

July 2021 Updates

Side-by-Side Comparison

Special Education

Page: Consents (Page: [Special Ed, Procedural Safeguards, Consents](#))

Retired Text	Updated Text
<p>Understanding Parent Consent</p> <p>What is Informed Consent?</p> <p>IEP teams must ensure parents and age of majority students are appropriately informed of what they are consenting to and make “reasonable efforts” to obtain written consent.</p> <p>"Informed Consent" means:</p> <ul style="list-style-type: none"> The parent(s) has been fully informed of all information relevant to the activity for which consent is sought, in their native language, or through another mode of communication. 	<p>Understanding Parent Consent</p> <p><i>What is Consent?</i></p> <p>IEP teams must ensure parents and age of majority learners are appropriately informed of what they are consenting to. AEA and LEA staff must make “reasonable efforts” to ensure informed consent and to obtain written consent.</p> <p>"Informed Consent" means:</p> <ul style="list-style-type: none"> The parent(s) has been fully informed of all information relevant to the activity for which consent is sought, in their native language, or through another mode of communication.

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<ul style="list-style-type: none"> ● The parent(s) understands and agrees in writing to the carrying out of the activity for which parental consent is sought, and the consent document describes that activity and lists the records (if any) that will be released and to whom. ● The parent(s) understands that the granting of consent is voluntary on the part of the parent(s) and it may be revoked at any time. <p>Written consent may be obtained on a paper copy of the form or via electronic signature within the Web IEP system. As long as a parent has the legal authority to make educational decisions for the child (married parents, divorced parents when each retains decision-making authority, etc.), the school or AEA must accept either parent's consent or revocation of consent.</p> <p>"Reasonable efforts" requires that a record of attempts to obtain consent are kept including:</p> <ul style="list-style-type: none"> ● Detailed records of telephone calls made or attempted and the results of those calls ● Copies of correspondence sent to the parents and any responses received ● Detailed records of visits made to the parent's home or place of employment and the results of those visits <p>An IEP team should consider the use of varied methods (e.g. phone, letter, face-to-face) to contact the parent/family or the age of majority student.</p>	<ul style="list-style-type: none"> ● The parent(s) understands and agrees in writing to the carrying out of the activity for which parental consent is sought, and the consent document describes that activity and lists the records (if any) that will be released and to whom. ● The parent(s) understands that the granting of consent is voluntary on the part of the parent(s) and it may be revoked at any time. <p>When is Written Parental Consent Required?</p> <p>Written Parent consent must be obtained before:</p> <ul style="list-style-type: none"> ● Any evaluations of a learner are conducted; ● Special education services are provided to a learner; ● A public agency seeks reimbursement from the learner's public benefits or insurance (e.g., Medicaid), or private insurance; and ● Disclosure of personally identifiable information (PII) unless otherwise permitted. <p>Written consent may be obtained on a paper copy of the form or via electronic signature within the Web IEP system. As long as a parent has the legal authority to make educational decisions for the child (married parents, divorced parents when each retains decision-making authority, etc.), the school or AEA must accept either parent's consent or revocation of consent.</p>

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	<p>What are Reasonable Efforts to Obtain Consent?</p> <p>"Reasonable efforts" requires that a record of attempts to obtain consent are kept including:</p> <ul style="list-style-type: none"> • Detailed records of telephone calls made or attempted and the results of those calls • Copies of correspondence sent to the parents and any responses received • Detailed records of visits made to the parent's home or place of employment and the results of those visits <p>An IEP team should consider the use of varied methods (e.g. phone, letter, face-to-face) to contact the parent/family or the age of majority learner.</p>
<p>Consent for Initial Evaluation</p> <p>When a public agency (the AEA or the AEA in conjunction with the LEA) suspects that the child may have a disability and needs special education and related services, the AEA will seek consent to complete a full and individual initial evaluation.</p> <p>The initial evaluation will include the review of existing evaluation data and the gathering of additional information to determine:</p> <ol style="list-style-type: none"> 1. Whether the child has a disability, and the educational needs of the child; 	<p>Consent for Full and Individual Initial Evaluation</p> <p>When a public agency (the AEA or the AEA in conjunction with the LEA) suspects that the child may have a disability and needs special education and related services, the AEA will notify and seek consent to complete a full and individual initial evaluation.</p> <p>The initial evaluation will include the review of existing evaluation data and the gathering of additional information to determine:</p> <ol style="list-style-type: none"> 1. Whether the child has a disability, and the educational needs of the child;

