

Questions and Answers/October 8, 2008, Webinar

1. Is there student loan forgiveness for special education teachers who are in the rural area? Where do I find that information?

Answer: See SELS message of May 22 for information about Loan Forgiveness programs; there does not appear to be one that specifically addresses "rural" area shortages.

2. Which notices and forms require parent and/or LEA signature rather than just the name of the parent and/or LEA? Compliance.

Answer: Initial evaluation, reevaluation if there are additional assessments, release of student record information, and initial services. There are other times where you will want to get the parent signature to document the parent's agreement or involvement (e.g. excusal of IEP team members).

3. Would there ever be a situation where a student might be exited from SP ED without giving formal assessments--provided the IEP team reviewed the existing data on a student?

Answer: Yes. Formal assessments are not required in order to exit a student.

4. Do I have faulty information? I was once told that a student who had met all IEP goals for articulation could not be exited until formal testing had been conducted. What is correct?

Answer: Formal testing is not required to exit a child; the team must determine if there is sufficient existing information to determine the child is no longer in need of special education.

5. Will the electronic IEP system be required or voluntary?

Answer: If we move forward with implementation of a state-wide Electronic IEP system, it will not be required.

6. Do you foresee a timeframe for a statewide IEP?

Answer: We hope to meet with potential vendors in November or December. After that, we will need to make a decision about whether to pursue and put out a request for bids. The state bidding/contract process usually takes 6 to 9 months.

7. How can I become a part of that State-Wide Electronic IEP System committee?

Answer: We formed the committee with diverse representation that includes school stakeholder groups like MSBA, MO-CASE, and the rural educator association.

Additionally, representation includes districts using different vendors currently to provide their IEP system. We are not looking for additional committee members at this time, as the group is very large.

8. Who are the potential vendors?

Answer: The list includes all those vendors identified to MO-CASE in a survey they conducted last school year, as well as a couple of companies that approached me when they heard about our interest. If you want to be sure a potential vendor is included please send me the name and contact information.

9. Do we have access to information from the meeting discussions so we can track progress?

Answer: Based on feedback during this webinar, I sent out the information via SELS. Thanks to all on the webinar who suggested this.

10. Do speech implementers and speech pathologists need to secure a substitute if they are absent?

Answer: yes

11. Can a speech implementer have a case load?

Answer: There are no caseload requirements outside of ECSE.

12. Can the MPACT information be taken off the procedural safeguards? I have attended a MPACT training where the presenter was very anti school and even offered wrong information.

Answer: No, we have no plans on removing the MPACT information. Many school districts have found MPACT's involvement to be very helpful to the process. If you have a bad experience with parent mentor or MPACT trainer, please contact Mary Kay Savage, Executive Director of MPACT at msavage@ptimpact.com as she wants to hear from you if you have concerns. Keep in mind that sometimes someone represents themselves as being from MPACT when they are not. The MPACT mentors are listed on the MPACT website if you want to check on a particular person.

13. If ECSE students do not require a separate bus route do we need to back out that mileage for ECSE funding?

Answer: During the webinar I said no, I think that you probably just need to prorate the ECSE kids. However, I have discovered that there are currently discussions at DESE regarding this issue and how to reconcile the regular education transportation funding issue with the ECSE budget question. There has been discussion of backing out the ECSE

mileage. But there has not been a decision on this yet. I will keep you posted once School Finance/Transportation makes a decision.

14. I know it is a IEP team decision to consider map-a for a student, but what if we had a student on map-a last year but based on what you mentioned today this student does not need map-a, what can we do now?

Answer: The IEP team can change the determination if the team believes that the student is not eligible for the MAP-A.

15. How many questions are on the End of Course exam for Algebra? We heard 20.

Answer: Sample EOC exams are posted on the web site of the Assessment Section, Division of School Improvement. I took a peek, and saw 30 questions on the Algebra exam. You can view the tests at the web site.

16. We are not a 12 month district and our MAP-A results were sent to the Counselors Office who does not return until Aug and therefore the results were received after the time period you could protest results and we would like to know what can be done now.

