

November 2010 Special Education Update

IMPORTANT DUE DATES

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

On November 1, 2010, iGrants Form Package 442 was made available. The form package contains the following:

1. The district's 2009-10 **Determination Level**. Districts who wish to request a review and reconsideration of their determination level must do so no later than 5:00 pm on Monday, November 15th. Refer to page 1 of form package 442 for more information.
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. 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 – Repeat

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.

Are Your District Policies, Procedures and Websites Updated? – Repeat

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](#).

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

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.**

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

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.

ARRA Reporting

ARRA Timeline for Form Package 555	Date
Reporting Form Package in iGrants is launched	December 1, 2010
Reporting Form Package due back to OSPI	Close of Business December 8, 2010
OSPI contacts district Superintendent if report has not yet been submitted	December 9, 2010
OSPI reviews and contacts districts with any questions	December 8-23, 2010
OSPI reviews, compiles, and submits data	December 27, 2010 – January 10, 2011

iGrants form package 555 will be used for this quarterly report. Each grant (e.g. Title I Part A) will have a separate reporting page. OSPI will again be pre-populating the majority of the data required to be reported from the information we have available through our own internal systems, in order to minimize the amount of information the district needs to provide. This data will be displayed for you to review.

Notification of IDEA-B Grant Funds Available for Start-up Costs of Implementing Teletherapy Services

The Office of Superintendent of Public Instruction announces the availability of federal IDEA-B grant funds for start-up costs associated with implementing a web-based infrastructure of teletherapy options for special education students in need of related services.

For purposes of this grant, teletherapy means web-based, real-time services provided by licensed and qualified providers for districts that are unable to obtain qualified related service providers such as speech language pathologists, occupational therapists or physical therapists, despite on-going recruitment efforts and limitations of contracting for such services with on-site providers. Funding for this grant is being authorized to assist districts with the provision of related services for students eligible for special education by investing in the development of an electronic web-based infrastructure which ensures that children in need of related services receive such services.

iGrants form package 510 will be used for this grant and will be due December 17, 2010. OSPI will award up to \$12,000 per successful application. If you have any questions contact Mary Ellen Parrish at 360 725-6075 or at maryellen.parrish@k12.wa.us.

OTHER UPDATES

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

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.

For reporting purposes use Intellectual Disability and Mental Retardation interchangeably until the WAC has been modified. In the Disability Code Element within CEDARS, the code will remain ‘6’ regardless of the label. Although the term has changed, the definition has not.

IEP Meeting Facilitations

Sound Options is available to conduct IEP meeting facilitations at a parent’s or a district’s request. An IEP meeting facilitator is NOT a mediator and he or she is not a member of the IEP team. The facilitator’s role is to ensure that during an IEP meeting, the IEP team addresses all matters on the meeting agenda, and assist the meeting process so that all team members participate and are provided an opportunity to provide input so that the IEP team can reach decisions about a student’s program. Both a parent and a district must agree to the use of an IEP team meeting facilitator.

To request an IEP team meeting facilitator, call 1-800-692-2540 (Seattle area: 206-842-2298; TTY: 1-800-633-6388). Please be sure that when you finalize your IEP meeting date, all district IEP team members will be attending the meeting. If they are not attending the meeting, follow the rules for excusing team members. Team members should discuss the anticipated length of the meeting directly with Sound Options. Finally, OSPI is providing the IEP facilitator at no cost to parents and districts, and the facilitator service is intended to be available at no cost for one IEP team meeting facilitation per student per year. If the team requires an additional facilitation to complete the process, OSPI and Sound Options will review the request for an additional facilitation, on a case by case basis. Nothing prevents districts from paying for additional IEP meeting facilitations. For more information contact Beth Hebert at bethh@somtg.com.

IEP Team Decision Making Guidelines for Participation in Statewide Assessments

As a result of statewide taskforce recommendations regarding the current Alternate Assessment approach, a document entitled “Individualized Education Program (IEP) Team Decision Making Guidelines Regarding Student Participation in Statewide Assessments” was developed. This document is now available on both the [Special Education website](#) under Quick Links, on the [Assessment website](#) under DAC Resources, and in the “Teachers’ Guide to the WAAS-Portfolio”, pages 8-14, posted on the [WAAS-Portfolio website](#).

These guidelines are intended to assist local district IEP teams in making statewide assessment decisions for students eligible for special education services, and should replace any previous documents in this regard. IEP team should individually consider each content area in which the student will be assessed and determine which state assessment option is appropriate for the student. For example, the IEP team could determine the WAAS-Portfolio is appropriate to assess a student’s reading skills and the MSP with accommodations is appropriate to assess the student’s math and writing skills.

For further information please contact Janice Tornow by phone at 360-725-6075 or by email at janice.tornow@k12.wa.us or the Alternate Assessment office at waas@k12.wa.us or (360) 725-6068.

Technical Assistance Paper (TAP) 1

OSPI has updated its Technical Assistance Paper (TAP) 1: *A Review of the Basics*. This revised TAP covers information on the provision of a free appropriate public education (FAPE); procedural safeguards; prior written notice; individualized education program (IEP) development; placement decisions and least restrictive environment (LRE) requirements; services for transfer students; and, revocation of consent for continued special education services.