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<p>2. The present levels of academic achievement and related to the development needs of the child; and</p> <p>3. Whether the child needs special education and related services.</p> <p>Parent consent is documented with a signature on the Consent for Full and Individual Initial Evaluation Form. Upon receipt of consent, the initial evaluation begins and must be completed within 60 days.</p> <p>A copy of the Procedural Safeguards Manual for Parents must be made available and reviewed with the parents either in person or via phone.</p>	<p>2. The present levels of academic achievement and related to the developmental needs of the child; and</p> <p>3. Whether the child needs special education and related services.</p> <p>Parent notice and consent is documented with a signature on the Consent for Full and Individual Initial Evaluation Form. Upon receipt of consent, the initial evaluation begins and must be completed within 60 days.</p> <p>A copy of the Procedural Safeguards Manual for Parents must be made available and reviewed with the parents either in person or via phone.</p>
<p>Consent for Reevaluation</p> <p>Prior to completing a reevaluation, an IEP team reviews the existing information and identifies what additional data, if any, are needed to determine:</p> <ol style="list-style-type: none"> 1. Whether the child continues to have a disability, and the educational needs of the child; 2. The present levels of academic achievement and related developmental needs of the child; 3. Whether the child continues to need special education and related services; and 4. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out 	<p>Consent for/Notice of Reevaluation</p> <p>Prior to completing a reevaluation, an IEP team reviews the existing information and identifies what additional data, if any, are needed to determine:</p> <ol style="list-style-type: none"> 1. Whether the child continues to have a disability, and the educational needs of the child; 2. The present levels of academic achievement and related developmental needs of the child; 3. Whether the child continues to need special education and related services; and 4. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out

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<p>in the IEP of the child and to participate, as appropriate, in the general education curriculum.</p> <p>If the IEP team determines that no additional data is needed, the Consent for/Notice of Evaluation form must be completed in order to inform parents of:</p> <ul style="list-style-type: none"> ● The determination that no additional data is needed and the reasons for the determination. <ul style="list-style-type: none"> ○ The LEA and AEA are not required to conduct additional assessments unless requested to do so by the parents. ○ Parents do not need to sign the form when no additional assessment procedures are being requested. ● Parents must be notified of their rights as parents to request additional assessments to determine whether the child continues to be a child with a disability and has a need for special education and related services. <p>If the IEP team determines that additional information is necessary, then the following must be done:</p> <ul style="list-style-type: none"> ● The Consent for/Notice of Evaluation form must be completed and parental consent to evaluate must be obtained and documented by the signature on this form. ● A copy of the Procedural Safeguards Manual for Parents should be made available and reviewed with the parents either in person or via phone. 	<p>in the IEP of the child and to participate, as appropriate, in the general education curriculum.</p> <p>If the IEP team determines that no additional data is needed, the Consent for/Notice of Reevaluation form must be completed in order to inform parents of:</p> <ul style="list-style-type: none"> ● The determination that no additional data is needed and the reasons for the determination. <ul style="list-style-type: none"> ○ The LEA and AEA are not required to conduct additional assessments unless requested to do so by the parents. ○ Parents do not need to sign the form when no additional assessment procedures are being requested. ● Parents must be notified of their rights as parents to request additional assessments to determine whether the child continues to be a child with a disability and has a need for special education and related services. <p>If the IEP team determines that additional information is necessary, then the following must be done:</p> <ul style="list-style-type: none"> ● The Consent for/Notice of Reevaluation form must be completed and parental consent to evaluate must be obtained and documented by the signature on this form. ● A copy of the Procedural Safeguards Manual for Parents should be made available and reviewed with the parents either in person or via phone.

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<ul style="list-style-type: none"> ● Parents must be notified of their right to request assessments in addition to those proposed if they so desire. <p>If the IEP team determines that additional assessment is necessary and the parent refuses to provide the signed consent, the following steps should be followed:</p> <ol style="list-style-type: none"> 1. The LEA/AEA staff will contact the parent(s) to discuss their concerns with the reevaluation process. This contact may be made by any appropriate IEP team member. 2. If the parent(s) refuses to consent to the reevaluation and the IEP team has decided that additional assessment information is essential, the following options are available but should only be pursued with the knowledge and support of the AEA Director of Special Education or designee: <ol style="list-style-type: none"> a. Pursue the reevaluation by utilizing the procedural safeguards including mediation (this is not an option for children who are homeschooled or placed in private schools by their parents at their own expense) b. Decline to pursue the reevaluation with the belief that it does not violate its obligations <p>If reasonable efforts have been made and documented to obtain parental consent and the parent(s) has failed to respond, a reevaluation may be conducted without parental consent.</p>	<ul style="list-style-type: none"> ● Parents must be notified of their right to request assessments in addition to those proposed if they so desire. <p>If the IEP team determines that additional assessment is necessary and the parent refuses to provide the signed consent, the following steps should be followed:</p> <ol style="list-style-type: none"> 1. The LEA/AEA staff will contact the parent(s) to discuss their concerns with the reevaluation process. This contact may be made by any appropriate IEP team member. 2. If the parent(s) refuses to consent to the reevaluation and the IEP team has decided that additional assessment information is essential, the following options are available but should only be pursued with the knowledge and support of the AEA Director of Special Education or designee: <ol style="list-style-type: none"> a. Pursue the reevaluation by utilizing the procedural safeguards including mediation (this is not an option for children who are homeschooled or placed in private schools by their parents at their own expense) b. Decline to pursue the reevaluation with the belief that it does not violate its obligations <p>If reasonable efforts have been made and documented to obtain parental consent and the parent(s) has failed to respond, a reevaluation may be conducted without parental consent.</p>

