



# SUPPORTING SCHOOLS AND STUDENTS TO ACHIEVE

SHERRI YBARRA, SUPERINTENDENT OF PUBLIC INSTRUCTION



# **Special Education Directors Webinar**

## **June 23, 2016**



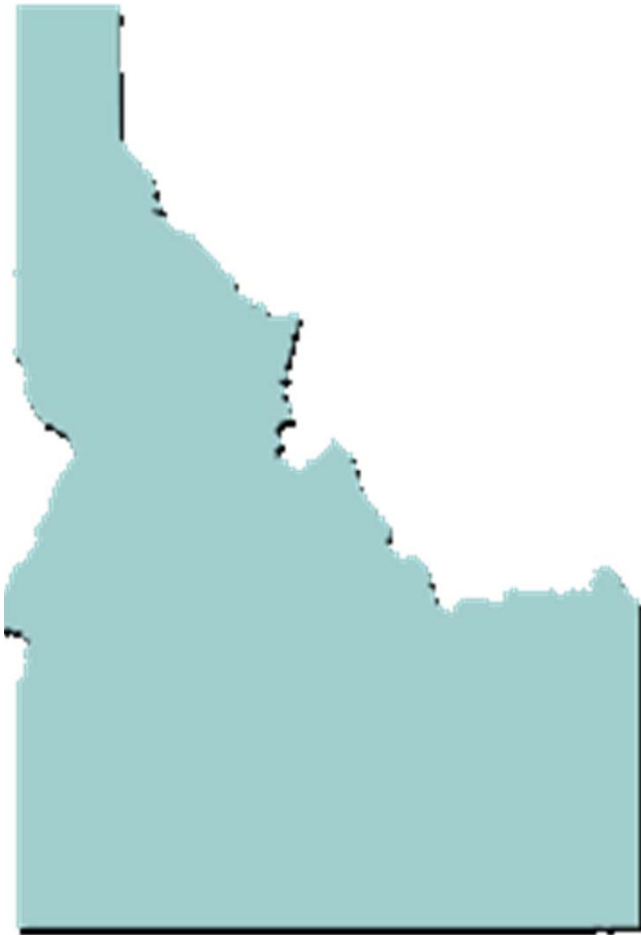
**Special Education Team, Idaho State Dept. of Education**



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# WEBINAR OVERVIEW



- **Personnel Updates**
- **IEP Forms**
- **SLD Update**
- **2016 Special Education Manual**
- **Procedural Safeguards Notice booklet update**

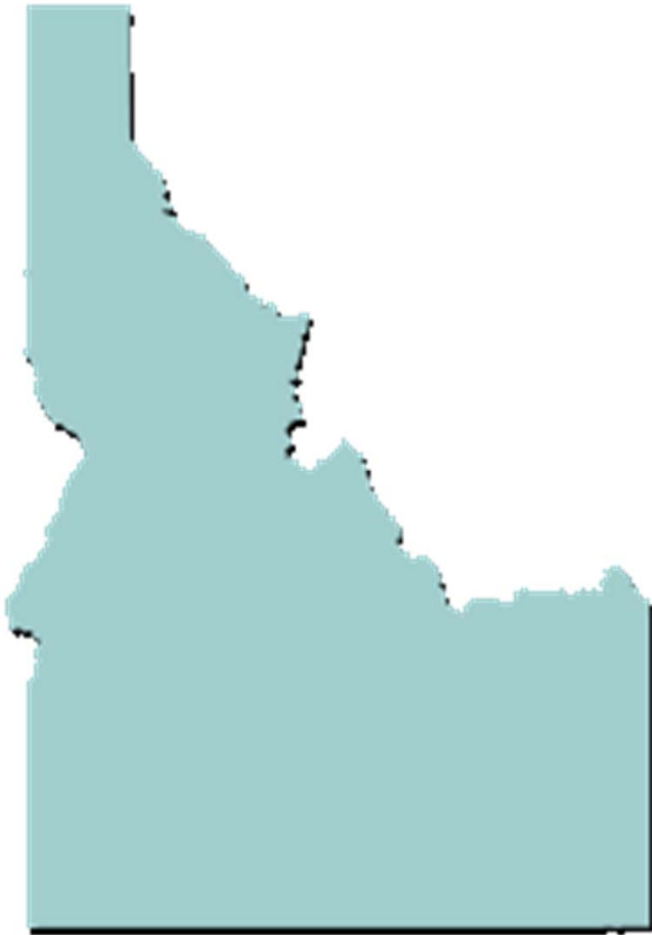


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# WEBINAR OVERVIEW - cont.



