

# Special Education from Enrollment to Graduation and Everything in Between

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October 19, 2018

**Mark Moody**

Special Education Consultant

The Governor John Engler Center for Charter Schools | Central Michigan University

## Welcome

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- Introduction
- Thanks to Oakland ISD, Wayne RESA, Macomb ISD and Washtenaw ISD for their attendance and expertise

## Welcome

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- Introductions
- Location of Restrooms
- Presentation Timeline
- Opportunities for Questions
- Parking Lots
- Feedback and Follow-Up

# Application

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- Written Procedure.
- Questions to include on the application form.
- What not to communicate.

# Enrollment

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- Record date
- Prior school information
- Did we acquire Parent consent to request records?
- Did the parent have a Copy of any paperwork the parent may have (IEP, Met report, evaluations, etc.)?
- Did the parent make Verbal statements regarding the student having an IEP?

## Enrollment

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- Do you have a Request for records process and procedure?
- How do I make contact with prior school and staff?
- Can my ISD help?
- How long do I wait for the IEP?
- What happens if IEP and or Reevaluation IEP is not current?

## Transfer Student Procedures

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- Two options for in-state students.
- What do I have to provide if I choose to hold a new iep within thirty days?
- Do I have to get consent from the parents if I need to do assessments?
- When does the clock start in regards to my thirty school days?
- What does the student receive during the thirty days?

## Timelines

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- Response to any request for an evaluation: Within 10 school days provide written notice
- School will evaluate: Description of the evaluation and request for parent consent
- School will not evaluate: Describe the action the school is declining and why it is declining



## Timelines

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- Initial evaluation, determination of eligibility, IEP and offer of FAPE
- The time from receipt of parental consent for an evaluation to the notice of an offer of FAPE or the determination of ineligibility shall not be more than 30 school days

## Timelines

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- Evaluation timeline extension.
- The Extension needs to be agreed by the parent and the district.
- The extension must be in writing and measured in school days.
- The extension may not be used to extend the annual or reevaluation timelines or administrative convenience.

## Timelines

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- Notice of FAPE
- Within 7 school days from the date of the IEP team meeting, the district shall provide the parent with the notice of an offer of FAPE or the determination of ineligibility.

## Timelines

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- Implementation IEP
- Unless the parent has filed an appeal, the district must initiate a proposed special education individualized education program, as soon as possible and not more than 15 school days after the parent receipt of written notice, or not more than 15 school days from the receipt of parent consent for the provision of services.

# Timelines

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- IEP Review-365 days from the date of the most recent notice of FAPE.
- Reevaluation- every three years from the most recent notice connected to a reevaluation IEP reevaluation – unless there is agreement that evaluation is not necessary, not more than once a year unless parent and district agree.
- MDR- 10 school days of any decision to change the placement of a child with an IEP.
- Day- calendar day, business day- Monday through Friday except federal and state holidays, school day- any day students are in attendance for instructional purposes, partial days count, unanticipated closures do not

# Review of Existing Evaluation Data

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- As part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP Team as appropriate must or if an initial, the members the family and district might anticipate would form the IEP team (at a minimum, the required IEP TEAM members) remember IDEA does not require a meeting:
  - review existing evaluation data on the student and
  - identify what additional data is needed, if any, to determine all of the following:

# REED

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- Whether the student is or continues to be a student with a disability.
- The present levels of academic and functional performance and related developmental needs of the student.
- Whether the student needs or continues to need special education and related services.
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet the annual goals and to participate, as appropriate, in the general curriculum.

# REED

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- Do you have available data sufficient to answer questions related to the four reasons (previous slide) :
- Yes No additional data is needed the school must provide notice of the decision, and procedural safeguards to the parents.
- No additional data is needed the school must provide notice of the proposed actions and procedural safeguards and obtain parent consent before any evaluation can begin.