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<p data-bbox="201 280 1020 315">Consent/Refusal for Medicaid and/or Private Insurance</p> <p data-bbox="201 339 1033 451">A public agency may seek written parental consent to claim reimbursement from a public or private insurance source for services delivered to meet the needs of an eligible individual.</p> <p data-bbox="201 475 1024 667">Parents must be notified as part of the consent request that their refusal to allow access to their public benefits or other insurance does not relieve an AEA or LEA of responsibility to ensure that all required services are provided at no cost to the parents.</p> <p data-bbox="201 745 743 779">Public Benefits/Insurance (Medicaid)</p> <p data-bbox="201 803 1024 915">Federal regulations require a one-time written consent from the parent(s) in order for an AEA and LEAs to claim Medicaid reimbursement.</p> <p data-bbox="201 940 697 974">Consent requirement has two parts:</p> <ul data-bbox="254 998 961 1203" style="list-style-type: none"> <li data-bbox="254 998 961 1149">● Disclosure of the child’s personally identifiable information to the state agency responsible for administering your state’s Public Benefits or Insurance program <li data-bbox="254 1174 961 1203">● Statement to Access Public Benefits or Insurance <p data-bbox="201 1227 1003 1339">Parental consent is documented on the Parent Consent To Share Data and Seek Payment for Individualized Education Program (IEP) Health-Related Services form.</p>	<p data-bbox="1058 280 1877 315">Consent/Refusal for Medicaid and/or Private Insurance</p> <p data-bbox="1058 339 1890 451">A public agency may seek written parental consent to claim reimbursement from a public or private insurance source for services delivered to meet the needs of an eligible individual.</p> <p data-bbox="1058 475 1881 667">Parents must be notified as part of the consent request that their refusal to allow access to their public benefits or other insurance does not relieve an AEA or LEA of responsibility to ensure that all required services are provided at no cost to the parents.</p> <p data-bbox="1058 745 1600 779">Public Benefits/Insurance (Medicaid)</p> <p data-bbox="1058 803 1881 915">Federal regulations require a one-time written consent from the parent(s) in order for an AEA and LEAs to claim Medicaid reimbursement.</p> <p data-bbox="1058 940 1608 974">The consent requirement has two parts:</p> <ul data-bbox="1110 998 1818 1203" style="list-style-type: none"> <li data-bbox="1110 998 1818 1149">● Disclosure of the child’s personally identifiable information to the state agency responsible for administering your state’s Public Benefits or Insurance program <li data-bbox="1110 1174 1818 1203">● Statement to Access Public Benefits or Insurance <p data-bbox="1058 1227 1860 1339">Parental consent is documented on the Parent Consent To Share Data and Seek Payment for Individualized Education Program (IEP) Health-Related Services form.</p>

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<p>There are separate forms for each public agency, LEA and AEA, entity. A copy of the signed form should be kept on file by the public agency seeking reimbursement.</p> <p>Annual, written notification explaining the protections available to parents related to public agency access to their or their child’s public benefits or insurance to pay for services under the IDEA is required and is incorporated into the Procedural Safeguards Manual for Parents.</p> <p>Additional information and resources on Medicaid are available in Resources.</p>	<p>As of July 2021, if a learner is Medicaid eligible and is receiving Medicaid billable services via telehealth, the IEP team should seek parent consent on the updated consent form. However, an IEP team may choose to obtain consent on the updated consent form at the next naturally occurring IEP meeting.</p> <p>There are separate forms for the LEAs and AEAs. A copy of the signed form should be kept on file by the public agency seeking reimbursement.</p> <p>Annual, written notification explaining the protections available to parents related to public agency access to their or their child’s public benefits or insurance to pay for services under the IDEA is required and is incorporated into the Procedural Safeguards Manual for Parents.</p> <p>Additional information and resources on Medicaid are available in Resources.</p>

Page: Prior Written Notice: ([Special Education, Procedural Safeguards, PWN](#))

