

Release Notes – Brief

AEA Special Education Procedures & Documentation Guide (July 1, 2010)

Topic (manual pages)	Notes
Child Find (7-13, 41)	<p>Added language to describe the general education context within which child find occurs and the expectations of general education interventions and allowable occasional and incidental assistance that are reflected in special education Rules.</p> <p>Child find information amended to reflect the requirement that progress monitoring data used for eligibility decisions must come from a process that meets the requirements of systematic problem solving. [41.313]</p>

Topic (manual pages)	Notes
Parent consent and revocation of consent (19, 225, 236, 237)	<p>Added language in several locations to reflect an OSEP letter that communicates that when both parents have authority to make educational decisions, <i>either parent has authority to give consent or revoke consent.</i></p>

Topic (manual pages)	Notes
Child Find/Director certification (55)	<p>Added language to meet the requirements of 41.306(4) – Director’s certification and maintenance of records.</p> <p>41.306(4) Director’s certification. If a child is determined to be an eligible individual pursuant to these rules, the AEA director of special education shall certify the individual’s entitlement for special education. A confidential record, subject to audit by the department, registering the name and required special education and related services of each eligible individual shall be maintained by the AEA, and provision shall be made for its periodic revision.</p>

Topic (manual pages)	Notes
Consent for Services (64-65)	<p>Added language relating to consent to the Initial IEP section of the manual so that information regarding obtaining consent, failing to obtain consent and revocation of consent were located together.</p> <p>Added language to communicate that <i>reasonable efforts</i> need to be made <i>to obtain parental consent</i> for the initial provision of special education services</p> <p>Added language to delineate AEA or LEA response to situations where parents refuse to give consent or fail to respond to efforts to obtain consent</p>

Topic (manual pages)	Notes
Reevaluation/consolidating meetings (67)	<p>Added language relating to encourage the consolidation of reevaluation meetings with other IEP meetings (review, amendment, interim).</p> <p>41.324(1)e. Consolidation of IEP team meetings. To the extent possible, the public agency must encourage the consolidation of reevaluation meetings for the child and other IEP team meetings for the child.</p>

Topic (manual pages)	Notes
Amendments/commitment of resources (74)	Added language to communicate that an AEA or LEA may only agree to changes in the IEP concerning the resources the AEA or LEA has the authority to commit. For example – an LEA cannot commit the services of personnel it does not employ such as an Occupational Therapist employed by the AEA. [324(1)d(3)] This is important because when an amendment is made <i>without</i> a meeting we do not have the same requirements of participants in decision making that we do when a meeting is held.

Topic (manual pages)	Notes
Assistive technology/use at home (94)	Added language to communicate that a child's IEP team must determine if the child needs access to a school purchased assistive technology device in the child's home or other settings in order to receive FAPE.

Topic (manual pages)	Notes
Accessible instructional materials (97)	Added language to communicate that an AEA or an LEA, when purchasing print instructional materials, must acquire those instructional materials in accessible forms for children who are blind or have a print disability and that students who require accessible formats must receive materials the same time as other students receive their instructional materials.

Topic (manual pages)	Notes
Standards-based IEPs: Goals (103, 106)	Beginning March 15, 2011 for eligible individuals from kindergarten through grade eight, math and reading goals must be standards-based. This means that the goal is based on standards representing the individual's grade level at the time the IEP is written or standards representing the individual's grade level one year after the IEP is written.

Topic (manual pages)	Notes
Standards-based IEPs: Services (110)	Beginning March 15, 2011 for eligible individuals from kindergarten through grade eight, IEPs must be standards-based. This means that the goal is based on standards representing the individual's grade level at the time the IEP is written or standards representing the individual's grade level one year after the IEP is written and the IEP clearly makes a commitment to instruction in grade-level content.

Topic (manual pages)	Notes
PE for children in separate facilities (124)	Added language to communicate that a child enrolled in a separate facility must receive appropriate physical education services. [41.108(4)]

Topic (manual pages)	Notes
Least restrictive environment (129)	Added language to communicate that the school that a child would attend if nondisabled is the school the district would assign a child to upon initial enrollment without consideration of disability status or court-ordered placement.

