

ESE COMPLIANCE 2014-15



2014-15

**Miami-Dade County Public Schools
Office of Special Education and Student Support**

**Ms. Ava Goldman, Administrative Director
Ms. Liliana Salazar, District Director**

AGENDA



- ❖ **Welcome/Introductions**
- ❖ **Compliance Updates**
 - ❖ **Communication Plan**
 - ❖ **Service Animals**
 - ❖ **Senate Bill 850**
- ❖ **LEA Responsibilities**
 - ❖ **Role of the LEA**
 - ❖ **IEP Team Participant**
 - ❖ **LEA Signature**
 - ❖ **LEA Guide**
- ❖ **IEP & SPED-EMS**
- ❖ **Matrix of Services**
- ❖ **FLDOE Compliance Self-Assessment**
- ❖ **Section 504**

COMMUNICATION PLAN

(DHH & DUAL Sensory)

March 2014

The Communication Plan (CP) must be used to address:

- the student's language and communication needs
- opportunities for direct communication with peers and professional personnel in the student's language and communication mode
- academic level
- full range of needs, including opportunities for direct instruction in the student's language and communication mode.

- The CP is a required component of the Individual Education Plan (IEP) process for students who have been identified as deaf or hard-of-hearing (DHH) or dual-sensory impaired (DS).
- The CP must be reviewed, and updated with any new information at every IEP meeting.
- A representative from the Deaf and Hard of Hearing Services Department OR a Deaf and Hard of Hearing teacher must be invited and attend these IEP meetings to ensure that the CP is addressed effectively.

SERVICE ANIMALS ON SCHOOL PROPERTY

School Board Policy 8390



Definition

- A service animal is defined as “an animal that is trained to work or perform tasks for an individual with a disability.”
- The tasks performed by a service animal must be directly related to the handler’s disability.
- WB# 16467 - Animals on District Property



Tasks

- assist individuals who are blind or have low vision with navigation and other tasks
- alert individuals who are deaf or hard of hearing to the presence of people or sounds
- provide non-violent protection
- pull a wheelchair
- assist an individual during a seizure
- help persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Required Process

- The IEP, 504, or other designated staff team (SST) must convene as soon as a parent/student with disabilities requests a service animal for the student.
- The team shall determine that the student has a disability and whether the animal is a service animal under the law and its policy.
- The Principal/Designee makes the final determination whether required documentation has been provided and approves or disapproves of the use of the service animal in the school in accordance with Board Policy 8390.
- After final determination, the service animal will be permitted to accompany the disabled student anywhere on the school campus where students are permitted to be.

Required Documentation

- Written determination that the student will be allowed to be accompanied by a service animal in his or her current IEP, Section 504 Plan or documented approval by a school staff team designated by the Principal contained in the student's cumulative file if the student does not have a current IEP or 504 Plan.
- Current satisfactory health certificate or report of examination from a veterinarian for the service animal.
- Level II criminal background check for the handler pursuant to Policy 8475 if the handler is not the student.
- *NOTE: The school shall not, however, require documentation that the animal has been certified, trained or licensed as a service animal.*

Senate Bill 850
July 1, 2014

Overview

CAPE



Career and Professional Education

FCS



Florida College System institutions will establish a collegiate high school program

PLSA



Florida Personal Learning Scholarship Accounts Program

FTC



Florida Tax Credit Scholarship Program

Diploma
Options



- Standard Diploma with Scholar or Merit designation
- Certificate of Completion
- Deferment of receipt of standard diploma

EWS



Middle grades requirements /Early Warning Indicators

Juvenile
Justice



Strengthen accountability and delivery of services

Personal Learning Scholarship Account (PLSA)