- **Special Education Reports posting**
- **Monitoring update**
- **2016 Assessment Recap, 2017 Alternate Assessment Plan and 1% Rule**
- **Dispute Resolution Hot Topics**
- **General Updates**



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# Personnel Update

## Kendrick Lester



***Secondary Special Education Coordinator***

***(208) 332-6918***

***[KLester@sde.idaho.gov](mailto:KLester@sde.idaho.gov)***



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# New Writable PDF State IEP Forms

Document Date:  **Individual Education Program (IEP)** Page 1 of 11

This IEP is an: ☐ Initial ☐ Annual Review ☐ Amended Projected Triennial Re-evaluation Date:

Student Name:  District ID:  State ID:  Grade:  Sex:

Native Lang:  Ethnicity:  Birthdate:  Age:

District:  School:  Phone:

## CONTACT INFORMATION

Parent/Guardian Name:	<input type="text"/>	Primary Phone Number:	<input type="text"/>
Mailing Address:	<input type="text"/>	Secondary Phone Number:	<input type="text"/>
Native Language:	<input type="text"/>	Email Address:	<input type="text"/>
Parent/Guardian Name:	<input type="text"/>	Primary Phone Number:	<input type="text"/>
Mailing Address:	<input type="text"/>	Secondary Phone Number:	<input type="text"/>
Native Language:	<input type="text"/>	Email Address:	<input type="text"/>
Case Manager Name:	<input type="text"/>	Direct Contact Number:	<input type="text"/>
Email Address:	<input type="text"/>		



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# SLD Update

- **Work group reviewed the comments submitted.**
- **Work group has made recommendations for consideration.**
- **Goal – August Regional Trainings.**



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**NEW**

**2016  
SPECIAL EDUCATION  
MANUAL**





**NEW**

# 2016 Special Education Manual

www.sde.idaho.gov/sped/sped-manual/

## Special Education Manual

The Special Education Manual was developed by the Idaho State Department of Education (SDE) to be offered to Local Education Agencies (LEA) for adoption. The manual meets the Individuals with Disabilities Education Act (IDEA) requirements and is consistent with state and federal laws, rules, regulations, and legal requirements.

Files

FAQs

Training

Links

### Resource Files

#### Special Education Manual



2016 Special Education Manual - Updated June 16, 2016



Revision Summary from 2015 to 2016 Manual

#### Special Education Manual Resource Materials

Chapter 1 - Overview



SU  
SHE



## 2016 Special Education Manual

**New Manual Approved by SBOE on June 16, 2016.**

### **Changes:**

- Removing reference to No Child Left Behind (NCLB) due to the passage of the Every Student Succeeds Act (ESSA);
- Removing outdated references to psychosocial rehabilitation (PSR);
- Removed references to Appendices no longer attached to the manual;



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## 2016 Special Education Manual

- Fixing typos throughout document;
- Changing references to highly qualified teacher (HQT) to align with passage of ESSA and removed entire section in Ch. 10 (previously 3B);
- Clarified language regarding school of attendance (See Ch. 6, Section 1B, 3, pg. 114.);

*School of Attendance: A student with a disability shall be educated in the school he or she should attend if not disabled unless the IEP requires some other arrangement. In such case, the child's placement shall be based on the child's IEP and as close to possible to the child's home.*



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## 2016 Special Education Manual

### **IDAPA rule changes incorporated IDAPA**

**08.02.03.109a :**

Clarifying language regarding Idaho's 10-day rule for parental objection to a district's proposal for an Individual Educational Program (See Ch. 5, Section J., pg. 99-100);

