

October 2010 Special Education Update

Medicaid Billing – UPDATE

Districts may have received a copy of a letter from Doug Porter, HCA Administrator and State Medicaid Director that his agency has proposed a state budget cut to the School-based Medical Services Program, effective January 1, 2011 consistent with the executive order calling for 6.287% state budget reductions. If finalized, the proposed cut would eliminate the school districts' ability to seek Medicaid reimbursement of school based services for eligible students in special education. As you are aware, the Department of Social and Health Services (DSHS) currently reimburses school districts for school-based healthcare services delivered to Medicaid eligible special education students in accordance with the Individuals with Disabilities Education Act (IDEA) and Medicaid rules and regulations. **Please continue to submit claims for reimbursable services until directed that claims will no longer be accepted.** The following is a condensed list of school-based healthcare services eligible for reimbursement:

- Evaluations, when the child is determined to be a child with a disability and in need of special education and related services;
- Direct healthcare services including:
 - ✓ Audiology;
 - ✓ Counseling;
 - ✓ Nursing;
 - ✓ Occupational Therapy;
 - ✓ Physical therapy;
 - ✓ Psychological assessments;
 - ✓ Speech – language therapy; and
- Re-evaluations, to determine whether the child continues to need special education and related services.

Billable services were updated May 9, 2010. A list of billable services is attached to the Monthly Update (see attachment). **Districts should review the list of services with their staff to ensure that eligible services are billed and available reimbursement is maximized.** Additional information regarding provider qualifications and other billing procedures is found in WAC 388-537 and “School-Based Healthcare Services for Children in Special Education Billing Instructions” at http://hrsa.dshs.wa.gov/download/Billing_Instructions/School_Based_Health/SchoolBasedHealthcareServices_BI.pdf. Questions regarding the Medicaid billing and reimbursement should be directed to DSHS Medicaid Purchasing Administration at 800 562-3022 and/or the district's vendor. Questions regarding policy and procedures should go to Chris Bess at 360 725-1668.

Are Your District Policies, Procedures and Websites Updated?

The special education section frequently refers parents to the district's website when they have questions. **Please make sure to take a look at your website to make sure that the information and documents you post are current, including your district's policies and procedures.** Also, remember that the state regulations require districts to make sure that documents relating to eligibility under Part B are available to parents of eligible students and the general public. Consider having information about how to access documents such as applications for federal funds on your website. A link to the regulation addressing this requirement is: [WAC 392-172A-06050](http://www.wa.gov/wac/392-172A-06050).

Timeline for School District Adoption of Revised Special Education Procedures – Reminder

Changes to sections of the special education regulations (WAC 392-172A) were effective on November 1, 2009. The changes required school districts to revise their procedures. Copies of the revised procedures were to be submitted to Tara Canlett, Special Education Section, OSPI on or before September 1, 2010. If your district requires board approval for revisions to procedures, you will need to submit documentation of board approval as well. The changes do not require amendments to the district policies, however if the district is revising policies, submit any revised policies and documentation of board approval. **IDEA funds for 2010-11 will not be released until we receive the district's revised procedures.**

Determinations, Non-Compliance, and Significant Disproportionality (Form Package 442)

On November 1, 2010, iGrants Form Package 442 will be available. The form package will contain the following:

1. The district's 2009-10 **Determination Level**.
2. Formal notification of the district's **Significant Disproportionality** designation for 2009-10, if applicable.
3. Formal notification of identified **Non-Compliance**. All issues of non-compliance must be corrected by the district **as soon as possible**, and a summary of the correction provided through form package 442 (pages 4 through 7) no later than April 30, 2011. Failure to complete corrections in a timely manner will impact the district's 2010-11 Determination Level (issued November 2011).

As a reminder, the Special Education Accountability Q&A has been updated, and is available on OSPI's website (http://www.k12.wa.us/SpecialEd/pubdocs/monitor/SE_Determinations_QA.pdf). This question and answer document addresses the primary federal and state requirements for special education accountability under the Individuals with Disabilities Education Act (IDEA 2004). The document is divided into five sections:

- a. State Performance Plan and the 20 Performance Indicators (*question 2 was revised*)
- b. The Four Determination Levels (*questions 6, 7 and 8 were revised*)
- c. Correction of Non-Compliance (*questions 17 and 18 were revised*)
- d. Program Review Process (*questions 22 and 23 were revised*)
- e. Significant Disproportionality (*questions 24, 27, and 28 were revised*)

Revisions were also made to Appendix B and Appendix C.