- PLSA provides eligible students a scholarship that can be used to purchase approved services or products, such as:
 - Schools
 - Specialized Services
 - Curriculum
 - Instructional Materials
 - Fees for approved assessments
 - College savings account
- Scholarship Eligibility:
 - The student is a resident of Florida
 - The student is eligible to enroll in Kindergarten through 12th grade in a public school in Florida
 - The student has a disability as defined by Section 1002.385(2)(d), Florida Statutes (Autism, Down syndrome, Cerebral palsy, Intellectual disability, Prader-Willi syndrome, Spina bifida, Williams syndrome and for kindergarten, being a high-risk child.
 - Confirmation of regular school attendance as required by the law; this can be accomplished by enrollment in one of the following:
 - A parochial, religious, or denominational school
 - A private school supported in whole or in part by tuition charges or by endowment or gifts
 - A home education program that meets the requirements of chapter 1002
- Scholarship Awarding Procedure:
 - Complete an application provided by a Scholarship Funding Organization (SFO)
 - IEP or Florida Doctor's Diagnosis
 - Parent/Guardian's Florida Driver's License or Current Florida Utility Bill
 - Student's Birth Certificate
 - Prior School Year or Year-to-date report card
 - Once the student is awarded the scholarship, the student cannot attend a public school
- www.floridaschoolschoice.org/information/plsa
- www.sufs.org (Step Up For Students /1-877-735-7837)
- www.aaascholarships.org (AAA Scholarships Foundation /1 - 888-707-2465)
- For further information contact Lacresha T. Blue at (305-995-2734) or ltblue@dadeschools.net

Diploma Options

STANDARD DIPLOMA (SCHOLAR OR MERIT)

- A parent of a student with a disability, in collaboration with the IEP team, must declare by the age of 14 and no later than the first IEP to be in place when the student attains the age of 16 intent to pursue a standard diploma and a **Scholar or Merit designation.**

CERTIFICATE OF COMPLETION

- A student who does not meet the requirements for a standard high school diploma will be awarded a certificate of completion.

Diploma Options for Students with Disabilities

- Authorizes students with disabilities for whom the IEP team determines that the Florida Alternate Assessment (FAA) is the most appropriate way to demonstrate skills to earn a standard high school diploma through a combination of course substitutions, industry certifications, portfolios, and other options.
- Authorizes students with disabilities for whom the IEP team determines that mastery of academic and employment competencies is the most appropriate way to demonstrate skills to earn a standard high school through documented successful employment.
- Provides the opportunity for eligible students with disabilities to defer receipt of their standard high school diploma in order to continue to receive services.
- Repeals the special diploma option effective July 1, 2014.
 - Authorizes students who are currently pursuing the special diploma option to receive a special diploma if all applicable requirements are met.

ROLE OF THE LEA

Special Education in Plain Language

LEA representative What The Law Says

A representative of the local educational agency who is qualified to provide, or supervise the provision of, special education, is knowledgeable about the general education curriculum and is knowledgeable about and authorized by the local educational agency to commit the available resources of the local educational agency. 115.78(1m)(d)

What The Law Means

A principal, special education director, teacher, or anyone who can be sure the services in the IEP are provided to the child. This person must know about the regular education curriculum and the school district's resources. The LEA representative must have the authority to commit resources.

What Needs to Be Done

The school chooses the LEA representative. The LEA representative has the knowledge of, and authority to, commit district resources the child needs.

What Parents Need to Know

Parents should ask who the LEA representative is for the meeting. They should write down the name and title of the LEA representative. The LEA representative may serve more than one role on the IEP team. They must be treated as valued contributing participants and equal partners during the IEP Process.

The LEA is the IEP team participant who is responsible and qualified to:

- make decisions on behalf of the district
- provide or supervise the provision of specially designed instruction for students with disabilities
- knowledgeable about the general curriculum
- be familiar with where the special education and related services can be provided if they are not able to be provided at the home school site
- authorized to commit district resources

The LEA

- The LEA must ensure that IEP decisions are not based on a majority vote.
- If the IEP team cannot reach a consensus, the District is ultimately responsible for ensuring that a student is offered an appropriate education.
- The District must determine what is appropriate services and provide parents with prior written notice of the offer and of the parents' right to seek resolution of any disagreements.
- The LEA, as the IEP team leader, may override the consensus of the rest of the IEP team if necessary to ensure that a student is offered FAPE. Case name: Letter to Richards, 55 IDELR 107 (OSEP 2010).

The LEA

- must attend the IEP meeting in its **ENTIRETY**
- is responsible for **FINALIZING** the SPED-EMS Matrix of Services
- coordinates and monitors any referrals/comments in the Conference Notes Section
- School based LEA must monitor and ensure Status Reports on Goals are completed
 - ***Some Progress*** - team **should** reconvene to review, revise or develop new goal
 - ***Insufficient Progress*** – team **must** reconvene to review, revise or develop new goal

LEA SIGNATURE

- ensures that the program and services specified on the document will be provided within the timeframes delineated on the IEP
- that the document meets compliance with State and Federal regulations.