- *Parent can still disagree within 10 days and changes proposed cannot be implemented for 15 days or as extended by mutual agreement.*
- *If agreement not reached, changes are implemented unless parent files due process hearing.*
- *Cannot be used to challenge eligibility or identification determination.*



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## 2016 Special Education Manual

### Changes in Dispute Resolution Processes

- Clarifying that audio recordings will be made of Due Process Hearings, with transcripts for hearings available at district expense by parent request (See Ch. 13, Section 5.F.2.h., p. 227);
- Changing the manual to reflect federal guidance about mediation confidentiality agreements as addressed in rule change: IDAPA 08.02.03.109b (See Ch. 13, Section 3A, pg. 214), and replacing the *Mediation Confidentiality Agreement* with a *Notification of Mediation Confidentiality* (see Ch. 13, pg. 240);



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## 2016 Special Education Manual

Added additional resources to the Procedural Safeguards Notice and making the introduction more parent friendly (*see Ch. 11, pg. 191*)

**NOTE:** The change is only a **format change**, and includes a revision of the parent introduction and resources. The 2014 version of the Procedural Safeguards Notice is still valid to use.



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**NEW**

# 2016 Special Education Manual

ide.idaho.gov/sped/sped-manual/

## Special Education Manual

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Files


FAQs

Training

Links

### Resource Files

#### Special Education Manual

 [2016 Special Education Manual](#) Updated June 16, 2016

 [Revision Summary from 2015 to 2016 Manual](#)



#### Special Education Manual Resource Materials

Chapter 1 Overview



**NEW**

# No More Appendices!

The screenshot shows a website interface with a navigation bar at the top containing 'Files', 'FAQs', 'Training', and 'Links'. The 'Files' section is titled 'Resource Files' and contains a 'Special Education Manual' section. Under this section, there are two PDF links: '2016 Special Education Manual - Updated June 16, 2016' and 'Revision Summary from 2015 to 2016 Manual'. Below these is a link for 'Special Education Manual Resource Materials', which is circled in red. This link leads to a list of chapters: 'Chapter 1 - Overview', 'Chapter 2 - Free and Appropriate Public Education', 'Chapter 3 - Child Find', 'Chapter 4 - Evaluation and Eligibility', and 'Chapter 5 - Individualized Education Programs'. Under 'Chapter 3 - Child Find', there are three PDF links: 'Sample Child Find Announcement - Coming Soon', 'Suggestions for Delivering Sensitive Information to Parents - Coming Soon', and 'Three-Tiered Problem Solving Models - Coming Soon'. These three links are grouped by a bracket and circled in red. Callouts explain that the old appendices are now under 'Resource Materials', that the plus sign (+) expands to show resources for each chapter, and that some resources are currently 'under construction' and will be coming soon.

Files | **FAQs** | Training | Links

## Resource Files

### Special Education Manual

- 2016 Special Education Manual - Updated June 16, 2016
- Revision Summary from 2015 to 2016 Manual
- Special Education Manual Resource Materials**

- Chapter 1 - Overview
- Chapter 2 - Free and Appropriate Public Education
- The Rowley Case: What does it really mean?**
- Chapter 3 - Child Find
  - Sample Child Find Announcement - Coming Soon
  - Suggestions for Delivering Sensitive Information to Parents - Coming Soon
  - Three-Tiered Problem Solving Models - Coming Soon
- Chapter 4 - Evaluation and Eligibility
- Chapter 5 - Individualized Education Programs

The old appendices are now under "Resource Materials"

The plus sign (+) expands ... to show the resources for each chapter

Some resources are currently "under construction" and will be coming soon



## 2016 Special Education Manual

### **LEA ACTION REQUIRED!**

Each LEA is required to adopt the current manual and submit assurance their board adopted the new manual as part of the IDEA Part B application. As part of the IDEA Part B application, districts should be able to provide evidence of their board's decision in the form of minutes of the meeting in which the manual was adopted.



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In answer to the question . . .