Retired Text	Updated Text
<p>Information Required in Prior Written Notice</p> <p>The prior written notice must include the following information:</p> <ol style="list-style-type: none"> 1. A description of the action proposed or refused by the agency 2. An explanation of why the agency proposes or refuses to take the action 3. A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action 4. A statement that the parents have protection under the due process provisions of special education and, if this notice is not an initial referral for evaluation, how the parent may obtain a copy of the description of the procedural safeguards 5. Sources for parents to contact to obtain assistance in understanding the provisions of the laws and rules 6. A description of other options that the IEP team considered and the reasons why those options were rejected 7. A description of other factors that are relevant to the agency’s proposal or refusal 8. The notice requires parents to be informed where they can get a copy of the procedural safeguards 	<p>Information Required in Prior Written Notice</p> <p>The prior written notice must include the following information:</p> <ol style="list-style-type: none"> 1. A description of the action proposed or refused by the agency 2. An explanation of why the agency proposes or refuses to take the action 3. A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action 4. A statement that the parents have protection under the due process provisions of special education and, if this notice is not an initial referral for evaluation, how the parent may obtain a copy of the description of the procedural safeguards 5. Sources for parents to contact to obtain assistance in understanding the provisions of the laws and rules 6. A description of other options that the IEP team considered and the reasons why those options were rejected 7. A description of other factors that are relevant to the agency’s proposal or refusal 8. The notice requires parents to be informed where they can get a copy of the procedural safeguards

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<p>Prior written notice will be provided to parent(s) via a written letter, form, or email (per parent request and signed consent to receive electronic communication).</p> <p>Prior written notice must be written in language understandable to the general public and provided in the parent's native language or another mode of communication unless clearly not feasible.</p> <p>If the parent's native language or other mode of communication is not a written language, the public agency must ensure and have written evidence that both the:</p> <ul style="list-style-type: none"> ● Prior written notice was translated orally by other means into the parent's native language or another mode of communication ● Parent(s) understood the content of the notice <p>Examples of when a PWN is Required</p> <p>Examples of actions and refusals requiring Prior Written Notice:</p> <ul style="list-style-type: none"> ● A decision not to conduct an initial evaluation ● Change in services or placement, including consent for initial special education services ● Addition or discontinuation of service (including exit due to parent revocation of consent, graduation, etc.) ● Change in the model of delivery of service, e.g.: <ul style="list-style-type: none"> ○ Mode – such as direct to indirect 	<p>Prior written notice will be provided to the parent(s) via a written letter, form, or email (per parent request and signed consent to receive electronic communication).</p> <p>In Iowa, the Consent for Full and Individual Initial Evaluation and the Consent for/Notice of Reevaluation forms have been designed to document both prior written notice of the proposed evaluation and parent consent.</p> <p>Prior written notice must be written in language understandable to the general public and provided in the parent's native language or another mode of communication unless clearly not feasible.</p> <p>If the parent's native language or other mode of communication is not a written language, the public agency must ensure and have written evidence that both the:</p> <ul style="list-style-type: none"> ● Prior written notice was translated orally by other means into the parent's native language or another mode of communication ● Parent(s) understood the content of the notice <p>Examples of when a PWN is Required</p> <p>Examples of actions and refusals requiring Prior Written Notice:</p> <ul style="list-style-type: none"> ● A decision not to conduct an initial evaluation ● Change in services or placement, including consent for initial special education services

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<ul style="list-style-type: none"> ○ Special education classroom to a general education classroom ○ Addition, deletion or change of ESY services ○ Addition or deletion of a goal or goal area ● Change in a related service: <ul style="list-style-type: none"> ○ Transportation ○ Behavior plan ○ Special health plan ○ Assistive technology ● Amendment to an existing IEP ● Whenever discipline results in a change of placement 	<ul style="list-style-type: none"> ○ NOTE: The Consent for Initial Service is a stand-alone form that must be completed prior to the delivery of special education services for an eligible learner. ● Addition or discontinuation of service (including exit due to parent revocation of consent, graduation, etc.) ● Change in the model of delivery of service, e.g.: <ul style="list-style-type: none"> ○ Mode – such as direct to indirect ○ Special education classroom to a general education classroom ○ Addition, deletion or change of ESY services ○ Addition or deletion of a goal or goal area ● Change in a related service: <ul style="list-style-type: none"> ○ Transportation ○ Behavior plan ○ Special health plan ○ Assistive technology ● Amendment to an existing IEP ● Whenever discipline results in a change of placement