LEA Guide

- ❖ Introduction: The Role of the LEA
- ❖ The Individual Education Plan (IEP)
 - Scheduling the IEP Meeting
 - The IEP Team Process
 - Components of the IEP
- ❖ Parent Documents and Procedures
- ❖ General Policies and Procedures
- ❖ Appendices

IEP & SPED-EMS

Quality IEP

- Is in compliance with all requirements of federal, state, and district laws and regulations
- Reflects decisions based on active and meaningful involvement of members of the IEP team
- Provides a clear understanding of:
 - Student educational needs and expected outcomes
 - Special education services and supports

IDEA Requirements

- Schools must provide each eligible student with a disability an individualized educational program that:
 - Is designed to meet the **unique** educational needs of the student
 - Addresses academic performance and functional needs
 - Enables the student to be involved and make **progress in the general curriculum**

MTSS Alignment with IEP Components

MTSS

IEP

Step 1. Problem Identification

What's the problem?

Step 2. Problem Analysis

Why is it taking place?

- Present Level of Academic Achievement and Functional Performance

Step 3. Intervention Planning and Implementation

What are we going to do about it?

- Measurable Annual Goals
- Special Education Services and Supports

Step 4. Response to Instruction/Intervention

Is it working?

- IEP Implementation, Review, and Revision

IEP Components

Present Levels of Academic Achievement and Functional Performance



Measurable Annual Goals
Measurable Annual Benchmarks (if applicable)



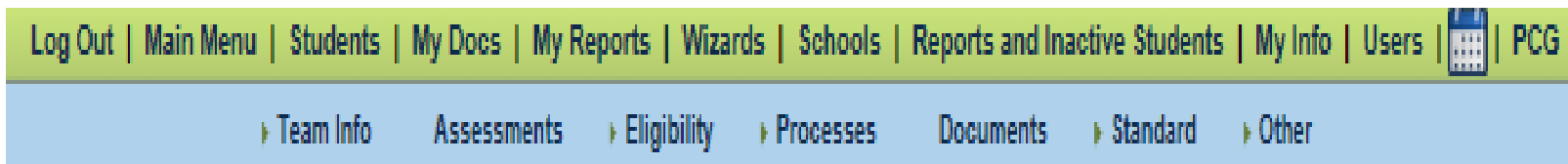
Special Education Services and Supports

In a quality IEP, all components are clearly aligned

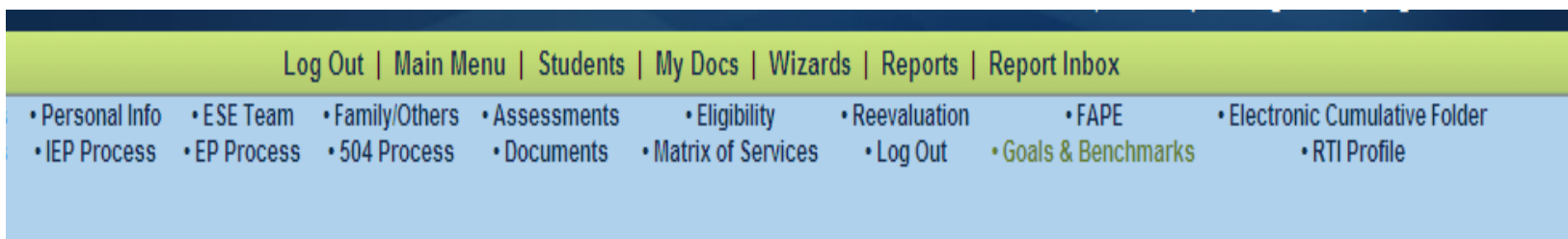
Tree Menu vs Older Menu

- ❖ The new look will affect the way that users access the pages in the system
- ❖ Tree menus streamline the menu process and prevent the need to search for a page within the menu system

NEW MENU



OLD MENU



- ❖ Please note that different user types will see different tree menus based on their level of access and focus within MDCPS.

