

## Part B Compliance: FEBRUARY 2017

# THE TO DO LIST



- The deadline for district test coordinators to submit requests for **ACT-APPROVED ACCOMMODATIONS** for all 11<sup>th</sup> grade students with IEPs is March 10, 2017. The IEP team decision regarding the use of accommodations should be documented on model *Form D - Part 3: ACT Accommodations* for each of these students.
- If your LEA is considering the use of the **SPEECH IMPLEMENTER MODEL** for providing speech and language therapy services to students with IEPs during the 2017-18 school year, please refer to the DESE guidance at <https://dese.mo.gov/special-education/compliance/speech-implementer>. Documentation of advertising for a speech language pathologist and a speech language pathology assistant are required when submitting an application for approval for the use of this model. We would not expect to see applications for the use of this model until closer to the end of the 2016-17 school year in order to allow for LEAs to make a good faith effort to employ a speech language pathologist.
- THE STATE COMPLIANCE PLAN FOR SPECIAL EDUCATION** was presented to the State Board of Education on February 21, 2017. A copy of the final version incorporating the changes as a result of comments can be found at <https://dese.mo.gov/sites/default/files/PartBStatePlan.pdf>. Be watching for updates on the status via SELS messages.
- Mark your calendars for the spring session of the **NEW DIRECTORS ACADEMY** scheduled for Friday, March 4, 2017 immediately following the CEC Conference at Tan Tara Resort. Be sure to register separately through MyLearningPlan.com to ensure you will have a lunch ticket and handouts. Finance, Data and Compliance staff will be providing reminders and updates as well as conducting a live Q&A session.
- It is time to start preparing for the end of year **MAP** testing which will be occurring in April and May of the 2016-17 school year. Be sure to review model *Form D* of each student's IEP for state-wide testing accommodations and compare those selected with the accommodations/modifications shown on model *Form F* that the student has used regularly during the school year. Update as necessary and make plans to follow your district's procedures for coordinating the provision of accommodations/modification with the building-level and district-level test coordinators.
- Requests for **SPECIAL EDUCATION EVALUATIONS** often increase during third and fourth quarters of each school year. Be sure your LEA has procedures and practices in place to accept and process these requests from agency personnel and parents up until the last day of the school year. LEAs cannot have an arbitrary cut-off date for accepting requests for an evaluation; however, it is important to keep in mind that there are acceptable extensions to the first 30 and 60 days in the evaluation timeline including school holidays and summer vacation.
- A consultation meeting must be held at least annually with representatives and parents of private, parochial, and homeschool students within each LEA's boundaries to determine a plan for providing services through **PROPORTIONATE SHARE FUNDS**. At this consultation meeting, the following issues must be addressed: 1) how child find activities will be implemented, 2) which private/parochial/homeschool children will receive services, 3) what services will be provided, 4) how and where the services will be provided, including time and location of services, and 5) how the services will be evaluated. Helpful guidance and worksheets to assist your LEA to complete this process can be found at <https://dese.mo.gov/financial-admin-services/special-education-finance/part-b-proportionate-share>
- Begin planning for procedures to ensure that all **EXTENDED SCHOOL YEAR (ESY)** decisions are made prior to the end of the regular school year. ESY must be considered for all students at least annually and, if the decision is to determine at a later date, be sure that a data-based decision is actually made prior to the end of the regular school year. Remember that ESY is NOT summer school. Summer school is beneficial to all students while ESY is required to provide FAPE to students with disabilities as determined by their IEP teams.
- POST-SECONDARY GOALS FOR EMPLOYMENT** can be based on the skills the student has or is developing. For example, "I will be employed in business and industry on a production line" or "I will be employed in a business that does packaging of materials" would be appropriate for students working with Pre-Employment Transition Specialists who likely will not work in competitive employment.

Time seems to fly as the school year enters third and fourth quarters. Below are some reminders related to students who graduated last school year or will be graduating at the end of the 2016-17 school year:

**GRADUATE FOLLOW-UP:** Be sure to work with your high school staff to ensure the accurate reporting of the educational/vocational outcomes for your LEA's graduates with IEPs during the February MOSIS reporting cycle. Contact the Special Education Data section at 573-751-7848 if you have any questions or need assistance.

**GRADUATION CODE CHANGES:** Be aware that reporting graduating students during the 2016-17 school year has changed. There are now two codes that can be used for students with IEPs depending upon the route the student takes to graduate. **G01** should be used when the student graduates using the typical route by earning all of the required credits through regular or modified classes aligned with state standards. This means that NO credits were earned by meeting IEP goals. **G03** should be used when the student graduates using an alternate route. This alternate route could be earning some or all required credits through modified classes aligned with alternate state standards. This would generally be limited to those students with the most significant cognitive disabilities. Or the alternate route could be earning some or all required credits by meeting IEP goals. This would generally be limited to those students whose IEP teams have determined that this method of graduation provides FAPE to the individual student. It is very important for LEAs to provide professional development to IEP teams on graduation requirements, the standards based IEPs process, and post-secondary transition in order to ensure quality decisions and appropriate planning for the graduation of students with IEPs. Contact the Special Education Data section at 573-751-8165 if you have questions or need additional information.

**PRIOR WRITTEN NOTICE:** Graduation from secondary school is considered a change of placement because graduation results in the student with a disability no longer being eligible for special education and related services under IDEA. This change is an IEP team decision and requires the parent or eligible student to be provided prior written notice of the proposed graduation. The Notice of Action proposing a change of placement due to graduation must be provided at least ten (10) days prior to the student's graduation from high school. Note that the parent cannot waive the ten (10) days to initiate the action in the case of graduation. See indicator 200.1180 in the Standards & Indicator's Manual for additional information.

**SUMMARY OF PERFORMANCE (SOP):** Graduation from secondary school with a regular diploma requires that the student be provided with summary of the student's academic achievement and functional performance as well as include recommendations on how to assist the student in meeting his or her post-secondary goals. The SOP cannot be provided more than 60 days prior to graduation or more than 30 days after graduating with a regular diploma.

It is important to remember that the LEA must request an **EDUCATIONAL SURROGATE** for any child who is a ward of the state and is living in a facility or group home (and not with a specific person acting as a parent). While valuable information can be obtained from the representatives of the child's living facility, these staff cannot serve as the parent for IEP purposes as they are employed by the facility. It is also important to remember that the Children's Division staff cannot serve as the educational surrogate for any child who is a ward of the state. Refer page 76 in Regulation V of the Missouri State Plan for Special Education for additional guidance and clarifications.

**COHORT 1:** LEAs should be planning for professional development to maintain compliance and improve outcomes for students with disabilities. Also be sure to review procedures and practices within your LEA to increase efficiency and effectiveness in order to support continued compliance at the 100% level.

**COHORT 2:** If your LEA had a follow-up timeline submission, these are due in IMACS no later than March 20, 2017. There is only one LEA with outstanding I-CAPs at this time; all other LEAs have successfully corrected the individual noncompliance identified during the self-assessment and desk review! Cohort 2 LEAs should be working on providing documentation to show that systemic compliance has been achieved no later than April 1, 2017.

**COHORT 3:** All Self-assessment file reviews have been submitted into IMACS at this time. Compliance Supervisors will be sending an email requesting a random sample of files for a more thorough desk review around 3/1/17. The requested documentation is due in IMACS no later than 4/1/17. Remember that the initial evaluation timelines and the C to B Transition timelines are both due in IMACS no later than May 15, 2017.

Be sure to contact your compliance team of DESE Compliance Supervisors and RPDC Compliance Consultants for support or if you have any questions.