If you have any questions about Form Package 442 or the Accountability Q&A, please contact Jennifer Story at (360) 725-6075 or Jennifer.Story@k12.wa.us.

Federal Fund Application (form packages 265 and 267) – Due December 1, 2010

The 2010-11 federal fund application, which consists of form packages 267 and 265, is due no later than **5:00 pm on Wednesday, December 1, 2010**.

Form Package:	267	265
Contains:	Budget Assurances Excess Cost Template Child Find CEIS	Self-Evaluation
Deadlines:	Early submission deadline – Budget, Assurances & Excess Cost Template by 5:00 pm on 9/1/10	Final submission deadline – 267 & 265 by 5:00 pm on 12/1/10
Purpose:	To access funds earlier than 12/1/10	To access funds
Failure to meet the 12/1/10 deadline may result in a hold on the district's funds.		

If form package 267 and/or 265 is not submitted by the December 1 deadline, the IDEA grant(s) for the district may receive a 'HOLD' on funds until the form package is submitted. There may also be a hold on funds if the district's form package 267 and/or 265 has not received final approval 30 days after receiving feedback from OSPI.

If you have questions related to form package 265 (Self-Evaluation), please contact a member of the Program Review Team at (360) 725-6075. If you have questions related to form package 267, please contact Tara Canlett at (360) 725-6075.

2009-10 Special Education IDEA and 619 Grants - Final Electronic Expenditure Data Due Date

The final electronic expenditure data due date for 2009-10 Federal Special Education grants is **November 17, 2010**. This is the final date to enter expenditures and draw down funds for 2009-10 grants. Please refer to OSPI [Bulletin 054-10](#) for additional information.

Safety Net Bulletin 072-10 and State Oversight Committee Meeting Dates and Application Deadlines

Safety Net [Bulletin 072-10](#) was published October 1, 2010. This bulletin provides instructions for applying for special education safety net funding for the 2010-2011 school year. Safety net funding is available to school districts with a demonstrated capacity for special education funding in excess of state and federal funding otherwise provided.

Deadline for Receipt of Application at OSPI	Type of Application	Oversight Committee Meeting Date	Meeting Location
December 10, 2010	High Need Individuals	February 10–11, 2011	SPSCC, Room 118, Lacey WA., (Hawk's Prairie)
February 18, 2011	Community Impact	March 24–25, 2011	SPSCC, Room 118, Lacey WA., (Hawk's Prairie)
April 1, 2011	High Need Individuals	June 15–16, 2011	SPSCC, Room 118, Lacey WA., Hawk's Prairie)
May 6, 2011	Community Impact (Resubmittals Only)	June 15–16, 2011	SPSCC, Room 118, Lacey WA., (Hawk's Prairie)

Applications must be received at OSPI by 5 p.m. on the deadline date. Faxed and emailed submissions will not be accepted.

Federal Data Reporting Deadlines

The Special Education Personnel Employed and Needed Data Report is due to the OSPI Special Education Data Work Group (specialeddata@k12.wa.us) no later than 5:00 pm December 17, 2010. This form is a one-page excel template located at: <http://www.k12.wa.us/SpecialEd/Data/FederalForms.aspx> for downloading.

Federal Special Education Child Count and Least Restrictive Environment (LRE) must be submitted through CEDARS. To log-in to the system go to: <https://eds.ospi.k12.wa.us/Login.aspx>. Report students who are eligible and receiving special education services as of November 1, 2010. This data must be locked and certified no later than December 31, 2010. Complete instructions and a training power point are located at the bottom of the following page: <http://www.k12.wa.us/SpecialEd/Data/FederalForms.aspx>.