Tree Menus vs Older Menus

- ❖ The “*Team Info*” menu contains: the ESE Team, Family/Others, and Contacts tabs
- ❖ The “*Eligibility*” tree menu contains: Initial Eligibility, FAPE, and Reevaluation
- ❖ The “*Process*” tree menu contains: IEP, PSSP, 504, and EP processes.
- ❖ The “*Other*” tree menu item contains: RTI Profile for non RtI-specific users, Personal Info, Student History, and the Electronic Cumulative folder.
 - ❖ Student History was previously only available by clicking on the Compliance Symbol
- ❖ The “*RtI*” tree menu contains: Profile, Plan, Measure, Support, Documents, and RTI Plan Management.
 - ❖ This menu item only appears for RtI-specific users

NEW

Log Out | Main Menu | My Docs | My Reports | Wizards | Schools | Reports and Inactive Students | My Info | Users |  | PCG

Team Info Assessments Eligibility Processes Documents Standard Other

EdPlan™ Ed

ESE Team

Family/Others

Contacts

Student: Sebastien Reeval Test

Personal Information

Data

Special Education

Section 504

Attendance

OLD

Log Out | Main Menu | Students | My Docs | My Reports | Wizards | Schools | School System | My Info | Users |  | PCG

- Students
- Personal Info
- ESE Team
- Family/Others
- Assessments
- Goals & Benchmarks
- Contacts
- StandardEligibilityPage
- Eligibility
- IEP Process
- EP Process
- 504 Process
- Matrix of Services
- RTI Profile
- Gifted Eligibility
- Reevaluation
- FAPE
- PSSP Process
- Documents
- Electronic Cumulative Folder

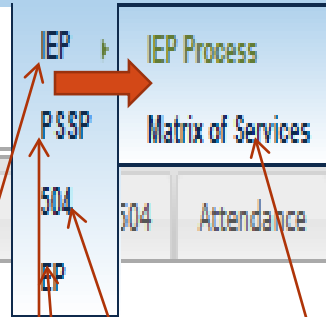
NEW

EdPlan™ EdPlan Profile

Student: Sebastian Reeval Test

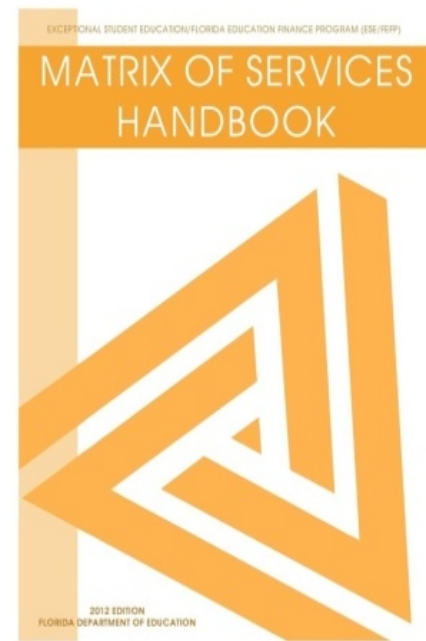
Personal Information | Performance Data | Special Education | 504 | Attendance

Personal Information



OLD

Matrix of Services Handbook 2012 Edition



- **Matrix of Services is completed using information found in the student's IEP.**
- **It must reflect the individualized services and supports which will be provided to each student as documented by the IEP committee.**
- **Schools must ensure that matrices reflect current services.**
- **If services change as a result of an IEP team decision, a new Matrix of Services must be completed.**
- **The Matrix of Services is an official auditable document**
- **The Matrix of Services includes five domains that are intended to cover the special services and supports provided in an educational setting.**

Domain A: Curriculum & Learning Environment

Domain B: Social / Emotional Behavior

Domain C: Independent Functioning

Domain D: Health Care

Domain E: Communication

The total number of points, determined by adding together the scores for each domain and applicable special considerations points, results in a rating of:

FEFP	Cost Factor	Total Domain Rating
111 (PK-3) - 112 (4-8) - 113 (9-12)	251	6-9
111 (PK-3) - 112 (4-8) - 113 (9-12)	252	10-13
111 (PK-3) - 112 (4-8) - 113 (9-12)	253	14-17
254	254	18-21
255	255	22+

Matrix of Services Documentation

The italicized terms are the services found on the Matrix itself. Below each service appears two types of items.