Retired Text	Updated Text
<p>Initial IEPs Prior to Age Three</p> <p>The earliest age an IEP may be implemented for an eligible individual is 2 years, 9 months. However, in the case of a rare and unusual circumstance that an IEP was being considered for a child younger than 2 years 9 months, the IFSP team would need to contact the AEA Director of Special Education to seek prior approval.</p> <p>When an IEP will be implemented prior to a child’s third birthday, if the child and family had been receiving early intervention services, they remain eligible for early intervention services until the child’s third birthday to support a smooth and effective transition to special education services.</p> <p>At the Initial IEP meeting for a child who will receive special education services before their third birthday, additional information must be shared with the family.</p> <ol style="list-style-type: none"> 1. At the initial IEP meeting, the IFSP and IEP team must: <ol style="list-style-type: none"> a. If the child and family were receiving early intervention services, determine and document in the IEP the early intervention services that will be provided up to the child’s third birthday. b. Determination of the need for ESY services. If applicable, the ESY services are documented on the IEP. 	<p>Initial IEPs Prior to Age Three</p> <p>The earliest age an IEP may be implemented for an eligible individual is 2 years, 9 months. However, in the case of a rare and unusual circumstance that an IEP was being considered for a child younger than 2 years 9 months, the IFSP team would need to contact the AEA Director of Special Education to seek prior approval.</p> <p>When an IEP will be implemented prior to a child’s third birthday, if the child and family had been receiving early intervention services, they remain eligible for early intervention services until the child’s third birthday to support a smooth and effective transition to special education services.</p> <p>At the Initial IEP meeting for a child who will receive special education services before their third birthday, additional information must be shared with the family.</p> <ol style="list-style-type: none"> 1. At the initial IEP meeting, the IFSP and IEP team must: <ol style="list-style-type: none"> a. If the child and family were receiving early intervention services, determine and document the early intervention services that will be provided up to the child’s third birthday. The early intervention services are documented on the child’s IFSP.

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<p>c. Complete the Early Childhood Outcome Summary.</p> <p>d. Determine and document in the IEP the special education instructional, support, or related services needed and the date when special education services will begin.</p> <p>e. If the child and family were receiving early intervention services, discuss and inform the parents that an amendment will be necessary upon the child’s third birthday to remove the Early ACCESS services.</p> <p>2. Following the initial IEP meeting, the early intervention services by Early ACCESS and the special education instructional, support, or related services, are implemented as documented on the IEP.</p> <p>3. When the child turns three, the IEP will be amended to reflect the following:</p> <ul style="list-style-type: none"> a. Current special education instructional, support or related services, and b. Termination of early intervention services provided through Early ACCESS and documentation of exit for Early ACCESS. <p>NOTE: Transition planning for children who turn three during the summer months may require more advanced planning to ensure all the necessary IEP team members are involved and present.</p>	<p>b. Determine if the child needs ESY services. If applicable, the ESY services are documented on the IEP.</p> <p>c. Complete the Early Childhood Outcome Summary.</p> <p>d. Determine and document the special education instructional, support, or related services needed and the date when special education services will begin. The special education services, supports, and related services are documented on the child’s initial IEP.</p> <p>e. If the child and family were receiving early intervention services, discuss and inform the parents that upon the child’s third birthday the IFSP will be exited and the Early ACCESS services will end.</p> <p>2. Following the initial IEP meeting, the early intervention services by Early ACCESS (outlined in the IFSP) and the special education instructional, support, or related services (outlined in the IEP) are implemented.</p> <p>3. When the child turns three:</p> <ul style="list-style-type: none"> a. Early intervention services end the team must complete the documentation of exiting from Early ACCESS.

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	<p style="text-align: center;">b. The IEP documenting the special education services, supports, and related services is validated.</p> <p>In the current IowaIDEA Web IFSP/IEP system: Prior to the child’s 3rd birthday, the IFSP remains open and the IEP submitted for review and moved to ‘ready to validate’ status. Upon the child’s 3rd birthday, the IFSP is exited/closed and then IEP is validated.</p> <p>NOTE: Transition planning for children who turn three during the summer months may require more advanced planning to ensure all the necessary IEP team members are involved and present.</p>
<p>Trial Out Placement</p> <p>Starting a Trial Placement</p> <ol style="list-style-type: none"> 1. Inform the parents about the intent of the trial placement. <ol style="list-style-type: none"> a. When the eligibility is being questioned, a reevaluation is required at the conclusion of the trial period (no more than 45 school days). Therefore, the IEP team should obtain notice/consent for reevaluation from the parents. 2. Document the plan for the trial placement within the IEP, including: <ol style="list-style-type: none"> a. When will the trial placement begin? 	<p>Trial Out Placement</p> <p>Starting a Trial Placement</p> <ol style="list-style-type: none"> 1. At the beginning of a trial placement when the eligibility is being questioned (all services are being trialed out), a reevaluation is required at the conclusion of the trial period (no more than 45 school days). Therefore, the IEP team should provide and obtain notice/consent for reevaluation from the parents. 2. Document the plan for the trial placement within the IEP, including: <ol style="list-style-type: none"> a. When will the trial placement begin? b. Who will be involved?