The schedule for submission of federal data reports is also located at: <http://www.k12.wa.us/SpecialEd/Data/FederalForms.aspx>, along with the Federal Data Collection Bulletin B056-10 which contains detailed instructions. Those reports requiring OSPI created Excel templates are available for download at the same web address referenced above. Do not modify these templates. These forms must to be downloaded before opening them up over the Internet otherwise your data will not be saved. Please email all completed forms to specialeddata@k12.wa.us. As forms are received and verified, a confirmation email will be sent back to the email address submitting the form either acknowledging receipt of data or asking for corrections. If you do not receive and email within three business days assume that your data was not received and either resend or call Sandy Grummick or Amber O'Donnell at (360) 725-6075. If you have no students eligible for a particular report, you may send an email stating that and be specific as to which report(s) you are referring to for documentation purposes.

These reports must be successfully submitted on or before the posted due date. Submission of late or inaccurate data will impact the district's Determination Level.

Obama Signs “Rosa’s Law” – Mental Retardation Now Intellectual Disability

On October 5, 2010, President Obama signed “Rosa’s Law,” which officially became Public Law No: 111-256 on that date. “Rosa’s Law” modifies the language of IDEA so that the term *intellectual disability* will be used instead of *mental retardation*. OSPI will be modifying the pertinent sections of Chapter 392-172A of the Washington Administrative Code (WAC) to mirror the federal language, and will keep districts updated throughout this process. Districts may begin using the term intellectual disability at any time and do not need to wait for the WAC modification.

Updating District Contact Information in iGrants

Districts MUST update their contact information in iGrants frequently.

There are two places where districts need to update their contact information.

1. The Required Pages section, District ID tab. This tab includes the district’s iGrants Administrator.
2. The Contact tab within each form package.

Click [here](#) for the iGrants tutorial on Required Pages.

Special Education and Institutional Education Directory for 2010-11

The Special Education and Institutional Education Directory for the 2010-11 school year is available online at <http://www.k12.wa.us/SpecialEd/pubdocs/SpecialEdDirectory.pdf>. Changes to the directory should be submitted to Tara Canlett at tara.canlett@k12.wa.us.

Legal Assistance List for Special Education Due Process Disputes

The Office of Administrative Hearings maintains a list of attorneys, and agencies who have requested that they be included as a resource for parents. The list includes: 1) free or low cost legal service providers; 2) public (not for profit) organizations that assist parents but are not legal service providers; and, 3) attorneys who have experience and/or interest in special education law. This is the most recent list and is available for districts to provide parents upon request. It is also maintained on OSPI’s website at: http://www.k12.wa.us/SpecialEd/pubdocs/legal_referral_list.pdf. Please make sure you are providing parents with the most current copy.

Prior Written Notice

Prior written notice was a topic presented at the Special Educator’s WASA conference in August and is a procedural area that continues to be addressed in our citizen complaints. The Office of Special Education Programs (OSEP) provided guidance in [Letter to Lieberman](#) about this subject. In addition, OSPI prepared a one page topic paper addressing prior written notice, with an emphasis on its use to address decisions made at IEP meetings in response to districts’ and parents’ proposals and refusals addressing identification, evaluation, placement and provision of FAPE to a student. Please share this [Understanding Prior Written Notice](#) document with district staff responsible for generating prior written notices.

Child Outcomes Summary Form (COSF) Q & A – Updated October 2010

The *Child Outcomes Summary Form* (COSF) question and answer document has been updated, and is available on the OSPI website http://www.k12.wa.us/SpecialEd/pubdocs/EC/COSF_Q_A.pdf. The COSF is the tool used by districts to collect early childhood outcomes data for Indicator 7. The updated Q & A contains electronic links to a variety of COSF resources. If you have any questions about the COSF Q & A document, please contact Sheila Ammons at (360) 725-6075 or Sheila.ammons@k12.wa.us.

Staffing Changes at OSPI, Special Education

Effective October 1, Janice Tornow will be working with the Program Review Team. Janice has taken the position in Program Review as a result of Cherie Patterson's resignation. Cherie resigned to return to Montesano School District. We wish Cherie well, and look forward to Janice's work with the Program Review team. The state-funded Safety Net position will be posted on the OSPI web page.