The TAP is posted on our website at: <http://www.k12.wa.us/SpecialEd/publications.aspx>. Please feel free to share this information with staff and parents. If you have questions or comments about this TAP, you can contact Pamela McPartland at 360 725-6075 or at pamela.mcpartland@k12.wa.us.

Special Education Students Suspended/Expelled Reporting Template Revised

The Special Education Students Suspended/Expelled template was updated on October 25, 2010 to reflect the race and ethnicity changes now required by the Office of Special Education Programs (OSEP). School districts **have** been reporting this information in previous school years. ‘Not Provided’ will no longer be an allowable submission category. Please see the guidance located at: <http://www.k12.wa.us/CEDARS/default.aspx> for complete information and definitions. The most current templates for federal special education reporting are located at: <http://www.k12.wa.us/SpecialEd/Data/FederalForms.aspx>.

Administrative Law Judge (ALJ) Qualifications

In accordance with 20 USC §1415(f), 34 CFR §300.508, and WAC 392-172A-05095, OSPI has posted a current list of ALJs who conduct special education due process hearings. You may obtain the qualifications and training information for each ALJ by clicking on the ALJ’s name. The list is located at: <http://www.k12.wa.us/SpecialEd/DisputeResolution/ALJ.aspx>.

Also, Judge Janice Shave, who previously served as the Education Caseload Coordinator is no longer working at OAH. We wish her well in her new position. Pending her replacement, Mary Radcliffe, Assistant Deputy Chief ALJ is the acting Special Education Hearings Coordinator.

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

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 – Repeat

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.

NEWS FROM ASSESSMENT AND RESEARCH

WAAS-Portfolio January Workshop

OSPI will be hosting workshops in early January to provide teacher support for the 2010-11 WAAS-Portfolio Administration. Workshop and registration information can be found on the WAAS Home page at <http://www.k12.wa.us/assessment/AlternativeAssessment/default.aspx>. Once on the page, look for: Registration now open for the [WAAS-Portfolio January Workshops](#).

Teachers interested in participating in these interactive workshops should review the information provided on the web page and follow the directions for registration. Please note that all workshops are contingent on sufficient attendance at each site (minimum of 25, maximum of 60), so *pre-registration is required! No on-site registrations will be accepted.*

Expectation of Teachers attending:

Bring a single, redacted copy of a portfolio entry with at least one completed data point for each content area.

Have reviewed the 2010-11 Process and Procedures PowerPoint.

Be familiar with the grade-level Extensions for the content areas they teach.

Be willing to be an active participant; the bulk of the agenda involves small group discussions and peer interactions.

Workshop Schedule

Region	Date	Location	
Anacortes	January 5, 2011	Northwest ESD 189 1601 R Avenue Anacortes, WA 98221	Pre-Registration is required and will be open from October 28 – December 3, 2010. Seating is limited to 60 participants at each venue, so register early! All participants/Special Ed Directors will be notified of their registration status via email by December 17, 2010. These workshops will begin promptly at 8 a.m. and end at 4 p.m. A continental breakfast and light lunch will be served. Substitute reimbursement and travel expenses will be reimbursed; clock hours will be available for attendees who complete the workshop.
SeaTac	January 6, 2011	Doubletree Guest Suites South Center 16500 South Center Parkway Seattle, WA 98188	
Olympia	January 7, 2011	Red Lion Hotel 2300 Evergreen Park Dr. Olympia, WA 98502	
Spokane	January 10, 2011	ESD 101 4202 S. Regal Spokane, WA 99223-7764	
Yakima	January 12, 2011	Hilton Garden Inn 401 East Yakima Ave. Yakima, WA 98901	

Teachers are invited to submit questions in advance by emailing them to Judy.Kraft@k12.wa.us. Additional time will be provided over lunch and at the end of the day to address questions from teachers new to the administrations of the WAAS-Portfolio.

Accommodations Guidelines

The 2010-2011 Accommodation Guidelines were posted to the OSPI website on November 1. The following links are available to access the guidelines:

<http://www.k12.wa.us/assessment/AlternativeAssessment/Accommodations.aspx>

<http://www.k12.wa.us/SpecialEd/Families/IEPs/Accommodations.aspx>

<http://www.k12.wa.us/Assessment/WLPTII/Administration.aspx>

The latest version combines the entirety of the state's assessment program, both the academic assessments (MSP/HSPE and EOC) and the language proficiency test (WLPT-II), and means of supporting students receiving special education services and English Language Learners.

The 2010-2011 guidelines also incorporate details for supporting student accommodations whether testing via the paper-pencil format or the online format. Users of the guidelines should note that the state supports the same accommodations for students regardless of testing delivery format, and that the decision of which test delivery format to use for any given student will be the district's based on the specific accommodation needs required by the student and the means to support that prescribed accommodation.

Questions regarding the information in the Accommodations Guidelines can be directed to either the Alternate Assessment office (360.725.6068 or waas@k12.wa.us) or the Assessment Operations office (360.725.6446 or assessment@k12.wa.us)