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<ul style="list-style-type: none"> b. Who will be involved? c. What supports are needed? d. How will supports be faded? e. What will be monitored? f. Who will monitor? g. How often will monitoring occur? h. What is the length of time for the trial placement? (The trial period may not exceed 45 school days) <p>During a Trial Placement</p> <ol style="list-style-type: none"> 1. Implement the trial placement as documented in the IEP. 2. Collect data and monitor the student's progress on a regular basis using data derived from monitoring the IEP goals, ongoing data on student performance data collected for all students, input from general education teachers, special education teachers, parents and the student (if appropriate) regarding the effects of the trial. 	<ul style="list-style-type: none"> c. What supports are needed? d. How will supports be faded? e. What will be monitored? f. Who will monitor? g. How often will monitoring occur? h. What is the length of time for the trial placement? (The trial period may not exceed 45 school days) <p>During a Trial Placement</p> <ol style="list-style-type: none"> 1. Implement the trial placement as documented in the IEP. 2. Collect data and monitor the learner's progress on a regular basis using data derived from monitoring the IEP goals, ongoing data on learner performance data collected for all learners, input from general education teachers, special education teachers, parents and the learner (if appropriate) regarding the effects of the trial.

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<p>NOTE: If the data indicate that the student is not being successful, then the IEP team should act immediately to review the implementation of the plan and make adjustments before continuing the trial placement. Based on the review, the IEP team may decide to meet and resume special education services to the student prior to the projected end of the trial placement.</p> <p>After a Trial Placement</p> <ol style="list-style-type: none"> 1. Reconvene the IEP team to consider “Is the student ready to discontinue the specific service or all special education services?” 2. If the team is considering discontinuing all special education services, a reevaluation is necessary. The team will use the reevaluation information to determine the overall effectiveness of the trial and the students’ continuing eligibility for special education. 3. Document the decision and provide parents with a Prior Written Notice of Proposed or Refused Action. 	<p>NOTE: If the data indicate that the learner is not being successful, then the IEP team should act immediately to review the implementation of the plan and make adjustments before continuing the trial placement. Based on the review of information, the IEP team may decide to meet and resume special education services for the learner prior to the projected end of the trial placement. If at the initiation of the trial placement eligibility was in question, a reevaluation is required to reinstate services.</p> <p>After a Trial Placement</p> <ol style="list-style-type: none"> 1. Reconvene the IEP team to consider “Is the learner ready to discontinue the specific service or all special education services?” 2. If eligibility was in question at the initiation of the trial placement, a reevaluation is necessary. The team will use the reevaluation information to determine the overall effectiveness of the trial placement and the learner’s continuing eligibility for special education. 3. Document the decision and provide parents with a Prior Written Notice of Proposed or Refused Action.

Retired Text	Updated Text
<p>Disclosures That Do Not Require Parent(s) or Eligible Student Consent</p> <p>FERPA and IDEA describe a variety of circumstances when parent(s) consent is not required to transfer records or disclose personally identifiable information (PII). As related to special education, these includes:</p> <p>Disclosing with Specific Individuals</p> <ul style="list-style-type: none"> • AEA and school district staff who have a legitimate educational interest in the personally identifiable information (PII) contained in records • Iowa Vocational Rehabilitation Services (IVRS) staff who have a legitimate educational interest in the personally identifiable information (PII) contained in records. IVRS is a part of the Iowa Department of Education, thus K-12 education records may be disclosed. • Contractors, consultants, volunteers, or other parties to whom an AEA or school has outsourced services or functions may be considered a “school official” according to FERPA regulations. Such individuals may have access to educational records to the extent necessary to carry out their function for the AEA or school. For example, a contracted physical therapist would have access to the individual educational records needed to provide services. 	<p>Disclosures That Do Not Require Parent(s) or Eligible Student Consent</p> <p>FERPA and IDEA describe a variety of circumstances when parent(s) consent is not required to transfer records or disclose personally identifiable information (PII). As related to special education, these include:</p> <p>Disclosing with Specific Individuals</p> <ul style="list-style-type: none"> • AEA and school district staff who have a legitimate educational interest in the personally identifiable information (PII) contained in records • Iowa Vocational Rehabilitation Services (IVRS) staff who have a legitimate educational interest in the personally identifiable information (PII) contained in records. IVRS is a part of the Iowa Department of Education, thus K-12 education records may be disclosed. • Contractors, consultants, volunteers, or other parties to whom an AEA or school has outsourced services or functions may be considered a “school official” according to FERPA regulations. Such individuals may have access to educational records to the extent necessary to carry out their function for the AEA or school. For example, a contracted physical therapist would have access to the individual educational records needed to provide services.

