

*MO-CASE Special Education Administrators  
Conference*



# *Top 10 Indicators Found “Out” of Compliance*

*tips to stay “in” compliance*

September  
2020



# COMPLIANCE



# #1

## 200.180 Eligibility staffing held within required timelines

### TIP:

- Timeline is 60 calendar days from the date of parent consent
- The only acceptable extensions are snow days, agency vacation days, child not available for testing, holidays and summer break
- Weekends don't extend timeline except during winter holiday and summer break
- Make every effort to complete within 60 calendar days regardless of whether there may be just cause to extend the timeline
- Patterns of instruction being used for reopening are not reasons for extending timelines

# #2

**200.800.a Appropriate, measurable postsecondary goals based on age appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills.**

**TIP:**

- IEP includes a postsecondary goal that describes a measurable outcome for **each** required transition planning domain area:
  - ❑ Employment
  - ❑ Education/Training
  - ❑ Independent Living (when appropriate)
- Goal describes an observable outcome, not a process
- Outcome will be obtained *AFTER* high school graduation

# #3

**200.810.e Goals are present for each special education and related service (N/A for transportation as a related service).**

**TIP:**

- Must have at least one goal to address each service
- NOT required to be 1:1 correspondence – one goal can address multiple services or one service can have multiple goals
- An unfamiliar reviewer should be able to tell which services are addressed through which goals – its okay to list the service(s) following the goal to make clear to anyone implementing the IEP

# #4

**200.210.b The evaluation information draws upon information from a variety of sources and is sufficiently comprehensive to identify all of the child's special education and related service's needs.**

**TIP:**

- Provide a description of evaluation results from a variety of sources
- Description includes details that inform the eligibility decision
- Information from all evaluation components should be summarized with no single assessment score used in isolation for decision-making
- Description includes consideration of aptitude and achievement tests, parent input, teacher recommendations, the child's physical condition, social or cultural background, and adaptive behavior, as appropriate to the disability
- Describes the need for special education services

# #5

**200.790.a No later than the child's 17<sup>th</sup> birthday, the IEP includes a statement that the child has been informed of their rights under IDEA that will transfer to the child upon her/his 18<sup>th</sup> birthday.**

## TIP:

- IEP includes the month/day/year of notification on special considerations page. Keep original date of provision in IEP.
- Maintain documentation of the notification in the student record
- Date provided must be prior to child's 17<sup>th</sup> birthday
- Note that this is not the same as the notification letter of the transfer of rights to the child and parents upon the child's 18<sup>th</sup> birthday as specified in 100.410, this date not maintained in IEP



## #6

200.220.a Documentation of the required observation conducted during the evaluation process includes all required components as addressed in the eligibility criteria for Autism, Emotional Disturbance, and Specific Learning Disability

TIP:

**Autism** – across multiple environments

**Emotional Disturbance** – in different environments

**SLD** – in the areas of difficulty, in regular classroom, relevant behavior related to the subcategory of SLD, must contain name and title of observer



## #7 (tie)

200.800.f. Transition services include the course of study needed to assist the child in reaching their postsecondary goals.

200.800.f.(1) The course of study listed align with the student's identified postsecondary goal(s).

200.800.f.(2) The course of study is a multi-year description of coursework from the student's current grade to anticipated exit year that is designed to help achieve the student's desired post-school goal(s).

### TIP:

- Make sure the course of study includes coursework the student will need to meet postsecondary goals
- Make sure the course of study includes coursework for the current year through the final year the student is expected to attend high school



## # 7 (tie)

200.810.a. The IEP includes goals that demonstrate consistency with the content of the present level of performance.

### TIP:

- Make sure the goal's level of attainment reflects changes in current functioning since previous IEP
- Make sure goals are present for each identified area of need in the present levels



## #8

200.250.a. Each item is addressed as outlined for a categorical eligibility with appropriate documentation to confirm the presence of a disability and need for special education and related services.

**TIP:**

Meet requirements for each indicator that applies for initial evaluations for the categorical disability for which the child is found eligible

# #9

**200.810 b Statement of measurable annual goals, including academic and functional goals written in terms that are: specific to a skill or behavior; measurable; attainable; results oriented; time bound**

**TIP:**

- Specific – not so broad or general that the goal is difficult to measure
- Measurable – progress is observable and the level of proficiency is stated
- Attainable – it is reasonable to expect the student will make sufficient progress to reach the goal within the IEP implementation period
- Results Oriented – the skill or behavior is educationally relevant
- Time Bound – includes statement of when goal (and benchmarks, if applicable) is expected to be met



**Questions?**

**Please contact Office of Special Education, Compliance**

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