

Part B Compliance:
NOVEMBER 2016

THE TO DO LIST



- Make plans to gather and verify the data needed to complete the **DECEMBER 1 CHILD COUNT**.
- THE STATE COMPLIANCE PLAN FOR SPECIAL EDUCATION** will be revised again during the 2016-17 school year to reflect updates in the Every Student Succeeds Act (ESSA), provide clarification on a number of issues, and make substantive changes based on research and OSEP guidance. Proposed changes will be posted on the DESE website on November 14, 2016 in both a summary chart and a mark-up of the proposed plan. Two webinars are scheduled for November 29 and December 13, 2016 in order to review the proposed changes and gather public comment. Public comment can also be made in writing directly to DESE no later than January 13, 2017. Be watching SELS messages for the links and more specific information.
- If your LEA will have any **STUDENTS WITH DISABILITIES GRADUATING AT THE END OF THE FIRST SEMESTER**, be aware that the requirement for reporting graduation data is changing for the 2016-17 school year. In the past, DESE collected data on only the total number of students with disabilities who graduated. However, beginning this year, the number of students with disabilities who graduate with a regular high school diploma aligned with graduation credits will be reported separately from the number of students with disabilities who graduate with a regular high school diploma based on IEP goals or alternate standards. This change is a result of section 8101(3) of the Every Student Succeeds Act (ESSA). Be watching for SELS messages on this new requirement.
- Interest in facilitating IEP meetings continues to increase in Missouri both at the formal and informal levels. Formally, there have been six **FACILITATED IEP (FIEP)** meetings provided by trained contracted neutral facilitators working with LEAs and parents through the DESE FIEP program. There have also been trainings offered through the RPDC and LASE groups which focus on teaching the communication and organizational skills needed by LEA staff to informally facilitate their own IEP team meetings. Either formal or informal, the effective communication skills and efficient organizational strategies used in IEP meeting facilitation are win-win for all parties. We will be monitoring child complaint data to gauge the positive impact on students, parents, and LEAs.
- Overall, the number of **CHILD COMPLAINT** allegations received at DESE has decreased as compared to trend data from the previous four years. However, we continue to see common issues in the allegations and want to bring these to the forefront so LEAs can be proactive in examining their procedures and practices in regards to these issues:
 - Failure to implement the IEP as written (services and accommodations)
 - Failure to hire appropriately certificated or licensed personnel
 - Failure to respond to parent requests by providing appropriate prior written notice
 - Failure to follow appropriate disciplinary procedures
 - Failure to share or protect personally identifiable information
 - Failure to appropriately respond to requests for or consider independent educational evaluations
 - Failure to follow appropriate transfer procedures
- Federal laws requires collaboration and coordination of programs for **CHILDREN WHO ARE HOMELESS OR IN FOSTER CARE** including children with disabilities ages 3-21 who are eligible for special education under Part B of the IDEA. Changes in the ESSA have resulted in updated guidance regarding the McKinney-Vento Act impacting preschool and school age students who are homeless or in foster care. The Office of Quality Schools has posted a webinar on this topic at <https://dese.mo.gov/communications/webinar/essa-mckinney-vento-and-foster-care>

Mark your calendars for the **NEW DIRECTORS ACADEMY WEBINAR** scheduled for January 19, 2017 from 1:00 – 2:00 p.m. Special Education Finance, Data, Compliance, and Effective Practices will be answering burning questions for third quarter issues and activities. Be watching for an email with the link to participate.

It is time to start planning for providing accommodations for students with disabilities during the administration of the **ACT**, a statewide assessments for all 11th grade students. The window for your LEA's test coordinator to request approval of accommodations is November 7, 2016 – March 10, 2017. Remember that Form D, Form F and the student's Present Level should support the need for any requested accommodations. During last year's test administration, only 3% of requested accommodations were denied by ACT. Mark your calendars for this year's paper administration of the ACT on April 19, 2017 with the online administration window between April 19 and May 3, 2017. Additional information is available at <https://dese.mo.gov/college-career-readiness/assessment/act>

If your LEA is using the **SPEECH IMPLEMENTER MODEL** during the current school year, you must have an approved application on file with DESE. Without an approved application, the LEA would be found out of compliance if a parent filed a child complaint in regards to implementation of the IEP and providing appropriate staff to provide special education and related services resulting in the consideration of compensatory services back to the first day of the 2016-17 school year. Also remember that approved private agencies cannot use the speech implementer model. The speech implementer model guidelines makes it clear that only public agencies (LEAs) can request approval to use the speech implementer model to provide services to students as required by the IEP. If a student is placed at an approved private agency, the LEA is still responsible for providing any related services by appropriately licensed related services providers either through the approved private agency personnel, LEA personnel, or other contracted personnel. Contact Sandy Kliethermes at 573-751-0699 if you have questions.

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 should have watched the CAP Tutorial Year webinar and completed their Plans for Correction in IMACS at this point. The assigned Compliance Supervisor will review each plan in relation to the rubric and either approve or not approve. If a plan is not approved, the Compliance Supervisor will contact the Sped Contact to discuss the rationale for the determination and ideas for re-submission. Documentation of individual correction of noncompliance (the I-CAP) for identified students is due no later than December 31, 2016.

COHORT 3 LEAs should have watched the Self-assessment Tutorial Year webinar at this point. The window to conduct the Self-assessment file reviews and enter the data into IMACS is November 1, 2016 until February 1, 2017. Please call if you have questions. And be sure to make a plan to complete this project including the file reviews and the initial evaluation timelines and the C to B Transition timelines.

Have a great **THANKSGIVING HOLIDAY BREAK!** Just remember the weekend of November 26 and 27 counts towards the first 30 day and next 60 day evaluation timeline . . .



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