# REED

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- Types of current existing data
  - Evaluations and information provided by the parent.
  - Current classroom based , district, state assessments and classroom based observations.
  - Observations by teachers and related service providers.
  - Data needs to be current, MDE has consistently determined current to mean within the past 12 months.

# IEP

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- An IEP is an offer from the district/school to the family and student of a FAPE.
- The IEP is a process and the IEP form is just the written documentation of the process.

# PLAAFP- Heart of the IEP Process

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- Strengths of the student- Focus on academic and functional performance strengths Include information that will assist in instruction, interest areas and learning modalities. Some performance areas will not require specialized instruction.
- Concerns of the parent- Look at functional and academic areas, accessing and progressing in general education the curriculum and any other educationally relevant concerns. If not addressed in the IEP they should be included in the Notice under options considered and not selected.

# PLAAFP

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- Results of most recent evaluations- Academic: Grades, NWEA MAPS, M-step, vocational evaluations. Functional: current physical condition, medical reports, medication, allergies, positioning, hearing and vision deficits.
  - **Include any data the IEP team will be using to make decisions about the provision of FAPE.**
- Special Factors: IEP Team must consider the following two areas at every IEP:
  - The communication needs of the student.
  - The need for assistive technology and services.
  - If there is a need document the data and ensure it is included in the PLAAFP statement.

# PLAAFP

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- Area of need the IEP team must consider if appropriate:
  - Does the students behavior interfere with his/her own learning or the learning of others.
  - If the student has limited English proficiency.
  - If the student is blind or visually impaired, the team must consider the need for braille instruction.
  - If the student is deaf or hard of hearing, the team must consider the mode of communication and language.

# PLAAFP

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- Narrative three requirements: the baseline data determines an area of need the following three areas need to be addressed in the PLAAFP:
  - Baseline data- where is the child functioning today in that area of need.
  - How does this deficit impact the student in progressing and participating in the general education setting and curriculum.
  - Identify the resulting need-supplemental aide or service, specialized instruction related service or program.

# Goals and Objectives

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- Goals:
  - Meet the needs identified in the PLAAFP that are a result of the student's disability.
  - Reasonably attainable in 365 days.
  - Emphasizes skills that will allow the student to be involved in the general education curriculum.
  - Are measurable
    - Have an end date, what behavior the child will be able to demonstrate, What conditions need to be present to allow the student to demonstrate the target behavior, the degree to the level or degree to which the child will perform the target behavior.
    - **Use the MDE formula – by...student will...to a criteria...as measured by...**

# Goals and Objectives

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- Objectives:
  - Are steps that fall between the current level of performance (PLAAFP) and the goal.
  - They must contain the performance criteria (level and conditions), evaluation procedure and evaluation schedule.
- How progress will be assessed or documented.
- **When progress will be reported**



# Supplemental Aides and Services

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- Examples of support-
- Require to delineate
  - The support
  - Time/frequency/condition
  - Location

# Supplemental Aides and Services

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- Process how documentation will occur when determining the aide and/or service.
- Who is responsible for documenting?

# Related Services

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- Related to the students goal and/or need.
- Require the rule number, specific amount of time and frequency, location and duration.
  - Ranges
- Who is responsible for provision of related services.

# Programs

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- Program choices- needs to be the full continuum of services:
  - Rule number- **1832e**
  - Departmentalized
  - Amount of time and frequency- ranges
  - Location
  - Duration

# Written Notice

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- Notice is written information given to the parent by the school that explains the action or actions the school wants to take, or is refusing to take. Notice must include the following:
  - A description of the action proposed by the school.
  - An explanation as to why the district proposes or refuses to take action.
  - A description of each evaluation procedure, assessment, record or report the district used as a basis for the proposed or refused action.
- Oakland ISD guidance document

# Written Notice

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- A statement that the parent/student has protection under the procedural safeguards and how they can access a copy of their procedural safeguards.
- Sources for the parent/student to obtain assistance in understanding their rights.
- A description of other options considered by the IEP team and the reasons why they were rejected.
- Any other factors relevant to the district's proposal or refusal.