**Will the SDE send out new copies of  
the Special Education Manual to  
reflect these changes?**

**Regretfully, no.**

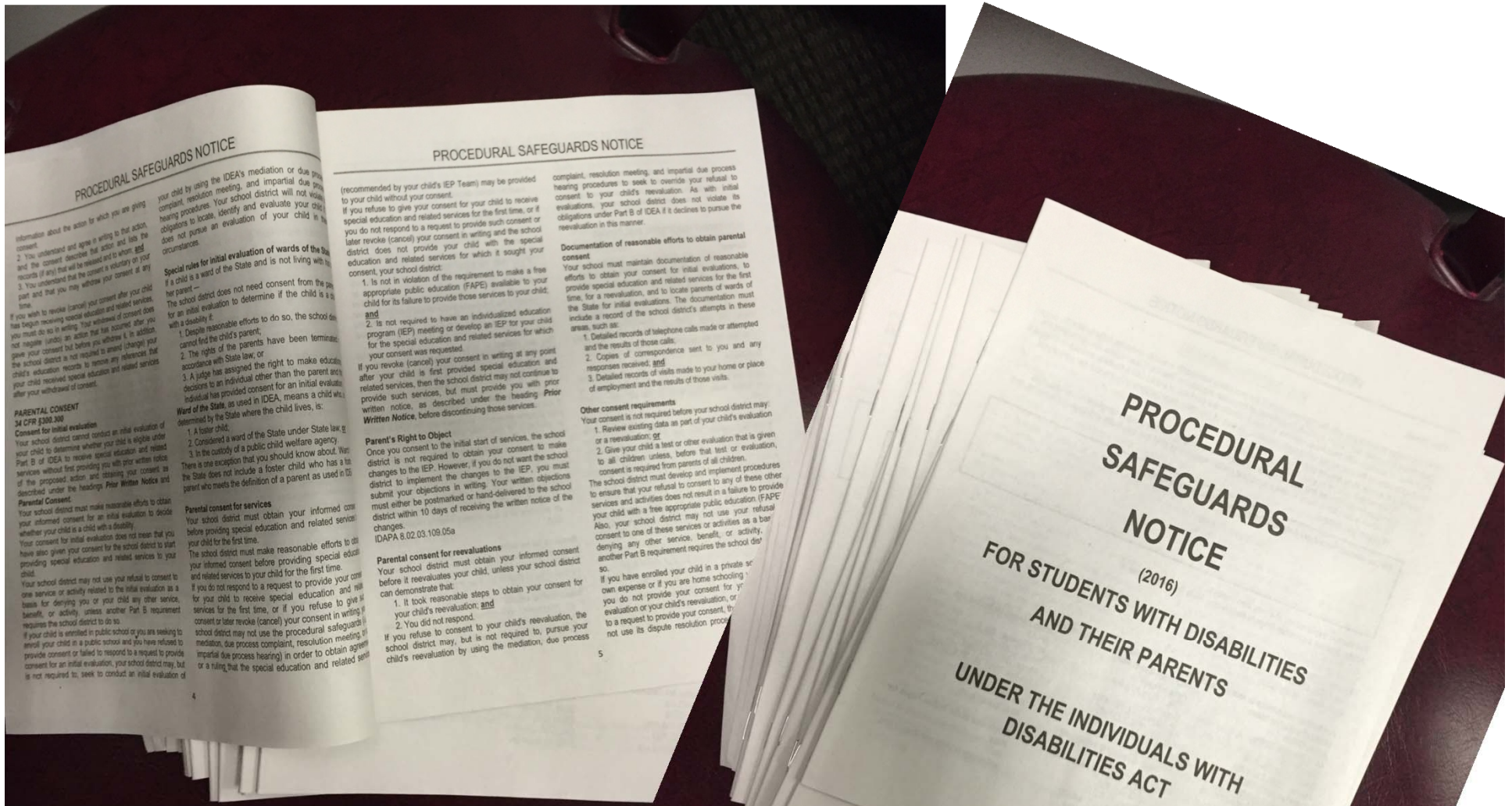


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# Procedural Safeguard Notice Booklets



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# Procedural Safeguard Notice Booklets

**They are Here!**

- **Printed in booklets on newsprint paper, and reformatted for printing, the SDE purchased enough for each district's child count numbers.**
- **The first page only, the parent letter (NOT the actual document), was changed.**
- **The previous PSN is still accurate.**



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# Procedural Safeguard Notice Booklets

## Trial Period

- The SDE covered the cost for this batch only. The SDE can not commit to printing beyond this trial.
- Feedback from districts will be used to explore options for printing the booklets again. A survey will be sent out to directors Spring 2017.
- The newly formatted booklet version is posted on the [website](#) as well.