Special Education Guidelines for Online Schools Webinar

Learn about district responsibilities around special education and online learning. Topics include OSPI's "Special Education Guidelines for Online Schools,"* focusing on recruitment, admissions, and providing a free appropriate public education (FAPE). Administrators responsible for online school programs and/or special education will learn how the special education laws and rules apply to online schools. Pam McPartland from OSPI's Special Education section and Karl Nelson from the Digital Learning Department will be the primary presenters.

* "Special Education Guidelines for Online Schools": http://digitallearning.k12.wa.us/about/districts/special_education/

Date: Tuesday, October 26, 2010

Time: 1:00 PM - 2:30 PM PDT

Two ways to attend:

1) Webinar -- register at <https://www1.gotomeeting.com/register/545413353>

2) In-person at the OSPI Annex: 234 East 8th Ave, Olympia WA 98504

IDEA-B Application and Funding for 2010-11 - Repeat

Districts should be aware of the following important dates and conditions affecting IDEA-B funding and the application process.

Submitted IDEA-B budget with all required reports PRIOR to September 1, 2010 at 5:00 pm:

- Districts that submitted their 2010-11 IDEA-B budget and Assurances through iGrants (form package 267) and all required reports (including, but not limited to, the Excess Cost Verification template, a hard copy of your signed Assurances and a copy of district revised procedures) **by 5:00pm on September 1, 2010**, may claim reimbursement for costs incurred from July 1, 2010.
- Districts must submit page 2 (and page 3 if applicable) of the 2010-11 IDEA-B application (form package 267) and all pages in form package 265 (Self-Evaluation) by 5:00 pm on December 1, 2010 in order to avoid a "hold on funds"*.

Submitted IDEA-B budget with all required reports AFTER September 1, 2010 at 5:00 pm:

- Districts that submitted their 2010-11 IDEA-B budget through iGrants and all required reports (including, but not limited to, the Excess Cost Verification template, a hard copy of your signed Assurances and a copy of district revised procedures) **after 5:00 pm on September 1, 2010**, may claim reimbursement for costs incurred on or after September 1, 2010.
- To receive reimbursement for costs incurred from July 1, 2010, the district must submit a request through the iGrants system by inserting a note** (see sample below) on the Notes tab of the district's IDEA-B form package 267. Otherwise the district will only receive reimbursement for costs incurred on or after September 1, 2010.
- Districts must submit page 2 (and page 3 if applicable) of the 2010-11 IDEA-B application (form package 267) and all pages in form package 265 (Self-Evaluation) by 5:00 pm on December 1, 2010 in order to avoid a "hold on funds"*.

Submitted IDEA-B budget WITHOUT ALL REQUIRED REPORTS prior to or after September 1, 2010:

- Districts that submitted their 2010-11 IDEA-B budget through iGrants prior to or after the September 1st deadline but have outstanding reports due to the Special Education office, have not received budget approval to spend or claim IDEA funds.
- Budget approval will be given when all required reports are received. (The required reports include, but are not limited to: the Excess Cost Verification template, a hard copy of your signed Assurances and a copy of district revised procedures).
- After budget approval is received, districts may claim reimbursement for costs incurred on or after the date of budget approval.
- To receive reimbursement for costs incurred from July 1, 2010, the district must submit a request through the iGrants system by inserting a note** (see sample below) on the Notes tab of the district's IDEA-B form package 267. Otherwise the district will only receive reimbursement for costs incurred on or after the date of budget approval.
- Districts must submit page 2 (and page 3 if applicable) of the 2010-11 IDEA-B application (form package 267) and all pages in form package 265 (Self-Evaluation) by 5:00 pm on December 1, 2010 in order to avoid a "hold on funds"*.

*Note to all districts:

- If page 2 (and page 3 if applicable) in form package 267 and all pages in form package 265 (Self-Evaluation) are not completed and submitted to OSPI for review by 5:00 pm December 1, 2010, your district may receive a 'HOLD on Funds'. This means that the ability to claim and/or continue to claim your 2010-11 IDEA funds will be suspended until all required reports are received by the Special Education office.
- Districts may also receive a 'HOLD on Funds' if the district's form package 265 and/or page 2 (and page 3 if applicable) in form package 267 have not received final approval 30 days after receiving feedback from OSPI.
- During the 2009-10 and 2010-11 grant period, there is 100% carryover on regular IDEA grants. The budget revision deadline is 8/31/2011.
- The IDEA-B budget and Section 619 budget are both included in form package 267. Districts will need to complete each budget and choose the correct budget category for each.