Required documentation -
all prerequisites must be evident
before you can check the service



Examples of the service

SPED-EMS

- Team Facilitator/ESE Teacher will be responsible to complete:
 - Draft IEP
 - Draft Matrix of Services
- Draft Matrix of Services must be completed in order to FINALIZE the IEP
- **ONLY** the *assigned LEA* will be able to **FINALIZE** the Matrix of Services



FLDOE

Compliance Self-Assessment

FLDOE -ESE Compliance Self-Assessment

- Protocols for conducting self-assessments are provided in the *Exceptional Student Education Compliance Manual 2014-2015*, as well as protocols based on additional SPP indicators, general IEP reviews and initial eligibility procedures.
- **Required Protocols for the 2014-2015 School Year for Miami-Dade County:**
 - Secondary Transition (SPP 13/T16)
 - Department of Juvenile Justice (DJJ)
 - Matrix of Services (M)
 - Evaluation, Development, Implementation (EDI)

- The required protocols and information from each of the following documents will be used to determine the extent to which specific standards are met.
 - Current and previous IEP
 - Functional behavioral assessment (FBA), Behavioral intervention plan (BIP), if any
 - Therapy logs
 - Consultation logs
 - Discipline record
 - Attendance record
 - Lesson plans
 - Evidence of provision of accommodations and modifications
 - Evidence of provision of special education and related services
 - Evidence of provision of supplementary aids and services
 - Evidence of provision of supports for school personnel
 - Report cards
 - Progress reports
 - Student schedule

- ***Adapted from FLDOE/BEESS Exceptional Student Education Compliance Manual*

Compliance Self-Assessment Process:

- Bureau notifies MDCPS of schools selected
- MDCPS submits lists of students for selected schools
- Bureau notifies MDCPS of students selected for the 2014-15 Self-Assessment
- MDCPS conducts review of selected student records using targeted protocols
- Correction of Noncompliance- Identified Indicators
- MDCPS submits 2013-2014 Level 1 Self-Assessment
- Bureau notifies MDCPS of student records to be submitted for validation

SECTION 504

- The Rehabilitation Act of 1973 defines a person with disabilities as any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having an impairment.
- A parent, teacher, or other member of the school staff may raise a concern about a student's unique need for special help and request a meeting to consider whether the student has such a disability.
- If the team determines that the student does have such a disability, they will then identify what types of support, or accommodations, are appropriate to meet the student's needs and write a 504 Plan.

Federal Law – IDEA and 504

	IDEA	SECTION 504
TYPE OF LEGISLATION	Funding Act	Civil Rights Act
ORIGINAL PASSAGE	1975	1973
COVERAGE	Students PK-12	PK-Post Secondary
FAPE	Yes	Yes
ADMIN. AGENCY	OSEP, SEAs	OCR, EEOC
ELGIBILITY DEFINITION	2 Essential Elements: 1. Listed class 2. Need for Special Education	3 Essential Elements: 1. Impairment 2. Major Life Activity 3. Substantial Limitation

Section 504 Bylaws and Policies

- School Board of Miami-Dade County 2260.01
 - Students experiencing difficulty in the classroom should initially be referred to the School Support Team.
 - The SST shall determine whether it is appropriate to refer the student for possible 504 services.
 - Students with obvious physical or health needs that require accommodations need not go through the SST process to be referred for Section 504 eligibility determination

Section 504 - Referral

- Parent or teacher initiates a request
- A disability is suspected
- A student exhibits chronic health condition
- A student exhibits academic, learning, or behavioral problems and traditional approaches have been ineffective
- When a student exhibits a pattern of suspensions or expulsions
- A student is evaluated but ineligible under IDEA (not an automatic consideration)

504 & Response to Intervention

- RtI exists for all students
- It is a Multi Tiered System of Supports
- RtI may identify the need for SPED when there is both a *disability and the need for **Specially Designed Instruction**
- 504 is an entitlement that prevents discrimination (lack of **access** to education) for students who are considered disabled with limitation in a major life function.
- *LD, EBD, LI

504 and Tier Intervention

- Intervention Should Not be Confused with Accommodation
- Intervention Teaches, Remediates, and Reinforces
- Accommodation Removes Barriers to Accessing Education and Need is Based on the Functional Relationship of the Disability Produced Barrier to Access
- Example: ADHD
 - Intervention- Self Monitoring with Positive Reinforcement
 - Accommodations- Teacher monitoring of agenda, extended time for testing, guided notes
- SPED Usually Provides Both

504 Plan Accommodation Plans

- District Procedure - Complete 504 Accommodation Plans Annually
 - Major Life Activity
 - Review student progress
 - Review delivery of services
 - Frequency
 - Outcome
 - Accommodations – Additions, deletions, revisions
 - Need for continuation must be based on documentation