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# Procedural Safeguard Notice Booklets

## How To Get Them

- Districts receiving 100 or less booklets, will have their booklets mailed to them (93 districts).
- Districts receiving 100 or more will be contacted by their SESTA Instructional Coordinator to arrange delivery.
- Contact your Instructional Coordinator if you have questions.



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# Special Education Reports Posted

- **2014-2015 618 Part B Reports**
- **2014-2015 State Performance Plan or APR Indicators**



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# Special Education Reports Posted

- **What is a 618 Part B report?**
- **Where does the data come from?**



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# Special Education

## Announcements: Public Comment and Conference

- **Specific Learning Disability (SLD) Forms and Guidance**

Under the direction of the SDE's Special Education Department and the Idaho School Psychologist Association, SLD forms, reports, and guidance were recently drafted by a collaborative task force.

*For more information on submitting public comment, please review the [Special Education Forms webpage](#).*

- **Be a Reading Hero Conference**

A conference to improve outcomes for students with disabilities.

*To learn more, view the [Training tab on the Results Driven Accountability \(RDA\)](#).*



To enable all students to achieve high academic standards and quality of life, the Special Education Team works collaboratively with districts, agencies, and parents to ensure students receive quality, meaningful, and needed services. Below are subject areas to help assist you with services you need.

[Early Childhood Outcome Portal](#) | ➔

[Special Education Senior Exit Survey](#) | ➔

## DEPARTMENT AREAS

Dispute Resolution

Funding & Fiscal  
Accountability

Program Monitoring

Public Reporting

Results Driven Accountability  
(RDA)

Special Education Advisory  
Panel (SEAP)

## Special Education »

- > [Dispute Resolution](#)
- > [Funding & Fiscal Accountability](#)
- > [Program Monitoring](#)
- > [Public Reporting](#)
- > [Results Driven Accountability \(RDA\)](#)
- > [Special Education Advisory Panel \(SEAP\)](#)
- > [Special Education Forms](#)
- > [Special Education Manual](#)

## Archives »

## Contact Details

▲ **Main Line**  
☎ (208) 332-6800

👤 **Staff »**

👤 **Special Education Directors**

## Partnerships



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# Public Reporting

The Individuals with Disabilities Education Act (IDEA) and Section 618 requires states to make available data focused on programs serving children ages 3 through 21 (Part B). The state and school districts will be able to apply the higher quality data they generate to improve outcomes for all youth with disabilities served under IDEA.

[Secure Server for Data Verification/Monitoring](#) | ➔

Files	FAQs	Training	Links
<b>Resource Files</b>			
General Information			+
2014-2015 618 Part B Reports			+
2014-2015 State Performance Plan			+
Child Count			+
Indicator 8 and 14 Survey Data			+
SDE Interagency Agreements			+

## Special Education »

- > [Dispute Resolution](#)
  - > [Funding & Fiscal Accountability](#)
  - > [Program Monitoring](#)
  - > **Public Reporting**
  - Archives
- 
- > [Results Driven Accountability \(RDA\)](#)
  - > [Special Education Advisory Panel \(SEAP\)](#)
  - > [Special Education Forms](#)
  - > [Special Education Manual](#)

## Archives »

## Contact Details

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## Staff »











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# 618 Part B Reports

## Resource Files

General Information	+
2014-2015 618 Part B Reports	-
<ul style="list-style-type: none"><li> Assessment</li><li> Child Count</li><li> Discipline</li><li> Dispute Resolution</li><li> Educational Environment</li><li> Exiting Data</li><li> MOE Reduction and CEIS</li><li> Personnel</li></ul>	