# Written Notice

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- Examples
- Evaluation
  - Prior to requesting consent.
  - When a school says no relevant to the IEP process.
  - Written request for an evaluation.
  - When no further information is needed to continue eligibility.
- Oakland ISD guidance document

# Written Notice

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- Identification
  - Prior to the identification of a student with a disability.
  - Following a parents refusal of giving consent.
  - Following a request for a change in eligibility.
- Oakland ISD guidance document



# Written Notice

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- Educational decisions
  - Prior to convening the IEP team.
  - Any change to a students placement, graduation or disciplinary action.
  - Any changes to the continuum of programs and services offered by the district.
  - Refusal to provide a particular educational setting or special education program.
- Oakland ISD guidance document

# Written Notice

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- FAPE
  - Any time the contents of the IEP is changed.
  - Following revocation of consent.
  - Following enrollment of a student who was receiving special education consent in another district.
- Oakland ISD guidance document

# Discipline

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- Change of placement
  - The removal is for more than ten consecutive days.
  - The student has been subjected to a series of removals that constitute a pattern.

# Discipline

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- Definition of removal:
  - Removal of a student with a disability from instruction for disciplinary reasons, without the opportunity to continue to progress in the general education curriculum, receive special education services or programs identified in the student's iep, and continue to participate with non-disabled students to the extent they would have in their current placement. Fed. Reg. p. 46715 (2006)

# Discipline

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- Counting days of removal
- Transportation
- In-school suspension
- Cumulative days-patterns of removals
  - 3 factors to consider
    - More than 10 nonconsecutive days.
    - Recurrence of substantially similar behaviors.
    - **Other factors such as:** The length of each removal, total time removed, and the proximity of removals.

# Discipline

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- Steps to determine a change in placement
  - Provide general education protections.
  - Provide procedural safeguards.
  - Count the number of days.
  - Determine if removals result in a pattern of removals.

# Discipline

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- MDR
  - Conduct within 10 school days if a change in placement has occurred:
    - MDR team includes parent and relevant IEP team members.
    - Review all relevant information regarding the student.
    - Determine if the conduct in question was caused by or had a direct and substantial relationship to the child's disability or
    - If the conduct in question was the direct result of the school's failure to implement the IEP as written

<b>If there is a pattern (change of Placement)</b>		<b>If there is no pattern</b>
<b>Is a manifestation</b>	<b>Is not a manifestation</b>	<b>No requirements to hold MDR</b>
<b>Terminate suspension</b>	<b>General discipline procedures</b>	<b>Student receives general education discipline</b>
<b>Initiate an FBA or review an existing bip</b>	<b>Provision of FAPE on the 11<sup>th</sup> day of removal</b>	<b>Provide FAPE on the 11<sup>th</sup> day of removal setting and services determined by school personnel in consultation of at least one of the students teachers</b>
<b>Remedy any deficiencies in the implementation of the current IEP</b>	<b>Setting and services determined by the IEP Team</b>	
<b>Student immediately returns to previous placement or IEP determined placement</b>	<b>Initiate if appropriate an FBA</b>	



# Other

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- Catamaran
- ISD Support
- Center for Charters Support
- General supervision changes
- Data coordination MSDS/special education
- Student Performance on assessments (District NWEA/MAPS, M-step, etc.)

# Other

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- Compensatory services
- The need for written process and procedures
- State complaint support

# Thank You

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- ISD representative
- All of our school staff
- CMU troy facility staff
- Center for charters at CMU staff

# Presentation Resources

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- Oakland ISD guidance documents
- LRP publications
- MDE discipline procedures January 2011

# CONTACT INFO/QUESTIONS

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**Mark Moody**

Special Education Consultant

989-506-5264 | [moody1ma@cmich.edu](mailto:moody1ma@cmich.edu)