Topic (manual pages)	Notes
Contracted services for nonresident students (200)	Added language to describe the requirement of having a contract for the actual cost of special education services when the district of attendance is different from a student's resident district.

Topic (manual pages)	Notes
Power of Attorney (224)	Added language to reflect the appropriate use of the power of attorney process and revocation of power of attorney, emphasizing that the student must be considered competent to assign another power of attorney and that the act assigning power of attorney does not surrender any of the student's rights.

Topic (manual pages)	Notes
Consent and notice in native language (233)	Added language reflecting the requirement that consent and prior written notice documents must be in the parent's native language – both the forms and the content added to the forms.

Topic (manual pages)	Notes
Continuing educational opportunities (266)	Added language to communicate that AEAs meet the requirements of continuing educational opportunities through teacher and administrator quality processes.

Topic (manual pages)	Notes
Using parents private insurance (274)	Added language to describe appropriate procedures for accessing parents' private insurance.

Topic (manual pages)	Notes
Student records (275)	Added the FERPA definition of personally identifiable information.

Topic (manual pages)	Notes
Intellectual Disability Waiver (288-297)	The former Home and Community Based Waiver for Mental Retardation is now called the Home and Community Based Waiver for Intellectual Disability. Information, forms and sample letters have been changed to reflect this change in terminology.

Topic (manual pages)	Notes
Children placed by parents in nonpublic schools (300)	Added language to meet the requirements of 41.137(3).

Topic (manual pages)	Notes
Special health services (321 et seq.)	Re-written for ease of readability and use by educators.

Topic (manual pages)	Notes
Work experience and multi-occupations	Removed discussion from the Transition Q&A regarding credentialing requirements. Other professional disciplines are not addressed in the manual and the breadth of professional practice allowed by an individual's credentials are matters best left to licensure boards.

Release Notes

AEA Special Education Documentation Guide (July 1, 2010)

Topic (doc. guide pages)	Notes
Standards-based IEPs (40, 46)	Beginning March 15, 2011 for eligible individuals from kindergarten through grade eight, math and reading goals must be standards-based. This means that the goal is based on standards representing the individual's grade level at the time the IEP is written or standards representing the individual's grade level one year after the IEP is written. It is permissible to develop a goal that incorporates a below grade-level outcome related to the student's instructional level if the goal also includes a grade-level outcome. This approach may be desirable when a student's achievement falls significantly below his or her grade placement and frequent, grade-level progress monitoring would cause frustration.

Topic (doc. guide pages)	Notes
Least restrictive environment (60)	Added language to communicate that the school that a child would attend if nondisabled is the school the district would assign a child to upon initial enrollment without consideration of disability status or court-ordered placement.

Topic (doc. guide pages)	Notes
ESYS Form (74-77)	Modified to accommodate three goal areas. A template is also available on the Iowa IDEA website.

Topic (doc. guide pages)	Notes
Notice of Records Destruction (162-165)	Added the Notice of Records Destruction for district or AEA use to the Documentation Guide. Templates are also available on the Iowa IDEA website.

Topic (doc. guide pages)	Notes
Power of Attorney, Revocation of Power of Attorney (166-169)	Added Power of Attorney for Educational Decision Making and Revocation of Power of Attorney forms. Important Notes: The power of attorney process is intended for age-of-majority students who would like assistance in educational decision making but do not have or need to have someone else appointed to represent their interests (e.g., guardian). Assigning another person power of attorney may only be done by an individual who fully understands and appreciates the action being taken. That is, the impact of an individual's disability must be taken into account in determining if assigning power of attorney to someone else is appropriate for that individual. Assigning power of attorney does not surrender any authority the individual holds, but only allows another person to exercise the same authority. For example, if you give someone power of attorney to sell your car, you can still sell it yourself.