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# Assessment

## REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

Reporting Year: 2014-2015

### SECTION A. ENROLLMENT DATA FOR THE MATH ASSESSMENT

GRADE LEVEL	STUDENTS WITH IEPs (1)	ALL STUDENTS (2)
3	2272	22644
4	2259	22491
5	2160	22086
6	1999	21753
7	1905	21707
8	1922	21653



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# Special Education Reports Posted

- **What is the State Performance Plan?**
- **Where does the data come from?**














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# State Performance Plan

## Resource Files

General Information	+
2014-2015 618 Part B Reports	+
2014-2015 State Performance Plan	-
 State Performance Plan/Annual Performance Report	
 Indicator 1: Graduation Rate	
 Indicator 2: Drop Out	
 Indicator 3B: English Language Arts Participation	
 Indicator 3B: Math Participation	
 Indicator 3C: English Language Arts Proficiency	
 Indicator 3C: Math Proficiency	
 Indicator 4A and 4B: Suspension/Expulsion	
 Indicator 5: Education Environments	
 Indicator 6: Preschool Environments	
 Indicator 7: School Safety	



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# Indicator 1: Graduation Rate

## Graduation Rate Percentage for FFY 2013

District ID	District Name	Percentage graduating in allowable time	State	Met State
			Graduation Target Percentage	
001	Boise Independent District	60.94%	90.00%	No
002	Joint School District #2	56.16%	90.00%	No
003	Kuna Joint District	56.52%	90.00%	No
011	Meadows Valley District	50.00%	90.00%	No
013	Council District	100.00%	90.00%	Yes
021	Marsh Valley Joint District	75.00%	90.00%	No
025	Pocatello District	76.33%	90.00%	No
033	Bear Lake County District	83.33%	90.00%	No
041	St Maries Joint District	80.00%	90.00%	No
044	Plummer-Worley Joint District	66.67%	90.00%	No
052	Snake River District	88.89%	90.00%	No



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# ISEE Roadshow

## ISEE Roadshows

- **Region 3 - August 1<sup>st</sup>**
- **Regions 5 & 6 - August 4<sup>th</sup>**
- **Region 4 - August 5<sup>th</sup>**
- **Region 2 - August 10<sup>th</sup>**
- **Region 1 - August 11<sup>th</sup>**
- **Three Special Education presentations in each region.**



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# ISEE Roadshow cont.

- ISEE Roadshow Agenda:  
<http://www.sde.idaho.gov/tech-services/isee/roadshow/files/agenda/2016-ISEE-Roadshow-Agenda-Workshop-Descriptions.pdf>



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# Annual LEA Determinations

- **Letters mailed to Superintendents after June 23<sup>rd</sup>.**
- **Emails sent to Superintendents and Special Education Directors on June 23<sup>rd</sup>.**



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# General Supervision File Review 2015-2016

- Each district selected 2 files
- The GSFR checklist was updated and included training videos.
- Districts were given the opportunity to work with SESTA to resolve items.
- June 30, 2016 is the last day to fix items.
  - Letters of compliance or non-compliance will be mailed out the week of July 4, 2016



# General Supervision File Review 2015-2016

## Issues Identified

- **PLOPs and Goals**
  - **Is the PLOP measurable and does the goal measure the same item?**
- **LRE**
  - **Does the LRE code reflect the time in the service grid?**



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# General Supervision File Review 2015-2016

**2016-2017**

- **SDE will provide universal training.**
- **Some districts will be provided with target training.**
- **We are redesigning the monitoring system to include results.**



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- **2016 Alternate Assessment Scores in ELA/Math will be mailed to districts and should be received by August 12th.**
- **ISAT Alternate Science Assessment results will be available August 12th.**
- **2016 Assessment Participation Appeals window scheduled to open August 1, 2016.**

**2016 Assessment Recap**



- **All testing in the 2017 administration will be done on one platform – The AIR system (Idaho Portal) with a couple of exceptions!**
- **ID-NCSC will return to an online administration.**
  - **Paper/Pencil form available as an accommodation.**
  - **Student Response Check on the ID-NCSC will be incorporated into the Science Alternate Portfolio system.**

