 93-95% of children, aged 3-5, either met or improved their goals in the areas of language/communication, pre-literacy and social-emotional skills, 81-82% displayed greater independence, and 60-68% showed less discrepancy in comparison to their peers. The IEP Results Initiative was in development and the State will continue to explore this initiative as a mechanism for reporting progress. Future activities will primarily focus on development of a plan to develop a cohesive and standardized system to measure the improved performance of preschoolers in the areas of language/communication, pre-reading and social-emotional skills.

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. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State's plan for collecting this data, in the SPP.

Secondary Transition

On pages 129-137 of the FFY 2003 APR, the State reported that, to improve performance in this area, it had: (1) developed instruments and data sources for an accountability system that compared the percentage of youth with and without disabilities participating in post-school activities; (2) piloted the system with 12 LEAs and compiled preliminary data; and (3) developed a report format to provide preliminary data. An accountability system was piloted in 14 high schools, approximately 10% of LEAs with high schools, and exit surveys were conducted in each of the districts with a total of 929 children with and without disabilities responding. A one-year follow-up survey was developed and piloted in one district with three high schools in the summer of 2004.

Data were collected to track IEPs that included critical elements of transition from 1999-2004. The systems will continue to be refined to increase reliability of data collected via the web-based review. The State estimated that data would be available to systematically review the SEA implementation and documentation of secondary transition services by Fall 2006.

With respect to data on employment preparation, the State reported on page 137 of the FFY 2003 APR that all targets have been met in the effort to identify the status of employment preparation received by Iowa youth. The instrumentation and procedures were revised based on findings from the pilot study. They were field tested in three districts and data were analyzed. A data management system and a sampling plan were developed in order to implement the pilot and

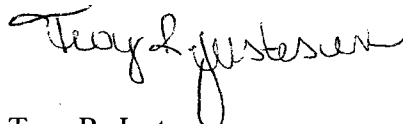
analyze the data. The sampling plan targets all 12 AEAs, 45 LEAs (60 schools), and approximately 12,000 students.

The SPP instructions establish two new indicators in this area, for which States must provide baseline data in the FFY 2005 APR, due February 1, 2007. The State should carefully review the instructions to the SPP in developing its plans for these collections. OSEP looks forward to reviewing the State's plan for collecting this data, in the SPP.

IDEA 2004, §616, requires each State to submit a 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 children and youth 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