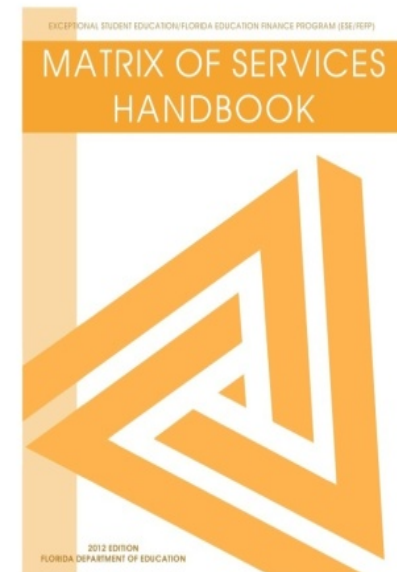
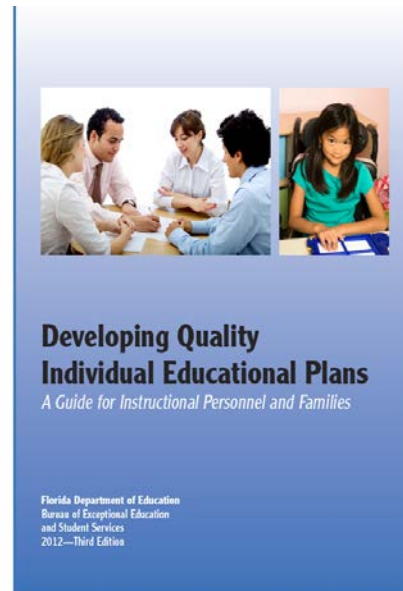
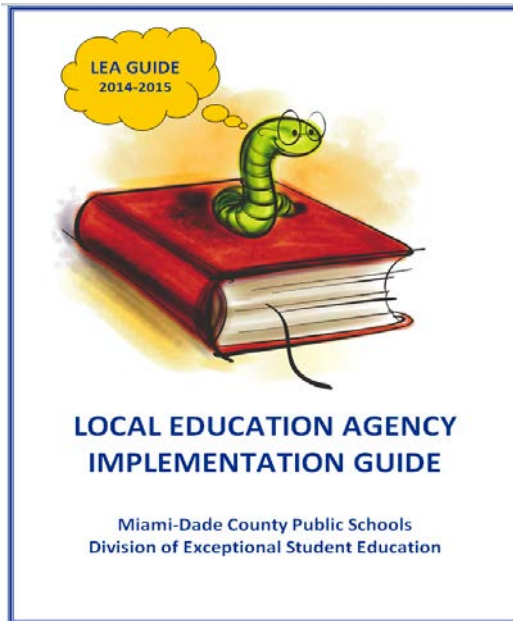
New Weekly Briefings

- WB# 16467 - Animals on District Property
- WB# 16393 - Major Changes Regarding Student Progression for the 2014-2015 School Year
- WB# 16483 - Students Entering Grade Nine in the 2014-2015 School Year - What Parents Need to Know
- WB# 16732 – Requesting Medically Complex and Extraordinary Exemptions for Participation in State Assessment Programs
- WB# 16892 - Information Regarding New Requirements Relating to the Deferral of Receipt of Standard High School Diploma for Students with Disabilities

Manuals

- Exceptional Student Education Policies and Procedures (SP&P)
- FLDOE/BEESS, *Exceptional Student Education Compliance Manual 2014-2015*

www.fldoe.org/ese/



<http://ehandbooks.dadeschools.net/policies/17.pdf>

<http://www.fldoe.org/ese/clerhome.asp>
BRIC@fldoe.org

ESE RESOURCES

- ESE Website
 - <http://ese.dadeschool.net/>
- E-Handbooks
 - <http://ehandbooks.dadeschools.net/policies/149.pdf>
- Procedural Safeguards for Parents of Students with Disabilities
 - www.fl DOE.org/ese/pdf/procedural.pdf
- Communication Plan
 - <https://www.flrules.org/default.asp>
- Technical Assistance Paper - FLDOE 2014 LEGISLATION – SENATE BILL 850
 - <http://info.fl DOE.org/docushare/dsweb/Get/Document-6804/dps-2014-136.pdf>

QUESTIONS