2017 Assessment Update



- **We will provide preliminary identification from your October 2016 ISEE Submission (Student demographic file).**
- **1% Cap under ESSA**
  - **We are still reviewing the proposed rules and will have more guidance when you return in the fall!**







# GRADUATION!



**HOT** Topics in  
Dispute Resolution



# Graduation Issues

## Confusing Wording under IDAPA

08.02.03.109.07

- Districts shall use a **regular diploma** for students who are eligible for special education at the end of their **secondary program**.
- If a student is not granted a regular high school diploma or if a regular high school diploma is granted for completing requirements that are **not comparable to regular graduation requirements**, a student who is eligible for special education is entitled to FAPE until the semester he or she turns 21 or until the student completes requirements comparable to regular graduation requirements, whichever comes first.



# Let's Unpack Some Terms

- **Regular Diploma** IDAPA 08.02.03.104, 105, 106

29 credits of core instruction, 17 electives = 46 credits min.

*Language Arts (English – 8 cr., Speech – 1 cr.) = 9 cr.; Mathematics = 6 cr.; Science 6 cr.; Social Studies = 5 cr., Humanities = 2 cr.; Health = 1 cr.; Electives = 17 cr.; Senior Project; Proficient or Advanced on ISAT*

- **Secondary Program**

Unfortunately, not defined in code. Generally understood to mean upon receiving a regular high school diploma or upon completion of IEP requirements for graduation.

- **Not Comparable**

Were the requirements **modified or differentiated** (IDAPA language), as opposed to accommodated? A good test would be to ask if a change in the requirements would be made for a non-special education student.



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## A Problem We've Seen

- District A awards a high school diploma to a student who is still eligible for services.
- The student moves to District B and is denied services because the student has “graduated.”
- District B would likely be found out of compliance for denying FAPE to the student.
- **How would they know the student is still eligible if the student has a diploma?**



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# Non-Compliant Actions

- A district requires students to graduate with a regular high school diploma before allowed to start the “18-21 year old program.” IDEA has no such requirement for the continuation of FAPE.
- A district exits all students from special education upon going through the graduation ceremony and getting a diploma, and then lets students who need services come back to their district for FAPE.



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# Recommendations

**Only exit students from special education services when:**

- A student meet the requirements for a regular high school diploma (state and district standards); or
- A student completes the semester in which they turn 21; or
- A student meets IEP goals as determined by IEP team\*; or
- A student no longer qualifies for special education.

*\*A student may still qualify for FAPE under this option.*



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# Recommendations

## Issue a “regular high school diploma” when:

- A student completes the requirements for a regular high school diploma (state and district standards); or
- A student completes the goals on the IEP following completion of high school\*<sup>\*</sup>; or
- A student ages out the semester the student turns 21.

*\*A student may still qualify for FAPE under this option.*



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# Certified SPED and Related Services Hard to Fill Positions – Mini Grant Application Results

## 56 Applications Received

- Nearly \$700k Total Dollars Requested

34 applicants shared the \$198k total grant award

- 22 of those received partial awards
- 12 received full amount requested

3 Independent scorers reviewed and scored all the applications and the scores were tabulated to determine award results.

- The rubric and the award results are posted at:

<http://www.sde.idaho.gov/topics/grant-opportunities/index.html#sped>

For those who were awarded this mini grant funding, the reimbursement form is located on our website: <http://www.sde.idaho.gov/sped/funding/> under the heading “*Funding Forms*” and /or can be accessed at the above grant opportunities link.

- Email the completed Mini Grant Reimbursement Request forms to Wendy Lee at [wlee@sde.idaho.gov](mailto:wlee@sde.idaho.gov)



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## IDEA Part B and Preschool Application

- The 2016-17 IDEA Part B and Preschool Application will be open July 1st.
- Watch for an email announcing this and identifying what the new changes are.
- Training on how to complete the application and on any new enhancements will be scheduled and announced at a later date.