Answer: I don't think anything can be done about this; however, you should contact the Assessment Section to ensure they have the proper contact information for the district for the future.

17. Could you discuss a little more about exiting students from Special Ed? I understand the use of the review of existing data, however it seems like lawyers tend to say to test before exiting.

Answer: Lawyers representing school districts will have a different perspective; they are focusing on potential litigation and this is different than DESE's focus. IDEA does not require assessments to exit a student; however, I can understand why some school attorneys in certain cases may advise to conduct formal assessments. This may be particularly concerned where the relationship with the parent has deteriorated and no trust exists.

18. Is it true that DESE is contracting out to do the file reviews for MSIP this year?

Answer: No, we are not contracting out the Focused Monitoring. We do contract sometimes with former DESE staff to help us with some compliance work, like follow-ups.

19. Will you solicit info from districts using the specific electronic IEP programs you are considering? (State Wide IEP system)

Answer: yes, we already have done so using the survey information from MO-CASE and by including persons on the committee with experience with different vendors in their districts.

20. Are process coordinators subject to HQT requirements?

Answer: No, not unless they are teaching.

21. If a student has completed required math courses, Do they have to take the End of course exams for Algebra?

Answer: They must take the Algebra End of Course Exam prior to graduating, whether they took the course or not.

22. Are mentors required for first year directors who already have the initial certificate or are they only required for those seeking certification.

Answer: Mentoring is required for 1st and 2nd year directors (who have not previously worked in the director position). The length of time they have held the license is not considered – just when they actually begin working.

23. We want to agree the MAP-A results appeared to be subjective. I'd like to see the scoring of those tests revamped so that the results are more objective.

Answer: The scoring process has been improved upon each year based upon feedback from the scorers and the field. All scorers receive intensive training and must pass a qualifying exam before being allowed to serve as a MAP-A scorer. This past year, MAP-A portfolios received a “100% read behind”—meaning that each portfolio was read and scored at least twice. If there was not agreement between the two scorers, the portfolio received a third read. The Assessment Resource Center (ARC) builds reliability checks with correlation measures into the MAP-A scoring process. Other points to consider: The nature of a portfolio exam requires that some subjective judgment is involved in the scoring process, however, scoring procedures control for this to a great extent. In addition, portfolio assessment depends heavily on documentation provided by the teacher. Things change in the administration of the MAP-A from year to year, many times based upon feedback from the field. All teachers administering the MAP-A are encouraged to attend MAP-A training each year to review procedures and receive updates.

24. We are losing our OT and are unable to find a replacement. What do we need to do if we cannot find one?

Answer: You need to use creative methods to find an OT or an OTA. Contact hospitals in the area, contact school districts near you to see if they have an OT you can contract with, contact our Missouri Schools for the Severely Disabled (formerly SSSH) central office in Jefferson City, to see if they have an OT on a state contract in your area that you might be

able to use. During the delay in finding someone, you may want to document that you have informed the parent of your plan to address compensatory services once the OT is located. You may also want to look hard at the IEP to determine if OT is really required, or if you have activities you have incorrectly identified as occupational therapy that are instead activities a teacher can legitimately work on.

25. Do you have to get permission to do an FBA - if you are using it to document and improve your behavior management?

Answer: If the FBA involves formal assessment you have to get consent. If it involves review of existing information or observation, you do not need consent.

26. Is DESE finding that more districts are waiving triennial re-evaluations? Is this a concern?

Answer: We do not have data, but based on file reviews and monitoring visits, we do not believe there is wide-spread waiving of the triennial evaluation.

27. MAP-A students should be able to meet the same criteria for the state school?

Answer: The types of kids I would expect to be MAP-A eligible, are kids who have severe cognitive impairment – the type of kid who would be eligible for our Missouri Schools for the Severely Disabled.

28. If a student enters your district with an ISP (service plan for private schools) is your IEP considered an initial?

Answer: If you are wondering whether to check off the box on the IEP that says “Initial IEP” keep in mind those boxes are really just for your information and are not required to be used. It appears to us that the importance of “initial” has more to do with “initial services” and you would have already obtained consent for that before implementing the services plan.