A tutorial is available in iGrants to assist in completing form package 267. The link is:

[iGrants/Tutorials/Federal Grants/SpEd Fiscal Tutorial 2010-11](#)

**Sample note to request reimbursement for costs incurred from July 1, 2010 (this note must be inserted on the Notes tab of the district's IDEA-B form package, 267):

EXAMPLE: "Please allow my district to submit a reimbursement request for start-up activities occurring between July 1, 2010 and September 1, 2010.

27-2 \$1,000

27-3 \$500

27-4 \$250"

If you have any questions regarding the IDEA grant process, please contact Tara Canlett at 360-725-6075 or by email at tara.canlett@k12.wa.us.

Post-School Survey (Indicator 14) Timeline – Reminder

The online post-school survey data collection period for the 2009 leavers (students who graduated/dropped out in 2008-09) opened June 1, 2010, and must be completed **no later than November 1, 2010**. Timeliness with this report will impact the district's determination level to be issued November 1, 2011. Please contact CCTS at (206) 296-6494 or ccts@seattleu.edu if you have questions about the survey.

NEWS FROM ASSESSMENT AND RESEARCH

WAAS-Portfolio November 2010 Retake

For repeating 10th grade students and 11th or 12th graders who have not met standard in reading, writing or math in their 2010 Spring WAAS-Portfolio, a retake opportunity is offered in the fall. **This opportunity is open for high school students only.** The first data collection point was October 1; the second and third points are October 22 and November 12, respectively.

A registration form must be completed for each student submitting a Fall 2010 November Retake portfolio. Registration forms must be submitted to **Measured Progress via fax (866-283-2197)** by **October 15, 2010**. Return materials kits for registered students will arrive in districts by Nov. 5, 2010. The one-day pick-up of portfolios from the District office is Nov. 19, 2010.

To access all forms, extensions, and procedures for the Fall Retakes, go to:
<http://www.k12.wa.us/assessment/AlternativeAssessment/NovRetakeGLE.aspx>

WAAS-Portfolio SPRING 2011 ADMINISTRATION

All materials for the 2011 spring administration for the WAAS-Portfolio can be found at:
<http://www.k12.wa.us/assessment/AlternativeAssessment/Portfolio.aspx>. The materials include all forms, all extensions, and related power points including one devoted to procedures. Information for Principals and DACs can also be found at the above web address:

- [Training Information](#)—Administrators’ Processes and Procedures PowerPoint; Administrators’ Checklist; ASES videos; Assessing Students with Significant Cognitive Challenges PowerPoint
- [Forms](#)—Validation Form, Extenuating Circumstance Form, Administrator’s Checklist

WAAS-Portfolio SPRING 2011 ADMINISTRATION TRAINING INFORMATION

Although no fall training is scheduled, technical support is available by contacting the Alternate Assessment Office at (360) 725-6089 or waas@k12.wa.us; Judy Kraft, Alternate Assessment Coordinator at (360) 725-6089 or Judy.Kraft@k12.wa.us; or Margaret Nerison, Teacher Support at Margaret.Nerison@k12.wa.us.
A winter workshop before the second data point is scheduled for the following dates/areas:

- January 5, 2011: Anacortes
- January 6, 2011: Seattle
- January 7, 2011: Olympia
- January 10, 2011: Spokane
- January 12, 2011: Yakima

This workshop will be interactive with a focus on teacher work group sessions. Registered teachers will be asked to:

- ✓ Bring a copy of a representative portfolio with at least one completed data point for each content entry.
- ✓ Be familiar with the GLE Extensions for the grade and contents they teach.
- ✓ Have reviewed and understand the 2010-11 Administration Procedures training.
- ✓ Be willing to be an active participant in this work group session; much of the agenda will involve small group discussions and interaction with peers.

Registration information will be posted on the Alternate Assessment website (<http://www.k12.wa.us/assessment/AlternativeAssessment/default.aspx>) later in the month of October.