***Reminder: Applications for IDEA Part B and Preschool funding need to be completed and submitted no later than October 15, 2016.***



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# Updates from OSEP



## Persistent Disparities Found Through Comprehensive Civil Rights Survey Underscore Need for Continued Focus on Equity, King Says

*Gaps Exist in Discipline, Rigorous Courses—All Seen in Data Available Online for Download for First Time*

The U.S. Department of Education's [Office for Civil Rights](#) (OCR) today unveiled [new data](#) from the 2013–2014 school year showing gaps that still remain too wide in key areas affecting educational equity and opportunity for students, including incidents of discipline, restraint and seclusion, access to courses and programs that lead to college and career readiness, teacher equity, rates of retention, and access to early learning.

U.S. Secretary of Education John B. King Jr. said that, despite significant work from districts across the country, the persistent disparities shown in the [new Civil Rights Data Collection](#)—which collected data from all public schools and school districts nationwide for the 2013–14 school year—highlight the need for a continued focus on educational equity, especially in the implementation of the new *Every Student Succeeds Act*.

The CRDC, which collected student absenteeism rates for the first time, revealed that 6.5 million students—13 percent of all students—were chronically absent from schools in 2013–14.

While student discipline occurs in high numbers and disparities remain significant, the 2013–14 CRDC reveals that out-of-school suspensions decreased by nearly 20 percent since 2011–12, as more schools find alternative ways of addressing non-violent student behavior. But this progress is not occurring for all groups of students; the data show, that, in general, students of color, English learners, and students with disabilities are, on average, disciplined more often than their classmates.

"The CRDC data are more than numbers and charts—they illustrate in powerful and troubling ways disparities in opportunities and experiences that different groups of students have in our schools," said King. "The Obama Administration has always stressed how data can empower parents, educators and policy makers to make informed decisions about how to better serve students. The stories the CRDC data tell us create the imperative for a continued call to action to do better and close achievement and opportunity gaps. This is one of the reasons I am excited by the opportunity offered by the new *Every Student Succeeds Act*. It makes clear the obligation our schools and states have to ensure that all students have access to an excellent education that prepares them to succeed in college and careers. It also makes clear that ESSA's Title I funds are to be used to provide the additional support needed to make that happen."



NEW RELEASE FOR 2016

2013-2014 CIVIL RIGHTS DATA COLLECTION

## A FIRST LOOK

KEY DATA HIGHLIGHTS ON EQUITY AND OPPORTUNITY GAPS IN OUR NATION'S PUBLIC SCHOOLS

The 2013-14 Civil Rights Data Collection (CRDC) is a survey of all public schools and school districts in the United States. The CRDC measures student access to courses, programs, instructional and other staff, and resources – as well as school climate factors, such as student discipline and bullying and harassment – that impact education equity and opportunity for students. The U.S. Department of Education (ED) will release additional data highlights later in 2016 on key topics such as student discipline, early learning access, teacher and staffing equity, access to courses and programs that foster college and career readiness, and chronic student absenteeism. The full CRDC data file may be downloaded now; please visit [crdc.ed.gov](#) for more information. In Fall 2016, the public will be able to look up 2013-14 CRDC data for individual schools, school districts, and states by visiting the CRDC website at [ocrdata.ed.gov](#).

### Who's in the 2013-14 CRDC?

Number of school districts: 16,758 (99.2% of all school districts)  
Number of schools: 95,507 (99.5% of all public schools)  
Total number of students: 50,035,744

#### Nationwide Student Demographics:

Race/Ethnicity:



Boys: 51.4% Girls: 48.6%

English Learners: 9.9%

Students with Disabilities: 14.0%  
(includes students receiving services under IDEA and/or Section 504 of the Rehabilitation Act)

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#### Newly Published Data

In this document, data highlights marked as **NEW** indicate that the CRDC collected new information on the topic for the first time in the 2013-14 CRDC.

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## On the Horizon

- Training calendar on the Idaho Training Clearinghouse.
- Additional supports through:
  - SESTA/BSU
  - SESTA/CDHD
- New & Experienced Federal Program Directors Meeting – September 21 & 22, 2016.



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