29. What is an aversive?

Answer: An aversive is something that makes the child uncomfortable or is unpleasant or could actually hurt the child, and is in response to an unwanted behavior of the child. For example: spraying a water bottle at the child, pinching the child’s hand.

30. Can a range of minutes be used on the IEP?

Answer: The U.S. Department of Education, Office of Special Education Programs (OSEP) takes a dim view of range of services; however, we believe that there are some circumstances where an individual student’s need does require this and so as long as this is used rarely and based on an individual student’s need, it is not out of compliance to use the range.

31. Please clarify the 10 day wait requirement in a written notice. When does the time-line begin/when does it go into effect?

Answer: The 10 day notice begins on the date of the notice.

32. Do you need to waive the 10 days before the new IEP goes into effect?

Answer: If you are proposing a change that requires written notice, then yes, you have to either wait the 10 days to implement the change or obtain parent waiver of the 10 days.

33. If your district does not use the RTI method of identification for SLD can you use that method to ACCEPT a previous evaluation?

Answer: You can accept the eligibility determination from the prior school district based on the evaluation report they provide you, whether your school uses RtI or not. If you believe that something is amiss, and you do not believe the eligibility determination is correct, you can always initiate reevaluation process.

34. Did other Districts find their MAP-A scores to be low and questionable as far as subjectivity and scoring procedures?

Answer: See answer to question #23 above.

35. Can an IEP team reduce the number of questions a child completes on the MAP?

Answer: Yes, this refers to the “pre-select” option and is based on an IEP team decision that items be pre-selected for the students. Please see Technical Assistance document on the Assessment Section’s web page, Division of School Improvement for more detailed information.

36. What about written referrals by a judge, not the educational decision maker?

Answer: Sometimes a judge orders an evaluation for special education; however, if the school district was not a party to the court proceeding, there is an issue of whether that order is binding on the school district. This is something you want to discuss with your lawyer if it happens. Many times school districts go ahead and conduct the evaluation even though not bound to do so legally.

37. If a student has transportation listed as a related service on the IEP is the district required to provide that transportation for after school activities i.e., school clubs, school sponsored study sessions.

Answer: No. IDEA does not require the transportation for extracurricular activities if these are not part of FAPE. Equal opportunity for participation is required.

38. If an IEP student is taking a special education math class (but not Algebra) and they have not been determined to be a MAP-A student, will they still be required to take the Algebra end of course assessment?

Answer: Yes.

39. According to the Federal Programs Conference, we were told that IEP students could be exempted from the additional 4 EOC exams by IEP.

Answer: No final decision has been made by the department on this; however, an exemption option would require IEP team decision.

40. Is it correct that same Map accommodations can be used for End of Course Exams?

Answer: Yes.

41. Is there still a limit concerning number of students eligible for MAP-A?

Answer: Yes.

42. Will you please talk about MAP-A eligibility and how we should determine "significant cognitive disability."

Answer: In general that refers to a child who functions at a level below four standard deviations. See eligibility criteria in our state plan (state regulations) for referral to the State Schools for the Severely Handicapped (now the Missouri Schools for the Severely Disabled) to get an idea of the type of evaluation information you are looking for.

43. Has there been a ruling by the AG's Office concerning who can work as a speech implementer?

Answer: No.

44. Does the teacher need to be in a Title 1 school to get the direct loan forgiven?

Answer: No, not necessarily. See SELS message of May 22, 2008.

45. Please elaborate on the MIM. Will all districts be required to go to this model? What is the timeline? Is there funding for MIM schools?

Answer: No, when the Missouri Integrated Model pilot is complete, there will never be a requirement for a school district to implement this model. The pilot is a 4 year pilot, and we are now in the second year of the grant, with this year being a year of preparation by those 14 pilot schools. Yes, as a part of the pilot we do provide funding to the pilot districts as well as to the Regional Professional Development Centers to support the pilot schools in the work.

46. I understand from the Recruitment and Retention presentation at MO-CASE that some schools are providing stipends or salary supplements for Speech-Language Pathologists. Do you know how school districts are funding these?