Retired Text	Updated Text
<p>Disclosing during Transitions and Transfers</p> <ul style="list-style-type: none"> ● Transfer of records to a new AEA and/or school <ul style="list-style-type: none"> ○ Records may be transferred to an AEA or school “where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.” ○ At a minimum, a copy of the most recent evaluation and IEP from the special education record for the student should be sent to the new district and/or area education agency when a student transfers. ○ If requested by the new district, a copy of the most recent IEP is legally required to be sent. ● Transition from Early Intervention/Early ACCESS (Part C) services (birth through age 2) to Special Education (Part B) services (age three to 21) <ul style="list-style-type: none"> ○ Records may be transferred from early intervention service providers to special education service providers with legitimate educational interest without parental consent. 	<p>Disclosing during Transitions and Transfers</p> <ul style="list-style-type: none"> ○ Records may be transferred from early intervention service providers to special education service providers with legitimate educational interests. ○ Records may be transferred to an AEA or school “where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.” ○ At a minimum, a copy of the most recent evaluation and IEP from the special education record for the student should be sent to the new district and/or area education agency when a student transfers. ○ If requested by the new district, a copy of the most recent IEP is legally required to be sent.

Retired Text	Updated Text
<p><i>Information on AEA Mediation was previously not included in i3.</i></p>	<p>Area Education Agency (AEA) Mediation</p> <p>AEA mediation is a statewide mediation and conflict resolution process available through each of Iowa’s nine AEAs. Each AEA has AEA Mediation Coordinator(s) who have completed training to enhance their skills to address differences and resolve conflicts in a collaborative and timely manner.</p> <p>An AEA Mediator may be involved:</p> <ul style="list-style-type: none"> ● To resolve conflicts and concerns involving general education, Section 504, special education, Early ACCESS, or any school-related issue ● To act as a facilitator at an IEP meeting ● To explore the dispute resolution options, including AEA mediation, due to a conflict ● To facilitate a “resolution meeting” to resolve issues following a parent filing of a due process hearing notice to the district and AEA ● To resolve conflicts between educators and parents, educators and educators, or any other employee hired by the district or AEA ● To assist at any other type of meeting to serve as a facilitator when conflict may be anticipated <p>For additional information and resources on AEA mediation, visit the Iowa Department of Education website.</p>

Page: Unique Settings (Page: [Special Ed, IEPS, Unique Settings](#))

Retired Text	Updated Text
Unique Placement (page title)	Unique Settings (page title)
'Alternative Services and Placements as Determined by IEP Team' (header)	Alternative Services and Settings (header)

Early Interventions

Page: Consents (Page: [Early Intervention, Procedural Safeguards, Consents](#))

Retired Text	Updated Text
<p>What is Informed Consent?</p> <p>IFSP teams must ensure parents are appropriately informed of what they are consenting to.</p> <p>“Informed Consent” means:</p> <ul style="list-style-type: none"> • The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or through another mode of communication; • The parent understands and agrees in writing to the carrying out of the activity for which parental consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and 	<p>What is Informed Consent?</p> <p>IFSP teams must ensure parents are appropriately informed of what they are consenting to.</p> <p>“Informed Consent” means:</p> <ul style="list-style-type: none"> • The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or through another mode of communication; • The parent understands and agrees in writing to the carrying out of the activity for which parental consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and

Retired Text	Updated Text
<ul style="list-style-type: none"> The parent understands that the granting of consent is voluntary on the part of the parent and it may be revoked at any time. <p>Written parental consent may be obtained on a paper copy of the form or via electronic signature within the Web IFSP system.</p> <p>As long as a parent has the legal authority to make educational decisions for the child (married parents, divorced parents when each retains decision-making authority, etc.), the AEA must accept either parent's consent or revocation of consent.</p> <p>What are "Reasonable Efforts" to Obtain Consent?</p> <p>When consent is necessary, the IFSP team must make "reasonable efforts" to obtain informed consent from a parent. Additionally, the IFSP team should consider the use of varied methods (e.g. phone, letter, face-to-face) to contact the parent.</p> <p>"Reasonable efforts" requires that a record of attempts to secure consent be kept including:</p> <ul style="list-style-type: none"> Detailed records of telephone calls made or attempted and the results of those calls; Copies of correspondence sent to the parents and any responses received; and/or Detailed records of visits made to the parent's home or place of employment and the results of those visits. 	<ul style="list-style-type: none"> The parent understands that the granting of consent is voluntary on the part of the parent and it may be revoked at any time. <p>When is Written Parental Consent Required?</p> <p>Written parent consent must be obtained prior to :</p> <ul style="list-style-type: none"> Administering screening procedures that are used to determine whether a child is suspected of having a developmental delay; Any evaluations and assessments of a child are conducted; Early intervention services are provided to a child; A public agency seeks reimbursement from the child's public benefits or insurance (e.g., Medicaid), or private insurance; and Disclosure of personally identifiable information (PII) unless otherwise permitted. <p>Additional information on the disclosure of PII is available in Student Records.</p> <p>Written parental consent may be obtained on a paper copy of the form or via electronic signature within the Web IFSP system.</p>