Answer: Refer to the chart of responding districts on the MSHA website at www.showmemsha.org for schools that do provide stipends and/or other incentives.

47. Does DESE provide any funding for rural schools attempting to hire qualified SLPs?

Answer: No, but we do provide start-up funds for special education cooperatives, and a cooperative could be a solution for districts that want to get together and pool their resources to address obtaining a qualified SLP. Please see messages about applying for this through our Funds Section, in the SELS archive.

48. Does Missouri provide any loan forgiveness which would help graduating Speech-Language Pathologists who are interested in working in school settings?

Answer: Yes, see the May 22, 2008, SELS message. Also the Higher Education Opportunity Act (PL 110-315) was signed into law August 14, 2008. It has certain eligibility requirements and has not yet been funded, but has the potential to provide significant loan forgiveness for 17 areas of national need including some Speech-Language Pathologists.

49. Do you have suggestions for finding a qualified SLP to mentor a new SLP in a rural area?

Answer: might try nearest university, neighboring schools, or asking the Missouri Speech-Language-Hearing Association for information by emailing msha@showmemsha.org. If distance is a problem, you might consider phone or video conferences with a mentor. Missouri School for the Deaf superintendent Barbara Garrison has also offered MSD's Speech Language Pathologist who could assist with mentorships via telephone, visual phone or Distance Learning...through our outreach services.

50. Are SLPs required to have a 1:1 caseload?

Answer: Direct services may be one of the service deliveries, but services have always been and continue to be based on the needs of the student. The decision as to what type of service delivery meets the student's needs in order to reach the IEP goals is the decision of the IEP team. There may be other considerations such as the degree to which the student's other activities encourage development of the skills in the goals.

51. Our Curriculum Director has told us that according to several people at DESE, Special Education students can be exempted from the second End Of Course exam if it's written in their IEP.

Answer: No decision has been made on this yet.

52. Transfer Students: You have received hand-carried records from the parent upon enrollment. However, you are unable to obtain "official" records from sending district within 30 days. Must you initiate reevaluation procedures? Or do you use the hand-carried records?

Answer: No you are not required to initiate reevaluation procedures, you can use the hand-carried records if you feel comfortable with them. However, we strongly recommend you phone the prior district's special education contact to see if you can get the records.

53. Who can refer a student for special education evaluation? A visiting nurse at a residential facility? A relative that does not live with the student? What are the guidelines?

Answer: A "referral" triggers time-line requirements, and can only come from a parent/educational decision-maker, or the school itself. However, you have child find responsibilities, so you would want to consider information received from other sources and determine whether to initiate your own referral. I recommend you review the child's file and talk to his teachers and then determine if you think there are grounds to suspect a disability.

54. Child is found eligible through a RtI process in one district and moves to another district that does not have any RtI in the district. How can we feel confident accepting the evaluation?

Answer: Just like any other child transferring in, you are faced with an evaluation you didn't conduct and need to decide if you are comfortable with the conclusions. If you are not, you can always initiate the reevaluation process.

55. Has the Core Data reporting been cumbersome for other districts relative to the MOSIS reporting?

Answer: No, there have not been many complaints at this point. If you have a problem, please send an email to MOSISwebreply@dese.mo.gov

56. As a first year director I would love a webinar on "How To" enter ECSE data or other "How To" topics for first year people. I'm so worried I will forget something or enter something wrong and cost the district money.

Answer: This is now posted on the web along with many other web videos on other Funds topics. Feel free to contact our Funds Section if you have questions.

57. I have questions on developing behavior plans. Are there required elements to be included in a behavior plan? If so what they?

Answer: Please visit our Effective Practices Section web page where you will find Behavior Intervention Plan information now posted along with the Functional Behavior Analysis (FBA) resources. The resources added now include the information you have requested.

58. How are we to write the new end of course exams in the IEP? How do we document which ones they are taking and what accommodations they should receive? Will there be a page in the IEP like the old MAP page to check off or do we need to write it somewhere else such as Present level?

Answer: See Model IEP form posted on our web site.