Retired Text	Updated Text
<p>When is Parental Consent Required?</p> <p>Parent consent must be obtained before:</p> <ul style="list-style-type: none"> ● Administering screening procedures that are used to determine whether a child is suspected of having a developmental delay; ● Any evaluations and assessments of a child are conducted; ● Early intervention services are provided to a child; ● A public agency seeks reimbursement from the child's public benefits or insurance (e.g., Medicaid), or private insurance; and ● Disclosure of personally identifiable information unless otherwise permitted. <p>NOTE: Parent consent is not required to disclose personally identifiable information:</p> <ul style="list-style-type: none"> ● To authorized representatives, officials, or employees of participating agencies collecting, maintaining, or using the information; ● When required under Early ACCESS rules on the transition from Early ACCESS; or ● When permitted by FERPA, unless a FERPA exception applies, parental consent is required whenever personally identifiable information is used for any purpose other than meeting a requirement of Early ACCESS. 	<p>As long as a parent has the legal authority to make educational decisions for the child (married parents, divorced parents when each retains decision-making authority, etc.), the AEA must accept either parent's consent or revocation of consent.</p> <p>What are "Reasonable Efforts" to Obtain Consent?</p> <p>When consent is necessary, the IFSP team must make "reasonable efforts" to obtain informed consent from a parent. Additionally, the IFSP team should consider the use of varied methods (e.g. phone, letter, face-to-face) to contact the parent.</p> <p>"Reasonable efforts" requires that a record of attempts to secure consent be kept including:</p> <ul style="list-style-type: none"> ● Detailed records of telephone calls made or attempted and the results of those calls; ● Copies of correspondence sent to the parents and any responses received; and/or ● Detailed records of visits made to the parent's home or place of employment and the results of those visits.

Retired Text	Updated Text
<p>To ensure a smooth transition from early intervention to special education, parent consent is not required to transfer records for a child who is or may be eligible for special education services.</p>	
<p>Consent/Refusal for Seeking Medicaid Reimbursement</p> <p>A public agency may seek written parental consent to claim reimbursement from a public insurance source (Medicaid) for services delivered to meet the needs of an eligible infant or toddler. Parents must also be notified as part of the consent request that their refusal to allow access to their public benefits or other insurance does not relieve an AEA of responsibility to ensure that all required services are provided at no cost to the parents.</p> <p>Public Insurance (Medicaid)</p> <p>Families have the right to consent or not consent to the release of personally identified information contained in their child’s IFSP to the Iowa Department of Human Services Medical Program or their contractor on the Parent/Guardian Authorization Form For Medical Reimbursement For IFSP Services. This form is a federal requirement. Parent/Guardian consent is valid for one year, as long as services in the IFSP do not change. If the IFSP is rewritten and the amount, duration, or scope of a Medicaid service changes, then a new consent must be obtained. This consent is to be obtained only for children who already are on Medicaid or who are in the application process.</p>	<p>Consent/Refusal for Seeking Medicaid Reimbursement</p> <p>A public agency may seek written parental consent to claim reimbursement from a public insurance source (Medicaid) for services delivered to meet the needs of an eligible infant or toddler. Parents must also be notified as part of the consent request that their refusal to allow access to their public benefits or other insurance does not relieve an AEA of responsibility to ensure that all required services are provided at no cost to the parents.</p> <p>As of July 2021, if a child is Medicaid eligible and is receiving Medicaid billable services via telehealth, the IFSP team should seek parent consent on the updated consent form. However, an IFSP team may choose to obtain consent on the updated consent form at the next naturally occurring IFSP meeting.</p> <p>A copy of the signed form should be kept on file by the public agency seeking reimbursement.</p> <p>Public Insurance (Medicaid)</p>

Retired Text	Updated Text
	<p>Families have the right to consent or not consent to the release of personally identified information contained in their child’s IFSP to the Iowa Department of Human Services Medical Program or their contractor on the Parent/Guardian Authorization Form For Medical Reimbursement For IFSP Services. This form is a federal requirement.</p> <p>Parent/Guardian consent is valid for one year, as long as services in the IFSP do not change. If the IFSP is rewritten and the amount, duration, or scope of a Medicaid service changes, then a new consent must be obtained. This consent is to be obtained only for children who already are on Medicaid or who are in the application process.</p>

Page: Transition for C to B /IEPs prior to age 3 (Page: [Special Education, IEP, Types of IEPs](#))

SEE ABOVE